

California Architects Board

Board Meeting

December 10, 2015

Sacramento, California





Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## NOTICE OF BOARD MEETING

**December 10, 2015**  
**9:00 a.m. to 4:00 p.m.**  
**(or until completion of business)**  
**Stanley Mosk Library and Courts Building**  
**914 Capitol Mall, Room 500**  
**Sacramento, CA 95814**  
**(916) 651-6466 or (916) 575-7221 (Board)**

The California Architects Board will hold a Board meeting, as noted above. The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see below or you may contact Mel Knox at (916) 575-7221.

The Board plans to webcast this meeting on its website at [cab.ca.gov](http://cab.ca.gov). Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

### Agenda

- A. Call to Order/Roll Call/Establishment of Quorum
- B. President's Remarks and Board Member Comments
- C. Public Comment on Items Not on Agenda  
*(The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)*
- D. Review and Approve September 10, 2015 Board Meeting Minutes
- E. Executive Officer's Report
  - 1. Update on November 2015 Monthly Report
  - 2. Update and Possible Action on Legislation Regarding:
    - a. Assembly Bill (AB) 177 (Bonilla) [Authority: Extension]
    - b. AB 507 (Olsen) [BreZE]
    - c. Senate Bill 704 (Gaines) [Conflict of Interest]

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

*(Continued)*

- d. American Institute of Architects, California Council (AIACC) Proposal on Intern Title
  - e. AIACC Proposal on Continuing Education
  - f. AIACC Proposal on Mandatory Construction Observation
3. Board Member Liaison Reports on Organizations and Schools

F. Election of 2016 Board Officers

G. Executive Committee Report

1. Update on Executive Committee November 24, 2015 Meeting
2. Discuss and Possible Action on Recommendation Regarding 2015 Octavius Morgan Distinguished Service Awards
3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Review, Leverage, and Evaluate Effectiveness of Board's Liaison Program to Build Stronger Relationships with Organizations
4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Increase Board's Participation in National Council of Architectural Registration Boards (NCARB)
5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Collaborate with Department of Consumer Affairs' Office of Public Affairs to Improve Outreach and Communication
6. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Analyze Fees to Determine Whether They are Appropriate
7. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Complete Sunset Review Process and Implement Recommendation(s) to Comply with Legislature's Directives

H. Regulatory and Enforcement Committee (REC) Report

1. Update on REC November 5, 2015 Meeting
2. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Monitor NCARB Action on Title for Interns to Ensure Appropriate Consumer Protection
3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Review Board's Occupational Analysis (OA) of Architect Profession to Identify Marketplace Trends That Impact Consumer Protection
4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Pursue Recruitment of Additional Architect Consultant to Ensure Continuity and Effectiveness in Board's Enforcement Program
5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Modify and Expand Reports to Board Members Regarding Enforcement Activities to Identify Most Common Violations and Disciplinary Actions
6. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Pursue Methods to Obtain Multiple Collection Mechanisms to Secure Unpaid Citation Penalties

*(Continued)*

- I. California Supplemental Examination (CSE)
  - 1. Update and Possible Action on 2015–2016 Strategic Plan Objective to Conduct Review of Architect Registration Examination and Linkage Study
  - 2. Update and Possible Action on 2015–2016 Strategic Plan Objective to Reclassify CSE Item Bank Based Upon Results of 2014 OA
  
- J. NCARB
  - 1. Discuss and Possible Action on Implementing NCARB’s Integrated Path Initiative
  - 2. Discuss and Possible Action on Modifications to NCARB Education Standard
  - 3. Discuss and Possible Action on NCARB Resolution 2015-02 Regarding Broadly Experienced Foreign Architect Program
  
- K. Communications Committee Report
  - 1. Update on Communications Committee October 21, 2015 Meeting
  - 2. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Partner with Contractors State License Board to Identify and Implement Best Practices for Educating Consumers About California Architects Board in Order to Improve Consumer Education Efforts
  - 3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Collaborate with Professional Organizations and Universities to Raise Awareness at Community Colleges and High Schools About Profession and Paths to Licensure
  - 4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Survey Recipients of Board’s Educational Materials to Determine Effectiveness of Outreach Efforts
  - 5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Enhance Relationships with Veterans Administration Counseling Centers to Provide Information Regarding Architecture Profession and Paths to Licensure
  
- L. Discuss and Possible Action on Proposed Amendments to Board’s and Landscape Architects Technical Committee’s (LATC) *Disciplinary Guidelines* and Proposed Amendments to California Code of Regulations (CCR), Title 16, Sections 154 and 2680 as it Relates to Reference of Proposed Revised *Disciplinary Guidelines*
  
- M. LATC Report
  - 1. Update on LATC November 17, 2015 Meeting
  - 2. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 2615 (Form of Examinations) as it Relates to Reciprocity Requirements
  
- N. Review of Schedule
  
- O. Closed Session
  - 1. Pursuant to Government Code Section 11126(e), the Board will Meet in Closed Session to Receive Advice from Counsel on Litigation
  - 2. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters

(Continued)

P. Reconvene Open Session

Q. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mel Knox at (916) 575-7221, emailing mel.knox@dca.ca.gov, or sending a written request to the Board. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

*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. (Business and Professions Code section 5510.15)*

**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

Denise Campos

Tian Feng

Pasqual V. Gutierrez

Sylvia Kwan

Ebony Lewis

Matthew McGuinness

Nilza Serrano

Barry Williams

**PRESIDENT'S REMARKS AND BOARD MEMBER COMMENTS**

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

**PUBLIC COMMENT SESSION FOR ITEMS NOT ON AGENDA**

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

**APPROVE SEPTEMBER 10, 2015 BOARD MEETING MINUTES**

The Board is asked to approve the minutes of the September 10, 2015 Board meeting.

Attachment:

September 10, 2015 Board Meeting Minutes

MINUTES

REGULAR MEETING

CALIFORNIA ARCHITECTS BOARD

September 10, 2015

San Francisco, CA

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

Board President, Jon Alan Baker called the meeting to order at 10:37 a.m. and Board Vice President, Pasqual Gutierrez, called roll.

Board Members Present

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

Guests Present

Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)  
Maureen Decombe, Past President, Association of Professional Landscape Designers (APLD) - California Chapter  
Katherine Ferguson, Center for Public Interest Law (CPIL)  
Shanker Munshani, Chairman, Academic & Credential Records, Evaluation & Verification Service  
Moora Paul

Staff Present

Doug McCauley, Executive Officer  
Vickie Mayer, Assistant Executive Officer  
Trish Rodriguez, Program Manager, Landscape Architects Technical Committee (LATC)  
Justin Sotelo, Program Manager, Administration/Enforcement  
Mel Knox, Administration Analyst  
Timothy Rodda, Examination/Licensing Analyst  
Robert Carter, Architect Consultant  
Rebecca Bon, Staff Counsel, Department of Consumer Affairs (DCA)

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

B. PRESIDENT'S REMARKS AND BOARD MEMBER COMMENTS

Mr. Baker 1) thanked Sylvia Kwan for making arrangements for the meeting site; 2) advised that all motions and seconds shall be repeated for the record, and votes on all motions shall be taken by roll-call; and 3) announced that the National Council of Architectural Registration Boards (NCARB) selected three California schools of architecture for participation in what is now called the NCARB Integrated Path Initiative (IPI).

C. PUBLIC COMMENT SESSION FOR ITEMS NOT ON AGENDA

There were no comments from the public.

D. APPROVE JUNE 10, 2015 BOARD MEETING MINUTES

Mr. Baker asked for comments concerning the June 10, 2015, Board Meeting Minutes. Vickie Mayer noted a minor edit on page 11, under Agenda Item K, to change "December 2015" to "December 2014." Denise Campos noted that her arrival at the June 10, 2015 meeting was due to a rental car scheduling error.

- **Nilza Serrano moved to approve the June 10, 2015, Board Meeting Minutes with a minor edit to page 11.**

**Barry Williams seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley informed the Board that the December 10, 2015 Board meeting will be held in Sacramento. Mr. McCauley reminded the Board that its Strategic Plan is now a two-year plan; however, there will be opportunities to discuss the status of Strategic Plan objectives at the upcoming December meeting. He suggested inviting to the December meeting the three California schools of architecture that were selected to participate in NCARB's IPI.

Mr. McCauley reported that a joint meeting with the Nevada State Board of Architecture is being explored for the Board's March 2016 meeting. He opined a joint meeting with Nevada will be helpful and informative prior to NCARB's Annual Meeting.

Mr. McCauley reminded members who desire to serve on the Board for an additional term to begin the process by expressing interest in reappointment. He also informed the Board that a briefing on DCA's integrated, enterprise-wide enforcement case management and licensing system known as BreEZe was received at a recent LATC meeting. Mr. McCauley reported that a key BreEZe vendor contract was terminated, and that it is not clear at this time what will happen during the Phase 3 rollout in which the Board is scheduled.

Mr. McCauley reminded members that their liaison reports will be expected at the December 10, 2015 meeting, and that liaison materials, including talking points, are anticipated to be provided before the end of September 2015.

Mr. McCauley reported that the Architect Registration Examination (ARE) review and linkage study has been completed by DCA Office of Professional Examination Services. He stated that a comprehensive report will be provided at the December 10, 2015 meeting.

Mr. McCauley suggested the Board take a support position on Assembly Bill (AB) 177 (Bonilla) – the bill that will extend the sunset date for the Board and LATC until January 1, 2020. He reported that an important amendment was recently added to the bill to give the Board authority to allow students in an Additional Path to Architectural Licensure (APAL) degree program to take the ARE at an earlier eligibility point.

- **Sylvia Kwan moved to “support” AB 177 (Bonilla).**

**Nilza Serrano seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Mr. Gutierrez acknowledged that, should the Governor sign AB 177 (Bonilla), California will be the national leader in providing students with access to the ARE.

#### F. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. Gutierrez, a member of NCARB’s Licensure Task Force (LTF), updated the Board on the LTF’s role in the IPI process. He informed that, at this stage, the LTF has evolved into a reviewing committee that will monitor the success of IPI schools. Mr. Gutierrez informed the Board that the LTF will also consider additional Request for Proposals (RFPs) to expand the program.

Mr. Baker acknowledged that California schools of architecture represent approximately 25% of schools selected to participate in the IPI. Mr. McCauley asked if there are other California schools of architecture that are interested in the IPI, but did not respond to the RFP. Mr. Gutierrez opined there are other schools that are monitoring how the IPI develops. Mr. McCauley suggested inviting all ten National Architectural Accrediting Board-accredited schools of architecture in California to the December 10, 2015 Board meeting, to which Mr. Gutierrez opined that the three IPI schools should certainly be invited. Mr. Gutierrez suggested having a summit for the remaining schools when the next RFP is advertised.

Mr. Baker recognized that only private schools chose to participate in NCARB’s IPI selection process. He asked Mr. Gutierrez if he sensed that private schools had an easier experience responding to the RFP than did public institutions. Mr. Gutierrez stated that private schools have a natural flexibility to maneuver certain obstacles related to the IPI program.

Tian Feng suggested asking the three IPI schools to provide a brief presentation at the December 10, 2015 Board meeting. Mr. Gutierrez suggested comparing east-coast schools that were accepted for participation in the IPI to the three California schools. Mr. Baker stated that it would be a good idea for the Board to assess the differences and similarities between schools that were accepted for participation in NCARB’s IPI. Mr. Gutierrez stated that the Board’s job is not that complicated, and the thing to do is support the IPI schools and provide them with access to the ARE.

Ms. Serrano noted the most recent pass/fail rates for ARE divisions taken by California candidates shown in the Board's Monthly Report. She asked how the Board could help better prepare students. Mr. Gutierrez explained that ARE 5.0 is practice-based, not content-based like the ARE 4.0. Mr. Baker explained that each of the ARE 4.0 categories are changing and that ARE 5.0 will test candidates on knowledge of the way architecture is truly practiced. He opined that the trend in pass/fail rates have not changed very much in several years. Ms. Mayer opined that, California's pass rates may differ because California offers multiple pathways to licensure. Mr. McCauley offered to provide the Board with a breakdown of candidate performance based on the various pathways available. Mr. Baker stated there is an ongoing debate with State jurisdictions that are not entirely supportive of California's alternative pathways, particularly concerning the issue of reciprocity. He expressed interest in reviewing data that may support the legitimacy of California's different pathways. Ms. Serrano clarified that her concern is about the schools' effectiveness at teaching students the critical skills needed to successfully pass divisions of the ARE.

Ms. Campos asked about the cost difference between ARE 4.0 and ARE 5.0, to which Mr. Baker opined the net cost of ARE 5.0 is lower than ARE 4.0. Timothy Rodda informed the Board that NCARB will not change the ARE fee per division for the first three years. Mr. Rodda explained that once ARE 4.0 is no longer offered, the fee for ARE 5.0 divisions will increase, but the overall cost will still be lower than ARE 4.0.

Ms. Kwan explained the University of California, Berkeley's (UCB) philosophical approach to teaching architecture. She stated that students are taught to think and understand in architectural terms, while practice-based architecture is not a primary focus. Ms. Kwan opined that schools like UCB will likely be among the last schools of architecture to participate in NCARB's IPI. Mr. Gutierrez stated that IPI is simply another pathway for candidates.

Mr. McCauley explained NCARB's initiative concerning a path for professionals with qualified experience beyond five years. He informed the Board that the initiative is similar to the Broadly Experienced Design Professional pathway that was envisioned by Mr. Gutierrez. Mr. Gutierrez explained that the Intern Development Program (IDP) reporting requirement was expanded to allow 50% credit for experience performed up to five years ago. He explained that there exists a group of individuals who have work experience that falls outside the restrictions of the current IDP reporting requirements. Mr. Gutierrez reported that, consequently, NCARB staff was directed to develop a concept for individuals to submit qualifying experience that identifies proficiency in the IDP experience categories, but falls outside of the current reporting requirement. Ms. Mayer informed the Board that the Professional Qualifications Committee (PQ) briefly discussed the concept as it was first introduced in June and approved a recommendation for the Board to send a letter of support to NCARB.

- **Nilza Serrano moved to approve PQ's recommendation to send a letter of support to NCARB concerning a path for professionals with qualified experience beyond five years, and provide feedback regarding the program for submission before the September 29, 2015 deadline.**

**Ebony Lewis seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

G. REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, SECTION 109 (FILING OF APPLICATIONS) AS IT RELATES TO REFERENCE OF CURRENT EDITION OF *INTERN DEVELOPMENT PROGRAM (IDP) GUIDELINES*

Mr. Rodda informed the Board that a regulatory change is needed to properly reference the most recent edition of NCARB's *IDP Guidelines* in CCR section 109. He presented the proposed changes and explained that the July 2015 edition of *IDP Guidelines* reflects NCARB's decision to reduce the number of hours required to complete IDP in the first of a two-phase process to overhaul the program.

- **Nilza Serrano moved to approve the proposed regulatory changes to amend CCR section 109 and delegate authority to the Executive Officer (EO) to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes, if needed.**

**Sylvia Kwan seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

H. REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 118.5 (EXAMINATION TRANSFER CREDIT) AND ADOPT SECTION 119.8 (EXAMINATION TRANSITION PLAN - ARE 4.0 TO ARE 5.0)

Mr. Rodda informed the Board that a regulatory change is needed to allow candidates to receive transitional ARE 5.0 credit. He explained that the Board's regulations currently do not allow candidates to receive transfer credit for ARE 4.0 or the upcoming ARE 5.0 when transferring to California from another jurisdiction. Mr. Rodda further explained that the Board's regulations do not contain a provision for the granting of transitional credit from ARE 4.0 to ARE 5.0 or obtaining credit for successfully completing divisions of ARE 5.0. Accordingly, he asked the Board to consider amending CCR section 118.5 to allow transfer credit for those who passed ARE divisions, and add CCR section 119.8 to allow candidates to transition to and obtain credit for ARE 5.0. Mr. Rodda noted that candidates will be allowed to transition themselves for the examination until the year 2018.

- **Tian Feng moved to approve the proposed regulatory change to amend CCR section 118.5 and add section 119.8 and delegate authority to the EO to adopt the regulations provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes, if needed.**

**Denise Campos seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

I. REVIEW AND APPROVE SECOND MODIFIED TEXT REGARDING PROPOSED AMENDMENT TO CCR, TITLE 16, SECTION 120 (RE-EXAMINATION) AS IT RELATES TO REFERENCE OF CURRENT EDITION OF ARCHITECT REGISTRATION EXAMINATION GUIDELINES

Mr. Rodda advised the Board that a regulatory change is needed to incorporate the new *ARE Guidelines* into the Architects Practice Act (Act). He reminded the Board that a regulatory amendment was approved at its September 10, 2014 meeting to update the Board's regulations to: 1) incorporate by reference the NCARB *ARE Guidelines*; 2) set the standards by which candidates receive a Rolling Clock extension; 3) clarify procedures to reschedule a division where a candidate has failed to appear; and 4) modify the wait period to retake a failed division. Mr. Rodda informed that NCARB has since released another edition (July 2015) of the *ARE Guidelines*, and asked the Board to consider modifying the proposed language to reference the updated *ARE Guidelines* in CCR section 120.

Mr. Baker asked whether the Board will need to take action on this item again should NCARB publish future editions of the *ARE Guidelines*. Mr. Rodda opined that when ARE 5.0 becomes available, the regulation will again need to be revised. He also opined that NCARB revisions to its *ARE Guidelines* should become less frequent.

- **Tian Feng moved to adopt the proposed regulatory changes to CCR section 120 as modified and delegate authority to the EO to make minor technical or non-substantive changes, if needed in completing the rulemaking file.**

**Barry Williams seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

J. PROFESSIONAL QUALIFICATIONS COMMITTEE (PQ) REPORT

Mr. Gutierrez, the PQ Committee Chair, reported that PQ met on July 14, 2015 to discuss the:

1. Promotion of "Accelerated Path to Architectural Licensure;"
2. Reclassification of the California Supplemental Examination item bank based on results of the 2014 Occupational Analysis;
3. ARE testing environment;
4. Entry barriers into the profession for diverse groups; and
5. Position held by NCARB concerning foreign architect certification (Resolution 2015-02).

Mr. Gutierrez reported that PQ will schedule a visit to an ARE testing session in order to ensure that security and efficiencies are operating properly. He also reported that PQ evaluated the profession to identify entry barriers into licensure for various demographic groups, and reported several statistics about those demographic groups from the *NCARB: By the Numbers* publication.

Mr. Gutierrez also reported that PQ made a recommendation to alter the requirement for foreign architects to complete IDP, and value their education and experience to a greater degree as they seek licensure. The Board discussed PQ's recommendation and the Committee's understanding of the distinction between imposing IDP "criteria" and IDP. Mr. Gutierrez stated that PQ

understood NCARB Resolution 2015-02 to impose completion of IDP on foreign architects, not IDP “criteria.” He explained that PQ opposed requiring formal IDP submittal. Mr. Feng stated that clarification is needed in terms of IDP requirements for foreign architects; he recalled that PQ believed the resolution focused on the ARE requirement more so than on portfolio review. Mr. Feng stated that, as PQ Vice Chair, he intends to bring clarity on the matter back to the Committee for further consideration. Ms. Kwan pointed out that the resolution clearly states “You must document completion of the IDP.” Mr. McCauley stated that “document” IDP sounds different from “complete” IDP, and opined that the distinction was intended to have real meaning. Mr. Baker agreed that further clarification from NCARB on the matter is needed, to which Mr. McCauley indicated he would work with Mr. Feng to prepare an inquiry to NCARB. The Board agreed to revisit the issue at its December 10, 2015 meeting.

#### K. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

Trish Rodriguez reported that LATC met on August 6, 2015 to discuss several items including the revision of its *Disciplinary Guidelines*. Ms. Rodriguez explained that LATC staff worked in conjunction with Board staff on the *Disciplinary Guidelines* and incorporated edits previously approved by the Board that were applicable to the LATC and additional edits recommended by the Deputy Attorney General liaison. She directed the Board’s attention to the revised LATC *Disciplinary Guidelines* that were approved at the LATC’s August 6, 2015 meeting.

Ms. Rodriguez asked the Board to approve the recommended revisions to the *Guidelines* and the proposed regulatory language that would incorporate by reference the latest edition of the *Guidelines* in CCR section 2680.

- **Nilza Serrano moved to approve the recommended revisions to the *Guidelines* and the proposed regulatory changes to amend CCR section 2680 and delegate authority to the EO to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes, if needed.**

**Tian Feng seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Ms. Rodriguez also reported that LATC discussed expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. She reminded the Board that, at its May 13, 2015 meeting, LATC approved proposed regulatory language to allow up to one year of credit for teaching under the supervision of a licensed landscape architect. Ms. Rodriguez directed the Board’s attention to the proposed regulatory language, and asked the Board to consider approval to amend CCR section 2620. Mr. Feng asked for clarity about teaching under a licensed landscape architect, to which Ms. Rodriguez explained that a supervisor in the landscape architect program would be licensed. Mr. Williams asked if the program’s Dean or department Chair would need to be licensed, to which Ms. Rodriguez informed that the regulation does not specify what the title must be. Mr. Feng expressed concern that the requirement may not be practical because it is rare for an institution to have a Dean or department Chair be licensed to practice landscape architecture. Ms. Rodriguez stated that the concept is designed to encourage licensure among students, and if instructors are licensed it would motivate students to become licensed. Ms. Mayer informed the Board that LATC’s

proposed language is similar to the Board's regulations that allow credit for teaching to be earned while under the supervision of a licensed architect. She explained that a licensee would sign an employment verification form stating that they supervised a candidate, which would then allow the LATC to grant up to one year of teaching credit. Mr. Rodda opined that this type of experience is allowed for IDP credit. Ms. Kwan stated that the concept appears to operate successfully under the architecture system.

- **Denise Campos moved to approve the proposed regulatory changes to amend CCR section 2620 and delegate authority to the EO to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes, if needed.**

**Nilza Serrano seconded the motion.**

**Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.**

Mr. McCauley introduced the Sustainable Sites Initiative (SITES) to the Board, which is a comprehensive, voluntary rating system for sustainable landscapes. He explained that SITES was developed by the United States Botanic Garden, the Lady Bird Johnson Wildflower Center at the University of Texas at Austin, and the American Society of Landscape Architects (ASLA). Mr. McCauley reported that there are currently no States that utilize SITES for public projects. He opined that SITES would advance California's water conservation efforts and noted that SITES is currently under consideration by the Board's cabinet agency.

Ms. Rodriguez reported that LATC discussed comments that were recently submitted to the Department of Water Resources (DWR) concerning proposed amendments to the State's Model Water Efficient Landscape Ordinance (MWELO). Mr. McCauley explained that, on April 1, 2015, Governor Brown issued Executive Order B-29-15, directing the DWR to update the MWELO through an expedited regulation. He further explained that the ordinance is designed to strengthen water conservation strategies. Mr. McCauley informed the Board that LATC did not learn of the initiative until after an initial public meeting, which took place on June 25, 2015. He stated that LATC submitted comments to DWR and reported that the comments were well-received. Mr. McCauley informed that LATC staff was then able to explain LATC's interpretations and potential problems with the regulations. He reported that the DWR Independent Technical Panel on Demand Management Measures (ITP) recently held a meeting to develop recommendations on the Landscape Water Use Vision Statement, discuss workforce challenges and opportunities, and develop preliminary suggestions on ITP Final Report format. Mr. McCauley opined it highly inappropriate for another State agency to craft policy recommendations concerning licensure, which was communicated in a letter to DWR on August 27, 2015. Mr. McCauley informed the Board that a discussion regarding recommendations related to codes and standards will be held during the next ITP meeting, to be in November 2015. He asked the Board to consider a motion directing LATC to participate in the rulemaking process and preserve the integrity of the Landscape Architects Practice Act.

- **Nilza Serrano moved to direct LATC to participate in the DWR rulemaking process concerning MWELO and preserve the integrity of the Landscape Architects Practice Act.**

**Tian Feng seconded the motion.**

Maureen Decombe assured the Board that APLD will submit a written response to LATC's August 27, 2015 letter to DWR. Ms. Decombe stated that APLD has engaged very proactively with the LATC, and there was no intention of excluding the LATC. She said there appears to be a gap in communication and expressed APLD's intention to cooperate with the LATC to advance the issue of water conservation in California. Ms. Decombe stated that APLD has attended meetings regularly, participated in the public process, and worked with the LATC to clarify rules so there is a reasonable and clear exemption for the practice of residential landscape design in the State of California. She also stated that APLD has found no instance of reasonable or proven charge of threats to the public health, safety and welfare through the practice of residential landscape design in the State of California. Ms. Decombe explained that there is a market that needs help with water conservation, and that APLD wants to be able to operate legally and without the threat of enforcement actions. She also informed the Board that the MWELO attracts a significant increase of complaints against APLD members and their interpretation of Business and Professions Code section (BPC) 5641, which, in her view, stated that landscape designers were not allowed to design arbors or use the word 'design' in their advertisements or website. Ms. Decombe expressed concern about her perceived increase in consumer complaints received at the LATC that appeared to take place in July of 2015.

Mr. McCauley stated that issues concerning the Landscape Architects Practice Act and exempt areas of practice have been addressed at 21 public meetings in the recent past. He offered to make the aforementioned meeting materials available for any interested parties. Mr. Baker acknowledged Ms. Decombe's stated desire to better collaborate with the LATC on the issue of water conservation, and noted it consistent with the motion currently under consideration by the Board. Ms. Rodriguez added that, as a result of a prior recommendation made by the LATC, staff monitored the application of BPC 5641 and reported back to the members, which was a generalized under the enforcement update at LATC's August 6, 2015 meeting. She stated there have been no issues with applying that particular section.

Moora Paul asked the Board if it had discussed the issue of what unlicensed individuals should call themselves. Mr. Baker stated that Ms. Paul's question is not germane to the current motion under consideration, but he did state that it is a topic of interest to the Board. Mr. Baker clarified that there is no regulation that specifies what unlicensed individuals should be called. He stated that if one does not have a license to practice architecture in California, one may not call himself or herself an architect.

Katherine Ferguson asked for clarification about the Board's ability to delegate disciplinary action against unlicensed individuals to the LATC, to which Mr. McCauley indicated that the Act requires that disciplinary actions and regulations be approved by the Board.

**Members Gutierrez, Kwan, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Members Campos, Feng, and Lewis abstained from voting. The motion passed 6-0-3.**

N.\* REVIEW OF SCHEDULE

Mr. McCauley reminded the Board that its next meeting is scheduled for December 10, 2015 in Sacramento. He also identified March 4, 2016 as a possible date for the first Board meeting of 2016. Mr. McCauley announced that the Communications Committee will meet on October 21, 2015, Regulatory and Enforcement Committee (REC) will meet on November 5, 2015, LATC will meet on November 17, 2015, and Executive Committee will meet on November 24, 2015.

Kurt Cooknick asked the Board to consider scheduling an additional REC meeting before the December 10, 2015 Board meeting. Mr. Cooknick informed the Board that he desired to revisit the “architectural intern” title issue, which was previously discussed at the June 10, 2015 Board meeting. The Board will take Mr. Cooknick’s request under consideration.

L. CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 11126(C)(3) THE BOARD WILL CONVENE INTO CLOSED SESSION

The Board went into closed session to consider action on the Closed Session Minutes of the June 10, 2015 Board meeting.

M. RECONVENE OPEN SESSION

The Board reconvened open session.

O. ADJOURNMENT

The meeting adjourned at 2:15 p.m.

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

**EXECUTIVE OFFICER'S REPORT**

1. Update on November 2015 Monthly Report
2. Update and Possible Action on Legislation Regarding:
  - a. Assembly Bill (AB) 177 (Bonilla) [Authority: Extension]
  - b. AB 507 (Olsen) [BreZE]
  - c. Senate Bill 704 (Gaines) [Conflict of Interest]
  - d. American Institute of Architects, California Council (AIACC) Proposal on Intern Title
  - e. AIACC Proposal on Continuing Education
  - f. AIACC Proposal on Mandatory Construction Observation
3. Board Member Liaison Reports on Organizations and Schools



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## MEMORANDUM

**DATE:** December 3, 2015  
**TO:** Board Members  
**FROM:** Doug McCauley, Executive Officer  
**SUBJECT:** Monthly Report

The following information is provided as an overview of Board activities and projects as of November 30, 2015.

### ADMINISTRATIVE/MANAGEMENT

Board The Board met on September 10, 2015 in San Francisco. The next meeting is scheduled for December 10, 2015 in Sacramento. The first Board meeting in 2016 is tentatively scheduled for March 4, 2016.

BreEZe The Department of Consumer Affairs (DCA) has been working with Accenture, LLP to design, configure, and implement an integrated, enterprise-wide enforcement case management and licensing system called BreEZe. This system supports DCA's highest priority initiatives of job creation and consumer protection by replacing aging legacy business systems with an industry-proven software solution that utilizes current technologies to facilitate increased efficiencies for DCA board and bureau licensing and enforcement programs. More specifically, BreEZe supports applicant tracking, licensing, license renewal, enforcement, monitoring, cashiering, and data management capabilities. Additionally, the system is web-based which allows the public to file complaints and search licensee information and complaint status via the Internet. It also allows applicants and licensees to submit applications, license renewals, and make payments online. BreEZe is being deployed department-wide via three separate releases. Release 1 was implemented on October 9, 2013; the Board is currently part of Release 3. In January 2015, DCA had requested a contract amendment for the BreEZe project, which was considered by the Department of Finance (DOF) and the Joint Legislative Budget Committee. Subsequent to that, legislative hearings were held in March which provided the Legislature with additional information regarding the project and the opportunity to more fully evaluate

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

the options for moving forward with the project. On March 24, 2015, DCA was notified by the Legislature that it may proceed with the BreEZe contract amendments. Implementation of Release 2 boards and bureaus was moved to the end of 2015 and DCA still intends to bring Release 3 boards and bureaus into BreEZe. However, as recommended by the State Auditor, DCA will conduct a cost-benefit analysis for Release 3 boards and bureaus after Release 2 is completed. Absent any contrary finding in that analysis, DCA plans to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups. In June 2015, DCA informed the Board that, after Release 2 is completed, it will work with the Release 3 boards and bureaus with the California Technology Agency in preparing a project plan for the remaining boards and bureaus. DCA also indicated that, prior to beginning work on Release 3, it will perform a formal cost benefit analysis after Release 2 is completed. DCA stated that part of this formal evaluation will include a gap analysis of all existing BreEZe functionality as delivered at the completion of Release 2, in comparison to the Release 3 boards and bureaus' business needs and current systems' functionality. It indicated that the cost benefit analysis/feasibility study will determine the strategy to be utilized; and, whether contractors are brought on board, a mix of contractors and state staff, or just state staff will be implementing Release 3. DCA anticipates the development of the Release 3 project plan to begin in mid-2016.

Communications Committee The Communications Committee met on October 21, 2015 in Sacramento. At this meeting, the Committee addressed its assigned 2015-2016 Strategic Plan objectives.

Executive Committee The Executive Committee met on November 24, 2015 in Sacramento and various teleconference locations. At this meeting, the Committee addressed its assigned 2015-2016 Strategic Plan objectives.

Legislation Assembly Bill (AB) 177 (Bonilla) [Authority: Extension] extends the Sunset date for the Board and LATC until January 1, 2020. On August 27, 2015, the bill passed the Senate Committee on Appropriations and it was amended to express the Board's intention to move the examination eligibility point consistent with Additional Path to Architectural Licensure (APAL) programs' structure so APAL students may test earlier. The amendment is consistent with the Board's APAL Supporting Position Statement, and was developed with National Council of Architectural Registration Boards (NCARB) Licensure Task Force (LTF) member Pasqual Gutierrez. A letter urging the Governor to sign the bill was sent by Board President Jon Baker on September 23, 2015. AB 177 was approved by the Governor on October 2, 2015 and becomes effective on January 1, 2016.

AB 507 (Olsen) [BreEZe] was introduced on February 23, 2015 and would add Business and Professions Code section (BPC) 210.5 to require DCA to submit an annual report to the Legislature and DOF regarding the BreEZe system. Specifically, it requires annual submissions of these reports to begin on or before March 1, 2016, and (2) DCA to post on its website the name of each regulatory entity that is utilizing the BreEZe system. The bill is in the Senate Business, Professions, and Economic Development Committee.

Senate Bill (SB) 704 (Gaines) [Conflict of Interest] establishes an additional provision of Government Code wherein appointed members of unelected boards or commissions would be

permitted to recuse themselves from decisions on contracts in which they have a financial interest. SB 704 was approved by the Governor on September 30, 2015, and becomes effective January 1, 2016.

Liaison Program Board member liaisons provided updates on their assigned organization and school activities and objectives at the June 10, 2015 Board meeting. Liaisons requested the schedule of reports be modified to fall and spring and re-assignment of certain schools. Reminders to make contact with assigned organizations and/or schools were sent to liaisons on October 29, 2015. Liaisons will next provide updates on their assigned organizations and schools at the December 10, 2015 Board meeting.

Newsletter The Board's newsletter, *California Architects*, was published, posted on the website, and distributed to email subscribers on October 21, 2015. The next issue will be published and distributed in December 2015.

Outreach On September 16, 2015, the Board collaborated with the Contractors State License Board to assist victims of the recent wildfires by providing a supply of the *Consumer's Guide to Hiring an Architect* and the Consumer Tips for Design Projects handout. These materials were distributed through the local assistance centers in Lake and Butte counties.

Training The following employees have been scheduled to participate in upcoming training:

|            |  |
|------------|--|
| 12/1/15    | Completed Staff Work (Andy, and Lily Low)    |
| 5/24/16    | Hiring and Onboarding New Employees (Justin) |
| 5/25-26/16 | Performance Management (Justin)              |

Twitter The Board currently has 782 followers, up from 474 followers this time one year ago.

Website In November, the agendas for the November 24, 2015 Executive Committee meeting and December 10, 2015 Board meeting were posted on the Board's website.

## **EXAMINATION AND LICENSING PROGRAMS**

Accelerated Path to Architectural Licensure (APAL) In September 2013, NCARB reported that it convened a Licensure Task Force to explore potential new pathways to architectural licensure. Led by Past NCARB President Ronald B. Blicht, the Task Force is charged with analyzing each component of the licensure process as a basis for exploring potential additional pathways that lead to licensure, including determining whether or where there may be overlap and opportunities for efficiencies to be realized.

At its February 26, 2014 meeting, the Board discussed an additional path to licensure model that would integrate experience (Intern Development Program [IDP]) and examination components into a degree program, culminating with eligibility for licensure at graduation. The Board invited representatives from each of the National Architectural Accrediting Board (NAAB)-accredited programs in California to discuss the model. More specifically, the Board was provided with an overview of such a model and reports from school representatives on their respective efforts to promote licensure. Additionally, presentations were provided by

NewSchool professor Mitra Kanaani (who introduced a new vision for architectural education) and Steve Altman (who outlined a proposal to establish the Sacramento College of Architecture). Discussion also took place with regard to other current NCARB efforts and the development of a potential framework for an accelerated path to architectural licensure model.

The Professional Qualifications Committee (PQC) discussed this issue further at its April 9, 2014 meeting, as did the Board at its June 12, 2014 meeting. Board Vice President and PQC Vice Chair Pasqual Gutierrez developed a position statement in support of an additional pathway to licensure that was approved by the Board and presented to the NCARB Licensure Task Force.

NCARB released a Request for Interest & Information (RFI&I) on September 9, 2014 to NAAB-accredited programs requesting information in order to assess the interest level and readiness to design and develop an integrated path leading to APAL. The deadline for submission of a response to NCARB was October 31, 2014. The RFI&I was the first step in a two-part process that was followed by a formal Request for Proposal (RFP) that was released on January 23, 2015 with a deadline of June 1, 2015.

The Board invited to its March 12, 2015 meeting representatives from each of the NAAB-accredited programs to provide a report on their respective efforts to develop an integrative academic program. Dean Norman Millar and Undergraduate Chair Marc Neveu provided the Board with a detailed presentation that outlined two curricula Woodbury University is considering implementing. Presented were an integrative six-year Bachelor of Architecture program and a corresponding four-year Master of Architecture program. Graduate Architecture Program Chair, Kurt Hunker, presented NewSchool of Architecture and Design's vision for an integrative academic program; four-year and six-year Architecture programs were outlined. Also invited was a representative of the Adroit School of Architecture/American Board of Architecture who was questioned extensively.

NCARB has received more than one dozen responses to the RFP, which were reviewed by the LTF in June/July 2015. NCARB will respond to each school with feedback as to how their proposal is or could become acceptable before releasing the names of the accepted programs. NCARB indicated that all programs that submitted proposals will be coached as to the next steps of the process, including modifications necessary to move forward toward implementation. Member Boards will be engaged by NCARB regarding regulatory changes that would allow access to the Architect Registration Examination (ARE) prior to graduation from a NAAB accredited program.

On August 31, 2015, NCARB announced the first 13 accredited architectural programs to be accepted for participation in what is now called the NCARB Integrated Path Initiative (IPI). It is important to note that three of the 13 accepted schools are from California (NewSchool of Architecture and Design, University of Southern California, and Woodbury University). The initiative encourages NAAB programs to propose a pre-graduation integration of education, experience, and the opportunity to take each of the six divisions of the ARE.

NCARB's acceptance of initial participants culminates a two-year effort of its LTF to design an integrated path framework that promotes individual academic program flexibility while addressing the regulatory requirements for licensure. The LTF reviewed existing programs

requiring experience as a pre-graduation requisite and conducted the RFI&I and RFP as part of its deliberations.

NCARB has also established a new Integrated Path Evaluation Committee (IPEC) to oversee the ongoing work of this initiative. It is anticipated that the IPEC will continue to coach accepted programs, promote engagement with state boards regarding the necessary statutory or regulatory changes to incorporate integrated path candidates, and oversee the acceptance of future program applicants.

According to NCARB, each program will implement the integrated path in alignment with the schedule developed by the respective school administration and faculty. Starting date may vary from one school to another. Integrated path students in each program will be part of existing accredited programs.

Board staff reviewed the Architects Practice Act to determine whether any statutory or regulatory changes are necessary for implementation of an NCARB-accepted IPI program. The EO provided proposed language to legislative staff for inclusion into its Sunset Review bill (AB 177) that would authorize the Board to grant candidates early eligibility to take the ARE.

Staff in the interim is preparing a regulatory amendment package for the Board’s consideration at its December 10, 2015 meeting.

ARE The results for ARE divisions taken by California candidates between October 1, 2015 and October 31, 2015 are available below.

| DIVISION                               | NUMBER OF DIVISIONS | TOTAL PASSED |        | TOTAL FAILED |        |
|--|---------------------|--------------|--------|--------------|--------|
|  |                     | # Divisions  | Passed | # Divisions  | Failed |
| Building Design & Construction Systems | 103                 | 63           | 61%    | 40           | 39%    |
| Building Systems                       | 70                  | 44           | 63%    | 26           | 37%    |
| Construction Documents & Services      | 144                 | 74           | 51%    | 70           | 49%    |
| Programming, Planning & Practice       | 116                 | 66           | 57%    | 50           | 43%    |
| Schematic Design                       | 88                  | 65           | 74%    | 23           | 26%    |
| Site Planning & Design                 | 104                 | 54           | 52%    | 50           | 48%    |
| Structural Systems                     | 84                  | 53           | 63%    | 31           | 37%    |

Effective October 1, 2014, NCARB's mandatory wait time for retaking ARE divisions decreased from 6 months to 60 days. This policy change allows candidates who have failed a division to retake the division as soon as 60 days after the previous attempt, and up to 3 times in a running year for any particular division. A running year commences with the first attempt at a specific ARE division. NCARB stated that the policy change was possible because of the implementation of *My Examination* that provided it with a sophisticated technology platform to better implement candidate management services. The policy change is an improvement which allows NCARB to decrease the wait time between retakes of a division, while still ensuring the protection of examination content from over-exposure. Staff identified a need to amend CCR section 120 (Re-Examination) and the Board approved proposed regulatory language to implement NCARB's change to the ARE waiting period. During preparation of the final regulatory package, staff was advised that an updated edition (October 2014) of the *ARE Guidelines* was released by NCARB. As a result, staff consulted with legal counsel and it was suggested the proposed amendment be modified to reflect the new edition. A 15-day Notice of Modified Language was prepared and made publicly available. The comment period for the Notice began on May 6, 2015. The Board adopted the modified language at its June 10, 2015 meeting. On July 1, 2015, NCARB released a new edition of the ARE Guidelines. As a result, staff prepared and made public a 15-day Notice of Second Modification Language. The Board adopted the second modified language at its September 10, 2015 meeting. See "Regulation Changes" section below for more information regarding proposed amendments to CCR section 120.

ARE 5.0 In early 2013, the NCARB Board of Directors (BOD) voted unanimously to approve the development of ARE 5.0, the next version of the examination. As part of ARE 5.0 development, the new structure incorporates graphics throughout the examination via new "performance item types" that have candidates perform exercises similar to what an architect does as part of regular practice. Additionally, the incorporation of case studies is anticipated to be implemented in all proposed divisions and will allow more in-depth analysis of architectural scenarios by candidates.

The ARE 5.0 Test Specification determines the division structure, defines the major content areas (sections), measurement objectives, and percentage of content coverage (weightings). The final Test Specification outlining the division structure for ARE 5.0 was approved on December 7, 2013 by the BOD. The future examination will include six divisions, and each will be stand-alone, single test administrations. This structure results from an effort to align the ARE with the more commonly defined professional architect activities of practice management, project management, and project design.

In May 2014, NCARB released information about the transition from ARE 4.0 to 5.0. For this transition, NCARB has released information as far in advance as possible to allow candidates who may be transitioned more time to prepare and create a plan. Additionally, NCARB is making some adjustments that will benefit candidates, such as the: 1) dual delivery of ARE 4.0 and ARE 5.0 for at least 18 months, 2) option for candidates to "self-transition" to ARE 5.0, and 3) availability of interactive tools and resources to help a candidate determine the best strategy for their transition. Additionally, NCARB's Examination Committee and test development consultant reviewed the content covered in each ARE 4.0 and 5.0 division to find a reasonable level of alignment. As a result, candidates will have a greater opportunity to receive credit for

ARE 5.0 divisions based on 4.0 divisions passed. ARE 5.0 is anticipated to launch in late 2016, with development and integration testing taking place over the next few years.

California Supplemental Examination (CSE): CSE development is an ongoing process. The prior Intra-Agency Contract Agreement (IAC) with the Office of Professional Examination Services (OPES) for examination development expired on June 30, 2015. Staff worked with OPES on the development of a new IAC for FY 2015/16, which was approved by the Board at its June 10, 2015 meeting.

Occupational Analysis (OA), ARE Review, and Linkage Study: The Board typically conducts an OA every five to seven years by surveying practitioners to determine the necessary knowledge, skills, and abilities to perform architectural services with minimum competency. The last OA was conducted in 2007. The Board authorized the EO to execute an IAC with OPES to conduct an OA, the required review of the national examination [per BPC 139], and a linkage study between the content of the ARE and the results of the Board's OA. The approval of the IAC was ratified by the Board at its February 26, 2014 meeting.

In March 2014, OPES conducted four focus group meetings as one of the initial steps in the OA process. Three of the meetings were half-day meetings and involved the following stakeholders: 1) general building contractors; 2) engineers, land surveyors, and landscape architects; and 3) building officials. The fourth meeting was a two-day session, which involved architects. OPES analyzed the focus group meeting results in late March, which provided additional information with regard to the job tasks and knowledge required of architects. The next stage of the OA included interviews with architect subject matter experts (SMEs) and was conducted in April; the purpose of these interviews was to enable OPES to develop a preliminary list of job tasks and knowledge statements. The following step was to conduct workshops in furtherance of developing the pilot OA questionnaire, which was distributed in June 2014. The final OA questionnaire was distributed to a representative sample of California licensees in early July 2014; selected licensees had until July 18 to complete the questionnaire. Results were reviewed by OPES and analyzed by SMEs at two workshop held in September 2014; the findings were presented to the Board at its December 10, 2014 meeting.

OPES completed the ARE review and linkage study that compare the content of the 2014 CSE Test Plan with the subject matter covered in the various divisions of ARE 4.0 and 5.0. This process will help ensure there is minimal overlap in the content of the CSE. The final step in the process was reclassification of the CSE item bank to align it with the 2014 CSE Test Plan. The reclassification was completed during a workshop held July 16-17, 2015. The Board will be provided a presentation at its December 10, 2015 meeting to discuss the final items that were completed, including development of the 2014 CSE Test Plan.

CSE Results: In November, the computer-delivered CSE was administered to 76 candidates, of which 56 (74%) passed and 20 (26%) failed. The CSE has been administered to 349 candidates in FY 2015/2016, of which 234 (67%) passed and 115 (33%) failed. During FY 2014/2015, the computer-delivered CSE was administered to 788 candidates, of which 472 (60%) passed, and 316 (40%) failed.

NCARB Broadly Experienced Architect (BEA) Program On June 23, 2014, NCARB released a notice to Member Boards requesting input on proposed changes to the BEA program. It provided a 90-day comment period that ended on September 5, 2014. Then-President Sheran Voigt responded on behalf of the Board in support of the proposed changes on August 12, 2014, which was later ratified by the Board at its December 10, 2014 meeting.

The changes to the BEA program, as initially introduced, reduced the amount of experience required by a licensee to complete the program and receive an NCARB Certificate. Under the originally proposed changes, licensees completing this program must: 1) meet a Member Board's education and experience requirement for initial licensure; 2) successfully complete the ARE; and 3) maintain a license to practice architecture in the jurisdiction of initial licensure in good standing; without disciplinary action for one year.

At its September 11–13, 2014 meeting, the NCARB BOD indicated that half of the Member Boards supported the proposed BEA changes. NCARB's deliberation included the consensus that a professional degree from a NAAB-accredited program must still be valued and incentivized. Further, there was a desire to better understand whether licensed experience is necessary to compensate for commonly identified education deficiencies. Therefore, the BOD directed NCARB staff to facilitate further discussion during the October 31–November 1, 2014 Member Board Chairs/Member Board Executives (MBC/MBE) meeting.

At its December 4–6, 2014 meeting, the BOD voted to revise the changes to the BEA program. The revisions would: 1) require two years of post-licensure practice, combined with compliance with twice the IDP requirements for those holding a pre-professional degree or three times the IDP requirements for those holding an unrelated degree; 2) eliminate NCARB Certificate eligibility for those holding only a high school diploma; and 3) eliminate the Education Evaluation Services for Architects and dossier requirements, eliminate the fees associated with those two steps, and automate the entire process, using IDP as the metric for dictating additional experience in lieu of education. The BOD directed NCARB staff to develop a draft resolution for the BEA program that was submitted for comment to Member Boards and discussion at the NCARB Regional Summit on March 12–15, 2015.

The draft BEA resolution was reviewed by Board staff where it was determined the revised resolution excludes architects who do not have a post-secondary degree from obtaining an NCARB Certificate. Accordingly, this would create significant reciprocity issues. Staff recommended the Board take an “oppose unless amended” position on the resolution.

At the 2015 Regional Summit, membership extensively debated the proposed BEA resolution. Included in those voicing concern about the resolution was Board President Jon Baker who strongly advocated a revision be considered by NCARB leadership, so architects without a post-secondary degree would not be discriminated. Based upon the feedback received from membership, the BOD unanimously voted at its April 23–25, 2015 meeting to revise the draft resolution.

As written before the NCARB 2015 Annual Meeting, the draft resolution required five years of post-licensure practice for all licensees without an accredited education and completion of twice the IDP requirements for those with a pre-professional degree in architecture or five times the

requirements for all other candidates. NCARB has stated that the latest revisions preserved the ability of all licensees, regardless of education, to remain eligible for the NCARB Certificate. Board staff has revised its recommendation and advised the Board support the resolution during the NCARB membership vote that was held this month at the NCARB 2015 Annual Meeting.

Prior to the membership vote at the Annual Meeting, the resolution was further amended; reversing the latest revision that had been approved by the BOD in April. The final amended version of the resolution subsequently failed to pass by a narrow margin. NCARB indicated that it will apply feedback received from the membership toward a revised alternative and return next year with a proposal that will attempt to capture the blend of rigor, inclusion and ease of use that is acceptable to a majority of its members.

NCARB Broadly Experienced Foreign Architect (BEFA) Program On June 23, 2014, NCARB released a notice to Member Boards requesting input on proposed changes to the BEFA program. It provided a 90-day comment period that ended on September 5, 2014. Then-President Sheran Voigt responded on behalf of the Board in support of the changes on August 12, 2014, which was later ratified by the Board at its December 10, 2014 meeting.

The changes to the BEFA program, as initially introduced, eliminated the experience dossier, the corresponding dossier review, and interview; reducing the amount of documentation a foreign licensee must provide. Under the changes, BEFA program candidates must: 1) hold a license as an architect in a country that has a formal record keeping method for disciplinary actions for architects; 2) hold a recognized education credential that leads to the lawful practice of architecture in a country other than the U.S. or Canada; 3) document two years of active licensed practice in the country of licensure or document two years working in the U.S. under the direct supervision of an architect; and 4) complete the ARE.

At its September 11–13, 2014 meeting, the BOD revised the BEFA proposal to limit the proposed two years of experience to working under the supervision of a U.S. licensed architect, with all other proposed revisions including ARE passage remaining intact. The BOD directed NCARB staff to facilitate further discussion during the October 31–November 1, 2014 MBC/MBE meeting. At its December 4–6, 2014 meeting, the BOD voted to revise the changes to BEFA by requiring applicants to complete IDP in lieu of documenting seven years credentialed practice in a foreign country. The BOD directed NCARB staff to develop a draft resolution that was submitted for comment to Member Boards and for discussion at the NCARB Regional Summit on March 12–15, 2015.

The Board voted to support the BEFA Resolution 2015-B, at its March 12, 2015 meeting. The resolution was approved by Member Boards at the June 18–20, 2015 NCARB Annual Meeting, and will become effective on July 1, 2016. The PQ considered the resolution at its July 14, 2015 meeting and formulated a recommendation for discussion and possible action at the Board's September 10, 2015 meeting. The Board, at its September 10, 2015 meeting discussed the PQ recommendation and directed Tian Feng and Mr. McCauley to request clarification from NCARB regarding the IDP requirement for foreign licensees. The PQ's recommendation will be reconsidered by the Board at its December meeting once clarification on the IDP requirement has been obtained.

NCARB Intern Development Program (IDP) On June 23, 2014, NCARB released a notice to Member Boards requesting input on two important changes to IDP (set to be implemented during a two-year period) and provided a 90-day comment period for feedback. On August 12, 2014, the Board President provided comments to NCARB on behalf of the Board in support of the proposal on the basis that proposed changes remove unnecessary hindrances to licensure for candidates while still ensuring the public health, safety, and welfare are protected. The Board ratified the comments submitted to NCARB at its September 10, 2014 meeting. At its September 11–13, 2014 meeting, the NCARB BOD approved the changes.

The first change (which became effective on July 1, 2015) reduced the number of hours required to complete IDP from 5,600 to 3,740. Consequently, NCARB released an updated edition of the *IDP Guidelines* for candidates to use while working through IDP requirements. The second change (tentatively planned for implementation on July 1, 2016) is the development of a new IDP framework. The new framework would remove the separate experience areas within the four IDP experience categories and create six new experience categories which directly align with the six phase-based areas of practice.

Regulation Changes *CCR section 109 (Filing of Applications)* – NCARB released a new edition of the *IDP Guidelines* in July 2014 which allows experience to be gained beyond the initial six month reporting period. Candidates may now report experience up to five years prior at a reduced value of 50 percent toward IDP requirements. Staff developed proposed regulatory language to reflect the new edition of the Guidelines. The Board approved the proposed regulatory language to amend CCR section 109 at its September 10, 2014 meeting and delegated authority to the EO to adopt the regulation, provided that no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR section 109:

|                    |   |
|--------------------|---|
| September 10, 2014 | Proposed regulatory language approved by the Board  |
| January 23, 2015   | Notice of Proposed Changes in the Regulations published by Office of Administrative Law (OAL)           |
| January 23, 2015   | Regulation package submitted to DCA Division of Legislative and Policy Review                           |
| March 9, 2015      | Public hearing, no comments received  |
| April 24, 2015     | Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review       |
| June 1, 2015       | Final rulemaking file submitted to Business, Consumer Services and Housing Agency (Agency) for approval |
| June 18, 2015      | Final rulemaking file approved by Agency  |
| June 30, 2015      | Final rulemaking file submitted to OAL for approval   |
| August 5, 2015     | Final rulemaking file approved by OAL   |
| October 1, 2015    | Effective date of regulatory change   |

*CCR section 120 (Re-Examination)* – Effective October 1, 2014, NCARB’s mandatory wait time for retaking ARE divisions decreased from 6 months to 60 days. This policy change allows

candidates who have failed a division to retake the division as soon as 60 days after the previous attempt, and up to 3 times in a running year for any particular division. During analysis of the aforementioned NCARB policy change and existing regulations, staff noted that there were no provisions allowing for an extension to a candidate's Rolling Clock date that NCARB may grant under specific circumstances. Additionally, CCR section 120 requires that candidates reapply to NCARB or its authorized representative upon failing a division or failing to appear for a scheduled division, which is not the current practice as outlined in the most recent edition of the *ARE Guidelines*. Staff developed proposed regulatory language to amend CCR section 120 to reflect the proposed retest modifications, update regulations to accept Rolling Clock extensions, and reference the current edition of the *ARE Guidelines* for rescheduling procedures. The Board approved the proposed regulatory language to amend CCR section 120 at its September 10, 2014 meeting and delegated authority to the EO to adopt the regulation, provided that no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 120:

|                    |   |
|--------------------|---|
| September 10, 2014 | Proposed regulatory language approved by the Board  |
| February 27, 2015  | Notice of Proposed Changes in the Regulations submitted to OAL                                    |
| March 13, 2015     | Notice of Proposed Changes in the Regulations published by OAL                                    |
| April 27, 2015     | Public hearing, no comments received  |
| May 6, 2015        | Notice of Modified Text mailed to interested parties  |
| May 21, 2015       | End of 15-day comment period; no comments received  |
| June 10, 2015      | Modified text approved by the Board   |
| July 27, 2015      | Notice of Second Modified Text mailed to interested parties                                       |
| August 11, 2015    | End of second 15-day comment period; no comments received   |
| September 10, 2015 | Second Modified text approved by the Board  |
| September 28, 2015 | Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review |

*CCR section 109 (Filing of Applications)* – The Canadian Architectural Licensing Authority released a new edition of the *Internship in Architecture Program (IAP) Manual* which: 1) reduces the total length of the required experience from 5,600 hours to 3,720; 2) eliminates Discretionary Experience and credit gained while enrolled in a school of architecture; and 3) allows documentation of credit only while enrolled in IAP or IDP. Staff developed proposed regulatory language to reflect the new edition of the Manual. The Board approved the proposed regulatory language to amend CCR section 109 at its March 12, 2015 meeting and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 109:

|                |  |
|----------------|--|
| March 12, 2015 | Proposed regulatory language approved by the Board             |
| May 15, 2015   | Notice of Proposed Changes in the Regulations submitted to OAL |

|                   |   |
|-------------------|---|
| May 29, 2015      | Notice of Proposed Changes in the Regulations published by OAL                                    |
| July 13, 2015     | Public hearing, no comments received  |
| July 27, 2015     | Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review |
| August 31, 2015   | Final rulemaking file submitted to Agency for approval  |
| October 2, 2015   | Final rulemaking file approved by Agency  |
| October 8, 2015   | Final rulemaking file submitted to OAL for approval   |
| November 23, 2015 | Final rulemaking file approved by OAL   |
| January 1, 2016   | Effective date of regulatory change   |

*CCR sections 109 (Filing of Applications) and 111 (Review of Applications)* – On September 27, 2014, Governor Edmund G. Brown Jr. signed SB 1226 (Correa) [Chapter 657, Statutes of 2014] into law, which added BPC 115.4. BPC 115.4 requires the Board, on and after July 1, 2016, to expedite or, when applicable, assist the initial licensure process for a candidate who supplies satisfactory evidence to the Board they have served as an active duty member of the Armed Forces of the United States and were honorably discharged. Forthcoming changes based on BPC 115.4 necessitate a revision to the Application for Eligibility Evaluation. Changes to the application will also include: updating the name of the application in regulation, transitioning from a print-based version to one that is web-based, and standardizing language and layout to meet current web accessibility standards. Staff developed proposed regulatory language to reflect the new version of the application. The Board approved the proposed regulatory language to amend CCR sections 109 and 111 at its March 12, 2015 meeting and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board’s regulatory proposal for CCR sections 109 and 111:

|                 |   |
|-----------------|---|
| March 12, 2015  | Proposed regulatory language approved by the Board  |
| June 4, 2015    | Notice of Proposed Changes in the Regulations submitted to OAL                                    |
| June 19, 2015   | Notice of Proposed Changes in the Regulations published by OAL                                    |
| August 3, 2015  | Public hearing, no comments received  |
| August 13, 2015 | Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review |

*CCR sections 118.5 (Examination Transfer Credit) and 119.8 (Examination Transition Plan – ARE 4.0 to ARE 5.0)* – In early 2013, the NCARB BOD voted unanimously to approve the development of ARE 5.0, the next version of the examination. In May 2014, NCARB released information about the transition from ARE 4.0 to ARE 5.0. Additionally, NCARB is making some adjustments, such as the dual delivery of ARE 4.0 and ARE 5.0 for at least 18 months, and the option for candidates to “self-transition” to ARE 5.0. Staff developed proposed regulatory language to amend CCR section 118.5 to allow transfer credit for those passed ARE divisions, and add CCR section 119.8 to allow candidates to transition to and obtain credit for ARE 5.0. The Board approved the proposed regulatory language to amend CCR section 118.5 and add section 119.8 at its September 10, 2015 meeting and delegated authority to the EO to adopt the

regulations, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR sections 118.5 and 119.8:

September 10, 2015 Proposed regulatory language approved by the Board  
September 22, 2015 Notice of Proposed Changes in the Regulations submitted to OAL  
October 2, 2015 Notice of Proposed Changes in the Regulations published by OAL  
November 16, 2015 Public hearing, no comments received

*CCR section 109 (Filing of Applications)* – NCARB released a new edition of the *Intern Development Program (IDP) Guidelines* which implements the first phase of the IDP overhaul. Specifically, this requires interns to only document the core hour requirement to complete IDP. This reduces the total length of the required experience from 5,600 hours to 3,740. Staff developed proposed regulatory language to reflect the new edition of the guidelines. The Board approved the proposed regulatory language to amend CCR section 109 at its September 10, 2015 meeting and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 109:

September 10, 2015 Proposed regulatory language approved by the Board  
September 29, 2015 Notice of Proposed Changes in the Regulations submitted to OAL  
October 9, 2015 Notice of Proposed Changes in the Regulations published by OAL  
November 23, 2015 Public hearing, no comments received

## **ENFORCEMENT PROGRAM**

Architect Consultants Building Official Contact Program: Architect consultants were available on-call to Building Officials in November when 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 Architects Practice Act, stamp and signature requirements, and scope of architectural practice.

On October 19, 2015, the Board distributed a Post-Disaster Building Official Bulletin and supply of the *Consumer's Guide to Hiring an Architect* to Building Officials in the counties affected by the Butte and Valley Fires. The Bulletin was provided to assist the Building Officials and their staff in helping citizens rebuild homes and businesses damaged by the fires, and included information regarding: 1) license requirements; 2) penalties for unlicensed practice; 3) requirements for the release of plans following a natural disaster; 4) Board's toll-free telephone number to aid disaster victims; and 5) opportunities for the Board to provide outreach and education at community events.

Education/Information Program: Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In November, there were 24 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.

Enforcement Actions (includes actions effective September - November) Gary Padilla Alzona (Torrance) The Board issued a three-count citation that included a \$7,500 administrative fine to Gary Padilla Alzona, dba Sol-Lunar and Solluna, an unlicensed individual, for alleged violations of BPC 5536(a) and (b) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Signature and Stamp on Plans and Documents; Unauthorized Practice). The action alleged that Alzona affixed a fraudulent stamp not belonging to himself but that of a licensee named Dean W. Lee on plans. Said stamp read “Licensed Architect,” “State of California,” “Sol-Lunar,” “Dean Lee,” “No. C27692,” and “Ren. 10/31/2012.” Alzona also used the fraudulent stamp on plans for a residence located in Los Angeles, California. The title block on the plans states “Solluna Architecture/Construction,” and “Drawn By: GPA.”

Alzona also executed a written “Proposal to do Architectural Services...” for a single family dwelling located in Bel Air, California. The proposal was on letterhead with Alzona’s firm name, “SolLunar” and the term “Architecture Construction.” Alzona submitted invoices to the client dated January 4, 2010, January 18, 2010, May 9, 2010 and April 5, 2011, on letterhead stating the firm name and the title “Architecture Construction.” The citation became final on September 30, 2015.

Ross Sherwood Anderson (New York, New York) The Board issued a one-count citation that included a \$500 administrative fine to Ross Sherwood Anderson, architect license number C-16923, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Anderson certified false or misleading information on his 2015 License Renewal Application. Anderson paid the fine, satisfying the citation. The citation became final on September 30, 2015.

George Arthur Bean (Orange) The Board issued a one-count citation that included a \$750 administrative fine to George Arthur Bean, architect license number C-23719, for alleged violations of BPC 5600.05(a)(1) and (b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Bean failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. The citation became final on September 1, 2015.

Peter M. Bernholz (Vero Beach, Florida) The Board issued a one-count citation that included a \$500 administrative fine to Peter M. Bernholz, architect license number C-15993, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Bernholz certified false or misleading information on his 2015 License Renewal Application. Bernholz paid the fine, satisfying the citation. The citation became final on September 30, 2015.

Tracy Ellen Boland (Indianapolis, Indiana) The Board issued a one-count citation that included a \$250 administrative fine to Tracy Ellen Boland, architect license number C-30533, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Boland certified false or misleading information on her 2015 License Renewal Application. Boland paid the fine, satisfying the citation. The citation became final on November 10, 2015.

Brent Carl Chase (Laguna Niguel) The Board issued a one-count citation that included a \$750 administrative fine to Brent Carl Chase, architect license number C-24121, for alleged violations of BPC 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Chase failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. Chase paid the fine, satisfying the citation. The citation became final on September 10, 2015.

Nathaniel Raymond Chiappa (Los Angeles) The Board issued a one-count citation that included a \$750 administrative fine to Nathaniel Raymond Chiappa, architect license number C-31889, for an alleged violation of BPC 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Chiappa failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. Chiappa paid the fine, satisfying the citation. The citation became final on October 8, 2015.

Evan R. Cross (Mill Valley) The Board issued a one-count citation that included a \$500 administrative fine to Evan R. Cross, architect license number C-27319, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Cross certified false or misleading information on his 2015 License Renewal Application. Cross paid the fine, satisfying the citation. The citation became final on October 8, 2015.

Yvonne Marie Farrell (Mountain View) The Board issued a two-count citation that included a \$1,500 administrative fine to Yvonne Marie Farrell, architect license number C-22393, for alleged violations of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements) and CCR 160(b)(2) (Rules of Professional Conduct). The action alleged that Farrell failed to provide documentation to the Board from the course provider upon an audit of her 2013 License Renewal Application and failed to respond to the Board's requests for information within 30 days in regards to an investigation. The citation became final on October 8, 2015.

Robert C. Frear (San Francisco) The Board issued a one-count citation that included a \$500 administrative fine to Robert C. Frear, architect license number C-12420, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Frear certified false or misleading information on his 2015 License Renewal Application. Frear paid the fine, satisfying the citation. The citation became final on September 30, 2015.

Markus Hans Geisler (Albany) The Board issued a two-count citation that included a \$1,500 administrative fine to Markus Hans Geisler, architect license number C-16933, for alleged violations of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements) and CCR 160(b)(2) (Rules of Professional Conduct). The action alleged that Geisler failed to provide documentation to the Board from the course provider upon an audit of his 2013 License Renewal Application and failed to respond to the Board's requests for information within 30 days in regards to an investigation. The citation became final on November 25, 2015.

Elhamy Michel Kirollos (Santa Clarita) The Board issued a two-count citation that included a \$2,000 administrative fine to Elhamy Michel Kirollos, architect license number C-30861, for alleged violations of BPC 5584 (Negligence) and CCR 160(f)(1) (Rules of Professional Conduct). The action alleged that Kirollos failed to modify a construction contract agreement to reflect major changes in roles and responsibilities of both the architect and contractor when both functions and associated activities are performed by the same person. He failed to clearly define his role and responsibilities as both architect and contractor to fairly protect the interests of all concerned. Kirollos also changed the project scope of work without first obtaining the client's consent to do so in writing. Kirollos paid the fine, satisfying the citation. The citation became final on October 15, 2015.

Jean A. Lemanski (San Francisco) The Board issued a one-count citation that included a \$500 administrative fine to Jean A. Lemanski, architect license number C-19187, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Lemanski certified false or misleading information on her 2015 License Renewal Application. Lemanski paid the fine, satisfying the citation. The citation became final on September 17, 2015.

Joseph Pink (Alhambra) The Board issued a one-count citation that included a \$500 administrative fine to Joseph Pink, architect license number C-33102, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Pink certified false or misleading information on his 2015 License Renewal Application. The citation became final on October 8, 2015.

Abhay Schweitzer (San Diego) The Board issued a three-count citation that included a \$1,500 administrative fine to Abhay Schweitzer, dba TECHNE Design + Development, an unlicensed individual, for alleged violations of BPC 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that Schweitzer executed a written contract to design 4-5 residences which are not buildings described in BPC 5537(a) as exempt buildings; he prepared drawings with the word "Architecture" in the title blocks and under the "Project Team" heading, and he prepared drawings for multiple dwellings of more than four units, which are not buildings described in BPC 5537(a) as exempt buildings. Schweitzer paid the fine, satisfying the citation. The citation became final on October 29, 2015.

Tryggvi Thorsteinsson (Santa Monica) The Board issued a three-count modified citation that included a \$4,000 administrative fine to Tryggvi Thorsteinsson, dba MINARC, Inc., an

unlicensed individual, for alleged violations of CCR 134(a) (Use of the Term Architect) and BPC 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that Thorsteinsson’s company, MINARC, Inc. initiated an agreement offering to prepare plans and specifications for a 4,000 square foot steel stud insulated panelized house located in Los Angeles, California. Thorsteinsson subsequently prepared architectural schematic design, design development and construction drawings for the project and submitted them for permit to the City of Los Angeles, Department of Building and Safety. The project does not satisfy the criteria for an exempt project type as defined in BPC 5537(a) and required a licensed design professional for preparation of plans, drawings, or specifications. On or about September 16, 2014, the Internet revealed that Thorsteinsson’s company website minarc.com contained the Meta tag keywords, “architect,” “architecture” and “minarc” and under About & Bio tab, it described Thorsteinsson’s company practice, which included small-scale renovations to new construction, in residential, commercial and public settings. Thorsteinsson’s company, MINARC, Inc., is listed on the website linkedin.com under the “Architecture & Planning” category. Thorsteinsson is also listed on linkedin.com and shows “Architectural” design as part of his skills and expertise. Thorsteinsson’s company, MINARC, Inc. is listed under the “Architect(s)” category on the website yelp.com and angleslist.com. The title block on the permitted set of architectural construction drawings for the project contained Thorsteinsson’s business name, MINARC (which is an abbreviation for “Minimalism in Architecture”). Thorsteinsson paid the fine, satisfying the citation. The citation became final on October 20, 2015.

Audrey Tse (Burlingame) The Board issued a two-count citation that included a \$750 administrative fine to Audrey Tse, architect license number C-26290, for alleged violations of BPC 5558 (Mailing Address; Filing Requirements) and 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements) and CCR 104 (Filing of Addresses). The action alleged that Tse failed to immediately notify the Board of a change in her mailing address and certified false or misleading information on her 2015 License Renewal Application. Tse paid the fine, satisfying the citation. The citation became final on October 21, 2015.

Gary Alan Whitfield (Dana Point) The Board issued a one-count citation that included a \$500 administrative fine to Gary Alan Whitfield, architect license number C-8776, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Whitfield certified false or misleading information on his 2015 License Renewal Application. Whitfield paid the fine, satisfying the citation. The citation became final on October 13, 2015.

|                                 | <u>Current Month</u> | <u>Prior Month</u> | <u>Prior Year</u> |
|---------------------------------|----------------------|--------------------|-------------------|
| <u>Enforcement Statistics</u>   | November 2015        | October 2015       | November 2014     |
| Total Cases Received/Opened**:  | 29                   | 44                 | 16                |
| Complaints with Outside Expert: | 1                    | 1                  | 0                 |
| Complaints to DOI:              | 0                    | 0                  | 1                 |
| Complaints Pending DOI:         | 0                    | 0                  | 0                 |
| Complaints Pending AG:          | 18                   | 18                 | 9                 |

|                                   |     |     |     |
|-----------------------------------|-----|-----|-----|
| Complaints Pending DA:            | 1   | 1   | 3   |
| Total Cases Closed**:             | 24  | 31  | 16  |
| Total Cases Pending*:             | 160 | 156 | 153 |
| Settlement Cases (§5588) Opened:  | 1   | 6   | 2   |
| Settlement Cases (§5588) Pending: | 16  | 16  | 5   |
| Settlement Cases (§5588) Closed:  | 1   | 1   | 2   |
| Citations Final:                  | 2   | 9   | 2   |

\* Includes complaints, settlement cases, citations, disciplinary actions and 24 cases referred to Enforcement Unit as a result of the continuing education (CE) coursework audits conducted after license renewal (a total of 168 CE cases have been referred to the Enforcement Unit).

\*\* Includes complaint and settlement cases.

At the end of each FY, staff reviews the average number of complaints received, pending, and closed for the past three FYs. From FY 2012/13 through 2014/15, the average number of complaints received per month was 25. The average pending caseload was 106 complaints and the average number of complaints closed per month was 23.

Regulation Change CCR section 154 (*Disciplinary Guidelines*) – The Board’s 2013 and 2014 Strategic Plans included an objective to review and update the Board’s *Disciplinary Guidelines*. The Regulatory and Enforcement Committee (REC) reviewed recommended updates to the Board’s *Disciplinary Guidelines* in 2013 and 2014. Additionally, at the request of the REC, staff consulted with a representative of The American Institute of Architects, California Council to address a proposed modification to the “Obey All Laws” condition of probation. The representative concurred with the revision and indicated that there was no issue with the proposal. Staff then consulted with the REC Chair who agreed to provide the *Disciplinary Guidelines* with recommended revisions to the Board for consideration at its December 2014 meeting due to the target date established for the Strategic Plan objective. At its December 2014 meeting, the Board approved the proposed revisions to the *Disciplinary Guidelines* and authorized staff to proceed with a regulatory proposal to amend CCR section 154 in order to incorporate the revised *Disciplinary Guidelines* by reference. Staff prepared the required regulatory documents for the Board’s review and approval at its June 10, 2015 meeting. The Board approved the proposed regulatory language to amend CCR section 154 at its June 10, 2015 meeting and delegated the authority to the Executive Officer (EO) to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes, if needed.

Following the August 6, 2015 LATC meeting, legal counsel advised LATC staff that additional research may be necessary regarding Optional Conditions 9 (California Supplemental Examination) and 10 (Written Examination). LATC staff subsequently discussed the concerns regarding these conditions with legal counsel on September 30, 2015. Board staff reviewed legal counsel’s comments as they relate to the Board’s *Disciplinary Guidelines*, and determined the Board’s *Guidelines* would also need to be amended. On October 21, 2015 Board and LATC staff sent proposed edits to these conditions to legal counsel for review. Legal counsel notified Board and LATC staff on November 12, 2015 that the proposed edits were acceptable, but substantive, and would require approval by the Board. The revised *Disciplinary Guidelines* and proposed regulatory language to amend CCR section 154 will be presented to the Board for approval at its December 10, 2015 meeting.

Regulatory and Enforcement Committee (REC) The Board's 2015-2016 Strategic Plan contains an objective assigned to the REC to review the Board's OA to identify marketplace trends that impact consumer protection. At its April 29, 2015 meeting, the REC assigned this objective to a working group comprised of Gary McGavin and Barry Williams. The working group met on October 15, 2015 at the Board's office in Sacramento to review the OA and develop a recommendation for the REC's consideration. The REC met on November 5, 2015 in Sacramento. At the meeting, the REC addressed its assigned Strategic Plan objectives.

## **LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)**

### **LATC ADMINISTRATIVE/MANAGEMENT**

Committee The LATC held a meeting at the University of California, Davis on November 17, 2015.

Training The following employees have been scheduled to participate in upcoming training:

12/9/15 Basic Project Management (Richie)

Website In November, staff published the updated "Licensee Search" lists to the website.

### **LATC EXAMINATION PROGRAM**

California Supplemental Examination (CSE) BPC 139 requires that an OA be conducted every five to seven years. An OA was recently completed by OPES for the LATC in 2014. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. The prior IAC with OPES for examination development expired on June 30, 2015. Staff worked with OPES on the development of a new IAC for FY 2015/16, which was approved by the Committee at its November 17, 2015 meeting. Upon execution of the IAC with OPES, the LATC began recruiting SMEs to participate in exam development workshops. The following workshops are scheduled for early 2016 and will focus on item writing and exam construction:

January 11-12, 2016

February 8-9, 2016

March 14-15, 2016

April 25-26, 2016

May 13-14, 2016

June 10-11, 2016

BPC 139 also requires boards and bureaus that use a national examination in conjunction with one developed by the state to have a psychometric process review conducted along with a linkage study, which compares the knowledge tested for on the national examination with those identified by the California OA. This is done to ensure that the national examination tests for knowledge relevant to license practice in California and to identify the California relevant knowledge not covered by the national examination. This latter knowledge typically forms the

basis for the content of the CSE. A review of the national examination and linkage study was completed in 2014 as well.

Landscape Architect Registration Examination (LARE) The current LARE administration began on November 30 and ends on December 13, 2015. The next LARE administration will be held on April 4-16, 2016 and the candidate application deadline is February 19, 2016.

Regulation Changes *CCR section 2615 (Form of Examinations)* – At its meeting on February 10, 2015, LATC directed staff to draft proposed regulatory language to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have ten years of practice experience, and have passed the California Supplemental Examination. At the LATC meeting on November 17, 2015 the Committee approved proposed amendments to CCR section 2615 (C)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. The proposed regulatory change will be presented to the Board for approval at its December 10, 2015 meeting.

*CCR section 2620(a)(13), Expand Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect* – At the LATC meeting on February 10, 2015 the Committee agreed that up to one year of experience/training credits should be granted for teaching under the supervision of a licensed landscape architect. At the May 13, 2015 LATC meeting the Committee approved the proposed language in CCR section 2620(a)(13) to provide one year of teaching credit under the supervision of a landscape architect in a degree program as specified in section 2620(a)(1), (2), and (4). At the August 6, 2015 LATC meeting the Committee recommended that the Board authorize LATC to proceed with a regulatory change. The Board approved the regulatory changes and delegated authority to the EO to adopt the regulation at the September 10, 2015 Board meeting. The regulatory proposal to amend CCR section 2620 was published by OAL on October 9, 2015.

Following is a chronology to date, of the processing of LATC's regulatory proposal for CCR section 2620:

|                    |  |
|--------------------|--|
| August 6, 2015     | Proposed regulatory changes approved by LATC                   |
| September 10, 2015 | Final approval by the Board                                    |
| October 9, 2015    | Notice of Proposed Changes in the Regulations published by OAL |
| November 30, 2015  | Public hearing, no comments received                           |

*CCR section 2620.5 (Requirements for an Approved Extension Certificate Program)* – LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended that the Board authorize LATC to proceed with a regulatory change. The Board approved the regulatory change and adopted the regulations at the December 15–16, 2010 Board meeting. The regulatory proposal to amend CCR section 2620.5 was published by the OAL on June 22, 2012. The University of California Extension Certificate Program Task Force

recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, LATC approved the Task Force’s recommended modifications to CCR section 2620.5, with additional edits. At the January 24–25, 2013 LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove some proposed modifications to the language to accommodate comments received from the public. The Board approved adoption of the modified language for CCR section 2620.5 at its March 7, 2013 meeting. However, on July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by the OAL. OAL concluded that the LATC had not clearly established why the proposed regulatory changes were needed.

On June 5, 2015, LAAB advised that they are in the process of updating their Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place last fall (2014). LAAB met this past summer to draft revisions to the Standards. After additional public input and comments in the fall 2015, LAAB will take action on the updated standards and procedures at its 2016 winter meeting (takes place in January 2016). Implementation of the new Standards will begin with programs to be reviewed by LAAB during the 2016 fall term.

On October 8, 2015, LATC received a copy of the proposed revisions which include several suggested changes to curriculum requirements. LATC staff will meet with working group members Christine Anderson and Linda Gates as soon as possible to review the proposed curriculum changes and develop updated regulatory language for CCR section 2620.5 to ensure that LATC requirements for extension certificate programs correspond with LAAB accreditation standards.

Following is a chronology, to date, of the processing of the regulatory proposal for CCR section 2620.5:

- November 22, 2010 Proposed regulatory language approved by LATC
- December 15, 2010 Proposed regulatory language approved by Board
- June 22, 2012 Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
- August 6, 2012 Public hearing; no public comments received
- November 30, 2012 40-Day Notice of Availability of Modified Language posted on website
- January 9, 2013 Written comment (one) received during 40-day period
- January 24, 2013 Modified language to accommodate public comment approved by LATC
- February 15, 2013 Final rulemaking file submitted to DCA’s Legal Office and Division of Legislative and Policy Review
- March 7, 2013 Final approval of modified language by Board
- May 31, 2013 Final rulemaking file submitted to OAL for approval
- July 17, 2013 Decision of Disapproval of Regulatory Action issued by OAL
- August 20, 2013 LATC voted not to pursue a resubmission of rulemaking file to OAL
- February 21, 2014 Staff worked with University of California Extension Certificate Program Review Task Force Chair to draft justifications for proposed changes\*
- February 10, 2015 LATC approved the appointment of a new working group to assist staff
- October 8, 2015 LATC received LAAB’s suggested revisions to curriculum requirements

*\*Staff is analyzing proposed modifications to develop a new regulatory proposal with justification to submit to OAL.*

Strategic Plan Objectives LATC's Strategic Plan for 2015–2016 contains numerous objectives. Below is a summary of objectives currently in-work:

*Expand Credit for Education Experience* to include degrees in related areas of study, i.e., urban planning, environmental science or horticulture, etc., to ensure that equitable requirements for education are maintained. At the November 17, 2015 LATC meeting, the Committee directed staff to amend this objective at its next meeting on February 10, 2015.

Sunset Review The LATC reviewed the first draft of the Sunset Review Report at its meeting on August 28, 2014 and delegated authority to LATC Chair and EO to make any necessary changes prior to submittal to the Legislature. The Board approved the draft Report with minor edits at its meeting on September 10, 2014. Staff finalized the Report and submitted it to the Legislature on October 31, 2014. On February 4, 2015, EO Doug McCauley met with the staff consultant for the Assembly Committee on Business and Professions to discuss any questions that may be raised during the Sunset Review process. The LATC's Sunset Review hearing was held on March 18, 2015. LATC's written responses to the issues identified in the Sunset Review Background Paper were submitted on April 16, 2015 to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development. At its May 13, 2015 meeting, LATC ratified staff's responses to the Sunset Review Background Paper as did the Board at its June 10, 2015 meeting.

AB 177 (Bonilla), the bill that extends the Sunset date for the Board and LATC until January 1, 2020, passed the Senate Committee on Appropriations is on the Governor's desk.

### **LATC ENFORCEMENT PROGRAM**

Disciplinary Guidelines As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board in order to review and update LATC's *Disciplinary Guidelines*. At its December 2014 meeting, the Board approved the proposed updates to their *Disciplinary Guidelines* and authorized staff to proceed with the required regulatory change in order to incorporate the revised *Disciplinary Guidelines* by reference. Board staff is currently working on the regulatory proposal. At its February 10, 2015 meeting, LATC approved proposed revisions to its *Disciplinary Guidelines* based on the recent Board approval for their *Guidelines*. Staff provided the revised *Disciplinary Guidelines* to the new Deputy Attorney General Liaison for review. He suggested several amendments, which staff added to the *Guidelines*. The amended *Disciplinary Guidelines* and proposed regulatory package was approved by LATC at its August meeting and by the Board at their September 10, 2015 meeting.

On October 21, 2015 staff sent DCA legal counsel suggested edits to the Optional Conditions section in the *Disciplinary Guidelines* for review. DCA legal counsel notified staff on November 12, 2015 that the edited portions were sufficient and substantive, and would require approval by the Board. The revised guidelines will be presented to the Board for approval at its meeting on December 10, 2015. Upon approval by the Board, staff will submit the proposed regulatory package to OAL.

|                                     | <u>Current Month</u><br>November 2015 | <u>Prior Month</u><br>October 2015 | <u>Prior Year</u><br>November 2014 |
|-------------------------------------|---------------------------------------|------------------------------------|------------------------------------|
| <u>Enforcement Statistics</u>       |                                       |                                    |                                    |
| Complaints Opened:                  | 2                                     | 2                                  | 1                                  |
| Complaints to Expert:               | 2                                     | 2                                  | 1                                  |
| Complaints to DOI:                  | 0                                     | 0                                  | 0                                  |
| Complaints Pending DOI:             | 1                                     | 1                                  | 0                                  |
| Complaints Pending AG:              | 2                                     | 2                                  | 1                                  |
| Complaints Pending DA:              | 0                                     | 0                                  | 0                                  |
| Total Cases Closed:                 | 2                                     | 2                                  | 0                                  |
| Total Cases Pending*:               | 13                                    | 14                                 | 15                                 |
| Settlement Cases (§5678.5) Opened:  | 0                                     | 0                                  | 0                                  |
| Settlement Cases (§5678.5) Pending: | 2                                     | 2                                  | 0                                  |
| Settlement Cases (§5678.5) Closed:  | 0                                     | 0                                  | 0                                  |
| Citations Final:                    | 0                                     | 0                                  | 0                                  |

*\*Includes both complaint and settlement cases*

### UPDATE AND POSSIBLE ACTION ON LEGISLATION REGARDING:

- a. **ASSEMBLY BILL (AB) 177 (BONILLA) [AUTHORITY: EXTENSION]**
- b. **AB 507 (OLSEN) [BREEZE]**
- c. **SENATE BILL 704 (GAINES) [CONFLICT OF INTEREST]**
- d. **AMERICAN INSTITUTE OF ARCHITECTS, CALIFORNIA COUNCIL (AIACC) PROPOSAL ON INTERN TITLE**
- e. **AIACC PROPOSAL ON CONTINUING EDUCATION**
- f. **AIACC PROPOSAL ON MANDATORY CONSTRUCTION OBSERVATION**

#### **AB 177 (Bonilla) [Authority: Extension]**

AB 177 (Bonilla) was approved by the Governor on October 2, 2015, and becomes effective on January 1, 2016. Under current law, the statutory authority of the California Architects Board (Board) and Landscape Architects Technical Committee (LATC) will expire on January 1, 2016. AB 177 extends the Sunset date for the Board and LATC until January 1, 2020. On August 27, 2015, the bill passed the Senate Committee on Appropriations and it was amended to express the Board's intention to move the eligibility point consistent with Additional Path to Architectural Licensure (APAL) programs' structure so APAL students may test earlier. The amendment is consistent with the Board's APAL Supporting Position Statement, and was developed with National Council of Architectural Registration Boards' Licensure Task Force member, Pasqual Gutierrez. A letter urging the Governor to sign the bill was sent by Board President Jon Baker on September 23, 2015.

#### **AB 507 (Olsen) [BreEZe]**

AB 507 (Olsen) would add Business and Professions Code section 210.5 to require the Department of Consumer Affairs (DCA) to submit an annual report to the Legislature and the Department of Finance regarding the BreEZe system. Specifically, it will require annual submissions of these reports to begin on or before March 1, 2016, and DCA to post on its website the name of each regulatory entity that is utilizing the BreEZe system. The bill remains in the Senate Committee on Business, Professions, and Economic Development.

#### **Senate Bill (SB) 704 (Gaines) [Conflict of Interest]**

SB 704 (Gaines) was approved by the Governor on September 30, 2015, and becomes effective January 1, 2016. The bill establishes a provision of the Government Code section wherein appointed members of unelected boards or commissions would be permitted to recuse themselves from decisions on contracts in which they have a financial interest. SB 704 includes the interest of an owner or partner of a firm who serves on an unelected board or commission to a contracting agency to the list of "remote interest" exceptions.

## **AIACC Proposal on Intern Title**

This is an AIACC proposal to create a special title for candidates for licensure. According to AIACC, the acceptance of the word “intern” to describe a person who is on path to licensure is not very high or very deep (this issue is addressed under Agenda Item H.2). The National Council of Architectural Registration Boards, through its Future Title Task Force, has determined that the correct approach is to “restrict regulatory language to post-licensure status only and remove the use of ‘intern’ terminology.” AIACC indicates that its proposal would amend the Architects Practice Act to allow the Board to adopt regulations allowing those who are on the path to licensure to use the title “Architect in Training.” AIACC believes this proposal to be on “middle-ground,” and would protect the importance of the title “architect” while recognizing the path those working toward licensure are on. As noted under Agenda Item H.2, the Regulatory and Enforcement Committee considered this issue at its November 5, 2015 meeting and approved a motion to table the matter until AIACC presents a comprehensive proposal that has been reviewed and analyzed by Board staff.

## **AIACC Proposal on Continuing Education**

This is an AIACC proposal to modify the content of the existing continuing education requirement that architects must fulfill in order to renew their license. The proposal does not change the number of hours required (under current law, architects must complete five hours of coursework on disability access requirements every two years). According to AIACC, this proposal would add “sustainability” as required course content. Therefore, architects would need to take five hours of combined coursework on sustainability and disability access requirements every two years. AIACC is proposing to add “sustainability” because of upcoming requirements in state law; all new residences must be zero net energy by 2020 and new commercial buildings must be zero net energy by 2030. AIACC’s “advocacy survey” responses showed a belief that the 1) current five hour requirement on disability access requirements was excessive; and 2) profession needs help acquiring the knowledge to meet the zero net energy requirements.

It should be noted that the current requirement is an outcome of negotiations between accessibility advocates, trial lawyers, building owner groups, and related entities. These discussions were part of the effort to reform the civil litigation process for accessibility cases. It should also be noted that two recent continuing education bills have been vetoed, but those proposals would have created a new program rather than modify an existing one.

## **AIACC Proposal on Mandatory Construction Observation**

The general goal of this AIACC proposal will be to provide the ability to visit the project post-construction to compare the approved plans against the completed work for access related matters only. AIACC has indicated that this complex proposal that remains under development will be the subject of a more detailed explanation in the future.

### Attachments:

1. AB 177 (Chapter 428, Statutes of 2015)
2. AB 507 (Olsen) [BreZE]
3. SB 704 (Chapter 495, Statutes of 2015)

## Assembly Bill No. 177

### CHAPTER 428

An act to amend Sections 207, 5510, 5517, 5620, 5621, 5622, 6710, 6714, 6749, 7839.2, 7841, 7841.1, 7841.2, 8710, and 8759 of, to amend and repeal Section 7885 of, to amend, repeal, and add Sections 205, 6797, 7886, and 8800 of, to add Section 5550.2 to, and to add and repeal Sections 6775.2, 7860.2, and 8780.2 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

[Approved by Governor October 2, 2015. Filed with  
Secretary of State October 2, 2015.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 177, Bonilla. Professions and vocations: licensing boards.

(1) The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires the board to appoint an executive officer. Existing law repeals the board and the executive officer position on January 1, 2016.

This bill would extend the operation of these provisions to January 1, 2020. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, the failure or refusal of a licensee or certificate holder under the act to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(2) Existing law, the Architects Practice Act, provides for the licensure and regulation of architects and landscape architects by the California Architects Board and authorizes the board to appoint an executive officer. Existing law establishes, within the jurisdiction of the board, the Landscape Architects Technical Committee for the purpose of, among other things, assisting the board in the examination of candidates for a landscape architect's license. Existing law repeals the board, the executive officer position, and the committee on January 1, 2016. Existing law requires a person to pass an examination as a condition of licensure as an architect and authorizes a person to take the examination if he or she meets certain examination eligibility requirements.

This bill would extend the operation of those provisions to January 1, 2020. The bill would also authorize the board to grant eligibility to a candidate to take the licensure examination if he or she is enrolled in an Additional Path to Architecture Licensing program, as specified.

(3) The Professional Land Surveyors' Act provides for the licensure and regulation of land surveyors by the Board for Professional Engineers, Land

Surveyors, and Geologists, which is vested with the power to administer the act until January 1, 2016.

This bill would extend that power to January 1, 2020. The bill, until January 1, 2020, would also add as a cause for disciplinary action by the board, as specified, the failure or refusal of a licensee or certificate holder under the act to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(4) The Geologist and Geophysicist Act provides for the registration and regulation of professional geologists and professional geophysicists and the certification of applicants in a specialty in geology and geologists-in-training by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires an applicant for registration as a geologist to meet certain requirements, including, among others, that he or she has graduated with a major in geological sciences from college or university, and requires an applicant for registration as a geophysicist to meet certain requirements, including, among others, that he or she has completed a combination of at least 30 semester hours in courses, as specified. The act requires an applicant for certification as a geologist-in-training to comply with certain requirements, including, among others, that the applicant successfully pass the Fundamentals of Geology examination.

This bill would provide for licensure instead of registration under the act. The bill would also allow an applicant for licensure as a geologist to have graduated from a college or university with a major in a discipline other than geological sciences that, in the opinion of the board, is relevant to geology. The bill would also allow an applicant for licensure as a geophysicist to have completed at least the equivalent of 30 semester hours in courses, as specified. The bill would require an applicant for certification as a geologist-in-training to have graduated from a college or university with a major in geological sciences or any other discipline relevant to geology, as specified. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, the failure or refusal of a licensee or certificate holder under the act to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(5) Under existing law, there is the Professions and Vocations Fund in the State Treasury, which consists of certain special funds and accounts, including the Professional Engineer's and Land Surveyor's Fund and the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund. Under existing law the moneys in the Geology and Geophysics Account are continuously appropriated to carry out the purposes of the Geologist and Geophysicist Act, the moneys in the Professional Engineers's and Land Surveyor's Fund are continuously appropriated for the purposes of the Professional Engineers Act and the Professional Land Surveyors' Act, and the moneys in those funds that are attributable to administrative fines, civil penalties, and criminal penalties, as specified, are

not continuously appropriated and are only available for expenditure upon appropriation by the Legislature.

This bill, beginning July 1, 2016, would abolish the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund and would rename the Professional Engineer's and Land Surveyor's Fund as the Professional Engineer's, Land Surveyor's, and Geologist's Fund. The bill would direct those moneys collected under the Professional Engineers Act, the Professional Land Surveyors' Act, and the Geologist and Geophysicist Act to be deposited into the Professional Engineer's, Land Surveyor's, and Geologist's Fund, a continuously appropriated fund. Because additional moneys, except for fine and penalty money, would be deposited into a continuously appropriated fund, the bill would make an appropriation.

(6) This bill would incorporate additional changes in Section 205 of the Business and Professions Code, proposed by AB 179 and AB 180, that would become operative only if this bill and either or both of those bills are chaptered and become effective January 1, 2016, and this bill is chaptered last.

Appropriation: yes.

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

SECTION 1. Section 205 of the Business and Professions Code is amended to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Architects Board Fund.
- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery Fund.
- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) State Funeral Directors and Embalmers Fund.
- (9) Guide Dogs for the Blind Fund.
- (10) Home Furnishings and Thermal Insulation Fund.
- (11) California Architects Board-Landscape Architects Fund.
- (12) Contingent Fund of the Medical Board of California.
- (13) Optometry Fund.
- (14) Pharmacy Board Contingent Fund.
- (15) Physical Therapy Fund.
- (16) Private Investigator Fund.
- (17) Professional Engineer's and Land Surveyor's Fund.
- (18) Consumer Affairs Fund.
- (19) Behavioral Sciences Fund.
- (20) Licensed Midwifery Fund.
- (21) Court Reporters' Fund.

- (22) Veterinary Medical Board Contingent Fund.
- (23) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (24) Electronic and Appliance Repair Fund.
- (25) Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund.
- (26) Dispensing Opticians Fund.
- (27) Acupuncture Fund.
- (28) Physician Assistant Fund.
- (29) Board of Podiatric Medicine Fund.
- (30) Psychology Fund.
- (31) Respiratory Care Fund.
- (32) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
- (33) Board of Registered Nursing Fund.
- (34) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (35) Animal Health Technician Examining Committee Fund.
- (36) State Dental Hygiene Fund.
- (37) State Dental Assistant Fund.
- (38) Structural Pest Control Fund.
- (39) Structural Pest Control Eradication and Enforcement Fund.
- (40) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 2. Section 205 is added to the Business and Professions Code, to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Architects Board Fund.
- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery Fund.
- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) State Funeral Directors and Embalmers Fund.
- (9) Guide Dogs for the Blind Fund.
- (10) Home Furnishings and Thermal Insulation Fund.
- (11) California Architects Board-Landscape Architects Fund.

- (12) Contingent Fund of the Medical Board of California.
- (13) Optometry Fund.
- (14) Pharmacy Board Contingent Fund.
- (15) Physical Therapy Fund.
- (16) Private Investigator Fund.
- (17) Professional Engineer's, Land Surveyor's, and Geologist's Fund.
- (18) Consumer Affairs Fund.
- (19) Behavioral Sciences Fund.
- (20) Licensed Midwifery Fund.
- (21) Court Reporters' Fund.
- (22) Veterinary Medical Board Contingent Fund.
- (23) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (24) Electronic and Appliance Repair Fund.
- (25) Dispensing Opticians Fund.
- (26) Acupuncture Fund.
- (27) Physician Assistant Fund.
- (28) Board of Podiatric Medicine Fund.
- (29) Psychology Fund.
- (30) Respiratory Care Fund.
- (31) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
- (32) Board of Registered Nursing Fund.
- (33) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (34) Animal Health Technician Examining Committee Fund.
- (35) State Dental Hygiene Fund.
- (36) State Dental Assistant Fund.
- (37) Structural Pest Control Fund.
- (38) Structural Pest Control Eradication and Enforcement Fund.
- (39) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, 2016.

SEC. 2.1. Section 205 is added to the Business and Professions Code, to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Architects Board Fund.
- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery Fund.

- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) State Funeral Directors and Embalmers Fund.
- (9) Guide Dogs for the Blind Fund.
- (10) Home Furnishings and Thermal Insulation Fund.
- (11) California Architects Board-Landscape Architects Fund.
- (12) Contingent Fund of the Medical Board of California.
- (13) Optometry Fund.
- (14) Pharmacy Board Contingent Fund.
- (15) Physical Therapy Fund.
- (16) Private Investigator Fund.
- (17) Professional Engineer's, Land Surveyor's, and Geologist's Fund.
- (18) Consumer Affairs Fund.
- (19) Behavioral Sciences Fund.
- (20) Licensed Midwifery Fund.
- (21) Court Reporters' Fund.
- (22) Veterinary Medical Board Contingent Fund.
- (23) Vocational Nursing and Psychiatric Technicians Fund.
- (24) Electronic and Appliance Repair Fund.
- (25) Dispensing Opticians Fund.
- (26) Acupuncture Fund.
- (27) Physician Assistant Fund.
- (28) Board of Podiatric Medicine Fund.
- (29) Psychology Fund.
- (30) Respiratory Care Fund.
- (31) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
- (32) Board of Registered Nursing Fund.
- (33) Animal Health Technician Examining Committee Fund.
- (34) State Dental Hygiene Fund.
- (35) State Dental Assistant Fund.
- (36) Structural Pest Control Fund.
- (37) Structural Pest Control Eradication and Enforcement Fund.
- (38) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, 2016.

SEC. 2.2. Section 205 is added to the Business and Professions Code, to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Architects Board Fund.

- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery and Funeral Fund.
- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) Guide Dogs for the Blind Fund.
- (9) Home Furnishings and Thermal Insulation Fund.
- (10) California Architects Board-Landscape Architects Fund.
- (11) Contingent Fund of the Medical Board of California.
- (12) Optometry Fund.
- (13) Pharmacy Board Contingent Fund.
- (14) Physical Therapy Fund.
- (15) Private Investigator Fund.
- (16) Professional Engineer's, Land Surveyor's, and Geologist's Fund.
- (17) Consumer Affairs Fund.
- (18) Behavioral Sciences Fund.
- (19) Licensed Midwifery Fund.
- (20) Court Reporters' Fund.
- (21) Veterinary Medical Board Contingent Fund.
- (22) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (23) Electronic and Appliance Repair Fund.
- (24) Dispensing Opticians Fund.
- (25) Acupuncture Fund.
- (26) Physician Assistant Fund.
- (27) Board of Podiatric Medicine Fund.
- (28) Psychology Fund.
- (29) Respiratory Care Fund.
- (30) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
- (31) Board of Registered Nursing Fund.
- (32) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
- (33) Animal Health Technician Examining Committee Fund.
- (34) State Dental Hygiene Fund.
- (35) State Dental Assistant Fund.
- (36) Structural Pest Control Fund.
- (37) Structural Pest Control Eradication and Enforcement Fund.
- (38) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, 2016.

SEC. 2.3. Section 205 is added to the Business and Professions Code, to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

- (1) Accountancy Fund.
- (2) California Architects Board Fund.
- (3) Athletic Commission Fund.
- (4) Barbering and Cosmetology Contingent Fund.
- (5) Cemetery and Funeral Fund.
- (6) Contractors' License Fund.
- (7) State Dentistry Fund.
- (8) Guide Dogs for the Blind Fund.
- (9) Home Furnishings and Thermal Insulation Fund.
- (10) California Architects Board-Landscape Architects Fund.
- (11) Contingent Fund of the Medical Board of California.
- (12) Optometry Fund.
- (13) Pharmacy Board Contingent Fund.
- (14) Physical Therapy Fund.
- (15) Private Investigator Fund.
- (16) Professional Engineer's, Land Surveyor's, and Geologist's Fund.
- (17) Consumer Affairs Fund.
- (18) Behavioral Sciences Fund.
- (19) Licensed Midwifery Fund.
- (20) Court Reporters' Fund.
- (21) Veterinary Medical Board Contingent Fund.
- (22) Vocational Nursing and Psychiatric Technicians Fund.
- (23) Electronic and Appliance Repair Fund.
- (24) Dispensing Opticians Fund.
- (25) Acupuncture Fund.
- (26) Physician Assistant Fund.
- (27) Board of Podiatric Medicine Fund.
- (28) Psychology Fund.
- (29) Respiratory Care Fund.
- (30) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
- (31) Board of Registered Nursing Fund.
- (32) Animal Health Technician Examining Committee Fund.
- (33) State Dental Hygiene Fund.
- (34) State Dental Assistant Fund.
- (35) Structural Pest Control Fund.
- (36) Structural Pest Control Eradication and Enforcement Fund.
- (37) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall

be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, 2016.

SEC. 3. Section 207 of the Business and Professions Code is amended to read:

207. (a) Notwithstanding any other provision of law, the money in any fund described in Section 205 that is attributable to administrative fines, civil penalties, and criminal penalties imposed by a regulating entity, or cost recovery by a regulating entity from enforcement actions and case settlements, shall not be continuously appropriated. The money in each fund that is not continuously appropriated shall be available for expenditure as provided in this code only upon appropriation by the Legislature.

(b) Notwithstanding any other provision of law, the annual Budget Act may appropriate, in a single budget item for each individual fund described in subdivision (a) of Section 205, the entire amount available for expenditure in the budget year for that fund. That appropriation may include funds that are continuously appropriated and funds that are not continuously appropriated.

SEC. 4. Section 5510 of the Business and Professions Code is amended to read:

5510. There is in the Department of Consumer Affairs a California Architects Board which consists of 10 members.

Any reference in law to the California Board of Architectural Examiners shall mean the California Architects Board.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 5. Section 5517 of the Business and Professions Code is amended to read:

5517. The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 6. Section 5550.2 is added to the Business and Professions Code, to read:

5550.2. Notwithstanding subdivision (b) of Section 5552, the board may grant eligibility, based on an eligibility point determined by the Additional Path to Architectural Licensing Program, for a candidate to take the examination for a license to practice architecture if he or she is enrolled in an Additional Path to Architectural Licensing program that integrates the experience and examination components offered by a National Architectural Accrediting Board-accredited degree program.

SEC. 7. Section 5620 of the Business and Professions Code is amended to read:

5620. The duties, powers, purposes, responsibilities, and jurisdiction of the California State Board of Landscape Architects that were succeeded to and vested with the Department of Consumer Affairs in accordance with Chapter 908 of the Statutes of 1994 are hereby transferred to the California Architects Board. The Legislature finds that the purpose for the transfer of power is to promote and enhance the efficiency of state government and that assumption of the powers and duties by the California Architects Board shall not be viewed or construed as a precedent for the establishment of state regulation over a profession or vocation that was not previously regulated by a board, as defined in Section 477.

(a) There is in the Department of Consumer Affairs a California Architects Board as defined in Article 2 (commencing with Section 5510) of Chapter 3 of Division 3.

Whenever in this chapter “board” is used, it refers to the California Architects Board.

(b) Except as provided herein, the board may delegate its authority under this chapter to the Landscape Architects Technical Committee.

(c) After review of proposed regulations, the board may direct the examining committee to notice and conduct hearings to adopt, amend, or repeal regulations pursuant to Section 5630, provided that the board itself shall take final action to adopt, amend, or repeal those regulations.

(d) The board shall not delegate its authority to discipline a landscape architect or to take action against a person who has violated this chapter.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 8. Section 5621 of the Business and Professions Code is amended to read:

5621. (a) There is hereby created within the jurisdiction of the board, a Landscape Architects Technical Committee, hereinafter referred to in this chapter as the landscape architects committee.

(b) The landscape architects committee shall consist of five members who shall be licensed to practice landscape architecture in this state. The Governor shall appoint three of the members. The Senate Committee on Rules and the Speaker of the Assembly shall appoint one member each.

(c) The initial members to be appointed by the Governor are as follows: one member for a term of one year; one member for a term of two years; and one member for a term of three years. The Senate Committee on Rules and the Speaker of the Assembly shall initially each appoint one member for a term of four years. Thereafter, appointments shall be made for four-year terms, expiring on June 1 of the fourth year and until the appointment and qualification of his or her successor or until one year shall have elapsed, whichever first occurs. Vacancies shall be filled for the unexpired term.

(d) No person shall serve as a member of the landscape architects committee for more than two consecutive terms.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 9. Section 5622 of the Business and Professions Code is amended to read:

5622. (a) The landscape architects committee may assist the board in the examination of candidates for a landscape architect's license and, after investigation, evaluate and make recommendations regarding potential violations of this chapter.

(b) The landscape architects committee may investigate, assist, and make recommendations to the board regarding the regulation of landscape architects in this state.

(c) The landscape architects committee may perform duties and functions that have been delegated to it by the board pursuant to Section 5620.

(d) The landscape architects committee may send a representative to all meetings of the full board to report on the committee's activities.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 10. Section 6710 of the Business and Professions Code is amended to read:

6710. (a) There is in the Department of Consumer Affairs a Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members.

(b) Any reference in any law or regulation to the Board of Registration for Professional Engineers and Land Surveyors, or the Board for Professional Engineers and Land Surveyors, is deemed to refer to the Board for Professional Engineers, Land Surveyors, and Geologists.

(c) This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 11. Section 6714 of the Business and Professions Code is amended to read:

6714. The board shall appoint an executive officer at a salary to be fixed and determined by the board with the approval of the Director of Finance.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 12. Section 6749 of the Business and Professions Code is amended to read:

6749. (a) A professional engineer shall use a written contract when contracting to provide professional engineering services to a client pursuant to this chapter. The written contract shall be executed by the professional engineer and the client or the client's representative prior to the professional engineer commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following:

(1) A description of the services to be provided to the client by the professional engineer.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the professional engineer, and the name and address of the client.

(4) A description of the procedure that the professional engineer and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional engineering services rendered by a professional engineer for which the client will not pay compensation.

(2) A professional engineer who has a current or prior contractual relationship with the client to provide engineering services, and that client has paid the professional engineer all of the fees that are due under the contract.

(3) If the client knowingly states in writing after full disclosure of this section that a contract which complies with the requirements of this section is not required.

(4) Professional engineering services rendered by a professional engineer to any of the following:

(A) A professional engineer licensed or registered under this chapter.

(B) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(C) An architect licensed under Chapter 3 (commencing with Section 5500).

(D) A contractor licensed under Chapter 9 (commencing with Section 7000).

(E) A geologist or a geophysicist licensed under Chapter 12.5 (commencing with Section 7800).

(F) A manufacturing, mining, public utility, research and development, or other industrial corporation, if the services are provided in connection with or incidental to the products, systems, or services of that corporation or its affiliates.

(G) A public agency.

(c) "Written contract" as used in this section includes a contract that is in electronic form.

SEC. 13. Section 6775.2 is added to the Business and Professions Code, to read:

6775.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 6775 or 6775.1.

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 14. Section 6797 of the Business and Professions Code is amended to read:

6797. (a) The department shall receive and account for all money derived from the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall

keep the money in a separate fund known as the Professional Engineer's and Land Surveyor's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's and Land Surveyor's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's and Land Surveyor's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 15. Section 6797 is added to the Business and Professions Code, to read:

6797. (a) The department shall receive and account for all money derived from the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's, Land Surveyor's, and Geologist's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's, Land Surveyor's, and Geologist's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's, Land Surveyor's, and Geologist's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

SEC. 16. Section 7839.2 of the Business and Professions Code is amended to read:

7839.2. (a) A professional geologist or professional geophysicist shall use a written contract when contracting to provide geological or geophysical services to a client pursuant to this chapter. The written contract shall be executed by the professional geologist or professional geophysicist and the client or the client's representative prior to the professional geologist or professional geophysicist commencing work, unless the client states in writing that work may be commenced before the contract is executed. The written contract shall include, but is not limited to, all of the following:

(1) A description of the services to be provided to the client by the professional geologist or professional geophysicist.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the professional geologist or professional geophysicist, and the name and address of the client.

(4) A description of the procedure that the professional geologist or professional geophysicist and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) Subdivision (a) shall not apply to any of the following:

(1) Geologic or geophysical services rendered by a professional geologist or professional geophysicist for which the client will not pay compensation.

(2) A geologist or geophysicist who has a current or prior contractual relationship with the client to provide geologic or geophysical services, and who has already been paid the fees that are due under the contract by the client.

(3) If the client executes a waiver in writing after full disclosure of this section that a contract that complies with the requirements of this section is not required.

(4) Geological or geophysical services rendered by a geologist or geophysicist to any of the following:

(A) A geologist or geophysicist licensed under this chapter.

(B) An engineer licensed under Chapter 7 (commencing with Section 6700).

(C) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(D) An architect licensed under Chapter 3 (commencing with Section 5500).

(E) A contractor licensed under Chapter 9 (commencing with Section 7000).

(F) A public agency.

(c) As used in this section, “written contract” includes a contract in electronic form.

SEC. 17. Section 7841 of the Business and Professions Code is amended to read:

7841. An applicant for licensure as a geologist shall have all the following qualifications:

(a) Not have committed any acts or crimes constituting grounds for denial of licensure under Section 480.

(b) Graduation from a college or university with a major in geological sciences or any other discipline that, in the opinion of the board, is relevant to geology.

(c) Have a documented record of a minimum of five years of professional geological experience of a character satisfactory to the board, demonstrating that the applicant is qualified to assume responsible charge of this work upon licensure as a geologist. This experience shall be gained under the supervision of a geologist or geophysicist licensed in this or any other state, or under the supervision of others who, in the opinion of the board, have the training and experience to have responsible charge of geological work. Professional geological work does not include routine sampling, laboratory work, or geological drafting.

Each year of undergraduate study in the geological sciences shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geological sciences at college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of upper division or graduate courses.

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of three years towards meeting the requirement for at least five years of professional geological work as set forth above.

The ability of the applicant shall have been demonstrated by the applicant having performed the work in a responsible position, as the term “responsible position” is defined in regulations adopted by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination that incorporates a national examination for geologists created by a nationally recognized entity approved by the board, and a supplemental California specific examination. The California specific examination shall test the applicant’s knowledge of state laws, rules and regulations, and of seismicity and geology unique to practice within this state.

SEC. 18. Section 7841.1 of the Business and Professions Code is amended to read:

7841.1. An applicant for licensure as a geophysicist shall have all of the following qualifications. This section shall not apply to applicants for licensure as geologists.

(a) Not have committed any acts or crimes constituting grounds for denial of licensure under Section 480.

(b) Meet one of the following educational requirements fulfilled at a school or university whose curricula meet criteria established by rules of the board.

(1) Graduation with a major in a geophysical science or any other discipline that, in the opinion of the board, is relevant to geophysics.

(2) Completion of a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geophysics. At least 24 semester hours, or the equivalent, shall be in the third or fourth year, or graduate courses.

(c) Have at least seven years of professional geophysical work that shall include either a minimum of three years of professional geophysical work under the supervision of a professional geophysicist, except that prior to July 1, 1973, professional geophysical work shall qualify under this subdivision if it is under the supervision of a qualified geophysicist, or a minimum of five years’ experience in responsible charge of professional geophysical work. Professional geophysical work does not include the routine maintenance or operation of geophysical instruments, or, even if

carried out under the responsible supervision of a professional geophysicist, the routine reduction or plotting of geophysical observations.

Each year of undergraduate study in the geophysical sciences referred to in this section shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geophysical sciences referred to in this section at a college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of third or fourth year or graduate courses.

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of four years towards meeting the requirements for at least seven years of professional geophysical work as set forth above.

The ability of the applicant shall have been demonstrated by his or her having performed the work in a responsible position, as the term “responsible position” is defined in regulations adopted by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination.

SEC. 19. Section 7841.2 of the Business and Professions Code is amended to read:

7841.2. An applicant for certification as a geologist-in-training shall comply with all of the following:

(a) Not have committed acts or crimes constituting grounds for denial of certification under Section 480.

(b) Successfully pass the Fundamentals of Geology examination.

(c) Graduation from a college or university with a major in geological sciences or any other discipline that, in the opinion of the board, is relevant to geology.

SEC. 20. Section 7860.2 is added to the Business and Professions Code, to read:

7860.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 7860.

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 21. Section 7885 of the Business and Professions Code is amended to read:

7885. (a) The board shall report each month to the State Controller the amount and source of all revenue received by it pursuant to this chapter and at the same time pay the entire amount thereof into the State Treasury for credit to the Geology and Geophysics Account, which is hereby created within the Professional Engineer’s and Land Surveyor’s Fund established in Section 6797.

(b) All moneys in the Geology and Geophysics Fund on January 1, 2012, shall be transferred on that date to the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund.

(c) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 22. Section 7886 of the Business and Professions Code is amended to read:

7886. (a) The moneys paid into the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund pursuant to this chapter are hereby appropriated to be used by the board to carry out the provisions of this chapter.

(b) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 23. Section 7886 is added to the Business and Professions Code, to read:

7886. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's, Land Surveyor's, and Geologist's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's, Land Surveyor's, and Geologist's Fund shall be deemed to be a single special fund and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's, Land Surveyor's, and Geologist's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

SEC. 24. Section 8710 of the Business and Professions Code is amended to read:

8710. (a) The Board for Professional Engineers, Land Surveyors, and Geologists is vested with power to administer the provisions and requirements of this chapter, and may make and enforce rules and regulations that are reasonably necessary to carry out its provisions.

(b) The board may adopt rules and regulations of professional conduct that are not inconsistent with state and federal law. The rules and regulations may include definitions of incompetence and negligence. Every person who holds a license or certificate issued by the board pursuant to this chapter, or a license or certificate issued to a civil engineer pursuant to Chapter 7 (commencing with Section 6700), shall be governed by these rules and regulations.

(c) This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this

section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 25. Section 8759 of the Business and Professions Code is amended to read:

8759. (a) A licensed land surveyor or licensed civil engineer authorized to practice land surveying shall use a written contract when contracting to provide professional services to a client pursuant to this chapter. The written contract shall be executed by the licensed land surveyor or licensed civil engineer and the client or the client's representative prior to the licensed land surveyor or licensed civil engineer commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following:

(1) A description of the services to be provided to the client by the licensed land surveyor or licensed civil engineer.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the licensed land surveyor or licensed civil engineer, and the name and address of the client.

(4) A description of the procedure that the licensed land surveyor or licensed civil engineer and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional land surveying services rendered by a licensed land surveyor or licensed civil engineer for which the client will not pay compensation.

(2) A licensed land surveyor or licensed civil engineer who has a current or prior contractual relationship with the client to provide professional services pursuant to this chapter, and that client has paid the licensed land surveyor or licensed civil engineer all of the fees that are due under the contract.

(3) If the client knowingly states in writing after full disclosure of this section that a contract which complies with the requirements of this section is not required.

(4) Professional services rendered by a licensed land surveyor or a licensed civil engineer to any of the following:

(A) A professional engineer licensed under Chapter 7 (commencing with Section 6700).

(B) A land surveyor licensed under this chapter.

(C) An architect licensed under Chapter 3 (commencing with Section 5500).

(D) A contractor licensed under Chapter 9 (commencing with Section 7000).

(E) A geologist or a geophysicist licensed under Chapter 12.5 (commencing with Section 7800).

(F) A manufacturing, mining, public utility, research and development, or other industrial corporation, if the services are provided in connection with or incidental to the products, systems, or services of that corporation or its affiliates.

(G) A public agency.

(c) “Written contract” as used in this section includes a contract that is in electronic form.

SEC. 26. Section 8780.2 is added to the Business and Professions Code, to read:

8780.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 8780 or 8780.1.

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 27. Section 8800 of the Business and Professions Code is amended to read:

8800. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall keep the money in a separate fund known as the Professional Engineer’s and Land Surveyor’s Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer’s and Land Surveyor’s Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer’s and Land Surveyor’s Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 28. Section 8800 is added to the Business and Professions Code, to read:

8800. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall keep the money in a separate fund known as the Professional Engineer’s, Land Surveyor’s, and Geologist’s Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer’s, Land Surveyor’s, and Geologist’s Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer’s, Land Surveyor’s, and Geologist’s

Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

SEC. 29. (a) Section 2.1 of this bill incorporates changes to Section 205 of the Business and Professions Code proposed by both this bill and Assembly Bill 179. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 205 of the Business and Professions Code, and (3) Assembly Bill 180 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 179, in which case Sections 2, 2.2, and 2.3 of this bill shall not become operative.

(b) Section 2.2 of this bill incorporates changes to Section 205 of the Business and Professions Code proposed by both this bill and Assembly Bill 180. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2016, (2) each bill amends Section 205 of the Business and Professions Code, (3) Assembly Bill 179 is not enacted or as enacted does not amend that section, and (4) this bill is enacted after Assembly Bill 180 in which case Sections 2, 2.1, and 2.3 of this bill shall not become operative.

(c) Section 2.3 of this bill incorporates changes to Section 205 of the Business and Professions Code proposed by this bill, Assembly Bill 179, and Assembly Bill 180. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 2016, (2) all three bills amend Section 205 of the Business and Professions Code, and (3) this bill is enacted after Assembly Bill 179 and Assembly Bill 180, in which case Sections 2, 2.1, and 2.2 of this bill shall not become operative.

AMENDED IN SENATE JULY 9, 2015  
AMENDED IN ASSEMBLY JUNE 1, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 507**

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**Introduced by Assembly Member Olsen**  
**(Principal coauthor: Assembly Member Gray)**  
**(Coauthors: Assembly Members ~~Chang and Dodd~~ *Chang, Dodd,***  
***Obernolte, and Waldron*)**  
**(Coauthor: Senator Bates)**

February 23, 2015

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An act to add Section 210.5 to the Business and Professions Code, relating to the Department of Consumer Affairs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 507, as amended, Olsen. Department of Consumer Affairs: BreEZe system: annual report.

Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprisewide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature. Existing law requires the amount of contract funds for the system to be consistent with costs approved by the office of the State Chief Information Officer, based on information provided by the department in a specified manner.

This bill would, ~~on and after October 1, 2015, or before March 1, 2016, or thereafter when available,~~ require the department to submit an annual report to the Legislature and the Department of Finance that includes, among other things, the department’s plans for implementing the BreEZe system at specified regulatory entities included in the department’s 3rd phase of the BreEZe implementation project, *when available*, including, but not limited to, a timeline for the implementation. *The bill would also require the department to post on its Internet Web site the name of each regulatory entity that is utilizing the BreEZe system once the regulatory entity begins using the BreEZe system.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

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

- 1 SECTION 1. Section 210.5 is added to the Business and
- 2 Professions Code, immediately following Section 210, to read:
- 3 210.5. (a) ~~On and after October 1, 2015, or before March 1,~~
- 4 *2016, or thereafter when available,* the department shall submit
- 5 an annual report to the Legislature and the Department of Finance
- 6 that includes ~~all of~~ the following:
- 7 (1) The department’s plan for implementing the BreEZe system
- 8 at the regulatory entities in the department’s third phase of the
- 9 implementation project, including, but not limited to, a timeline
- 10 for implementation.
- 11 (2) The total estimated costs of implementation of the BreEZe
- 12 system at the regulatory entities in the department’s third phase
- 13 of the implementation project and the results of any *related*
- 14 cost-benefit analysis the department ~~conducted for the third phase~~
- 15 ~~of the implementation project.~~ *conducts.*
- 16 (3) A description of ~~whether and to what extent the BreEZe~~
- 17 ~~system will achieve any operational efficiencies resulting from~~
- 18 *achieved as a result of BreEZe* implementation by the ~~boards and~~
- 19 regulatory entities within the department’s ~~jurisdiction.~~ *jurisdiction,*
- 20 *if available.*
- 21 (b) The report described in subdivision (a) shall be submitted
- 22 in compliance with Section 9795 of the Government Code.

1 (c) *The department shall post on its Internet Web site the name*  
2 *of each regulatory entity that is utilizing the BreEZe system once*  
3 *the regulatory entity begins using the BreEZe system.*

4 (e)

5 (d) For purposes of this section, “the regulatory entities in the  
6 department’s third phase of the implementation project” includes  
7 all of the following:

8 (1) Acupuncture Board.

9 (2) Board for Professional Engineers, Land Surveyors, and  
10 Geologists.

11 (3) Bureau of Automotive Repair.

12 (4) Bureau of Electronic and Appliance Repair, Home  
13 Furnishings, and Thermal Insulation.

14 (5) Bureau for Private Postsecondary Education.

15 (6) California Architects Board.

16 (7) California Board of Accountancy.

17 (8) California State Board of Pharmacy.

18 (9) Cemetery and Funeral Bureau.

19 (10) Contractors’ State License Board.

20 (11) Court Reporters Board of California.

21 (12) Landscape Architects Technical Committee.

22 (13) Professional Fiduciaries Bureau.

23 (14) Speech-Language Pathology and Audiology and Hearing  
24 Aid Dispensers Board.

25 (15) State Athletic Commission.

26 (16) State Board of Chiropractic Examiners.

27 (17) State Board of Guide Dogs for the Blind.

28 (18) Structural Pest Control Board.

29 (19) Telephone Medical Advice Services Bureau.

30 SEC. 2. This act is an urgency statute necessary for the  
31 immediate preservation of the public peace, health, or safety within  
32 the meaning of Article IV of the Constitution and shall go into  
33 immediate effect. The facts constituting the necessity are:

34 Because of the circumstances surrounding the implementation  
35 of the BreEZe system, and in order to ensure that healing arts and  
36 other professionals are licensed in a timely and efficient manner,  
37 it is necessary that this act take effect immediately.

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## Senate Bill No. 704

### CHAPTER 495

An act to amend Section 1091 of the Government Code, relating to public officers and employees.

[Approved by Governor October 4, 2015. Filed with  
Secretary of State October 4, 2015.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 704, Gaines. Public officers and employees: conflict of interest: contracts.

Existing law prohibits Members of the Legislature, state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Existing law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. Existing law makes a willful violation of this prohibition a crime.

This bill would include in the definition of "remote interest" the interest of a person who is an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency, if the owner or partner recuses himself or herself from providing any advice to the contracting agency regarding the contract between the firm and the contracting agency, and from all participation in reviewing a project that results from that contract. The bill would also include in the definition of "remote interest" the interest of a planner employed by a consulting engineering, architectural, or planning firm.

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

SECTION 1. Section 1091 of the Government Code is amended to read:

1091. (a) An officer shall not be deemed to be interested in a contract entered into by a body or board of which the officer is a member within the meaning of this article if the officer has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the officer is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest.

(b) As used in this article, "remote interest" means any of the following:

(1) That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26

U.S.C. Sec. 501(c)(3)), pursuant to Section 501(c)(5) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(5)), or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.

(2) That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party.

For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as having the “real or ultimate ownership” of the contracting party.

(3) That of an employee or agent of the contracting party, if all of the following conditions are met:

(A) The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.

(B) The contract is competitively bid and is not for personal services.

(C) The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of the contracting party, and holds no ownership interest in the contracting party.

(D) The contracting party has 10 or more other employees.

(E) The employee or agent did not directly participate in formulating the bid of the contracting party.

(F) The contracting party is the lowest responsible bidder.

(4) That of a parent in the earnings of his or her minor child for personal services.

(5) That of a landlord or tenant of the contracting party.

(6) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(7) That of a member of a nonprofit corporation formed under the Food and Agricultural Code or a nonprofit corporation formed under the

Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.

(8) That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.

(9) That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.

(10) Except as provided in subdivision (b) of Section 1091.5, that of a director of, or a person having an ownership interest of, 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.

(11) That of an engineer, geologist, architect, or planner employed by a consulting engineering, architectural, or planning firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.

(12) That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

(13) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

(14) That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person's employment with that corporation.

(15) That of a party to litigation involving the body or board of which the officer is a member in connection with an agreement in which all of the following apply:

(A) The agreement is entered into as part of a settlement of litigation in which the body or board is represented by legal counsel.

(B) After a review of the merits of the agreement and other relevant facts and circumstances, a court of competent jurisdiction finds that the agreement serves the public interest.

(C) The interested member has recused himself or herself from all participation, direct or indirect, in the making of the agreement on behalf of the body or board.

(16) That of a person who is an officer or employee of an investor-owned utility that is regulated by the Public Utilities Commission with respect to a contract between the investor-owned utility and a state, county, district, judicial district, or city body or board of which the person is a member, if

the contract requires the investor-owned utility to provide energy efficiency rebates or other type of program to encourage energy efficiency that benefits the public when all of the following apply:

(A) The contract is funded by utility consumers pursuant to regulations of the Public Utilities Commission.

(B) The contract provides no individual benefit to the person that is not also provided to the public, and the investor-owned utility receives no direct financial profit from the contract.

(C) The person has recused himself or herself from all participation in making the contract on behalf of the state, county, district, judicial district, or city body or board of which he or she is a member.

(D) The contract implements a program authorized by the Public Utilities Commission.

(17) That of an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency if the owner or partner recuses himself or herself from providing any advice to the contracting agency regarding the contract between the firm and the contracting agency and from all participation in reviewing a project that results from that contract.

(c) This section is not applicable to any officer interested in a contract who influences or attempts to influence another member of the body or board of which he or she is a member to enter into the contract.

(d) The willful failure of an officer to disclose the fact of his or her interest in a contract pursuant to this section is punishable as provided in Section 1097. That violation does not void the contract unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.

## **Agenda Item E.3**

### **BOARD MEMBER LIASON REPORTS ON ORGANIZATIONS AND SCHOOLS**

The Board's Liaison Program is designed to ensure that the Board exchanges information with key entities. Liaisons are assigned to organizations and schools, and are responsible for 1) establishing and maintaining contact with these entities, and 2) biannually reporting back to the Board on the activities and objectives. Attached is a listing of the liaison assignments.

At the June 10, 2015 meeting, the Board agreed to modify the liaison reporting schedule beginning in 2016 for reports to be delivered biannually during the fall and spring to coincide with the academic calendar. Additionally, on November 24, 2015 the Executive Committee made a recommendation regarding the program which will be considered by the Board under Agenda Item G.3.

At this meeting, liaisons are asked to provide the Board with an update on their activities and objectives of their assigned organizations and schools.

Attachment:

2015 Liaison Program Organization & School Assignments

**CALIFORNIA ARCHITECTS BOARD**  
**2015 Liaison Program**  
**Organization & School Assignments**

| <i><b>ORGANIZATION ASSIGNMENTS</b></i>   |                                       |
|--|---------------------------------------|
| <b>American Council of Engineering Companies, California</b><br>Brad Diede, Executive Director<br><a href="mailto:bdiede@acec-ca.org">bdiede@acec-ca.org</a><br>(916) 441-7991                           | <b>Doug McCauley</b>                  |
| <b>American Institute of Architects, California Council</b><br>Kurt Cooknick, Director of Regulation and Practice<br><a href="mailto:kcooknick@aiacc.org">kcooknick@aiacc.org</a><br>(916) 642-1706      | <b>Jon Baker</b>                      |
| <b>Associated General Contractors of California</b><br>Thomas Holsman, Chief Executive Officer<br><a href="mailto:holsmant@agc-ca.org">holsmant@agc-ca.org</a><br>(916) 371-2422 / (916) 371-2352        | <b>Matt McGuiness</b>                 |
| <b>Association of Collegiate Schools of Architecture</b><br>Michael Monti, Ph.D, Executive Director<br><a href="mailto:mmonti@acsa-arch.org">mmonti@acsa-arch.org</a><br>(202) 785-2324 x7               | <b>Pasqual Gutierrez</b>              |
| <b>Board for Professional Engineers, Land Surveyors &amp; Geologists</b><br>Richard Moore, P.L.S., Executive Officer<br><a href="mailto:ric.moore@dca.ca.gov">ric.moore@dca.ca.gov</a><br>(916) 263-2234 | <b>Doug McCauley</b>                  |
| <b>California Building Officials</b><br>Bob Latz, Chief Building Official<br><a href="mailto:bobl@csgengr.com">bobl@csgengr.com</a><br>(916) 492-2275  | <b>Doug McCauley &amp; Bob Carter</b> |
| <b>Contractors State License Board</b><br>Cindi Christenson, Registrar of Contractors<br><a href="mailto:cindi.christenson@cslb.ca.gov">cindi.christenson@cslb.ca.gov</a><br>(916) 255-4000              | <b>Doug McCauley &amp; Bob Carter</b> |
| <b>Council of Landscape Architectural Registration Boards</b><br>Joel Albizo, Executive Director<br><a href="mailto:jalbizo@clarb.org">jalbizo@clarb.org</a><br>(703) 949-9460                           | <b>Pasqual Gutierrez</b>              |
| <b>National Council of Examiners on Engineering and Surveying</b><br>Jerry Carter, Chief Executive Officer<br><a href="mailto:jcarter@ncees.org">jcarter@ncees.org</a><br>(800) 250-3196 x5470           | <b>Sylvia Kwan</b>                    |
| <b>Urban Land Institute</b><br>Elliot Stein, Executive Director<br><a href="mailto:elliott.stein@uli.org">elliott.stein@uli.org</a><br>(415) 268-4093  | <b>Sylvia Kwan</b>                    |

**CALIFORNIA ARCHITECTS BOARD**  
**2015 Liaison Program**  
**Organization & School Assignments**

| <i><b>SCHOOL ASSIGNMENTS (NAAB – Accredited)</b></i>  |                          |
|---|--------------------------|
| <b>Academy of Art University</b><br>Mimi Sullivan, Executive Director<br><a href="mailto:msullivan@academyart.edu">msullivan@academyart.edu</a><br>(415) 274-2222                           | <b>Sylvia Kwan</b>       |
| <b>California College of the Arts</b><br>Jonathan Massey, Director<br><a href="mailto:jmassey@cca.edu">jmassey@cca.edu</a><br>(415) 703-9516  | <b>Sylvia Kwan</b>       |
| <b>California Polytechnic State University, Pomona</b><br>Michael Woo, Dean<br><a href="mailto:mwoo@csupomona.edu">mwoo@csupomona.edu</a><br>(909) 869-2667                                 | <b>Pasqual Gutierrez</b> |
| <b>California Polytechnic State University, San Luis Obispo</b><br>Christine Theodoropoulos, AIA, PE, Dean<br><a href="mailto:theo@calpoly.edu">theo@calpoly.edu</a><br>(805) 756-5916      | <b>Barry Williams</b>    |
| <b>New School of Architecture and Design</b><br>Gregory Marick, President<br><a href="mailto:gmarik@newschoolarch.edu">gmarik@newschoolarch.edu</a><br>(619) 684-8777                       | <b>Jon Baker</b>         |
| <b>Southern California Institute of Architecture (SCIARC)</b><br>Eric Owen Moss, Director<br><a href="mailto:directors_office@sciarc.edu">directors_office@sciarc.edu</a><br>(310) 839-1199 | <b>Barry Williams</b>    |
| <b>University of California, Berkeley</b><br>Tom Buresh, Chair<br><a href="mailto:buresh@berkeley.edu">buresh@berkeley.edu</a><br>(510) 642-4942  | <b>Tian Feng</b>         |
| <b>University of California, Los Angeles</b><br>David Rouffve, Interim Dean<br><a href="mailto:rouffve@arts.ucla.edu">rouffve@arts.ucla.edu</a><br>(310) 206-6465                           | <b>Denise Campos</b>     |
| <b>University of Southern California</b><br>Qingyun Ma, Dean<br><a href="mailto:archdean@usc.edu">archdean@usc.edu</a><br>(213)740-2083   | <b>Ebony Lewis</b>       |
| <b>Woodbury University</b><br>Norman Millar, AIA, Dean<br><a href="mailto:norman.millar@woodbury.edu">norman.millar@woodbury.edu</a><br>(818) 252-5121                                      | <b>Pasqual Gutierrez</b> |

**CALIFORNIA ARCHITECTS BOARD**  
**2015 Liaison Program**  
**Organization & School Assignments**

| <i><b>SCHOOL ASSIGNMENTS (Community Colleges)</b></i>   |                          |
|---|--------------------------|
| <b>Bakersfield College</b><br>Jason Dixon, Chair, Industrial Drawing and Arch.<br><a href="mailto:jdixon@bakersfieldcollege.edu">jdixon@bakersfieldcollege.edu</a><br>(661) 395-4080                      | <b>Pasqual Gutierrez</b> |
| <b>Cerritos College, Norwalk</b><br>Nick Real, Instructional Dean<br><a href="mailto:yreal@cerritos.edu">yreal@cerritos.edu</a><br>(562) 860-2451 x2903   | <b>Nilza Serrano</b>     |
| <b>Chabot College, Hayward</b><br>Adrian Huang, Chair, Architecture School of the Arts<br><a href="mailto:ahuang@chabotcollege.edu">ahuang@chabotcollege.edu</a><br>(510) 723-7410                        | <b>Tian Feng</b>         |
| <b>Citrus College, Glendora</b><br>Jim Lancaster, Dean, Architectural Drafting Dept.<br><a href="mailto:jlancaster@citruscollege.edu">jlancaster@citruscollege.edu</a><br>(626) 852-6403                  | <b>Ebony Lewis</b>       |
| <b>City College of San Francisco</b><br>Andrew Chandler, Chair, Architecture Dept.<br><a href="mailto:achandle@ccsf.edu">achandle@ccsf.edu</a><br>(415) 452-5086  | <b>Matt McGuinness</b>   |
| <b>College of Marin, Kentfield</b><br>Bill Abright, Chair, Fine/Visual Arts Dept.<br><a href="mailto:bill.abright@marin.edu">bill.abright@marin.edu</a><br>(415) 457-8811 x7483                           | <b>Sylvia Kwan</b>       |
| <b>College of San Mateo</b><br>Laura Demsetz, Advisor, Architecture Dept.<br><a href="mailto:demsetz@smccd.edu">demsetz@smccd.edu</a><br>(650) 574-6617   | <b>Matt McGuinness</b>   |
| <b>College of the Desert, Palm Desert</b><br>Bert Bitanga, Architecture/Environ. Design Advisor<br><a href="mailto:dbitanga@collegeofthedesert.edu">dbitanga@collegeofthedesert.edu</a><br>(760) 776-7236 | <b>Barry Williams</b>    |
| <b>College of the Sequoias, Visalia</b><br>Rolando Gonzalez, AIA, Professor of Architecture<br><a href="mailto:rolandog@cos.edu">rolandog@cos.edu</a><br>(559) 730-3758                                   | <b>Barry Williams</b>    |
| <b>Cosumnes River College, Sacramento</b><br>John Ellis, Professor, Architecture Dept.<br><a href="mailto:ellisjd@crc.losrios.edu">ellisjd@crc.losrios.edu</a><br>(916) 691-7237                          | <b>Sylvia Kwan</b>       |

**CALIFORNIA ARCHITECTS BOARD**  
**2015 Liaison Program**  
**Organization & School Assignments**

|  |                          |
|--|--------------------------|
| <p style="text-align: center;"><b>Cuesta College, San Luis Obispo</b></p> <p>John Stokes, Engineering and Technology Div. Chair<br/> <a href="mailto:jstokes@cuesta.edu">jstokes@cuesta.edu</a><br/> (805) 546-3100 x2115</p>  | <b>Barry Williams</b>    |
| <p style="text-align: center;"><b>Diablo Valley College, Pleasant Hill</b></p> <p>Daniel Abbott, Chair, Architecture/Engineering Dept.<br/> <a href="mailto:dabbott@dvc.edu">dabbott@dvc.edu</a><br/> (925) 969-2368</p>   | <b>Tian Feng</b>         |
| <p style="text-align: center;"><b>East Los Angeles College, Monterey Park</b></p> <p>Michael Hamner, Chair, Architecture Dept.<br/> <a href="mailto:hamnerm@elac.edu">hamnerm@elac.edu</a><br/> (323) 265-8839</p>   | <b>Ebony Lewis</b>       |
| <p style="text-align: center;"><b>Fresno City College</b></p> <p>Ronald Cerkueira, Chair, Digital Design &amp; Manuf.<br/> <a href="mailto:ron.cerkueira@fresnocitycollege.edu">ron.cerkueira@fresnocitycollege.edu</a><br/> (559) 442-4600 x8738</p>  | <b>Barry Williams</b>    |
| <p style="text-align: center;"><b>Glendale Community College</b></p> <p>Dave Martin, Chair, Architecture Dept.<br/> <a href="mailto:dmartin@glendale.edu">dmartin@glendale.edu</a><br/> (818) 240-5528</p>   | <b>Denise Campos</b>     |
| <p style="text-align: center;"><b>Los Angeles City College</b></p> <p>Gayle Partlow, Chair, Art &amp; Architecture Dept.<br/> <a href="mailto:partlogm@lacitycollege.edu">partlogm@lacitycollege.edu</a><br/> (323) 953-4000 x2510</p>   | <b>Nilza Serrano</b>     |
| <p style="text-align: center;"><b>Los Angeles Valley College, Van Nuys</b></p> <p>Michael Avila, Chair, Technology Dept.<br/> <a href="mailto:avilama@lavc.edu">avilama@lavc.edu</a><br/> (818) 947-2561</p>   | <b>Ebony Lewis</b>       |
| <p style="text-align: center;"><b>Mt. San Antonio College, Walnut</b></p> <p>Ignacio Sardinas, Chair, Architecture Program<br/> <a href="mailto:isardinas@mtsac.edu">isardinas@mtsac.edu</a><br/> (909) 274-4805</p> <p>Robert Perkins, Co-Chair, Architecture Program<br/> <a href="mailto:rperkins@mtsac.edu">rperkins@mtsac.edu</a><br/> (909) 274-4388</p> | <b>Pasqual Gutierrez</b> |
| <p style="text-align: center;"><b>Orange Coast College, Costa Mesa</b></p> <p>Rose Kings, Program Coordinator, Technology Div.<br/> <a href="mailto:rkings@occ.cccd.edu">rkings@occ.cccd.edu</a><br/> (714) 432-5623</p>   | <b>Nilza Serrano</b>     |
| <p style="text-align: center;"><b>Rio Hondo College, Whittier</b></p> <p>Mike Slavich, Dean, Career &amp; Tech Ed. Div.<br/> <a href="mailto:m Slavich@riohondo.edu">m Slavich@riohondo.edu</a><br/> (562) 463-7368</p>  | <b>Denise Campos</b>     |

**CALIFORNIA ARCHITECTS BOARD**  
**2015 Liaison Program**  
**Organization & School Assignments**

|   |                                 |
|---|---------------------------------|
| <p><b>San Bernardino Valley College</b><br/>         Judy Jorgensen, Professor, Architecture Dept.<br/> <a href="mailto:jjorgens@sbccd.cc.ca.us">jjorgens@sbccd.cc.ca.us</a><br/>         (909) 387-1609</p>                          | <p><b>Pasqual Gutierrez</b></p> |
| <p><b>San Diego Mesa College</b><br/>         Ian Kay, Co-Chair, Architecture Program<br/> <a href="mailto:iankay@sdccd.edu">iankay@sdccd.edu</a><br/>         (619) 388-2260</p>   | <p><b>Jon Baker</b></p>         |
| <p><b>Southwestern College, Chula Vista</b><br/>         Bill Homyak, M.S., Architecture Dept. Chair<br/> <a href="mailto:whomyak@swccd.edu">whomyak@swccd.edu</a><br/>         (619) 421-6700 x5371</p>                              | <p><b>Jon Baker</b></p>         |
| <p><b>Ventura College</b><br/>         Ralph Fernandez, Lead Instructor, Architecture Dept.<br/> <a href="mailto:rfernandez@vcccd.edu">rfernandez@vcccd.edu</a><br/>         (805) 654-6398</p>                                       | <p><b>Nilza Serrano</b></p>     |
| <p><b>West Valley College, Saratoga</b><br/>         Soroush Ghahramani, Chair, Architecture &amp; Eng.<br/> <a href="mailto:soroush.ghahramani@westvalley.edu">soroush.ghahramani@westvalley.edu</a><br/>         (408) 741-4097</p> | <p><b>Matt McGuinness</b></p>   |

### ELECTION OF 2016 BOARD OFFICERS

Business and Professions Code section 5518 states:

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

The Board Member Administrative Procedure Manual provides for a nomination process as follows:

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

Board President Jon Baker appointed Nilza Serrano and Barry Williams as members of the Nominations Committee. All Board members were surveyed as to their interest, and the Nominations Committee recommends the following slate of officers for 2016 for the Board's consideration based on the qualifications, recommendations, and interest expressed by the Board members:

#### Nominations Committee Recommended Slate of Officers for 2016

President - Jon Baker

Vice President - Matt McGuinness

Secretary - Sylvia Kwan

The following members were also nominated/volunteered for officer positions: Sylvia Kwan - President or Vice President; Nilza Serrano - Vice President; and Tian Fang - any officer position.

At this meeting, Ms. Serrano and Mr. Williams will be presenting the recommended slate of officers to the Board for its consideration. The Board is asked to consider the slate as recommended by the Committee and elect the officers for 2016.

**EXECUTIVE COMMITTEE REPORT**

1. Update on Executive Committee November 24, 2015 Meeting
2. Discuss and Possible Action on Recommendation Regarding 2015 Octavius Morgan Distinguished Service Awards
3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Review, Leverage, and Evaluate Effectiveness of Board's Liaison Program to Build Stronger Relationships with Organizations
4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Increase Board's Participation in National Council of Architectural Registration Boards (NCARB)
5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Collaborate with Department of Consumer Affairs' Office of Public Affairs to Improve Outreach and Communication
6. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Analyze Fees to Determine Whether They are Appropriate
7. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Complete Sunset Review Process and Implement Recommendation(s) to Comply with Legislature's Directives

**UPDATE ON EXECUTIVE COMMITTEE NOVEMBER 24, 2015 MEETING**

The Executive Committee met on November 24, 2015 in Sacramento and various California locations via teleconference. Attached is the notice of the meeting. Committee Chair, Jon Alan Baker, will provide an update on the meeting.

Attachment:

November 24, 2015 Notice of Meeting



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## NOTICE OF MEETING

### EXECUTIVE COMMITTEE

**November 24, 2015**  
**10:00 a.m. to 2:00 p.m.**  
**(or until completion of business)**  
**California Architects Board**  
**2420 Del Paso Road, Suite 105**  
**Sacramento, CA 95834**  
**(916) 574-7220**

The California Architects Board (Board) will hold an Executive Committee meeting, as noted above, and via teleconference at the following locations:

*Jon Alan Baker*  
*BakerNowicki Design Studio*  
*731 Ninth Avenue, Suite A*  
*San Diego, CA 92101*  
*(619) 795-2450*

*Pasqual Gutierrez*  
*HMC Architects*  
*633 W. 5th Street, 3rd Floor*  
*Los Angeles, CA 90071*  
*(213) 542-8300*

The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see reverse or you may contact Mel Knox at (916) 575-7221.

### AGENDA

- A. Call to Order
- B. Public Comment on Items not on the Agenda  
*(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Sections 11125 and 11125.7(a)]).*
- C. Review and Approve May 20, 2014 Executive Committee Meeting Summary Report
- D. Selection of 2015 Octavius Morgan Distinguished Service Awardees to be Recommended to Board for Approval
- E. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Review, Leverage, and Evaluate Effectiveness of Board's Liaison Program to Build Stronger Relationships with Organizations

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

*(Continued on Reverse)*

- F. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Increase Board’s Participation in National Council of Architectural Registration Boards
- G. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Annually Present Consumer Satisfaction Survey Data to Measure Performance and Identify Areas for Improvement
- H. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Collaborate with Department of Consumer Affairs’ Office of Public Affairs to Improve Outreach and Communication
- I. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Implement BreEZe, an Enterprise-Wide Licensing and Enforcement System, to Improve Consumer, Candidate, and Licensee Services
- J. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Analyze Fees to Determine Whether they are Appropriate
- K. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Complete Sunset Review Process and Implement Recommendation(s) to Comply with Legislature’s Directives
- L. Adjournment

*Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Executive Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Executive Committee are open to the public.*

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Executive Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Executive Committee, but the Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Executive Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].*

*The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mr. Knox at (916) 575-7221, emailing mel.knox@dca.ca.gov, or sending a written request to the Board. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.*

*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 (Business and Professions Code section 5510.15).*

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015 OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARDS**

The Board, at its September 2000 meeting, voted to establish an annual system for recognizing all of the volunteers who contribute to the Board and to grant a special award for distinguished service. The award was named the Octavius Morgan Distinguished Service Award, after the first Board President. The following guidelines for the award have been approved by the Board.

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

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

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

**Selection process:** Board members and staff would nominate individuals. The names of those receiving awards would be announced at the December Board meeting.

**Award:** The Octavius Morgan Distinguished Service Award recipients would be sent an appropriate item of recognition and would be noted in the newsletter. Board members will purchase the item of recognition from their own monies if prohibitions are in place from making the purchase from Board funds (motion approved at December 5-6, 2012 Board meeting).

The following individuals have been recipients of the award:

2014 – Albert Okuma and Charles Smith  
2013 – Loangle Newsome and Linda Zubiate  
2012 – Victor Newlove, Roger North, and Roger Wilcox  
2011 – Denis Henmi, Phyllis A. Newton, and Richard R. Tannahill  
2010 – Wayne Holtan, Arlee Monson, and John Petrucelli  
2009 – Richard Cooling, Richard Dodd, Morris Gee, and Larry Segrue  
2008 – Chad R. Overway, Eric H. Jacobsen, and Bruce L. Macpherson  
2007 – John Canestro, Gerald Cole, and Michelle Plotnick  
2006 – Allan Cooper, Robert George, and Richard Holden  
2005 – Andrew Barker, Robert DePietro, and Paul Neel  
2004 – Jim Jordan, Larry Paul, P.K. Reibsamen, and Merlyn Isaak  
2003 – Carol Tink-Fox, Jim McGlothin, and Ron Ronconi  
2002 – Glenn A. Gall, Lucille M. Hodges, RK Stewart, and Richard T. Conrad  
2001 – George Ikenoyama, Fred Yerou, Richard Crowell, Jack Paddon, and Cynthia Easton  
2000 – Charles J. Brown, Mackey W. Deasy, and Barry Wasserman

Board staff was asked to submit nominations for 2015 recipients to be considered by the Executive Committee at its November 24, 2015 meeting. The Committee reviewed the nominations and selected two recipients for this year's award to be recommended to the Board. The list of

recommended recipients will be provided to Board members under separate cover prior to the meeting.

The Committee also discussed the awards themselves. In 2012, the Department of Consumer Affairs (DCA) issued a memo clarifying that state funds cannot be utilized to pay for awards, as doing so would be an inappropriate use of state funds. Accordingly, in 2013 and 2014, Board members voted to cover the costs associated with procuring the awards with Board members' personal funds. Executive Committee members discussed the importance of conveying to all of the Board members that contributing to pay a share of the invoice for the award is voluntary.

The Board is asked to approve the Committee's recommendation for the two recipients and reconfirm that Board members will purchase the awards from their own personal funds.

Attachment:

DCA Memo On Award Procurement Dated December 13, 2012



## MEMORANDUM

|                |  |
|----------------|--|
| <b>DATE</b>    | December 13, 2012  |
| <b>TO</b>      | <b>Executive Officers, Bureau Chiefs, Deputy Directors</b>   |
| <b>FROM</b>    | <i>Sandra Mayorga</i><br><b>Sandra Mayorga, Deputy Director</b><br>Department of Consumer Affairs, Office of Administrative Services |
| <b>SUBJECT</b> | <b>AWARD PROCUREMENT</b>   |

The purpose of this memorandum is to provide you with guidelines for award purchases.

### **Award Procurement**

The Department of Personnel Administration has listed appropriate types of awards that may be given to State employees. A 99BSO-3045 Acquisition Request Package must be submitted to the Business Services Office for procurement of the following allowable awards:

- Medal of Valor: Established in 1959, the Governor's Medal of Valor is the highest honor California bestows on its public servants. There are two types of Medal of Valor Awards; the Special Service Award (Silver Award) and the Special Act Award (Gold Medal). Both of these awards are given for an act of heroism by a State employee.
- Superior Accomplishment Award: The Superior Accomplishment Award is for performance resulting in exceptional contribution to improving State government; the Sustained Superior Accomplishment Award is for performance resulting in exceptional contribution to improving State government over a two-year period.
- 25 Years of Service and Retirement Awards: A State employee with 25 years of completed State service may be presented a certificate, plaque, or other suitable memento. The cost is not to exceed \$90.00. A retiring State employee with at least 25 years of service may receive the Retirement Award. Confirmation of State service from the Office of Administrative Services, Personnel Department is required when submitting an Acquisition Request Package for a 25 Years of Service Award or Retirement Award.

### **Prohibited Purchases**

The State Controller's Office (SCO) will not pay invoices that include frame, award, plaque, and/or certificate purchases which are outside of the three allowable awards above. According to the SCO, the purchase of these award products is considered an inappropriate use of state funds. On March 8, 2012, all CAL-Card Cardholders and CAL-Card Approvers received a broadcast regarding prohibited purchases of frames, awards, plaques and certificates.

Pursuant to the State Contracting Manual (SCM) Volume 2, 2.A2.3, Avoid Making a Gift of Public Funds, in accordance with the California State Constitution, Article 16, Section 6, any gift of public funds is strictly prohibited. All expenditures must support the department's mission (function and purpose) and benefit the State to not be considered gifts of public funds.

Furthermore, on February 18, 2011, a Governor Memorandum, "Governor Brown Eliminates S.W.A.G.", was released directing all State agencies and departments to stop spending taxpayer dollars on free giveaway and gift items as part of continuing efforts to cut costs and tackle the State's budget gap.

Gift items such as frames and plaques for state employees or board members, plus Stuff We All Get (S.W.A.G.), may not be purchased through the procurement process, including the CAL-Card Purchasing Program.

### **Consequences of Purchasing Prohibited Items**

Failure to comply with these guidelines will result in:

- The employee who authorized the transaction being responsible for payment of the purchased item (personal check must be payable to Department of Consumer Affairs)
- Potential suspension and/or loss of CAL-Card privileges

Purchasing Liaisons and Management should consider the following when making purchases:

- Will the purchase violate a law?
- Will the purchase be considered appropriate if it is publicized in the media?
- Will the purchase be viewed as appropriate by other internal or external State Employees?

### **Authority**

For additional information on the authority, please review:

- California Constitution, Article 16, Section 6
- Government Code, Section 19849.9
- SCM, Volume 2, Chapter 2.A2.3, Avoid Making a Gift of Public Funds
- Governor Memorandum, "Governor Brown Eliminates S.W.A.G." (February 18, 2011)
- Department of Personnel Administration/Award Programs  
<http://www.dpa.ca.gov/benefits/awards/main.htm>
- DCA, BSO Broadcast, "CAL-CARD PROGRAM - PROHIBITED PURCHASES" (March 8, 2012)

### **Questions**

If you have any questions regarding the procurement of an award please contact an analyst within the Business Management Services (BMS) Unit. A BMS Unit roster can be located on the DCA intranet <http://inside.dca.ca.gov/offices/oas/bsopurchasing.html>.

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO REVIEW, LEVERAGE, AND EVALUATE THE EFFECTIVENESS OF THE BOARD'S LIAISON PROGRAM TO BUILD STRONGER RELATIONSHIPS WITH ORGANIZATIONS**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to review, leverage, and evaluate the effectiveness of the Board's liaison program to build stronger relationships with organizations.

The Board's liaison program is designed to ensure that the Board exchanges information with key entities. Liaisons are assigned to organizations and schools, and are responsible for 1) establishing and maintaining contact with these entities, and 2) biannually reporting back to the Board on their activities and objectives.

In 2014, the Board incorporated the following enhancements into the liaison program:

1. Staff distribute reporting requirement reminders for liaisons on a quarterly basis;
2. Staff provide liaisons with talking points; and
3. Liaisons collaborate with staff when communicating licensing information to candidates.

An additional category of taking points regarding the Board's support of additional paths to licensure was also incorporated into the liaison program in 2014. Most recently, biannual reporting requirements were amended for liaisons to deliver their reports in the spring and fall months, in alignment with the academic calendar.

To enhance the ongoing effectiveness of the liaison program in line with this Strategic Plan objective, staff recommended to the Executive Committee at its November 24, 2015 meeting, the development of a standardized summary template to be used by Board liaisons. The template would summarize each contact with their assigned organizations and schools, and solicit feedback in terms of how the relationship with each entity could be improved. The development and use of such templates could also assist with the liaisons' biannual reports to the Board. Staff suggested that this new component, along with the 2014 improvements noted above, be implemented for an additional year before making new assessments.

The Executive Committee agreed with staff's recommendations and also recommended that staff create an additional category of community college-specific talking points to the liaison program. In summary, below is a list of the current enhancements in place and the Executive Committee's recommended additional enhancements.

#### Current enhancements:

1. Staff distribute reporting requirement reminders for liaisons on a quarterly basis;
2. Staff provide liaisons with talking points (including integrated path to licensure);
3. Liaisons collaborate with staff when communicating licensing information to candidates; and
4. Biannual liaison reporting during fall and spring.

Recommended additional enhancements:

5. Staff develop standardized summary template to be used by liaisons;
6. Staff expand talking points to include community colleges (i.e., encouraging Intern Development Program, alternate path to licensure); and
7. Implement the enhancements and monitor program for a year and reassess effectiveness.

The Board is asked to consider the Executive Committee's recommendation to add the additional enhancements above and reassess the effectiveness of the program in a year.

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO INCREASE BOARD'S PARTICIPATION IN NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to increase the Board's participation in the National Council of Architectural Registration Boards (NCARB).

The Board's participation with NCARB is crucial to fulfilling its statutory mission to protect the public health, safety, and welfare. NCARB's programs and products, particularly the Architect Registration Examination and Intern Development Program, have a profound impact on the Board and its candidates. As such, the Board's participation in NCARB is vital.

The Board underscores the importance of its participation each year in its "out-of-state travel request" that is submitted each year to the Department of Consumer Affairs (the request must be approved by the Business, Consumer Services and Housing Agency and Governor's Office). In this request, the Board justifies the value of participating in NCARB and indicates specific objectives that are mission critical to the Board's programs. This year, for example, the Board was able to highlight the work of the NCARB's Licensure Task Force and how its work will shape the future of licensing.

The Board's requests for out-of-state travel approval to participate in NCARB have been successful in recent years. Requests for travel to the Annual Meeting and Conference, Regional Summit, and NCARB committee meetings have generally been approved. In addition, the Board was able to secure appointments to NCARB committees for four Board members.

The Board raised the importance of NCARB participation in its Sunset Review Report. Participation in national issues became a cross-cutting issue noted during the Sunset Review process. One of the recommendations from the Senate Business, Professions, and Economic Development Committee and Assembly Business and Professions Committee was to "pursue opportunities at which its Members and Officers can interact directly with their national peers, and provide a strong voice for California's unique perspective and needs." In addition, the Board was asked to report restrictions that prohibit it from attending meetings where its representation could significantly impact California's ability to ensure that national examinations or standards reflect California's needs and protect California licensees, candidates for licensure, and consumers.

This objective was also in the 2014 Strategic Plan. The Board approved a motion to:

1. Publicize the Board's successful efforts with NCARB via the newsletter;
2. Continue to partner with The American Institute of Architects, California Council to underscore the importance of NCARB;
3. Maintain a list of accomplishments via the Board's participation in NCARB;
4. Stress with NCARB the importance of "mission critical" agendas; and

5. Incorporate elements of NCARB CEO Reports and other NCARB communiqués, as well as American Institute of Architects reports into the *California Architect* newsletter.

Given the Board's accomplishments on this objective, the Executive Committee recommends that the Board continue to monitor the results of efforts to participate and identify additional actions as necessary. The Board is asked to consider the Executive Committee's recommendation.

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO COLLABORATE WITH DEPARTMENT OF CONSUMER AFFAIRS' OFFICE OF PUBLIC AFFAIRS TO IMPROVE OUTREACH AND COMMUNICATION**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to collaborate with the Department of Consumer Affairs' (DCA) Office of Public Affairs (OPA) to improve outreach and communication.

Board staff met with the OPA on September 3, 2015, and again on November 17, 2015, to identify potential opportunities to collaborate. OPA recommended developing a more comprehensive communications plan to improve the Board's outreach and communication activities. OPA is available to facilitate the aforementioned plan's development.

This objective overlaps with the 2015-2016 Strategic Plan objective that directs the Communications Committee to partner with the Contractors State License Board (CSLB) to identify and implement best practices for educating consumers about the Board in order to improve consumer education efforts. At its October 21, 2015 meeting, the Communications Committee discussed CSLB's best practices and recommended that Board staff continue to collaborate with CSLB staff and leverage resources when feasible (i.e., provide Board materials to CSLB's Public Affairs Office for use during their outreach activities).

At its November 24, 2015 meeting, the Executive Committee agreed with staff's recommendation to: 1) transfer and merge this objective with the Communications Committee's related objective; 2) consider collaborating with CSLB and Landscape Architects Technical Committee to develop a consumer education piece that explains the overall design/build process; and 3) provide information and materials to schools regarding the licensure process.

The Board is asked to consider the Executive Committee's recommendations.

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO ANALYZE FEES TO DETERMINE WHETHER THEY ARE APPROPRIATE**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to analyze fees to determine whether they are appropriate. The Executive Committee met on November 24, 2015 and considered the information provided below.

Staff monitors the Board's budget, expenditures, revenue, and fund condition very closely with the Department of Consumer Affairs (DCA) Budget Office. The Board has had a strong tradition of frugality and staying within its budget. Each June Board meeting, the members are provided a budget update.

The Board has recently taken two different actions related to the Board's fees and fund condition (i.e., biennial license renewal fee increase and reduction of spending authority). The Board approved an increase of the renewal fee from \$200 to \$300 and a \$300,000 reduction in its spending authority, effective January 1, 2011 and July 1, 2015 respectively. These two actions were based on the advice and guidance of the DCA Budget Office staff and management.

The fee increase enabled the Board to keep its fund solvent for multiple years and maintain the fund balance within the Department of Finance's (DOF) recommended reserve range. Also of note, the renewal fee had not increased in the prior 20+ years. Additionally, other Board fees (Architect Registration Examination eligibility, California Supplemental Examination, reciprocity, etc.) have remained unchanged as there has been no demonstrated need to change them. The Board voluntarily reduced its spending authority \$300,000 beginning fiscal year (FY) 2015/16 with the submittal, and subsequent DOF approval, of a negative Budget Change Proposal (BCP). FY 2015/16 is the first FY the budget reduction has been applied to the Board's budget authority and will be applied ongoing. It should be noted that despite challenging State budget realities, a voluntary budget reduction was in the best interest of the Board and of the State of California due to the Board's reversion each FY.

Staff met with DCA Budget Office personnel to examine the Board's budget and fund condition and analyze whether its fees are appropriate in light of this Strategic Plan objective. During this meeting, it was determined by Budget Office staff that the Board's current fund condition is appropriate and that a budget or fee change is not recommended at this time. Budget Office staff also indicated that DOF would not recommend the Board make any adjustments at this time given the Board's current fund condition and its downward trend. Additionally, it was recommended that the Board reassess this issue after the completion of FY 2015/16 due to the recent spending authority reduction as a result of the Board's negative BCP.

Based on the Budget Office staff's assessment of the Board's fund condition, the Executive Committee recommends that the Board take no action at this time, but that it reassess this objective after the conclusion of FY 2015/16. The Board is asked to consider the Executive Committee's recommendation.

#### Attachment:

Analysis of Fund Condition

**0706 - California Architects Board  
Analysis of Fund Condition**

Prepared 10/7/2015

**2015-16 BUDGET ACT  
w/Workload\_Revenue**

|   | <b>ACTUAL<br/>2014-15</b> | <b>Budget<br/>Act<br/>CY<br/>2015-16</b> | <b>BY<br/>2016-17</b> | <b>BY + 1<br/>2017-18</b> | <b>BY + 2<br/>2018-19</b> | <b>BY + 3<br/>2019-20</b> |
|---|---------------------------|--|-----------------------|---------------------------|---------------------------|---------------------------|
| <b>BEGINNING BALANCE</b>  | \$ 5,252                  | \$ 4,869                                 | \$ 5,221              | \$ 4,336                  | \$ 4,564                  | \$ 3,528                  |
| Prior Year Adjustment   | \$ 24                     | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| Adjusted Beginning Balance  | \$ 5,276                  | \$ 4,869                                 | \$ 5,221              | \$ 4,336                  | \$ 4,564                  | \$ 3,528                  |
| <b>REVENUES AND TRANSFERS</b>                                       |                           |  |                       |                           |                           |                           |
| Revenues:   |                           |  |                       |                           |                           |                           |
| 125600 Other regulatory fees  | \$ 6                      | \$ 1                                     | \$ 1                  | \$ 1                      | \$ 1                      | \$ 1                      |
| 125700 Other regulatory licenses and permits                        | \$ 351                    | \$ 346                                   | \$ 306                | \$ 346                    | \$ 306                    | \$ 346                    |
| 125800 Renewal fees   | \$ 2,548                  | \$ 3,615                                 | \$ 2,505              | \$ 3,615                  | \$ 2,505                  | \$ 3,615                  |
| 125900 Delinquent fees  | \$ 38                     | \$ 73                                    | \$ 38                 | \$ 73                     | \$ 38                     | \$ 73                     |
| 141200 Sales of documents   | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 142500 Miscellaneous services to the public                         | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 150300 Income from surplus money investments                        | \$ 11                     | \$ 11                                    | \$ 11                 | \$ 14                     | \$ 11                     | \$ 11                     |
| 150500 Interest Income From Interfund Loans                         | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 160400 Sale of fixed assets   | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 161000 Escheat of unclaimed checks and warrants                     | \$ 1                      | \$ 1                                     | \$ 1                  | \$ 1                      | \$ 1                      | \$ 1                      |
| 161400 Miscellaneous revenues                                       | \$ 1                      | \$ 1                                     | \$ 1                  | \$ 1                      | \$ 1                      | \$ 1                      |
| Totals, Revenues  | \$ 2,956                  | \$ 4,048                                 | \$ 2,863              | \$ 4,051                  | \$ 2,863                  | \$ 4,048                  |
| Transfers from Other Funds  | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| Transfers to Other Funds  | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| Totals, Revenues and Transfers                                      | \$ 2,956                  | \$ 4,048                                 | \$ 2,863              | \$ 4,051                  | \$ 2,863                  | \$ 4,048                  |
| Totals, Resources   | \$ 8,232                  | \$ 8,917                                 | \$ 8,084              | \$ 8,387                  | \$ 7,427                  | \$ 7,576                  |
| <b>EXPENDITURES</b>   |                           |  |                       |                           |                           |                           |
| Disbursements:  |                           |  |                       |                           |                           |                           |
| 0840 State Controller (State Operations)                            | \$ -                      | \$ -                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 8880 Financial Information System for California (State Operations) | \$ 3                      | \$ 7                                     | \$ -                  | \$ -                      | \$ -                      | \$ -                      |
| 1110 Program Expenditures (State Operations)                        | \$ 3,360                  | \$ 3,689                                 | \$ 3,748              | \$ 3,823                  | \$ 3,899                  | \$ 3,977                  |
| Total Disbursements   | \$ 3,363                  | \$ 3,696                                 | \$ 3,748              | \$ 3,823                  | \$ 3,899                  | \$ 3,977                  |
| <b>FUND BALANCE</b>   |                           |  |                       |                           |                           |                           |
| Reserve for economic uncertainties                                  | \$ 4,869                  | \$ 5,221                                 | \$ 4,336              | \$ 4,564                  | \$ 3,528                  | \$ 3,599                  |
| <b>Months in Reserve</b>  | 15.8                      | 16.7                                     | 13.6                  | 14.0                      | 10.6                      | 10.6                      |

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO COMPLETE SUNSET REVIEW PROCESS AND IMPLEMENT RECOMMENDATION(S) TO COMPLY WITH THE LEGISLATURE'S DIRECTIVES**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Executive Committee to complete the Sunset Review process and implement recommendation(s) to comply with the Legislature's directives.

The Board's Sunset Review Report was submitted to the Legislature on October 31, 2014 and the hearing was held on March 18, 2015. The Board's written responses to the issues raised by the Legislature were due within 30 days of the hearing. The Board/Landscape Architects Technical Committee's (LATC) presentation at the hearing received positive feedback from the committees (the Senate and Assembly policy committees met jointly to conduct the hearing). Only two questions were asked regarding the: 1) process for determining content for the California Supplemental Examination (CSE), and 2) possible causes for the non-compliance rate on continuing education audits. The Board's responses were satisfactory to the committees and also received positive feedback.

On April 16, 2015, the Board submitted its written responses to the issues identified in the Sunset Review Background Paper to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development (see attachment). The Board ratified the written responses at its June 10, 2015 meeting. Assembly Bill 177 (Bonilla), the bill that extends the Sunset date for the Board and LATC, was signed into law on October 2, 2015 and goes into effect January 1, 2016.

To continue to build on the Board's positive outcomes from the Sunset Review process in line with this Strategic Plan objective, staff recommended, and the Executive Committee agreed at its November 24, 2015 meeting, the following suggestions:

1. Staff review the Sunset Review Report and Sunset Background Paper and Responses and compile a list of recommendations and suggestions that were noted in the documents and incorporate as Strategic Plan objectives as appropriate.
2. Staff review the metrics in the report and identify opportunities, requirements, and improvements as to data collection.
3. Staff monitor the Sunset Review process on an ongoing basis to identify any emerging cross-cutting issues.

The Executive Committee voted to recommend to the Board the above actions to meet this objective. The Board is asked to consider the Executive Committee's recommendation.

#### Attachment:

Sunset Background Paper and Responses Submitted April 16, 2015

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
SUNSET BACKGROUND PAPER RESPONSES**

**ISSUE #1: TRAVEL RESTRICTIONS.** Should the Committees encourage travel to professional conferences or meetings that directly affect licensure of California licensees?

Legislative Staff's Recommendation: The Committees should encourage the Board to pursue opportunities at which its Members and Officers can interact directly with their national peers, and provide a strong voice for California's unique perspective and needs. The Board should inform the Committees of whether it continues to face travel restrictions that prohibit it from attending meetings where its representation could significantly impact California's ability to ensure that national examinations or standards reflect California's needs and protect California licensees, candidates for licensure, and consumers.

**The Board/LATC concurs with the Committees' recommendation. Participation in national affairs is critical for the Board and LATC. The national examinations save the Board and LATC literally millions of dollars by not having to replicate the national examinations. In addition, the Board relies on the Intern Development Program to ensure that candidates receive experience in crucial areas of practice.**

**The Board and LATC have had recent success on travel, with approvals to attend three key out-of-state national sessions. In addition, three recent sessions have been in California, where the Board was also able to participate. These approved trips for the Board were funded by our national nonprofit - the National Council of Architectural Registration Boards (NCARB), so no State funds were spent. The Board has not received approval to travel with State funds since 2010. LATC was approved to travel to the Annual Business Meeting of the Council of Landscape Architectural Registration Boards (CLARB) in 2009 and 2014 with State funds, but CLARB does not offer "funded trips." LATC was denied the opportunity to attend a CLARB session that was held in California. Sending a Board member to the Annual Meeting costs a fraction of the Board's budget - approximately .0005.**

**The Board just participated in the NCARB Regional Summit on March 13-14 in Long Beach. At that meeting, the main proposal discussed would restrict existing reciprocity standards and prevent nearly 2,000 California architects from practicing in other states. California was the only state advocating to preserve the existing pathway. Through our efforts, we built a coalition to oppose the measure when it is up for a vote in June at the Annual Business Meeting. There is much more to be done to defeat the measure, but much of the effort takes place on-site at the meeting. In order to succeed, the Board must be in attendance with a strong delegation. This is because there are approximately 250 people in attendance from the 54 member jurisdictions, as well as NCARB executive staff and leadership from the American Institute of Architects, National Architectural Accrediting Board, Association of Collegiate Schools of Architecture and American Institute of Architects - Students. Persuading a group of that size requires a delegation of at least four,**

**but a larger group has greater odds for success and also helps with succession planning so that new Board/LATC members can learn first-hand about the national associations and develop the relationships needed to protect California's interests.**

**The Board is in the process of submitting an out-of-state trip request to DCA to add two members in addition to the two that were previously approved. This will provide the Board a strong delegation to work to defeat the resolution.**

**The professions, via the American Institute of Architects - California Council and California Council of the American Society of Landscape Architects, understand the importance of participation and regularly and consistently support the Board's engagement in NCARB and CLARB. The Board appreciates that DCA and Administration have been approving some of the trips, and the Board encourages ongoing and increased support for the criticality of national issues.**

(Note: This was Issue #1 for LATC in the Sunset Background Paper.)

**ISSUE #2: PRO RATA.** What services does the Board receive for its share of pro rata?

Legislative Staff's Recommendation: The Board should advise the Committees about the basis upon which pro rata is calculated, and the methodology for determining what services to utilize from DCA. In addition, the Board should discuss whether it could achieve cost savings by providing some of these services in-house.

**The Board/LATC's share of the department's pro rata is calculated based on authorized position counts, licensing and enforcement record counts, prior year workload, and interagency agreements. The Board/LATC currently utilizes most of the pro rata services for efficiencies and cost savings. Centralized services are more practical and efficient particularly for smaller boards such as ours. Board/LATC staff would need special high-level expertise in certain administrative services to be effective. It would be difficult to achieve an "economy of scale" if the Board/LATC were to assume pro rata-related services. The Board/LATC has limited staff with diverse responsibilities, whereas DCA has teams of trained specialists with program-specific management.**

**Senate Bill 1243 (Chapter 395, Statutes of 2014) requires DCA to conduct a study and submit a report to the Legislature on its pro rata calculation of administrative expenses by July 1, 2015. The study will assess whether the pro rata system is the most productive, efficient, and cost-effective methodology and whether some of the services should be outsourced or charged on an as-needed basis. The study will also include consideration of whether the boards should be permitted to elect not to receive (and be charged for) certain administrative services. As part of the study, the Board/LATC has participated in a survey of its use of DCA's services. Based on the outcome of the study and the DCA's report to the Legislature, the Board/LATC will reassess its continued use of the DCA's pro rata services.**

(Note: This was Issue #4 for LATC in the Sunset Background Paper.)

**ISSUE #3: BREEZE IMPLEMENTATION.** The Board was supposed to be part of BreEZe's Release Three, which has now been delayed until at least 2016.

Legislative Staff's Recommendation: The Board should inform the Committees of any difficulties it foresees as a result of having to remain on its legacy system, and whether any additional stop-gap technological measures are needed until BreEZe is implemented. The Board should inform the Committees of how costs related to BreEZe will impact its fund condition.

**Substantial difficulties are foreseeable, as a result of having to remain on the legacy systems, due to numerous significant changes to the national Architect Registration Examination (ARE) and potential changes to other national programs. Board/LATC staff is conducting an assessment of the impact due to delayed implementation of BreEZe for Release 3 boards and bureaus and coordinating efforts with DCA to develop stop-gap measures that could involve significant modifications to the legacy systems.**

**The Board believes, however, that due to the changes to the ARE, the corresponding changes to the "business model analysis" that was prepared in preparation for BreEZe approximately five years ago, are so significant that the current delay and repositioning of BreEZe may actually be a strategic advantage. Had BreEZe actually rolled out with the ARE consisting of seven divisions, as it does now, it would be completely dysfunctional, as the ARE previously had nine divisions. To add further complexities, there are intricate new rules that place restrictions on candidates' eligibility, which would have further exacerbated the problems.**

**The Board/LATC routinely monitors its fund condition and works very closely with DCA's Budget Office. The Budget Office has provided the Board/LATC's fund condition projected to fiscal year (FY) 2016/17, which includes anticipated BreEZe costs. The Board/LATC and the Budget Office do not foresee an issue with the Board/LATC's fund condition based on the current projections for BreEZe costs. The Board's fund condition will have an 11-month reserve in FY 2016/17, the year the BreEZe program is planned to be implemented for the Board.**

(Note: This was Issue #3 for LATC in the Sunset Background Paper.)

**ISSUE #4: LICENSURE AND LICENSEE POPULATION.** Should the Board continue to explore ways to streamline the licensure process? Should the Board examine whether there is a shortage of licensed architects and capacity for architecture programs to train students?

Legislative Staff's Recommendation: The Board should continue to explore streamlined paths to licensure as a way to simplify the licensure process. The Board should continue monitoring the efforts of, and working closely with, NCARB, to ensure that any proposed changes to the licensure process do not affect competency or create reciprocity issues, and that California's needs are represented at the national level. The Board should monitor workforce capacity to determine if the demand for licensed architects is, and will continue to be, met.

**The Board concurs with the Committees' recommendations. There is an ongoing objective from the Board's 2014 Strategic Plan to collaborate with California's National Architectural Accrediting Board (NAAB) accredited programs to establish and promote an Additional Path to Architectural Licensure (APAL). NCARB has taken a leadership role at the national level with the APAL; the Board is working with California schools and has hosted two summits (February 26, 2014 and March 12, 2015) to further those efforts.**

**NCARB has released its Request for Proposal (RFP), responses to which are due June 1, 2015. After a review of the RFPs, NCARB will provide an endorsement of those programs that conform to the programmatic requirements. The Board will continue its monitoring of NCARB and the national trends with respect to efforts for developing a streamlined licensure process.**

**Board staff will also coordinate with the Employment Development Department on conducting an analysis of the demand for architects and whether it will continue to be met in the long-term.**

**ISSUE #5: CONTINUING EDUCATION (CE).** The Board notes that it has examined its CE requirement due to recent legislation and changes to the NCARB Model Law, and continues to monitor its CE requirement to ensure reciprocity issues do not exist.

Legislative Staff's Recommendation: The Board should inform the Committees of why its failure rate for CEs is so high, and how it can reduce that rate. The Board should continue to monitor the trend regarding CEs at the national level.

**The Board concurs with the Committees' recommendation. Continuing education (CE) on disability access requirements is a relatively new (since July 1, 2009) requirement; audits were only required as of January 1, 2013. The statistics provided in the Board's Sunset Review Report represent the first year audits were conducted, and the first time licensees certified on their renewal application the CE requirement was fulfilled.**

**Prior to the commencement of audits, licensees submitted all relevant coursework provider documentation to the Board for review and acceptance before a license could be renewed (more than 20,000 records). The Board's audit failure rate is in fact comparable to other DCA entities that audit, which have averaged 13%.**

**The Board believes that two factors may help reduce the noncompliance rate. First, the deterrent effect of citations should improve audit results. The first group of citations was served in early 2015. Once those citations are adjudicated, practitioners will know that the Board takes strong actions against violations. In addition, the Board is coordinating with professional organizations for increased communication to licensees. Common noncompliance violations include: coursework taken after license renewal/audit notification; coursework taken more than two years prior to license renewal; deficient coursework (number of hours); failure to respond to audit in a timely manner; and, incorrect coursework taken and/or submitted. The Board will use this data in its communications efforts to assist architects in complying with this requirement.**

**The Board will continue monitoring, through NCARB, the national trends relative to CE initiatives and changes to the NCARB Model Laws.**

**ISSUE #6: INFORMATION SHARING.** The Board reports that it is unable to share relevant disciplinary information of its licensees with a national database due to information-sharing restrictions.

Legislative Staff's Recommendation: The Board should inform the Committees of the specific types of information it would like to disclose to NCARB, and provide the Committees with the specific code sections that prevent the Board from disclosing that information. The Board should also weigh the benefits of sharing disciplinary information to assist other regulatory entities against the individual privacy rights, and potential threats to those rights.

**The Board concurs with the Committees' recommendation.**

**The Board currently utilizes the NCARB Disciplinary Database by disclosing actions, such as Accusations and Statements of Issues, taken against licensees. Other NCARB Member Boards can view this information by securely accessing the database; additionally, prior to the Board issuing a license, the database is utilized to confirm whether disciplinary action has been taken against an individual in another state. A 2.0 version of the NCARB Disciplinary Database was recently launched and the Board continues to find that this is a useful tool.**

**Identifying information that is captured in the database includes: 1) an individual's full name; 2) State license number; and 3) the NCARB Record Number and/or Certificate Number (if an individual possesses either of these). Other identifying information that can be captured in the database is date of birth (DOB) and last four digits of Social Security Number (SSN). However, the Board cannot share DOB and SSN due to the Information Practices Act of 1977 (Civil Code section 1798 et seq.).**

**The Board will continue to weigh the benefits of sharing disciplinary information against the privacy rights of individuals.**

**ISSUE #7: COLLECTION OF FINES.** The Board notes that it is seeking ways to increase collection of fines, particularly in cases of unlicensed practice when it does not have the leverage of a license to incentivize payment.

Legislative Staff's Recommendation: The Board should continue to explore ways to improve its enforcement efforts and collect fines. The Board should examine other agencies that are authorized to release SSNs to collection agencies, and whether there are any privacy or security issues that may arise if such information was transmitted. The Board should work with other licensing boards, such as the Contractors State Licensing Board, the Bureau of Real Estate, and the Board of Professional Engineers, Land Surveyors, and Geologists, to determine the feasibility of sharing disciplinary information for purposes of leveraging other professional licenses as a way to achieve compliance; how such a system would operate; and what changes would be necessary.

**The Board/LATC concurs with the Committees' recommendations.**

**The Board currently has an ongoing objective from its 2014 Strategic Plan to “pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties” and is committed to continuous improvements with regard to all enforcement efforts.**

**The Board's fine collection success has averaged about 62% over the last three fiscal years, while other construction/design boards have averaged 37%.**

**Should the Board pursue authority to release SSNs to collection agencies, it would fully investigate whether there are any privacy or security issues that may arise. The Board has noted that the Respiratory Care Board is authorized to release SSNs to collection agencies via Business and Professions Code section 3778 (Chapter 586, Statutes of 2003); the Board is currently not aware of other agencies with similar authority.**

**As part of its Strategic Plan objective, the Board/LATC will research the feasibility of working with other licensing boards in sharing disciplinary information for purposes of leveraging other professional licenses. Other strategies the Board/LATC has utilized with regard to fine collection: Franchise Tax Board Intercept Program; payment plans; revised enforcement letters; etc. In addition, the Board is working with DCA to explore the possibility of establishing a collections unit in DCA to assist boards in collecting citation penalties.**

(Note: This was Issue #5 for LATC in the Sunset Background Paper.)

**ISSUE #8: CONTINUED REGULATION BY THE BOARD.** Should the licensing and regulation of architects be continued and be regulated by the current Board membership?

Legislative Staff's Recommendation: Recommend that the licensing and regulation of architects continue to be regulated by the current Board members of the California Architects Board in order to protect the interests of the public and be reviewed once again in four years.

**The Board/LATC concurs with the Committees' recommendation.**

(Note: This was Issue #6 for LATC in the Sunset Background Paper and the Board/LATC concur with that recommendation.)

**Note: as indicated on the cover memo, the following issue was unique to LATC.**

**LATC ISSUE #2: PATHWAYS TO LICENSURE.** Should the LATC consider ways to streamline its licensure process or make its licensure process more flexible to accommodate out-of-state applicants?

Legislative Staff's Recommendation: The LATC should continue to work closely with the Board to identify opportunities to initiate efficiencies in its licensure system, and consult with stakeholders to ensure that the path to licensure is efficient and effective. The LATC should also continue to discuss the possibility of expanding the definition of "education credit" to encompass a certain amount of licensed experience, and to consider granting education credit for degrees related to landscape architecture, while ensuring that licensees retain their competence and that consumers are protected by any changes in eligibility.

**The LATC concurs with the Committees' recommendation.** During this last reporting period, LATC has expanded its pathways to licensure to allow partial degrees, and architecture degrees to meet education requirements. The LATC is researching other related degrees that can meet the education requirement for licensure.

**Efficiencies in the licensure processes were improved by permitting candidates to take certain sections of the national exam upon graduation. On the horizon are changes to allow credit for teaching under a landscape architect. LATC will also work closely with the Board on its efforts on the Accelerated Path to Architectural Licensure.**

**In addition, the LATC has received license applications from candidates who are licensed in other states but do not meet specific California requirements, namely a degree in landscape architecture. The LATC is reviewing reciprocity requirements of other states to determine possible changes to improve efficiencies. Initial research revealed varying minimum standards across states including education only, experience only, varying degree types, and acceptance of reciprocity from other states. The LATC will work closely with CLARB to establish the minimum years of licensed experience to qualify to take the California Supplemental Exam in order to become licensed in California. The LATC will also work closely with other stakeholders to ensure that the path to licensure is efficient and effective.**

**REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT**

1. Update on REC November 5, 2015 Meeting
2. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Monitor NCARB Action on Title for Interns to Ensure Appropriate Consumer Protection
3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Review Board's Occupational Analysis (OA) of Architect Profession to Identify Marketplace Trends That Impact Consumer Protection
4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Pursue Recruitment of Additional Architect Consultant to Ensure Continuity and Effectiveness in Board's Enforcement Program
5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Modify and Expand Reports to Board Members Regarding Enforcement Activities to Identify Most Common Violations and Disciplinary Actions
6. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Pursue Methods to Obtain Multiple Collection Mechanisms to Secure Unpaid Citation Penalties

**UPDATE ON REC NOVEMBER 5, 2015 MEETING**

The REC met on November 5, 2015 in Sacramento and via teleconference. Attached is the notice of the meeting. Committee Chair, Matthew McGuinness, will provide an update on the meeting.

Attachment:

November 5, 2015 Notice of Meeting



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## NOTICE OF MEETING

### REGULATORY AND ENFORCEMENT COMMITTEE

**November 5, 2015**  
**1:00 p.m. to 4:00 p.m.**  
**(or until completion of business)**  
**Department of Consumer Affairs**  
**1747 North Market Boulevard**  
**Hearing Room (Room 186)**  
**Sacramento, CA 95834**  
**(916) 574-7220**

The California Architects Board (Board) will hold a Regulatory and Enforcement Committee (REC) meeting, as noted above, and via teleconference at the following location:

Robert De Pietro  
Frank De Pietro and Sons  
825 Colorado Boulevard, Suite 114  
Los Angeles, CA 90041

The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see reverse or you may contact Kristin Walker at (916) 575-7203.

### AGENDA

- A. Call to Order
- B. Public Comment on Items Not on Agenda  
*(The REC may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)*
- C. Review and Approve April 29, 2015 REC Meeting Summary Report
- D. Enforcement Program Update

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

*(Continued on Reverse)*

- E. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Monitor National Council of Architectural Registration Boards Action on Title for Interns to Ensure Appropriate Consumer Protection
- F. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Review the Board's Occupational Analysis of the Architect Profession to Identify Marketplace Trends That Impact Consumer Protection
- G. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Pursue Recruitment of an Additional Architect Consultant to Ensure Continuity and Effectiveness in the Board's Enforcement Program
- H. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Modify and Expand Reports to Board Members Regarding Enforcement Activities to Identify the Most Common Violations and Disciplinary Actions
- I. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Pursue Methods to Obtain Multiple Collection Mechanisms to Secure Unpaid Citation Penalties
- J. Adjournment

*Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the REC Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the REC are open to the public.*

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the REC prior to the REC taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the REC, but the REC Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the REC to discuss items not on the agenda; however, the REC can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].*

*The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Ms. Walker at (916) 575-7203, emailing kristin.walker@dca.ca.gov, or sending a written request to the Board. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.*

*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. (Business and Professions Code section 5510.15)*

## Agenda Item H.2

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO MONITOR NCARB ACTION ON TITLE FOR INTERNS TO ENSURE APPROPRIATE CONSUMER PROTECTION**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to monitor National Council of Architectural Registration Boards (NCARB) action on titling for interns to ensure appropriate consumer protection.

On June 21, 2014, NCARB President Dale McKinney announced the formation of a Future Title Task Force (FTTF), chaired by former NCARB President Blakely Dunn, to review and evaluate the terminology used during the life cycle of an architect's career, from education through retirement. Additionally, the American Institute of Architects, California Council (AIACC) has expressed interest in the topic of intern titling. This topic provided for a robust discussion at AIACC's January 23, 2015 Academy for Emerging Professionals meeting, in which Board representatives attended. On March 4, 2015, AIACC sent a letter (Attachment 1) to Board President, Jon Baker, requesting that the Board consider supporting amendments to the Architects Practice Act (Act) to allow the use of the title "architectural intern." AIACC also requested that, in the interest of consumer protection, the Board support limiting the use and purpose of the title "architectural intern" to an individual designation for a specific period of time, and prohibit its use as a means to promote or advertise the services of the individual. AIACC further stated its goal is to proactively modify the Act to be consistent with national standards, and to facilitate a future title change if such a term is adopted by future NCARB model law.

At its April 29, 2015 meeting, the REC reviewed this Strategic Plan objective and discussed AIACC's request to expand the current terminology for candidates in the Act to include the title "architectural intern." The REC considered the consumer protection, enforcement, and regulatory issues involved with the title "architectural intern," and ultimately voted to recommend to the Board that it should not consider the title "architectural intern."

Subsequently, on May 14, 2015, NCARB announced the FTTF's recommendation to restrict the role of regulation to the title "architect," which should only apply to licensed individuals. The FTTF recommended that any title held by those pursuing licensure does not need to be regulated, and suggested NCARB discontinue its use of the word "intern," "intern-architect," or any other regulatory title describing those pursuing licensure (Attachments 2 and 3). The rationale behind the recommendation was based on the role of licensing boards to assure the public is not misled by titles, and that a title assures the person is qualified to protect the public's health, safety, and welfare.

As a result of the FTTF's recommendations, NCARB is planning a series of initiatives, which will include proposing changes to its existing *Legislative Guidelines and Model Law* (Attachment 4). NCARB will also begin making plans to remove "intern" from its communications and correspondence, and may consider future action, subject to review by the NCARB Board, to rename its Intern Development Program.

At its June 10, 2015 meeting, the Board reviewed and considered the REC's recommendation to no longer consider the title "architectural intern." The Board was informed by an AIACC representative, Kurt Cooknick, that AIACC had reflected on and identified remedies to the REC's concerns about consumer protection, specifically regarding the use and misuse of the title. Deborah Gerard, a licensed architect and Partner at Gruen Associates, advised the Board that current restrictions are affecting young professionals' sense of belonging to the profession, and asked the Board to loosen the constraints for using the term "architectural." She informed the Board that she is advocating for the use of the term "architect" as a modifier (i.e., architectural staff, architectural technician, and architectural designer). AIACC Student Director, South, Julia Flauas addressed the Board regarding the confusion that exists for young professionals and asked the Board to help young people, and the architecture firms that employ them, to identify an appropriate title to be used until the day they become licensed.

The Board discussed the topic of intern titling, including the: 1) titles permitted by other state architectural boards; 2) titles used in the legal and medical professions; 3) current restrictions regarding the use of the title "architect"; 4) possible consumer protection issues; 5) Board's mandate and jurisdiction; 6) management and enforcement aspects of a title for unlicensed individuals; and 7) amendments to the Act and additional logistical changes that would be required if the Board decides to take jurisdiction over a new title. Due to the issues and concerns raised at the meeting, the Board decided to reject the REC's recommendation and requested that the Committee research and reevaluate its recommendation further for reconsideration by the Board.

Following the June 10, 2015 Board meeting, Board staff conducted additional research requested by the Board regarding intern titles used by other state architectural boards and by other professions licensed and regulated by Department of Consumer Affairs boards and bureaus. Board staff also obtained information from NCARB regarding laws and regulations on intern titling in other jurisdictions (Attachments 5 and 6). Board staff reviewed the results of the American Institute of Architects' (AIA) Intern Titling Survey (Attachment 7), and the AIA's definitions of architect positions (Attachment 8) excerpted from the *2005 AIA Compensation Report*, which defines typical positions for both licensed architects and unlicensed individuals working within architectural firms.

Additionally, Board staff met with an AIACC representative on October 27, 2015 to discuss AIACC's proposal within the context of NCARB's current recommendation to restrict the role of regulation to the title "architect."

At the November 5, 2015 REC meeting, Board staff provided the REC with a presentation detailing: the findings of NCARB's FTTF; titles for "interns" used by other state architectural boards and in other professions; current enforcement resources devoted to enforcing title provisions; pros and cons of intern titling; and possible options to address the AIACC's request. Mr. Cooknick informed the REC that AIACC is now advocating for the use of the title "architect-in-training." The REC extensively discussed the AIACC's proposal and how it conflicts with NCARB's recommendation to not regulate any title held by those pursuing licensure. The REC considered potential minimum qualifications for using the title such as passing an examination, establishing an NCARB record, or obtaining eligibility for the Architect Registration Examination. The REC also explored the feasibility of creating a model similar to the engineer-in-training certificate issued by the Board for Professional Engineers, Land Surveyors, and Geologists. The REC noted that only four jurisdictions

currently use the title “architect-in-training.” The REC expressed its concerns regarding the lack of a complete proposal that: 1) identifies the problem with supporting data; 2) defines the minimum qualifications and regulatory constraints for using the title; and 3) addresses the management and enforcement aspects of the title. The REC ultimately voted to table the issue until AIACC presents a comprehensive proposal that has been reviewed and analyzed by Board staff.

The Board is asked to consider the REC’s recommendation to table the intern titling issue until AIACC presents a comprehensive proposal that has been reviewed and analyzed by Board staff.

Attachments:

1. AIACC Letter to the Board Regarding Intern Titling, March 4, 2015
2. NCARB Article Regarding the FTTF’s Recommendations, May 14, 2015
3. NCARB Statement Regarding Future Use of Intern and Architect Titles, May 14, 2015
4. Excerpts from NCARB’s *Legislative Guidelines and Model Law*, 2014-15 Edition
5. NCARB Infographic: Intern Titles by State, August 22, 2014
6. NCARB’s “The Use of Titles by Interns: References in NCARB Member Boards’ Laws and Rules for Architectural Practice,” November 2014
7. AIA Intern Titling Update and Survey Results, 2015
8. AIA Best Practices – Definition of Architect Positions, Revised May 2007



March 4, 2015



Jon Baker, AIA, Board President  
California Architects Board  
2420 Del Paso Road, Suite 105  
Sacramento, CA 95834

RE: Intern Titling

Dear Mr. Baker:

With the support of the American Institute of Architects, California Council (AIACC) Executive Committee, and the AIACC Board of Directors, we, the undersigned, request that the California Architects Board (CAB) consider supporting changes to the Architects Practice Act concerning the current terminology of “candidate” for those eligible for the ARE, to include the title “architectural intern.”

The primary thrust behind the AIACC’s support for this change is in the interest of providing a means with which to formally recognize those committed to becoming California licensed architects – not to create marketing opportunities for unlicensed individuals. Therefore, when considering the proposed title change we ask that that the CAB also support limiting the use and purpose of the title “architectural intern” to that of an individual designation only, bestowed, as discussed, for an as yet to be determined finite period of time.

We believe limiting the time allowed to use the title, along with prohibiting its employment as a means to promote or advertise the services of the individual in the performance of projects falling under the exemptions found in Business and Professions Code Chapter 3, Division 3, §5537 to be in the interest of consumer protection, and in the spirit of the increasing licensure in California.

With national attention focused on finding a new appropriate title for not-yet-licensed professionals, our goal is to proactively modify the California Architects Practice Act to be consistent with current national standards, and to facilitate a future title change if/when such a term is adopted by future National Council of Architectural Registration Boards (NCARB) as model law.

March 4, 2015

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Please consider the following:

- The NCARB recommends in their “Legislative Guidelines and Model Law” (2014-2015 Edition) that a person currently employed under the responsible control of an architect, and who maintains in good standing an NCARB record, shall be allowed to use the title “intern architect” or “architectural intern” in conjunction with his/her current employment. Refer to the document for details at:  
[http://www.ncarb.org/~media/files/pdf/special-paper/legislative\\_guidelines.pdf](http://www.ncarb.org/~media/files/pdf/special-paper/legislative_guidelines.pdf).
- According to NCARB, 28 jurisdictions have titles specifically for those actively pursuing licensure. These jurisdictions allow the use of the terms “intern architect,” “architectural intern,” “architect-in-training,” or a combination of terms. Refer to NCARB’s infographic at: <http://blog.ncarb.org/2014/August/Intern-Titles.aspx>
- Many jurisdictions require interns to register with NCARB as well as their State Board prior to using the designated title. This can potentially streamline the licensure process because it establishes the Board-Intern relationship early on, and interns can educate themselves about the state licensure requirements from the beginning of their path to licensure.
- Allowing the use of the term “architectural intern” may promote licensure, as this term sets apart those who are actively pursuing licensure from those who choose not to get licensed.
- The Architects Practice Act regulates the use of the terms “architect,” “architecture,” and “architectural” in order to protect consumers from being misled by unlicensed professionals. The terms “intern architect” and “architectural intern” are not misleading and clearly indicate—by the definition of the word “intern”—that such individuals are trainees in the field of architecture.

We hope this summary is sufficient in explaining the reasons for promoting this revision to the California Architects Practice Act. Should you have any questions or concerns, please contact AIACC Director of Regulatory Affairs Kurt Cooknick.

Respectfully,



Jana Itzen, AIA  
AEP Vice President



Nathan M. Dea, Assoc. AIA  
Associate Director- South



Aaron Baumbach, Assoc. AIA  
Associate Director – North



Schuyler Bartholomay, Assoc. AIA  
Regional Associate Director

March 4, 2015

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Amanda Green, Assoc. AIA  
Architect Licensing Advisor – North



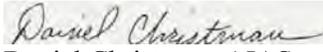
Leanna Libourel, AIA  
Architect Licensing Advisor - South



Stephanie Silkwood, AIA  
Young Architects Regional Director – North



Benjamin Kasdan, AIA  
Young Architects Regional Director – South



Daniel Christman, AIAS  
Student Director – North



Julia C. Flauaus, AIAS  
Student Director - South




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## NCARB Tackles the Great “Intern” Title Debate

315

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May 14, 2015

**The National Council of Architectural Registration Boards (NCARB) will work with U.S. licensing boards and the architect community to implement the recommendations of its Future Title Task Force: restrict regulatory language to post-licensure status only and remove use of “intern” terminology.**

Washington, D.C. — The National Council of Architectural Registration Boards (NCARB) will embark on a new initiative to sunset the usage of the term “intern” as a way to describe those who are working to become architects versus those who are already licensed architects.

The new term? There isn’t one. Just don’t use “intern.”

“Architects are those who have met all the requirements to become licensed in states and jurisdictions throughout the United States,” said NCARB President Dale McKinney, FAIA, NCARB. “Everyone else is not an architect. But their status also doesn’t need a regulatory title such as ‘intern’ or any similar reference. This has become a term that has been perceived as negative by many in the architecture community and a term that really does not fully value the work that aspiring architects bring to the profession.”

McKinney formed a Future Title Task Force in 2014 to come up with a solution to the profession’s titling debate—an issue he calls “fraught with controversy.” He chose the Council’s Past President Blake Dunn, AIA, NCARB, to lead the group, comprised of architects and architect candidates including leaders in various architectural collateral organizations.

The task force carefully debated the issue for many months, finally coming to the conclusion that there is no agreed-upon terminology for professionals on the path to licensure. At the same time, the task force recommended that all variations of “intern” are no longer reflective of the pre-licensure population.

“We felt this was the right moment in time to tackle this issue,” McKinney said. “If we don’t tackle it now, then when?”

NCARB is planning a series of initiatives, which will include proposing changes to NCARB *Model Law* and guidelines. These changes could, in turn, lead to consideration by the 54 U.S. licensing boards to remove “intern” from existing rules and regulations. Any *Model Law* proposal would be addressed in a resolution requiring a majority vote by representatives of the licensing boards at a future NCARB Annual Business Meeting. Implementation would not occur unless a jurisdiction adopts the *Model Law* change or makes some other change through amending its own laws, rules, or regulations to remove the word.

In the meantime, NCARB Chief Executive Officer Michael Armstrong indicates NCARB will begin making plans to remove “intern” from its own communications and correspondence. A future action, subject to review by the NCARB Board, is likely to involve the renaming of its Intern Development Program (IDP).

***Read the [full statement](#) by NCARB President Dale McKinney, President-Elect Dennis Ward, and CEO Michael Armstrong.***

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#### **About NCARB**

The National Council of Architectural Registration Boards’ membership is made up of the architectural registration boards of all 50 states as well as those of the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands. NCARB assists its member registration boards in carrying out their duties and provides a certification program for individual architects.

NCARB protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects. In order to achieve these goals, the Council develops and recommends standards to be required of an applicant for architectural registration; develops and recommends standards regulating the practice of architecture; provides to Member Boards a process for certifying the qualifications of an architect for registration; and represents the interests of Member Boards before public and private agencies. NCARB has established reciprocal registration for architects in the United States and Canada.

## STATEMENT REGARDING FUTURE USE OF INTERN AND ARCHITECT TITLES

*This transcript of formal remarks from NCARB leaders is being provided on-site at the AIA Convention NCARB booth (#2145), has been distributed to NCARB Member Boards, and has been repurposed in press release format. It is available on the NCARB website at [www.ncarb.org](http://www.ncarb.org).*

### REMARKS OF PRESIDENT DALE MCKINNEY, FAIA

Good Afternoon. I'm Dale McKinney, NCARB President.

Last year, it was my privilege to announce NCARB would form a new Future Title Task Force to address the use of the terms "intern" and "architect." We took on this issue because these terms are regulated by licensing boards and used by NCARB in administering its programs. While we can only advise licensing boards through resolutions, model laws and regulations, and NCARB policy, I felt this issue was ripe for our engagement.

This issue has been fraught with controversy. We know that in the last several years, concerns have been raised regarding the credibility of the term "intern," even as others say they don't understand the fuss. This issue became the prevailing topic of discussion at AIA's Emerging Professionals Summit early last year. Listening to the different points of view at that Summit, we determined that NCARB must assert its leadership role to facilitate a discussion among representatives of all interested and impacted parties.

I am happy to report that the Task Force did reach consensus on a future title approach. Their report was unanimously accepted by the NCARB Board of Directors at its April meeting.

This topic can inspire passion. It can also be divisive if not addressed in a thoughtful and inclusive manner. We were honored to have a diverse and representative group of interns—and licensed architects with a wide range of experience—spend the last year in a series of intense meetings. Each meeting was focused on reaching consensus toward a path forward.

I want to thank the Task Force members for their valuable contribution.

- The Task Force was chaired by my immediate predecessor, Past President Blake Dunn. During Blake's presidency, NCARB initiated discussions that culminated in decisions to streamline and overhaul the Intern Development Program. The Task Force also included interns and seasoned architects, many of whom have led national organizations.

- Two of the interns on the Task Force actually became licensed architects during their time on the Task Force:
  - Tyler Ashworth, a former president of the American Institute of Architecture Students (AIAS) based in Washington, D.C.; and,
  - Shannon French, based in New Orleans.
- Interns also serving on the Task Force were:
  - Westin Conahan, the immediate past AIAS President now based in New York City;
  - Haley Gipe, former AIA National Associates Committee Chair and AIA National Board Member based in Fresno, California, and
  - Suni Dillard of Cambridge, Massachusetts.
- Architects serving on the Task Force were:
  - Scott Veazey of Evansville, Indiana, a former NCARB President and President-elect of the National Architectural Accrediting Board;
  - Rick Engebretson, a member of the North Dakota licensing board and former NCARB Board member;
  - Anne Smith, chair of the Georgia licensing board and current NCARB Board member;
  - Bayliss Ward, president of the Montana licensing board and incoming NCARB Board member;
  - Jennifer Workman, from Dallas, Texas; Former Regional Associate Director for the AIA National Associates Committee and former chair of the National Young Architects Forum Advisory Committee.
  - Tamarah Begay of Albuquerque, New Mexico and a leader in the Navajo nation architect community; and
  - Jeff Pastva, a recently licensed architect from Philadelphia, Pennsylvania, former Regional Director for the AIA Young Architects Forum and currently serving as their Communications Director.

- Representing the licensing board executive community was Kingsley Glasgow, licensing board executive from Arkansas and a current NCARB Board member.
- Representing AIA was Damon Leverett, Managing Director, Diversity & Emerging Professionals Engagement.
- Staffing the Task Force was Harry Falconer, NCARB Director of Experience + Education.

Specifically, we asked the Task Force to address current and possible future titles. In turn, the Task Force elected to focus their deliberations on three areas:

- The pre-licensure title currently known as “intern,”
- The post-licensure, practitioner title known as “architect,”
- And, the post-retirement status, which some jurisdictions and organizations refer to as “emeritus.”

The Task Force considered several factors in their deliberations:

- Data regarding the duration spent in internship,
- Data regarding titles used by other regulated professions in the building industry,
- Survey information regarding preferred titles,
- Anecdotal information regarding the connotations of the use of the word intern,
- The regulatory impacts of extending the title architect beyond the licensed community,
- And, the distinction between the role of the marketplace and membership organizations versus the legal role of licensing boards in protecting the public.

The final report of the Task Force recommends a simple solution: restrict the role of regulation to the title “architect,” which should only apply to licensed individuals. The Task Force recommended that any title held by those pursuing licensure does not need to be regulated. In other words, it is recommended that NCARB discontinue the use of the word intern, intern-architect, or any other regulatory “title” describing those pursuing licensure. Further, architect emeritus is an acceptable term because it identifies those who have obtained a license but are no longer practicing, thus providing appropriate notice to the public.

The rationale behind these simple but far-reaching recommendations is based on the role of the licensing board community. Their responsibility is to assure that the public is not misled by titles, and that a title assures the person is qualified to protect the public's health, safety, and welfare. Further, the Task Force asserted that as long as a person is not wrongly using a title to pursue or support clients, the licensure process does not need to address anything beyond the use of the title "architect."

As I mentioned earlier, our Board of Directors voted to unanimously to accept the Task Force report. However, this is merely the "beginning of the beginning" of a process with many moving parts.

At this time, I would like our President-elect, Dennis Ward of South Carolina, to describe next steps which will occur under his watch as President effective June 21 of this year.

## REMARKS OF PRESIDENT-ELECT DENNIS WARD

Thank you Dale. As Dale mentioned, I'm Dennis Ward, currently First Vice President and President-elect of NCARB. I'm a practicing architect based in South Carolina and formerly a member of the South Carolina licensing board.

I would like to describe the different moving parts Dale referenced, as a way of helping you all better understand NCARB's role going forward.

I suggest you think of this in three parts or phases:

- There are things NCARB can do administratively almost immediately;
- There are things that require a vote of the NCARB Board which implies consultation with its Membership; and
- There are things that only the Membership, namely delegates from each of our 54 licensing board Members, can do.

The Board has requested our CEO Mike Armstrong lead the development of a "sunset plan" which comprehensively details options and next steps regarding the recommendations of the Task Force. As incoming President, I intend to provide charges to appropriate NCARB committees to advise us on the path forward. Some of our committees may recommend revisions to *Model Law* and regulations; others may recommend new ways to describe those who are on the path to licensure.

At an appropriate time, after consulting with our Membership, our Board is empowered to make formal changes to what is currently called the *IDP Guidelines*. These Guidelines describe the requirements of the Intern Development Program. Currently, we have just completed our approach to streamlining and overhauling the IDP. Now we will focus on the challenge of renaming the program. We intend to engage our Member Boards in this process.

Changes to model law and regulation come about through resolutions at our Annual Business Meeting. NCARB *Model Law* currently proposes the use of the title "intern architect." Thirty (30) jurisdictions currently reference one or more of the following titles in law or regulation: "intern architect;" "architectural intern;" "architect in training;" or, "intern."

Should any proposals to change *Model Law* surface during my presidency, they would be presented for comment next spring and for a vote of the Membership at the June 2016 Annual Business Meeting in Seattle. Now, I would now like to introduce our Chief Executive Officer, Michael Armstrong, for remarks specific to the sunset plan activity.

## REMARKS OF CEO MICHAEL ARMSTRONG

Thanks Dennis. As you have heard, our Board of Directors has asked me to lead a staff effort to develop a “sunset plan” regarding the implementation of the Future Title Task Force recommendations.

I want to underscore the reminder that future action is not totally within the scope of NCARB’s authority. Decisions regarding legal language can only be made by individual licensing boards. Thus, our sunset plan will address what actions are within NCARB’s authority, what actions are outside our authority, and how we will remain focused on our mission to protect the public through advising the regulatory process.

However, there are some immediate steps we are taking at a staff level to signal our response to the Task Force report and its acceptance by our Board.

- Last year, the Board agreed to the renaming of the IDP Coordinators Conference, and the renaming of the community of IDP Coordinators. Those references have been changed to the “Licensing Advisors Summit” and the “Architect Licensing Advisors Community;”
- We are renaming our Internship + Education Directorate, with a new title of the Experience + Education Department (E<sup>2</sup>);
- We are directing our Marketing and Communications team to use new nomenclature in describing our programs and customers that avoids the use of the term “intern” going forward. As an example, someone registered for the exam is an ARE candidate. A person recording experience hours is a Record holder. The team has already been experimenting with alternative descriptors via our social media tools.

As we speak, our Member Boards have received notice of this announcement. This follows an introductory discussion on the concept of future titles held last fall at our Member Board Chairs and Executives Workshop in Indianapolis. We anticipate further discussion at our Annual Business Meeting next month in New Orleans.

Our staff liaisons to our volunteer committees will monitor the outcome of the additional charges issued by President-elect Ward. We will be prepared to support programmatic name changes and provide information regarding any future votes on NCARB guidelines and *Model Law*.

This concludes our formal remarks, and we are happy to take questions.

In the development of these guidelines, NCARB has been concerned with the respective roles of statutory enactment on the one hand and board rules or regulations on the other. Through a statute granting the power to adopt rules and regulations, the legislature permits a regulatory agency to elucidate and define further its statutory authority by establishing regulations. Regulations cannot contradict the statute. Practically, statutory change requires time, the mobilization of professional bodies to seek legislative support, and often considerable frustration when for one reason or another, the legislature postpones enacting the proposed reform. Regulations, on the other hand, may typically be adopted by the state board after notice and appropriate hearings. Thus, insofar as the regulation of the profession involves likely future changes in professional practice, the rules should be found in the regulations rather than the statute. The decision entails a reasonable calculation as to what matters a state legislature will permit a regulatory board to decide and what matters, as a question of public policy, should be decided by the legislature.

The nature of sanctions which may be imposed (fines, probation, suspension, revocation, and the like) is a matter customarily left to the legislature itself, while the question of educational and experience qualifications, a matter subject to changing concepts, might well be left to the registration board.

A connected question is the degree to which boards may rely on national standards as the standards to be used in their states. These guidelines refer specifically to the National Council of Architectural Registration Boards at various points and suggest that these references to NCARB be found in the statute. This decision is based on a legal judgment made from a survey of a variety of cases in various states that a board's reliance on NCARB procedures may be put in doubt in a court challenge if there is no legislative expression on the board's right so to rely. On the other hand, the reliance on these standards is permissive but not mandatory and is, in all cases, to be decided by the board in the board's regulations. Here it was the view of NCARB that legislators would be reluctant to fix in a statute the mandatory requirement that a national organization set the standards for the state, subject only to legislative amendment.

In sum, the *Legislative Guidelines* leaves to the boards flexibility and discretion to bring their states in line with the developing national standards for architectural registration and regulation. Such flexibility is ensured by leaving much of the detail to regulations to be promulgated by the board, while the enabling statute contains the general policy of the legislature.

## **LEGISLATIVE GUIDELINES**

### **I DEFINITION**

**A** The practice of architecture, for purposes of the registration statute, should be defined as consisting of providing or offering to provide certain services hereafter described, in connection with the design and construction, enlargement or alteration of a building or group of buildings and the space within and the site surrounding such buildings, which have as their principal purpose human occupancy or habitation. The services referred to include pre-design; programming; planning; providing designs, drawings, specifications and other technical submissions; the administration of construction contracts; and the coordination of any elements of technical submissions prepared by others including, as appropriate and without limitation, consulting engineers and landscape architects. The practice of architecture shall not include the practice of engineering, but an architect may perform such engineering work as is incidental to the practice of architecture. No person not registered nor otherwise permitted to practice under the registration statute should be permitted to engage in the practice of architecture.

Except as provided in IV B and C, no person not registered should be permitted to acknowledge himself/herself as authorized to practice architecture or to use the title "architect" when offering to perform any of the services which the practice of architecture comprises or in circumstances which could lead a reasonable person to believe that such services were being offered; except that a person registered in another jurisdiction may use the title "architect" when identifying his/her profession in circumstances which would not lead a reasonable person to believe that the person using the title "architect" is offering to perform any of the services which the practice of architecture comprises.

A person currently employed under the responsible control of an architect and who maintains in good standing a National Council of Architectural Registration Boards Record may use the title "intern architect" or "architectural intern" in conjunction with his/her current employment, but may not engage in the practice of architecture except to the extent that such practice is excepted from the requirement of registration.

9. A person, who holds a current and valid certification issued by the National Council of Architectural Registration Boards but who is not currently registered in the jurisdiction, from offering to provide the professional services involved in the practice of architecture; provided that he/she shall not perform any of the professional services involved in the practice of architecture until registered as hereinbefore provided; and further provided that he/she notifies the Board in writing that (i) he/she holds an NCARB Certificate and is not currently registered in the jurisdiction, but will be present in **[the State]** for the purpose of offering to provide architectural services; (ii) he/she will deliver a copy of the notice referred to in (i) to every potential client to whom the person offers to provide architectural services; and (iii) he/she will provide the Board with a statement of intent that he/she will apply immediately to the Board for registration, if selected as the architect for a project in **[the State]**.
10. A person, who holds a current and valid certification issued by the National Council of Architectural Registration Boards but who is not currently registered in the jurisdiction, from seeking an architectural commission by participating in an architectural design competition for a project in **[the State]**; provided that he/she notifies the Board in writing that (i) he/she holds an NCARB Certificate and is not currently registered in the jurisdiction, but will be present in **[the State]** for the purpose of participating in an architectural design competition; (ii) he/she will deliver a copy of the notice referred to in (i) to every person conducting an architectural design competition in which the person participates; and (iii) he/she will provide the Board with a statement of intent that he/she will apply immediately to the Board for registration, if selected as the architect for the project.
11. A person who is not currently registered in this state, but who is currently registered in another United States or Canadian jurisdiction, from providing uncompensated (other than reimbursement of expenses) professional services at the scene of an emergency at the request of a public officer, public safety officer, or municipal or county building inspector acting in an official capacity. “Emergency” shall mean earthquake, eruption, flood, storm, hurricane, or other catastrophe that has been designated as a major disaster or emergency by the President of the United States or **[the governor or other duly authorized official of the state]**.
12. An individual, registered and practicing in a nation other than the United States or Canada (a “foreign architect”) from practicing in this jurisdiction, so long as such practice is in strict accordance with the provisions of this subsection:
  - (a) The foreign architect must show that he/she holds a current registration in good standing which allows him/her to use the title “architect” and to engage in the “unlimited practice of architecture” (defined as the ability to provide services on any type building in any state, province, territory, or other political subdivision of his/her national jurisdiction).
  - (b) The foreign architect must show that a bilateral agreement exists between NCARB and the national registration authority of his/her national jurisdiction.
  - (c) An architect registered in this jurisdiction shall take responsible control over all aspects of the architectural services for said project.
  - (d) The foreign architect may not seek, solicit, or offer to render architectural services in this jurisdiction, except with the material participation of the architect referred to in (c) above.
  - (e) Promptly after the foreign architect has been selected to provide architectural services for a project within this jurisdiction, the architect referred to in (c) above must file a statement with the Board, (1) identifying the foreign architect, (2) describing the project, and (3) describing the foreign architect’s role.
  - (f) In all aspects of offering or providing architectural services within this jurisdiction, the foreign architect must use the title “[X], a foreign architect in consultation with [Y], an architect registered in **[this jurisdiction]**.”
13. A person currently employed under the responsible control of an architect, and who maintains in good standing a National Council of Architectural Registration Boards Record, from using the title “intern architect” or “architectural intern” **[some states allow both; some only one]** in conjunction with his/her current employment. Such person may not engage in the practice of architecture except to the extent permitted by other provisions of this Section 11.



## Infographic: Intern Titles by State

By [Samantha Miller](#) | 08/22/2014 | COMMENTS: 7 |



236



75



29



374

[INTERNSHIP](#)[LICENSURE](#)

The intern title debate—it’s a topic capable of eliciting a passionate response from emerging professionals, seasoned architects, and everyone in between. Recognizing this, NCARB President Dale McKinney, FAIA, announced the formation of a [Future Title Task Force](#). Today, the group will meet for the first time, kicking off a year-long exploration of possible titles for everyone along the path to licensure and beyond.

Currently, 28 jurisdictions have laws and/or rules that specifically address intern titles. So even if the task force comes to a consensus (and individual state boards buy in), any change could take years to work its way through the many state legislatures.

In the meantime, we sifted through the rules and regulations of each jurisdiction to uncover what interns can call *legally* themselves. A word of caution: even if your state doesn’t address intern titles in its laws and/or rules, you can only call yourself an “architect” once you’re licensed.

# INTERN TITLES BY STATE

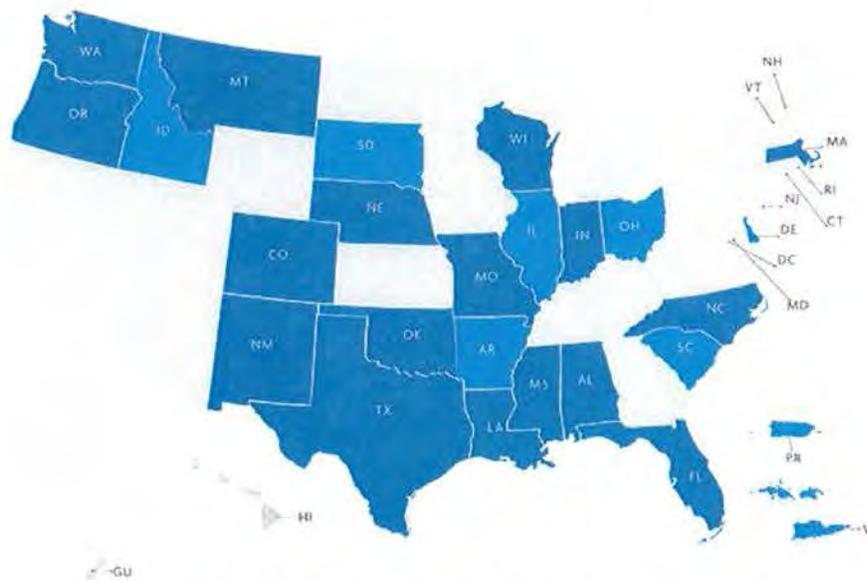
Pursuing an **architecture license?** Here's what you can call yourself:



28

JURISDICTIONS HAVE LAWS AND/OR RULES THAT ADDRESS INTERN TITLES

To **change these titles**, your jurisdiction would need to pass a new:



- LAW: CAN BE CHANGED THROUGH LEGISLATION
- RULE: CAN BE CHANGED THROUGH STATE REGULATION

DOES NOT ADDRESS \*



\* Even if your state doesn't address intern titles in its laws and/or rules.

YOU CAN ONLY CALL YOURSELF AN "ARCHITECT" ONCE YOU'RE LICENSED.



PROFESSIONAL DEGREE IN ARCHITECTURE



MAINTAIN PARTICIPATION IN THE IDP

General requirements to use a title include:

Note: Always check with your state board for the latest rules and regulations.



EMPLOYED UNDER RESPONSIBLE CONTROL



WORKING TOWARD LICENSURE



IN CONJUNCTION WITH CURRENT EMPLOYMENT



REGISTERED WITH STATE BOARD

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Remember: Always check with your state board for the latest rules and regulations.



# **The Use of Titles by Interns: References in NCARB Member Boards' Laws and Rules for Architectural Practice**

**November 2014**

**Member Board Relations**

**National Council of Architectural Registration Boards  
1801 K Street NW, Suite 700k  
Washington, DC 20006  
202/783-6500  
WWW.NCARB.ORG**

## ***Background***

- 30 jurisdictions do address the use of titles by Interns in their laws/ rules
- 24 jurisdictions do not address the use of titles by Interns in their laws/ rules

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## ***Use of titles by Interns***

- Architect – in – training
- Architectural Intern
- Architectural Intern & Intern Architect
- Intern
- Intern Architect

[4] Architect – in – training [AZ, MT, PR, VI]

[8] Architectural Intern [CO, ID, IL, MO, OR, SD, TX, WI]

[7] Architectural Intern & Intern Architect [AR, DE, IA, NC, OH, OK, RI]

[2] Intern [IN, WV]

[9] Intern Architect [AL, FL, LA, MA, MS, NE, NM, SC, WA]

## ***General requirements to use a title include:***

- Hold a professional degree in architecture/ complete education requirements and enrolled in IDP
- Be enrolled, active, and in good standing in NCARB IDP
- Employed under responsible control
- May only use the title in conjunction with current employment
- Must stop using the title if he/she stops working or stops working towards licensure
- Register with and receive written notice from the Board

**REGIONS 1 – 3: JURISDICTIONS THAT ADDRESS THE USE OF TITLES BY INTERNS IN THEIR LAWS AND RULES?**

| <b>Jurisdiction</b> | <b>Law</b>  | <b>Rule</b>   |
|---------------------|---|---|
| NCARB               | Legislative Guidelines  |   |
| Region 1            |   |   |
| Massachusetts       |   | 4.03 Restricted and Prohibited Uses of Professional Titles  |
| Rhode Island        |   | Section 10 Non-practicing Individuals                       |
| Region 2            |   |   |
| Delaware            | § 303 Registration to practice; construction of chapter.        | 1.0 Scope: Definitions                                      |
| West Virginia       |   | §2-1-2. Definitions.  |
| Region 3            |   |   |
| Alabama             |   | 100-X-5-.02 Use of the Title “Intern-Architect”.            |
| Arkansas            | 17-15-312. Practice by architect not registered in Arkansas.    | Section 1- Scope and Definitions<br>E. Terms Defined Herein |
| Florida             |   | 61G1-11.013 Definitions                                     |
| Louisiana           |   | §1529. Intern Architect                                     |
| Mississippi         |   | Rule 2.06 Intern Architect Status.                          |
| North Carolina      |   | 21 NCAC 02 .0302<br>EXAMINATION                             |
| Puerto Rico         | § 711a. Definitions   | § 711b. Professional practice                               |
| South Carolina      | SECTION 40-3-20. Definitions.                                   |   |
| Texas               |   | RULE §1.5 Terms Defined Herein<br>RULE §1.123 Titles        |
| Virgin Islands      | § 282. Definitions<br>§ 283. General requirements for licensing |   |

**REGIONS 4 – 6: JURISDICTIONS THAT ADDRESS THE USE OF TITLES BY INTERNS IN THEIR LAWS AND RULES?**

| <b>Jurisdiction</b> | <b>Law</b>  | <b>Rule</b>   |
|---------------------|---|---|
| <b>Region 4</b>     |   |   |
| Illinois            | Sec. 4. Definitions.<br>Sec. 36. Violations.  | Section 1150.10   |
| Indiana             |   | 804 IAC 1.1-7-2 "Intern" defined  |
| Iowa                |   | 193B—2.1(544A,17A) Definitions.   |
| Missouri            |   | 20 CSR 2030-5.030 Standards for Admission to Examination — Architects               |
| Ohio                | 4703.06 Certificate to practice; title  |   |
| Wisconsin           |   | A-E 3.03 (5)  |
| <b>Region 5</b>     |   |   |
| Montana             |   | 24.114.510 ARCHITECTS-IN-TRAINING   |
| Nebraska            |   | 5.7 Use of Titles in Architecture and Engineering                                   |
| Oklahoma            |   | 55:10-1-3. Definitions  |
| South Dakota        | 36-18A-1. Definition of terms.<br>Terms used in this chapter mean:                  |   |
| <b>Region 6</b>     |   |   |
| Arizona             | 32-101. Purpose; definitions<br>32-122. Qualifications for in-training registration |   |
| Colorado            |   | 2.2 Definitions in Alphabetical Order.  |
| Idaho               | 54-309. Definitions -- Limitation on application.                                   | 375.ARCHITECTURAL INTERN (RULE 375).  |
| New Mexico          | §61-15-2. Definitions.<br>61-15-5. Additional duties of the board.                  | 16.30.1.7 DEFINITIONS   |
| Oregon              |   | 806-010-0020 - Initial Registration by Examination<br>806-010-0037- Architect Title |
| Washington          |   | 18.08.310 Authorization to practice required —Out-of-state firms— Interns.          |

# NCARB

## LEGISLATIVE GUIDELINES

### I DEFINITION

A The practice of architecture, for purposes of the registration statute, should be defined as consisting of providing or offering to provide certain services hereafter described, in connection with the design and construction, enlargement or alteration of a building or group of buildings and the space within and the site surrounding such buildings, which have as their principal purpose human occupancy or habitation. The services referred to include pre-design; programming; planning; providing designs, drawings, specifications and other technical submissions; the administration of construction contracts; and the coordination of any elements of technical submissions prepared by others including, as appropriate and without limitation, consulting engineers and landscape architects. The practice of architecture shall not include the practice of engineering, but an architect may perform such engineering work as is incidental to the practice of architecture. No person not registered nor otherwise permitted to practice under the registration statute should be permitted to engage in the practice of architecture.

Except as provided in IV B and C, no person not registered should be permitted to acknowledge himself/herself as authorized to practice architecture or to use the title “architect” when offering to perform any of the services which the practice of architecture comprises or in circumstances which could lead a reasonable person to believe that such services were being offered; except that a person registered in another jurisdiction may use the title “architect” when identifying his/her profession in circumstances which would not lead a reasonable person to believe that the person using the title “architect” is offering to perform any of the services which the practice of architecture comprises.

A person currently employed under the responsible control of an architect and who maintains in good standing a National Council of Architectural Registration Boards Record may use the title “intern architect” or “architectural intern” in conjunction with his/her current employment, but may not engage in the practice of architecture except to the extent that such practice is excepted from the requirement of registration.

# REGION 1

## CONNECTICUT

- Does not address

## MAINE

- Does not address

## MASSACHUSETTS

### RULE

#### **4.03: Restricted and Prohibited Uses of Professional Titles**

Neither the title "Architect" or any modification of said title shall be affixed or otherwise used in conjunction with any surname, word or business title when such use would imply that an individual, associate, partner or corporate officer is an architect when, in fact, such individual, associate, partner, or corporate officer is not a registered architect. An individual shall not be deemed to have violated this section if he or she uses the title "Intern-Architect", as long as he or she is enrolled, active and in good standing in, the NCARB Intern-Architect Development Program (IDP).

## NEW HAMPSHIRE

- Does not address

## RHODE ISLAND

### RULES

#### **Section 10 Non-practicing Individuals**

A. Interns – A person currently employed under the responsible control of an architect and who maintains in good standing a National Council of Architectural Registration Boards Record may use the title “intern architect” or “architectural intern” in conjunction with his/her current employment, but may not engage in the practice of architecture except to the extent that such practice is excepted from the requirement of registration.

## VERMONT

- Does not address

# REGION 2

## DELAWARE

### LAW

#### § 303 Registration to practice; construction of chapter.

(a) The right to engage in the practice of architecture shall be deemed a personal right, based upon the qualifications of the individual as evidenced by a certificate of registration, which shall not be transferable. No person shall engage in the practice of architecture in this State or otherwise hold oneself out to the public as being an architect, or use in connection with the person's name, or otherwise assume, use or advertise any title or description intending to convey the impression that the person is an architect, unless such person has a certificate of registration.

(b) The provisions of this chapter shall not be construed to prevent, nor to affect:

15. A person currently employed under the responsible control of an architect, and who maintains in good standing a National Council of Architectural Registration Boards record, from using the title "intern architect" or "architectural intern" in conjunctions with the person's current employment. Such person may not engage in the practice of architecture except to the extent permitted by other provisions of this chapter.

### RULE

#### 1.0 Scope: Definitions

“Intern” means any individual in the process of satisfying the Board's training requirements. This includes graduates from recognized architectural programs, architectural students who acquire acceptable training prior to graduation and other qualified individuals identified by the Board.

## DISTRICT OF COLUMBIA

- Does not address

## MARYLAND

- Does not address

## NEW JERSEY

- Does not address

## NEW YORK

- Does not address

## PENNSYLVANIA

- Does not address

## VIRGINIA

- Does not address

## WEST VIRGINIA

### RULE

#### **§2-1-2. Definitions.**

2.2.12. Intern – An individual in the process of satisfying this registration Board’s training requirements. This includes graduates from accredited architectural programs, architecture students who acquire acceptable training prior to graduation, and other qualified individuals identified by these regulations.

# REGION 3

## ALABAMA

### RULE

#### **100-X-5-.02 Use of the Title “Intern-Architect”.**

An individual who possesses a NAAB-accredited professional degree in architecture, is actively enrolled in the NCARB Intern Development Program, and is working under the responsible control of a registered architect may use the title “Intern Architect.”

## ARKANSAS

### LAW

#### **17-15-312. Practice by architect not registered in Arkansas.**

This chapter does not prevent:

- b) An individual who possesses a professional degree in architecture and is enrolled in the Intern Development Program of the National Council of Architectural Registration Boards or under the jurisdiction of the Arkansas State Board of Architects, Landscape Architects, and Interior Designers may use the title "Architectural Intern" or "Intern Architect" to identify himself or herself.

### RULE

#### **Section 1- Scope and Definitions**

##### **E. Terms Defined Herein**

**Intern Architect:** An intern architect is any person who possesses a professional degree in architecture from an NAAB-accredited school and is enrolled in the Intern Development Program (IDP). Use of the title “intern architect” shall not be construed to allow practice of architecture by unregistered individuals.

## FLORIDA

### RULE

#### **61G1-11.013 Definitions.**

4. The title “Intern Architect” may be used by an individual who possesses a National Architectural Accreditation Board (NAAB) accredited professional degree in architecture, is actively enrolled with the National Council of Architectural Registration Boards (NCARB) in the Intern Development Program (IDP), and is working under the

direct supervision of a registered architect. This title shall be used only in conjunction with the architectural firm for which an individual is employed as an intern to meet the requirements of Section 481.211, F.S., “Architecture internship required.”

- *Law* - 481.211 Architecture internship required.—An applicant for licensure as a registered architect shall complete, before licensure, an internship of diversified architectural experience approved by the board, which meets the requirements set forth by rule.

History.—ss. 6, 19, ch. 79-273; ss. 2, 3, ch. 81-318; ss. 8, 23, 24, ch. 88-383; s. 4, ch. 91-429; s. 301, ch. 94-119; s.27, ch. 2012-61.

## GEORGIA

- Does not address

## LOUISIANA

### RULE

#### **§1529. Intern Architect**

A.1 A person who:

- a. Has completed the education requirements set forth in NCARB Circular of Information No. 1;
- b. Is participating in or who has successfully completed the Intern Development (“IDP”); and
- c. Is employed by a firm which is lawfully engaged in the practice of architecture in this state may use the title “intern architect” but only in connection with that person’s employment with such firm

2. The title may not be used to advertise or offer to the public that such person is performing or offering to perform architectural services, and accordingly such person may not include himself in any listing of architects or in any listing of persons performing architectural services. Such person may use a business card identifying himself as an “intern architect”, provided such business card also includes the name of the architectural firm employing such person.

## MISSISSIPPI

### RULE

#### **Rule 2.06 Intern Architect Status.**

Individuals who possess a NAAB accredited professional degree in architecture, are actively enrolled with NCARB in IDP, and are working under the direct supervision of a registered architect may use the title "Intern Architect," but only in conjunction with the architectural firm for which the individual is employed as an intern.

## NORTH CAROLINA

### RULE

#### **21 NCAC 02 .0302 EXAMINATION**

- f) A person currently employed under the responsible control of an architect, who holds a Professional Degree from a NAAB accredited program, and who is enrolled in and maintains good standing or has successfully completed a National Council of Architectural Registration Boards Record in the Intern Development Program (IDP) may use the title "Architectural Intern" or "Intern Architect" in conjunction with his/her current employment.

## PUERTO RICO

### LAW

#### **§ 711a. Definitions**

- g) Architect in training. Shall mean any person who holds a diploma or certificate accrediting the satisfactory completion of the requirements of this discipline from a school whose curriculum is recognized by the Council on Higher Education, the National Architectural Accreditation Board (NAAB) or this Board, who is registered as such in the Register of the Board and to whom the Board has issued the corresponding certificate and practices his/her profession under the supervision of a licensed architect.

#### **§ 711b. Professional practice**

- f) Limitation to the practice of architects in training. Architects in training will be authorized to practice their profession in a limited manner under the direct supervision of a licensed professional duly authorized to practice engineering or architecture in Puerto Rico. Architects in training shall not certify professional works or assume primary responsibility therefor or directly contract these with the general public.

None of the professionals in training or associate shall alter or modify the works carried out by licensed professionals pursuant to §§ 711--711z of this title when these refer to the technical aspects of the profession.

## SOUTH CAROLINA

### LAW

#### **SECTION 40-3-20. Definitions.**

(11) "Intern Architect" means a person who:

- a) has completed a NAAB accredited first professional degree and is eligible in all respects for licensure through examination;
- b) is currently enrolled in and actively participating in the Intern Development Program or who has completed the Intern Development Program; and
- c) is employed by a firm which is lawfully engaged in the practice of architecture in this State.

A person may use the title "Intern Architect" only in connection with the person's employment with the firm in which the person is an intern. The title may not be used to advertise or offer to the public that the person is performing or offering to perform architectural services, and the person may not include himself in any listing of architects or in any listing of persons performing architectural services. The person may use a business card identifying himself as an 'Intern Architect', if the business card also includes the name of the architectural firm in which the person is an intern.

## TENNESSEE

- Does not address

## TEXAS

### RULE

#### **RULE §1.5 Terms Defined Herein**

11. Architectural Intern--An individual enrolled in the Intern Development Program (IDP).

#### **RULE §1.123 Titles**

- d. A person enrolled in the Intern Development Program (IDP) may use the title "architectural intern."

### § 282. Definitions

- b) Architect-in-training. An architect-in-training means one who is a candidate for licensure as a professional architect, who has been granted a certificate as an architect-in-training by reason of graduation from an approved institution or college, or after successfully passing the prescribed written examination in fundamental subjects in architecture, and who shall be eligible upon the completion of the requisite years of experience in architecture, under the supervision of a professional architect, or similarly qualified architect, for the final examination prescribed for licensure as a professional architect.

### § 283. General requirements for licensing

- e) Engineer-in-training and architect-in-training: Experience and examination. An applicant producing satisfactory evidence to show four or more years of experience in engineering or architectural work shall be admitted to examination for the purpose of testing the applicant's knowledge of fundamental engineering or architectural subjects. The examinations of applicants as engineers-in-training or architects-in-training shall be designed to permit an applicant for licensure as a professional engineer or architect to take his examination in two stages. Satisfactory passing of this portion of the examination shall entitle the applicant to a certificate as an engineer-in-training or as an architect-in-training.

# REGION 4

## ILLINOIS

### LAW

#### Sec. 4. Definitions.

In this Act: "Architectural intern" means an unlicensed person who has completed the education requirements, is actively participating in the diversified professional training, and maintains in good standing a training record as required for licensure by this Act and may use the title "architectural intern", but may not independently engage in the practice of architecture.

#### Sec. 36. Violations.

Each of the following Acts constitutes a Class A misdemeanor for the first offense and a Class 4 felony for a second or subsequent offense:

- An unlicensed person who has completed the education requirements, is actively participating in the diversified professional training, and maintains in good standing a training record as required for licensure by this Act may use the title "architectural intern", but may not independently engage in the practice of architecture.  
(Source: P.A. 96-610, eff. 8-24-09.)

### RULE

#### Section 1150.10 Education Requirements and Diversified Professional Training Requirements

##### b) Diversified Professional Training Requirements

###### 7) Program Requirements

- G) A person who has completed the education requirements, is actively participating in the diversified professional training and maintains in good standing a training record as required by this Section may use the title "architectural intern", but may not engage in the practice of architecture.

## INDIANA

### RULE

#### 804 IAC 1.1-7-2 "Intern" defined

Authority: IC 25-4-1-3

Affected: IC 25-4-1-7.5

Sec. 2. As used in this rule, "intern" means an individual obtaining the training and experience required by IC 25-4-1-7.5 and this rule. (*Board of Registration for Architects and Landscape*

*Architects; 804 IAC 1.1-7-2; filed Jan 22, 1990, 5:00 p.m.: 13 IR 1053; readopted filed May 10, 2001, 2:40 p.m.: 24 IR 3235; readopted filed Oct 4, 2007, 3:37 p.m.: 20071031-IR-804070042RFA; filed Nov 22, 2010, 9:56 a.m.: 20101222-IR-804090908FRA; readopted filed Nov 25, 2013, 9:19 a.m.: 20131225- IR-804130276RFA)*

## IOWA

### RULE

#### **193B—2.1(544A,17A) Definitions.**

The following definitions apply as used in Iowa Code chapter 544A, and this chapter of the architectural examining board rules, unless the context otherwise requires.

- “Architectural Intern” means an individual who holds a professional degree from an NAAB-accredited program, has completed or is currently enrolled in the NCARB Intern Development Program and intends to actively pursue registration by completing the Architect Registration Examination.
- “Intern Architect” has the same meaning as “Architectural Intern.”

## KENTUCKY

- Does not address

## MICHIGAN

- Does not address

## MINNESOTA

- Does not address

## MISSOURI

### RULE

#### **20 CSR 2030-5.030 Standards for Admission to Examination—Architects**

1. Every graduate from a curriculum fully accredited by the National Architectural Accreditation Board (NAAB), or other designated agencies as recognized by the National Council of Architectural Registration Boards (NCARB), who shall apply for architectural licensure shall submit with and as a part of the application documents as required in section 327.131, RSMo, a fully certified and completed Intern Development Program (IDP) record. A person participating in IDP through NCARB who has graduated with an

NAAB accredited degree or equivalent degree from Canada or who has acquired a combined total of twelve (12) years of education, above the high school level pursuant to section 327.131, RSMo, may use the term “Architectural Intern.”

## OHIO

### LAW

#### **4703.06 Certificate to practice; title**

(A) ... No other person shall assume such title or use any abbreviation, or any words, letters, or figures, to indicate or imply that the person is an architect or registered architect, except that persons may be authorized by the board to use the specific title “intern architect,” “architectural Intern,” or “emeritus architect” as described in division (B) of this section.

(B) The board may authorize by rule any person to use the title “intern architect,” “architectural Intern,” or “emeritus architect”. The board may adopt any rules the board deems necessary pertaining to intern architects, architectural interns, and emeritus architects, including, but not limited to, rules pertaining to registration, registration fees, and renewal fees.

Effective date: June 20, 2008

### RULE

#### **4703-1-01 Definitions**

- G. "Intern architect" or "architectural intern" - an individual approved by the board to sit for the architect registration exam and who holds an active record with the national council of architectural registration boards.

## WISCONSIN

### RULE

#### **A-E 3.03 Architectural experience.**

(1) In satisfaction of the 2 year experience requirement of s. 443.03 (1) (b) 1m., Stats., or in satisfaction of 2 years of the 7 year requirement of s. 443.03 (1) (b) 2., Stats., applicants for registration as an architect shall complete the intern architect development program sponsored by the national council of architectural registration boards and the American institute of architects, or shall submit evidence of experience in architectural work which the board finds is substantially equivalent to the experience obtained by completing the intern architect development program.

Note: A current copy of the Intern Development Program Table of Training Requirements may be obtained from the Division of Professional Credential Processing located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

(2) Satisfactory experience in architectural work shall consist of related practical training including at least one year of experience in the design and construction of buildings under the supervision of a registered architect, professional engineer, or exempt person as defined in s. 443.14, Stats., prior or subsequent to acquisition of approved educational equivalents.

(3) To qualify as satisfactory experience in architectural work, employment shall consist of at least 2 or more continuous months.

(4) Not more than one year of credit for satisfactory experience in architectural work may be granted for any calendar year.

(5) An individual acquiring supervised experience in architectural work under this section for the purpose of satisfying the requirements of s. 443.03 (1) (b), Stats., may use the title "architectural intern."

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; r. and recr. Register, November, 1990, No. 419, eff. 1-1-93; am., cr. (2) to (4), Register, January, 1993, No. 445, eff. 2-1-93; r. Figure, Register, January, 1999, No. 517, eff. 2-1-99; CR 02-111: cr. (5) Register May 2003 No. 569, eff. 6-1-03; correction in (1) made under s. 13.92 (4) (b) 7., Stats., Register May 2013 No. 689.

# REGION 5

## KANSAS

- Does not address

## MONTANA

### RULE

#### **24.114.510 ARCHITECTS-IN-TRAINING**

(1) Persons who are not licensed under Title 37, chapter 65, MCA, may use the title "architect-in-training" in representing themselves to the public, as long as such persons:

- a) perform their work activities under the direct supervision and responsibility of a licensed architect;
- b) have obtained the proper degree; and
- c) are actively pursuing training toward licensure.

(2) An architect-in-training must cease use of the title if the person ceases activities or work in pursuit of licensure.

(3) Principals of firms employing architects-in-training may use the title "architect-in-training" as they deem appropriate when making presentations, in promotional materials, etc.

(History: 37-1-131, 37-65-204, MCA; IMP, 37-65-301, MCA; NEW, 1998 MAR p. 449, Eff.2/13/98; TRANS, from Commerce, 2002 MAR p. 173; AMD, 2006 MAR p. 1381, Eff. 6/2/06.)

## NEBRASKA

### RULE

#### **5.7 Use of Titles in Architecture and Engineering**

5.7.5 The criteria for use of the title "Intern Architect" is education and experience, both of which are satisfactory to the board. A person who has earned a NAAB-accredited degree or equivalent in architecture may use the title "Intern Architect."

## NORTH DAKOTA

- Does not address

## OKLAHOMA

### RULE

#### **55:10-1-3. Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Architectural Intern" shall have the same meaning as "Intern Architect".

"Intern Architect" means an individual in the process of obtaining training acceptable to the Board in order to complete requirements and/or is currently testing to pursuing licensure.

## SOUTH DAKOTA

### LAW

#### **36-18A-1. Definition of terms. Terms used in this chapter mean:**

(3) "Architectural intern," any person who has successfully completed an accredited education program in architecture acceptable to the board and is enrolled in the intern development program administered by the National Council of Architectural Registration Boards;

## WYOMING

- Does not address

# REGION 6

## ALASKA

- Does not address

## ARIZONA

### LAW

#### **32-101. Purpose; definitions**

3. "Architect in training" means a candidate for registration as a professional architect who is a graduate of a school approved by the Board or who has five years or more of education or experience, or both, in architectural work which meets standards specified by the Board in its rules. In addition, the candidate shall have passed the architect in training examination.

#### **32-122. Qualifications for in-training registration**

A. An applicant for in-training registration as an architect, engineer, geologist or landscape architect shall:

1. Be of good moral character and repute.
2. Be a graduate of a school approved by the Board or have four years or more, or if an applicant for in-training registration as an architect, five years or more, of education or experience, or both, in work in the profession in which registration is sought that meets standards specified by the Board in its rules.
3. Unless exempt under section 32 126, subsection D, pass the in-training examination in the profession in which registration is sought.

## CALIFORNIA

- Does not address

## COLORADO

### RULE

#### **2.2 Definitions in Alphabetical Order.**

Architectural Intern. An individual working under the supervision of an Architect, who is in the process of completing required practice hours in preparation for the A.R.E.

## GUAM

- Does not address

## HAWAII

- Does not address

## IDAHO

### LAW

#### **54-309. Definitions -- Limitation on application.**

(2) Nothing contained in this chapter shall be held or construed to have any application to, or to prevent or affect the following:

- g) An intern working under the supervision of a licensed architect, including the use of the title "architectural intern," as may be established and limited by board rule.

### RULE

#### **375.ARCHITECTURAL INTERN (RULE 375).**

An individual may represent themselves as an architectural intern only under the following conditions:

1. Supervision. Each architectural intern shall be employed by and work under the direct supervision of an Idaho licensed architect.
2. IDP Enrollment. Each architectural intern shall be enrolled in the National Council of Architectural Registration Board's (NCARB) Intern Development Program (IDP) and shall maintain a record in good standing.
3. Record. Each architectural intern shall possess either:
  - a. A record with the NCARB establishing that IDP training units are being earned in any of the IDP training settings A, B, C, D or E; or (3-15-02)
  - b. A record establishing completion of all IDP training regulations as specified by NCARB.
4. Prohibitions. An architectural intern shall not sign or seal any architectural plan, specification, or other document. An architectural intern shall not engage in the practice of architecture except under the direct supervision of an Idaho licensed architect.
5. Registration. Each architectural intern shall register with the Board on forms provided by the Bureau of Occupational

## NEVADA

- Does not address

## NEW MEXICO

### LAW

#### **§61-15-2. Definitions.**

As used in the Architectural Act [Chapter 61, Article 15 NMSA 1978]:

- F. “intern architect” means any person who is actively pursuing completion of the requirements for diversified training in accordance with rules of the board;

#### **61-15-5. Additional duties of the board.**

- G. The board may set criteria for the training of intern architects by regulation

### RULE

#### **16.30.1.7 DEFINITIONS:**

- I. “intern architect” is a person who is actively pursuing completion of the requirements for diversified training in accordance with rules of the board (Subsection F of Section 61-15-2 NMSA 1978).

## OREGON

### RULE

#### **806-010-0020**

Registration by Examination

(4) An individual may use the title “Architectural Intern” only after:

- a) Completing a professional degree in architecture meeting the education standard in OAR 806-010-0010(2); and
- b) Establishing a record with NCARB and enrolling in IDP; and
- c) Receiving written authorization from the Board to begin taking the ARE.

#### **806-010-0037**

##### **Architect Title**

(10) Only those individuals who qualify under OAR 806-010-0020(1)(a), (b), and (c) may use the title “Architectural Intern”. No other title using any derivative of the term architect may be used by an intern.

#### **806-010-0020**

(1) A person seeking registration who is not actively registered in another Board approved jurisdiction must present the Board with appropriate application and fees, and a

complete record demonstrating to the Board that the person has met the required accredited education, experience, and examination, as follows:

- a. A person must have obtained a first professional degree in architecture from a NAAB-accredited program of architecture.
- b. A person may submit an application and examination fee to the Oregon Board only after he or she has established an IDP record with NCARB.
- c. A person may begin taking the ARE only after he or she receives written notice from the Board that the application has been approved.
- d. After a person meets the requirements of (1)(a) through (1)(c) above, he or she may only use the title “Architectural Intern”. A person that uses this title without first receiving written notice from the Board that they are qualified to do so may be subject to disciplinary action.

## UTAH

- Does not address

## WASHINGTON

### RULE

#### **18.08.310 Authorization to practice required—Out-of-state firms—Interns. 18.08.310 Authorization to practice required—Out-of-state firms—Interns.**

3. A person who has an accredited architectural degree may use the title "intern architect" when enrolled in a structured intern program recognized by the board and working under the direct supervision of an architect.

Intern Titling

Advertisements

2015 Update

The following is the current [AIA Public Policy Statement](#) regarding titling:

“The AIA supports protecting the public by reserving the use of the term ‘architect’ and its derivative forms to those individuals licensed as architects. In addition, the AIA supports the use of ‘architectural intern’ or ‘intern architect’ for graduates of NAAB-accredited degree programs.”

In May 2015, NCARB announced its intention to remove the term “intern” from board rules and regulations. The AIA is continuing to work towards finding a suitable replacement term.

History of Intern Titling

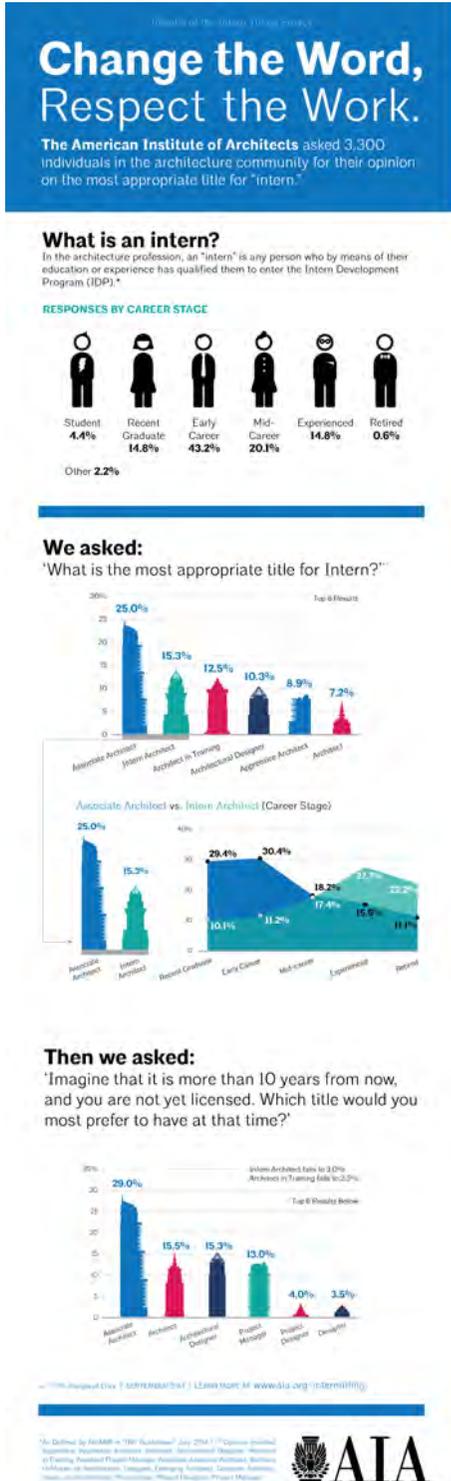
Last year, AIA and the collateral organizations of architecture met for the [2014 Emerging Professionals Summit](#). Attendees advocated that now is the time to eliminate the term “intern” from the professional language of architecture in order to recognize the impactful work of architectural graduates. It’s important to note that in most firm settings, unlicensed designers are not called “interns;” rather, firms choose to recognize a graduate’s capabilities with other job titles that better convey aptitude. This change may advance the public’s understanding and awareness of the architecture profession by appropriately acknowledging the abilities of licensure and non-licensure track graduates and appropriately aligning these individuals with other esteemed professions.

In Phase 1 of the Intern Titling Survey the AIA asked for recommendations to replace the term “intern” – Phase 1 was an open-ended response survey. In order to better understand the profession’s perspective on the use of the word intern, the AIA conducted Phase 2 of the Intern Titling Survey. For the purpose of the survey, an “intern” is defined as “any person who by means of their education or experience has qualified to enter the IDP.” (IDP Guidelines, July 2014, National Council of Architectural Registration Boards)

Survey results of Phase 2 may be found in the results [infographic](#) (right).

[Visit the 2014 EP Summit webpage >](#)

ENLARGE



**Change the Word, Respect the Work.**  
The American Institute of Architects asked 3,300 individuals in the architecture community for their opinion on the most appropriate title for “intern.”

**What is an intern?**  
In the architecture profession, an “intern” is any person who by means of their education or experience has qualified them to enter the Intern Development Program (IDP).\*

**RESPONSES BY CAREER STAGE**

| Career Stage    | Percentage |
|-----------------|------------|
| Student         | 4.4%       |
| Recent Graduate | 14.8%      |
| Early Career    | 43.2%      |
| Mid-Career      | 20.1%      |
| Experienced     | 14.8%      |
| Retired         | 0.6%       |
| Other           | 2.2%       |

**We asked:**  
“What is the most appropriate title for Intern?”

**Top 6 Results**

| Title                  | Percentage |
|------------------------|------------|
| Associate Architect    | 25.0%      |
| Intern Architect       | 15.3%      |
| Architect in Training  | 12.5%      |
| Architectural Designer | 10.3%      |
| Apprentice Architect   | 8.9%       |
| Architect              | 7.2%       |

**Associate Architect vs. Intern Architect (Career Stage)**

| Career Stage    | Associate Architect (%) | Intern Architect (%) |
|-----------------|-------------------------|----------------------|
| Recent Graduate | 25.0%                   | 15.3%                |
| Early Career    | 20.4%                   | 11.2%                |
| Mid-Career      | 30.4%                   | 17.4%                |
| Experienced     | 18.2%                   | 15.6%                |
| Retired         | 23.7%                   | 11.1%                |

**Then we asked:**  
“Imagine that it is more than 10 years from now, and you are not yet licensed. Which title would you most prefer to have at that time?”

**Top 6 Results Below**

| Title               | Percentage |
|---------------------|------------|
| Associate Architect | 29.0%      |
| Architect           | 15.5%      |
| Apprentice Designer | 15.3%      |
| Student Architect   | 13.0%      |
| Intern Architect    | 4.0%       |
| Designer            | 3.5%       |

\*As defined by NCARB in “IDP Guidelines” July 2014. IDP requires completion of Intern Development Program (IDP) and passing of the Architectural Registration Examination (ARE) Part I. For more information, visit [www.aia.org/idptitling](http://www.aia.org/idptitling).

**AIA**

## Definition of Architect Positions

Excerpted from the *2005 AIA Compensation Report: A Survey of U.S. Architecture Firms*

*The AIA collects and disseminates Best Practices as a service to AIA members without endorsement or recommendation. Appropriate use of the information provided is the responsibility of the reader.*

### SUMMARY

*To collect uniform comparative data about compensation at U.S. architecture firms, the AIA Economics and Market Research team defines typical positions in a typical architecture firm as shown below. These descriptions may or may not be descriptive of positions within your firm, and are provided for information only.*

### SENIOR PRINCIPAL/PARTNER

Typically an owner or majority shareholder of the firm; may be the founder; titles may include president, chief executive officer, or managing principal/partner.

### MID-LEVEL PRINCIPAL/PARTNER

Principal or partner; titles may include executive or senior vice president.

### JUNIOR PRINCIPAL/PARTNER

Recently made a partner or principal of the firm; title may include vice president.

### DEPARTMENT HEAD/SENIOR MANAGER

Senior management architect or nonregistered graduate; responsible for major department(s) or functions; reports to a principal or partner.

### PROJECT MANAGER

Licensed architect or nonregistered graduate with more than 10 years of experience; has overall project management responsibility for a variety of projects or project teams, including client contact, scheduling, and budgeting.

### ARCHITECT/DESIGNER III

Licensed architect or nonregistered graduate with 8-10 years experience; responsible for significant aspects of projects. Responsible for work on minor projects. Selects,

evaluates, and implements procedures and techniques used on projects.

### ARCHITECT/DESIGNER II

Licensed architect or nonregistered graduate with 6-8 years of experience; responsible for daily design or technical development of project.

### ARCHITECT/DESIGNER I

Recently licensed architect or nonregistered graduate with 3-5 years of experience; responsible for particular parts of a project within parameters set by others.

### THIRD-YEAR INTERN

Unlicensed architecture school graduate in third year of internship; develops design or technical solutions under supervision of an architect.

### SECOND-YEAR INTERN

Unlicensed architecture school graduate in second year of internship.

### ENTRY-LEVEL INTERN

Unlicensed architecture school graduate in first year of internship.

### CAD MANAGER

Responsible for implementation, standards, upgrades, and training of CAD technology.

## RESOURCES

### More Best Practices

The following AIA Best Practices provide additional information related to this topic:

08.02.01 Employee Wage Status: Exempt or Non Exempt

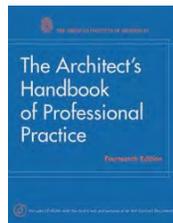
08.02.02 Employment Status: Independent Contractor --  
Yes or No?

08.01.03 Maintaining Personnel Files

### For More Information on This Topic

To obtain the complete compensations report, the AIA issues a compensation survey every three years. The 2005 AIA Compensation Report: A Survey of U.S. Architecture Firms can be ordered from the AIA Bookstore, (800) 242-3837 (option 4); online at [www.aia.org](http://www.aia.org); or by e-mail to [bookstore@aia.org](mailto:bookstore@aia.org).

See also the 14th edition of the *Handbook*, which can be ordered from the AIA Store by calling 800-242-3837 (option 4) or by email at [bookstore@aia.org](mailto:bookstore@aia.org).



See also “Human Resources Management Overview” beginning on page 444 of the 15th Edition of the *Architect's Handbook of Professional Practice*. The *Handbook* can be ordered from the AIA Store online at [www.aia.org/store](http://www.aia.org/store), by calling 800-242-3837 (option 4), or by email at [bookstore@aia.org](mailto:bookstore@aia.org).



### Feedback

The AIA welcomes member feedback on Best Practice articles. To provide feedback on this article, please contact [bestpractices@aia.org](mailto:bestpractices@aia.org).

### Key Terms

- Practice
- Personnel management
- Employment
- Job descriptions

Revised May 2007

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO REVIEW BOARD'S OCCUPATIONAL ANALYSIS (OA) OF ARCHITECT PROFESSION TO IDENTIFY MARKETPLACE TRENDS THAT IMPACT CONSUMER PROTECTION**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to review the Board's Occupational Analysis (OA) of the architect profession to identify marketplace trends that impact consumer protection.

Business and Professions Code section 139 requires that an OA be conducted every five to seven years. The Board's last OA was conducted in 2007. The primary purpose of the OA is to define current practice for California architects in terms of the actual job tasks that new licensees must be able to safely and competently perform at the time of licensure. The results of the OA serve as the basis for examination development.

At its February 26, 2014 meeting, the Board approved an Intra-Agency Contract (IAC) agreement with the Office of Professional Examination Services (OPES) to conduct a new OA. Throughout March 2014, OPES conducted four focus group meetings as part of its preparation for developing the OA survey. Three of the focus group meetings involved building officials, engineers, land surveyors, landscape architects, and contractors. Another focus group meeting involved architects and was conducted over two days. OPES analyzed the input provided by the focus group participants and in April 2014, interviews with architect subject matter experts (SMEs) were conducted in order to develop a preliminary list of job tasks and their requisite knowledge. The preliminary list of tasks and knowledge were reviewed and further developed in May 2014 using two additional focus groups of SMEs. The final list of task and knowledge statements was then used to construct the OA survey.

In June 2014, OPES constructed and distributed a pilot OA survey for review by selected SMEs (jointly determined by OPES and Board staff). The final web-based survey was distributed via email to a sample of over 8,900 licensees in early July; the licensees had until July 18, 2014 to complete the survey. Approximately 1,500 licensees responded to the survey; the responses were reviewed by OPES and subsequently analyzed by SMEs during workshops held in September 2014. OPES prepared the Occupational Analysis of the Architect Profession and provided the Board with a presentation detailing the results of the OA at its December 10, 2014 meeting.

At its April 29, 2015 meeting, the REC discussed the Strategic Plan objective and appointed Gary McGavin and Barry Williams to a working group to review the Board's OA and identify marketplace trends that impact consumer protection and report their findings to the REC.

The working group met on October 15, 2015 and discussed general marketplace conditions affecting architectural practice, including: 1) the architect's role in leading the project team; 2) increased specialization within architectural firms; 3) changes in project delivery methods; 4) a lack of business courses within architectural programs; and 5) unlicensed practice.

The working group also reviewed and analyzed the content of the 2007 and 2014 OAs, including the rankings of the task and knowledge statements from both reports. Specifically, the working group focused on the primary knowledge areas from the 2014 OA and mapped them to the 2007 version (Attachment).

The working group concluded that there were no significant marketplace trends that impact consumer protection at this time, but recommended that the Board conduct a similar review each time a new OA is conducted.

At its November 5, 2015 meeting, the REC reviewed the working group's findings, and voted to accept the findings and recommend to the Board that while the REC concluded there were no significant marketplace trends that impact consumer protection at this time, the Board should conduct a similar review each time a new OA is conducted.

The Board is asked to consider the REC's recommendation.

Attachment:

Top 25 Knowledge Statements from the 2014 OA Mapped to Similar Knowledge Statements from the 2007 OA

## Top 25 Knowledge Statements from the 2014 OA Mapped to Similar Knowledge Statements from the 2007 OA

| 2014 K Num         | 2014 Knowledge Statement   | 2007 Rank      | 2014 Rank |
|--------------------|--|----------------|-----------|
| 38                 | Knowledge of the Americans with Disabilities Act (ADA) with regard to how it impacts architectural practice (e.g., client and architect responsibilities, design, construction).                                     | 5, 10          | 1         |
| 29                 | Knowledge of processes and procedures for compliance with local codes and ordinances related to design.  | 11, 20, 80     | 2         |
| 59<br>(35, 45)     | Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.   | 1, 8, 14       | 3         |
| 16                 | Knowledge of the architect's professional and contractual responsibilities related to the client.  | 7, 16, 19      | 4         |
| 35<br>(45, 59)     | Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.  | 6, 21          | 5         |
| 45<br>(35, 59)     | Knowledge of contents of design drawings and related documents required for agency approvals.  | 14, 40         | 6         |
| 46                 | Knowledge of architect's role and responsibilities in leading project team in order to obtain necessary agency approvals at the appropriate time.  | 14, 17, 20, 25 | 7         |
| 52<br>(46)         | Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.   | 17, 25, 40     | 8         |
| 62<br>(46, 52)     | Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).   | 40, 105        | 9         |
| 70                 | Knowledge of the interrelationships and responsibilities between the owner, architect, and contractor during construction.   | 9              | 10        |
| 9<br>(29)          | Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.  | 11, 20, 80     | 11        |
| 15<br>(46, 52, 62) | Knowledge of the architect's role and responsibilities in orchestrating the architect's consultants and the entire project team.   | 17             | 12        |
| 6                  | Knowledge of consultants (e.g., civil, structural, MEP, geotechnical), the services they provide, and their applications to meeting project requirements.  | 15, 22         | 13        |
| 51<br>(35)         | Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).  | 6, 21, 77, 79  | 14        |
| 13                 | Knowledge of architect's role and responsibilities for managing project and contractual risk for the architect and client.   | 16, 19         | 15        |
| 41<br>(6)          | Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design. | 15, 22         | 16        |
| 20                 | Knowledge of methods and techniques for resolving conflicts that occur during design and construction.   | 65             | 17        |
| 34<br>(51)         | Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.                             | 21             | 18        |
| 5                  | Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).   | 38             | 19        |
| 73                 | Knowledge of procedures for determining general conformance of construction with contract documents (e.g., observation, submittal reviews, RFIs).  | 24, 28         | 20        |
| 12                 | Knowledge of methods and techniques for communicating with client, project team, contractors, agencies, and stakeholders (e.g., meetings, emails, letters, minutes, transmittals, phone logs, visual aids).          | 2, 3, 4, 32    | 21        |
| 10                 | Knowledge of methods for evaluating client goals and resources in order to identify/define the preliminary project requirements, budget, and schedule.   | 42, 44         | 22        |
| 69                 | Knowledge of the limits of the architect's role and responsibilities during construction (e.g., directing subcontractors, means and methods).  | 9, 45          | 23        |
| 23                 | Knowledge of methods for developing design solutions with the involvement of client, users, consultants, and stakeholders.   | 42             | 24        |
| 27                 | Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.  | 48, 53         | 25        |

**DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO PURSUE RECRUITMENT OF ADDITIONAL ARCHITECT CONSULTANT TO ENSURE CONTINUITY AND EFFECTIVENESS IN BOARD'S ENFORCEMENT PROGRAM**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue the recruitment of an additional architect consultant to ensure continuity and effectiveness in the Board's Enforcement Program.

**Architect Consultants**

Business and Professions Code section (BPC) 5528 authorizes the Board to contract with licensed architect consultants to assist in its Enforcement Program. The Board recruits architect consultants through the Request for Proposal (RFP) process using the "secondary method" to select the most qualified individuals to successfully and effectively carry out the services identified in the RFP. To be considered, each proposer must: 1) possess an active valid license to practice architecture in California; 2) have no history of enforcement and/or administrative actions; 3) have been in practice, as defined in BPC 5500.1, within California for the last five years; and 4) have experience preparing for testimony or testifying in a minimum of three architectural related civil or other matters.

The Board's architect consultants review technical consumer complaints concerning deceptive, incompetent, or negligent acts of licensed architects or unlicensed individuals, and assist the Board in the development of disciplinary cases by preparing reports of findings and testifying as expert witnesses on behalf of the Board. The architect consultants' services also include: 1) responding to technical inquiries from the public and members of the profession; 2) participating in the Board's Building Official Contact Program; 3) analyzing and researching issues and trends affecting consumer protection; 4) assisting in the Board's consumer education programs by giving presentations at conferences and seminars; 5) drafting newsletter articles, press releases, and bulletins on matters concerning technical and professional issues; and 6) providing input to the Board on matters requiring technical expertise.

The Board currently has contracts with two architect consultants who work from the Board's office in Sacramento. One of the architect consultant contracts expires on June 30, 2016 and the other expires on January 31, 2017. To satisfy the Strategic Plan objective and increase the effectiveness of the Enforcement Program, Board staff is currently preparing RFPs for two architect consultant contracts for the next three fiscal years (16/17 through 18/19), to provide the Board with a total of three architect consultants beginning July 1, 2016 (or upon approval of the two contracts).

**Expert Consultants**

Additionally, due to the length of time it takes to complete the formal RFP process, Board staff also began researching alternatives to contract with additional consultants per the Strategic Plan objective.

Senate Bill (SB) 541 (Price) (Chapter 339, Statutes of 2011) established BPC 40, which streamlines the process for boards and bureaus to contract with expert consultants to provide an expert opinion on enforcement-related matters, and assist as subject matter experts (SMEs) in examination development, examination validation, or occupational analyses. The Board currently contracts with

SMEs under the provisions in SB 541 to assist in California Supplemental Examination development and occupational analyses.

The scope of services for enforcement case review under expert consultant contracts is limited to the preparation of expert opinions on enforcement-related matters, including technical subject matters, professional standards and any deviations therefrom, the quality and completeness of evidentiary material, and assistance in all phases of the judicial and administrative process, including hearings and appeals, if required.

Under the delegated expert consultant contract process, expert consultants are compensated based on an hourly rate for their services, with a maximum duration of 36 months and a maximum value of \$50,000 per contract. The Board can execute individual contracts with SMEs for enforcement-related matters and amend the contracts as needed, staying within the stated parameters.

Board staff determined that expert consultant contracts could be utilized to readily address the Strategic Plan objective and complement the work of the Board's two architect consultants. Therefore, Board staff completed the mandatory Delegated Contracts for Expert Consultants training class through the Department of Consumer Affairs' (DCA) Business Services Office in April 2015. Additionally, Board staff obtained sample expert consultant training manuals, task orders, case transmittal letters, and expert reports from various DCA boards and bureaus, including the Board of Optometry and the Board for Professional Engineers, Land Surveyors, and Geologists to assess best practices and develop procedures and training materials for the Board's expert consultants.

In July 2015, Board staff executed its first contract with an expert consultant to provide an expert opinion on an enforcement-related matter. The expert consultant was tasked with examining and evaluating evidentiary material pertaining to an enforcement case, and preparing a written report of findings and expert opinion describing the architectural work relative to the standard of practice of the architecture industry and any deviations therefrom.

Board staff believes the further use of expert consultant contracts will complement the work of the Board's architect consultants and allow for expediency, flexibility, and succession planning in the Enforcement Unit.

At its November 5, 2015 meeting, the REC reviewed this objective and voted to recommend to the Board that it authorize Board staff to pursue an RFP to provide the Board with an additional architect consultant and continue to use expert consultant contracts through the delegated contract process.

The Board is asked to consider the REC's recommendation.

**DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO MODIFY AND EXPAND REPORTS TO BOARD MEMBERS REGARDING ENFORCEMENT ACTIVITIES TO IDENTIFY MOST COMMON VIOLATIONS AND DISCIPLINARY ACTIONS**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to modify and expand the reports to Board members regarding enforcement activities to identify the most common violations and disciplinary actions.

The Board members currently receive updates on a monthly basis regarding the Board's Enforcement Program through the Board's Monthly Report. These updates include the activities of the architect consultants and the REC, brief summaries of final disciplinary and enforcement actions, and enforcement case statistics. Statistics for the current and previous month, and previous year are provided and include the total number of cases: 1) received, pending and closed; 2) assigned to an outside expert; 3) referred to the Division of Investigation (DOI); 4) pending with DOI, Office of the Attorney General, and District Attorney; 5) settlement cases opened, pending, and closed; and 6) final citations.

In the past, staff has included bar graphs with the number of pending complaints by the year received in Board meeting packets at the request of Board members. Additionally, the Board was required to provide detailed information and statistics regarding its Enforcement Program for the previous three fiscal years to the Legislature in its 2014 Sunset Review Report. The enforcement data in the Report included the source of complaints, number of cases closed with educational letters, total amount of administrative fines assessed and collected, and aging of cases at each stage in the enforcement process, in addition to the statistics presented to the Board through monthly reports. The Board's Sunset Review Report also included the five most common violations resulting in citations: 1) Business and Professions Code section (BPC) 5536 (a) and (b) [Practice Without License or Holding Self Out as Architect]; 2) BPC 5536.1 [Signature and Stamp on Plans and Documents; Unauthorized Practice]; 3) BPC 5536.22 [Written Contract]; 4) BPC 5588 [Mailing Address and Name and Address of Entity Through Which License Holder Provides Architectural Services; Filing Requirements]; and 5) BPC 5584 [Negligence or Willful Misconduct].

To assist the REC in addressing this objective, staff reviewed and compared the types of data and formats used by similar boards within the Department of Consumer Affairs (DCA) in their enforcement reports to board members. Staff's research revealed the related DCA boards do not provide the most common violations and disciplinary actions to their board members. Instead, the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) currently uses bar graphs to present enforcement statistics to its Board members regarding the: 1) number of open, pending, and closed investigations; 2) age of pending and closed investigations; and 3) final outcomes of investigations, citations, and disciplinary actions. The Contractors State License Board (CSLB) uses tables and bar graphs to present information regarding its enforcement program, including the: 1) current enforcement caseload; 2) amount of restitution to financially injured parties; 3) case aging; 4) citations issued; 5) mandatory settlement conferences held; 6) arbitration cases; and 7) disciplinary actions initiated and closed.

At its April 29, 2015 meeting, the REC discussed this objective and reviewed sample enforcement reports from the Board's Monthly Report, 2014 Sunset Review Report, past meeting packets, and reports used by BPELSG and CSLB in their board meeting packets. The REC recommended that staff incorporate case aging, caseload, and the most common violations of the Architects Practice Act (Act) into a new report format for Board members.

Based on the REC's feedback, staff modified the content and format of the Enforcement Program section in the Monthly Report to Board Members (Attachment 1). The Enforcement Statistics table was updated to reflect statistics for the current and previous month, fiscal year to date, and an average of the past five fiscal years, and to include additional information regarding complaint aging, continuing education cases, and issued and pending citations. A new section was also added to the Monthly Report to identify the most common violations of the Act and Board regulations that resulted in enforcement action during the current fiscal year.

Additionally, staff developed a new Enforcement Program Statistical Report for the Board meeting packets (Attachment 2), which includes tables and graphs with the following information: 1) types of complaints received by the Board during the current fiscal year; 2) comparison of complaints received, closed, and pending by fiscal year; 3) comparison of the age of pending complaints by fiscal year; 4) summary of closed complaints by fiscal year; 5) summary of disciplinary and enforcement actions by fiscal year; and 6) most common violations of the Act and Board regulations that resulted in enforcement action during the current and previous two fiscal years.

At its November 5, 2015 meeting, the REC discussed the objective and reviewed the updates to the content and format of the Monthly Report to Board Members and the proposed Enforcement Program Statistical Report for Board meeting packets. The REC voted to recommend to the Board that it accept the proposed modifications to the enforcement activities reports to Board members.

The Board is asked to consider the REC's recommendation.

Attachments:

1. Proposed Changes to the Enforcement Program Section for Monthly Reports to Board Members
2. Proposed Enforcement Program Statistical Report

**PROPOSED CHANGES TO THE ENFORCEMENT PROGRAM SECTION FOR MONTHLY REPORTS TO BOARD MEMBERS**

*Board staff recommends revising the Enforcement Statistics section to include the following content:*

[...]

| <u>Enforcement Statistics</u>           | <u>Current Month</u><br>November 2015 | <u>Prior Month</u><br>October 2015 | <u>FYTD</u><br>2015/16 | <u>5-FY Avg</u><br>2010/11 –<br>2014/15 |
|---|---------------------------------------|------------------------------------|------------------------|---|
| <b>Complaints</b>                       |                                       |                                    |                        |   |
| Received/Opened:                        | 29                                    | 44                                 | 207                    | 279                                     |
| Closed:                                 | 24                                    | 31                                 | 177                    | 286                                     |
| Average Days to Close:                  | 98                                    | 96                                 | 118                    | 161                                     |
| Pending:**                              | 138                                   | 133                                | 130                    | 109                                     |
| Average Age of Pending (Days):          | 116                                   | 107                                | 114                    | 200                                     |
| <b>Citations</b>                        |                                       |                                    |                        |   |
| Issued:                                 | 1                                     | 5                                  | 31                     | 30                                      |
| Pending:**                              | 12                                    | 13                                 | 17                     | 10                                      |
| Final:                                  | 2                                     | 9                                  | 31                     | 27                                      |
| <b>Disciplinary Action</b>              |                                       |                                    |                        |   |
| Pending AG:**                           | 10                                    | 10                                 | 9                      | 3                                       |
| Pending DA:**                           | 1                                     | 1                                  | 1                      | 3                                       |
| Final:                                  | 0                                     | 0                                  | 0                      | 3                                       |
| <b>Continuing Education (§5600.05)*</b> |                                       |                                    |                        |   |
| Received/Opened:                        | 8                                     | 5                                  | 53                     | 57                                      |
| Closed:                                 | 6                                     | 6                                  | 55                     | 46                                      |
| Pending:**                              | 20                                    | 18                                 | 21                     | 30                                      |
| <b>Settlement Reports (§5588)*</b>      |                                       |                                    |                        |   |
| Received/Opened:                        | 1                                     | 6                                  | 20                     | 33                                      |
| Closed:                                 | 1                                     | 1                                  | 13                     | 36                                      |
| Pending:**                              | 16                                    | 16                                 | 14                     | 15                                      |

\* Also included within "Complaints" information.

\*\* FYTD data is presented as an average of pending cases to date.

[...]

*Additionally, Board staff recommends adding a Most Common Violations section to identify the violations of the Architects Practice Act and Board regulations that resulted in citations or disciplinary action during the current fiscal year. The suggested content and format for this section is shown below:*

[...]

Most Common Violations The majority of complaints received are filed by consumers for allegations such as unlicensed practice, professional misconduct, negligence, and contract violations, or initiated by the Board upon the failure of a coursework audit.

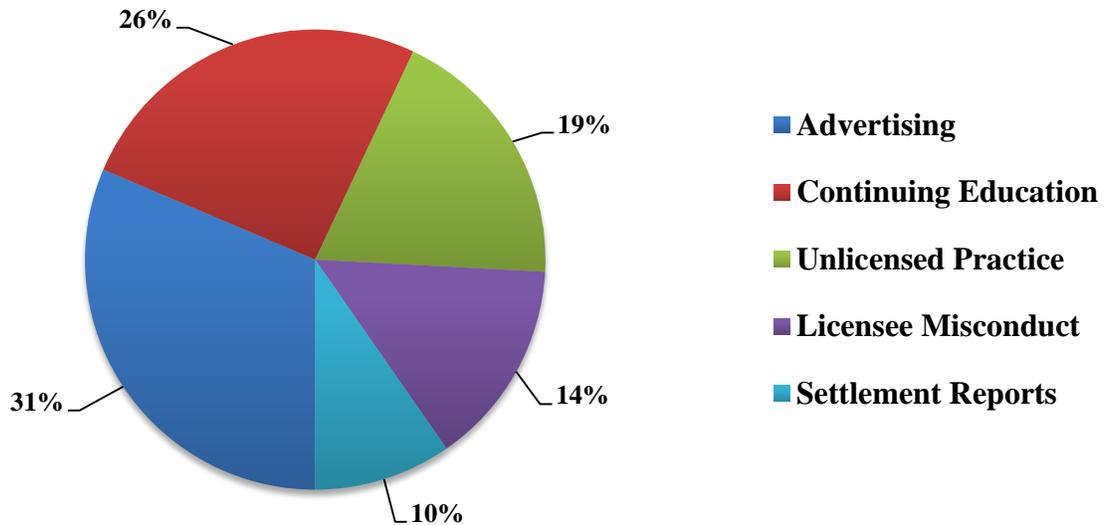
During FY 2015/16 (as of November 30, 2015), the Board has issued 31 citations with administrative fines for violations of one or more provisions of the Architects Practice Act and Board regulations. Below are the most common violations that have resulted in enforcement action during the current fiscal year:

- BPC 5536(a) and/or (b) – Practice Without License or Holding Self Out as Architect [23%]
- BPC 5536.1(c) – Unauthorized Practice [13%]
- BPC 5536.22(a) – Written Contract [6%]
- BPC 5584 – Negligence or Willful Misconduct [6%]
- BPC 5600.05(a)(1) and/or (b) – License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements [68%]
- CCR 160(b)(2) – Rules of Professional Conduct (Willful Misconduct) [13%]

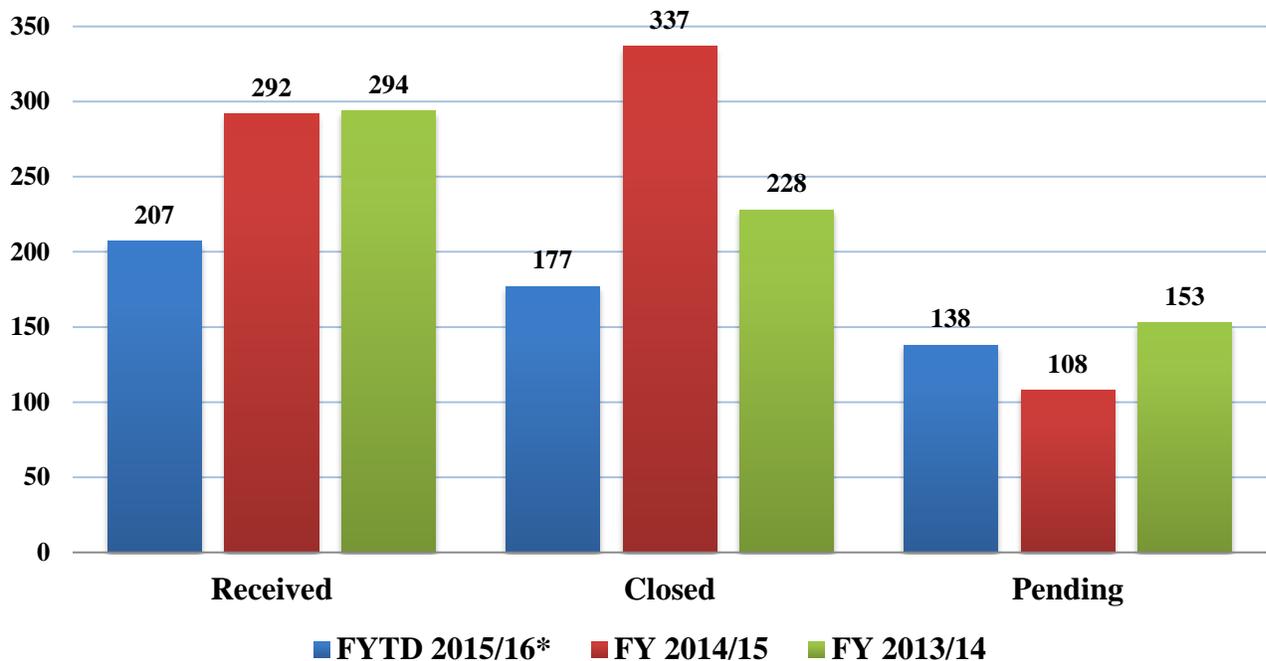
[...]

## PROPOSED ENFORCEMENT PROGRAM STATISTICAL REPORT

### Types of Complaints Received FYTD 2015/16\*

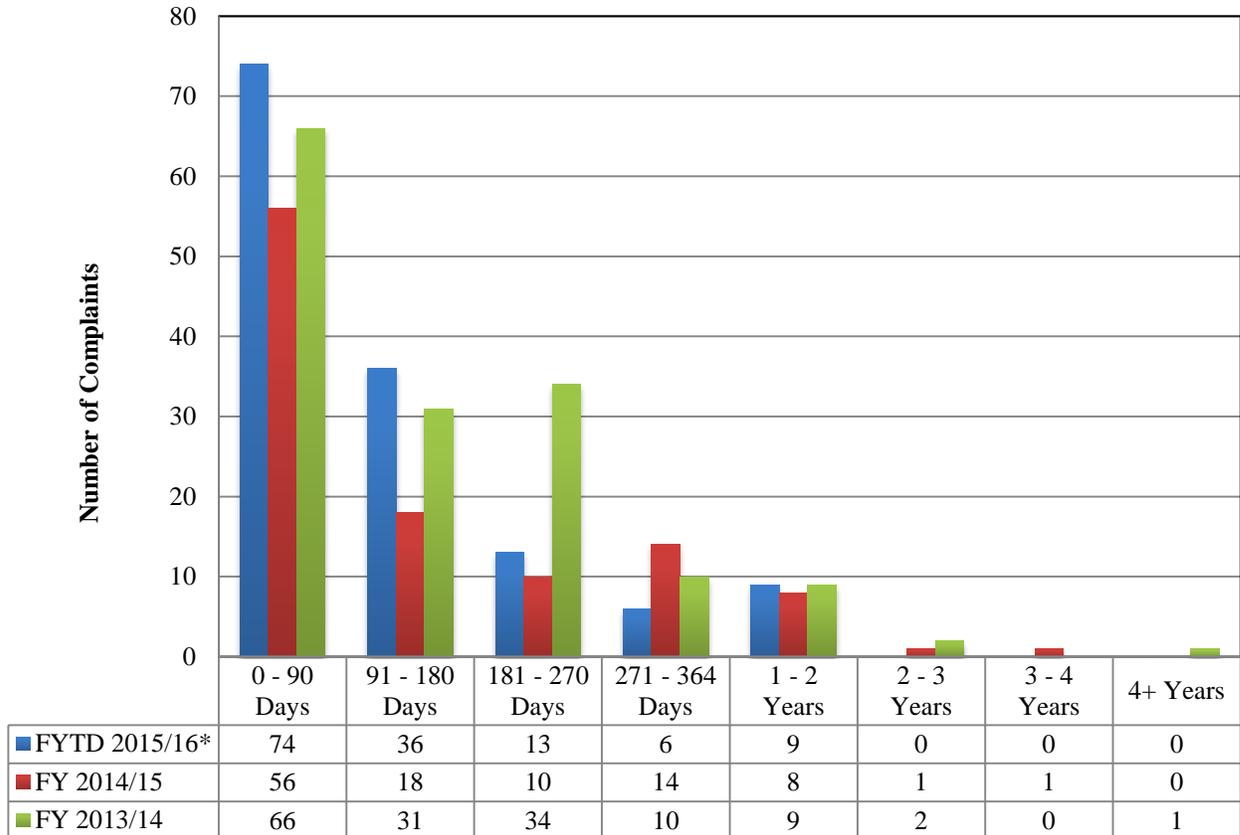


### Complaints Received, Closed, and Pending by FY



\* FYTD reflects data as of November 30, 2015.

## Comparison of Age of Pending Complaints by FY



\* FYTD reflects data as of November 30, 2015.

## Closure of Complaints by FY

| Type of Closure                                 | FYTD 2015/16* | FY 2014/15 | FY 2013/14 |
|---|---------------|------------|------------|
| Cease/Desist Compliance                         | 18            | 9          | 61         |
| Citation Issued                                 | 32            | 62         | 21         |
| Complaint Withdrawn                             | 3             | 2          | 2          |
| Insufficient Evidence                           | 8             | 13         | 8          |
| Letter of Advisement                            | 73            | 185        | 66         |
| No Jurisdiction                                 | 8             | 11         | 11         |
| No Violation                                    | 21            | 40         | 45         |
| Referred for Disciplinary Action                | 2             | 6          | 4          |
| Other (i.e., Mediated, Redundant Incident etc.) | 12            | 9          | 10         |

\* FYTD reflects data as of November 30, 2015.

## **Disciplinary and Enforcement Actions by FY**

| <b>Action</b>                 | <b>FYTD 2015/16*</b> | <b>FY 2014/15</b> | <b>FY 2013/14</b> |
|-------------------------------|----------------------|-------------------|-------------------|
| Disciplinary Cases Initiated  | 2                    | 5                 | 2                 |
| Pending Disciplinary Cases    | 8                    | 6                 | 2                 |
| Final Disciplinary Orders     | 0                    | 1                 | 1                 |
| Final Citations               | 31                   | 47                | 20                |
| Administrative Fines Assessed | \$48,250             | \$78,000          | \$47,000          |

\* FYTD reflects data as of November 30, 2015.

## **Most Common Violations by FY**

As of November 30, 2015, the Board has issued 31 citations with administrative fines for violations of the Architects Practice Act and Board regulations. The most common violations that resulted in disciplinary or enforcement action during the current and previous two fiscal years are listed below.

| <b>Business and Professions Code Section (BPC) or California Code of Regulations Section (CCR)</b>   | <b>FYTD 2015/16*</b> | <b>FY 2014/15</b> | <b>FY 2013/14</b> |
|--|----------------------|-------------------|-------------------|
| BPC 5536(a) and/or (b) – Practice Without License or Holding Self Out as Architect   | 23%                  | 38%               | 65%               |
| BPC 5536.1(c) – Unauthorized Practice  | 13%                  | 6%                | 20%               |
| BPC 5536.22 (a) – Written Contract   | 6%                   | 9%                | 35%               |
| BPC 5584 – Negligence or Willful Misconduct  | 6%                   | 4%                | 15%               |
| BPC 5600.05(a)(1) and/or (b) – License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements** | 68%                  | 45%               | N/A               |
| CCR 160(b)(2) – Rules of Professional Conduct  | 13%                  | 9%                | 10%               |

\* FYTD reflects data as of November 30, 2015.

\*\* Assembly Bill 1746 (Chapter 240, Statutes of 2010) became effective January 1, 2011 and amended the continuing education provisions of BPC 5600.05 by requiring an audit of license renewals beginning with the 2013 renewal cycle and adding a citation and disciplinary action provision for licensees who provide false or misleading information.

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO PURSUE METHODS TO OBTAIN MULTIPLE COLLECTION MECHANISMS TO SECURE UNPAID CITATION PENALTIES**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties.

During fiscal years 2011/12 through 2013/14, the Board issued 68 citations and assessed \$133,000 in administrative fines. The Board collected approximately 62% of these administrative fines. During this same period, the Board for Professional Engineers, Land Surveyors, and Geologists and the Contractors State License Board (CSLB) collected 44% and 35%, respectively, of their administrative fines. Additionally, the Board collected approximately 73% of the \$78,000 in administrative fines it assessed during fiscal year 2014/15.

Currently, if a licensee fails to satisfy a citation, the Board places a hold on his or her license preventing it from being renewed without the payment of both the renewal fee and the administrative fine assessed with the citation [Business and Professions Code section (BPC) 125.9(b)(5)]. The Board is also authorized to pursue disciplinary action against a licensee for failure to pay the administrative fine within 30 days of the date of assessment.

However, the majority of the Board's outstanding, unpaid administrative fines are against unlicensed individuals, and many choose to ignore their citations, as they do not have licenses in jeopardy from failing to pay the administrative fines. The Board currently utilizes the Franchise Tax Board "Intercept Program" as an additional tool to collect unpaid administrative fines from unlicensed individuals, but the success in collecting fines through this program has not been significant, as the potential sources of recovery are limited to State tax refunds, Lottery proceeds, and unclaimed property.

At its April 29, 2015 meeting, the REC discussed multiple strategies to collect outstanding administrative fines, including: 1) proactively offering payment plans in the cover letters of each citation; 2) strengthening and increasing the frequency of enforcement letters to both licensees and unlicensed individuals who have not satisfied their citations; 3) contracting with a collection agency to pursue the unpaid administrative fines; 4) using the telephone disconnect program as a deterrent for repeat violations and to encourage payment; 5) establishing a "license leveraging system" within the Department of Consumer Affairs (DCA); and 6) partnering with the Employment Development Department to collect the unpaid fines through wage garnishments.

Following the meeting, staff strengthened the content of the citation cover letters and collection notices to emphasize that the Board will promptly take appropriate action to enforce the citations and recover the administrative fines. Staff also began offering payment plans in the unpaid citation collection notices. Additionally, staff researched the feasibility of each of the proposed strategies for collecting unpaid administrative fines, and determined that pursuing a contract with a collection agency may be the most effective method to encourage payment of the outstanding fines. A collection agency is able to provide the Board with debt collection services to collect outstanding administrative fines and cost reimbursements, which may include filing legal actions when attachable assets have been identified.

The Board previously executed a contract with a collection agency in 2010, but the agency indicated it would not be able to effectively collect the administrative fines without social security numbers (SSNs). Currently, the Respiratory Care Board is authorized to release SSNs to collection agencies pursuant to BPC 3778 (Chapter 586, Statutes of 2003), but Board staff is not aware of any other agencies with similar authority. In its 2014 Sunset Review Report, the Board requested that the Legislature consider granting the statutory authority to release SSNs to the Board via Sunset Review legislation. In response, the Board was advised to examine other agencies that are authorized to release SSNs to collection agencies and consider any privacy or security issues that may arise if such information was transmitted.

However, other DCA boards and bureaus, including CSLB, currently use collection agencies to pursue unpaid administrative fines against unlicensed individuals without releasing SSNs. Board staff obtained copies of sample contracts that DCA boards and bureaus have executed with collection agencies, which do not require the release of individuals' SSNs or other private information. Specifically, CSLB reported that it does not even have the authority to collect SSNs from unlicensed individuals, and only releases the individuals' names, addresses, and fine amounts to the collection agency for pursuit of the unpaid fines.

The Board includes individuals' names, addresses, and the administrative fine amounts in its citations, which are released to the public for five years after they became final. Therefore, if an unlicensed individual failed to pay the administrative fine, the Board could transmit his or her name, address, and fine amount to a collection agency for pursuit of the unpaid fine without releasing any private information (i.e., SSN).

In addition to using the Franchise Tax Board "Intercept Program," staff recommends pursuing a contract with a collection agency because they possess the necessary experience and resources to effectively recover unpaid administrative fines. Staff further recommends initially only releasing the individuals' names, addresses, and fine amounts to the collection agency to prevent any privacy or data security concerns.

The Board also presented the idea of leveraging professional or vocational licenses to the Legislature during the Sunset Review process. Under such a system, the failure to satisfy a citation issued by one DCA board or bureau would prevent the renewal of a license issued by another DCA board or bureau. In response, the Board was advised to work with other DCA boards and bureaus, such as BPELSG, CSLB, and the Bureau of Real Estate, to determine the feasibility of sharing disciplinary information for purposes of leveraging other professional licenses as a way to achieve compliance, including how such a system would operate and what changes would be necessary. Staff will continue to work with other DCA boards and bureaus to determine the feasibility of establishing a "license leveraging system" to share information regarding enforcement and disciplinary actions for purposes of leveraging other professional licenses to collect administrative fines.

At its November 5, 2015 meeting, the REC reviewed and discussed this objective, and voted to recommend to the Board that it should encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the Executive Officer.

The Board is asked to consider the REC's recommendation.

**CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)**

1. Update and Possible Action on 2015–2016 Strategic Plan Objective to Conduct Review of Architect Registration Examination and Linkage Study
2. Update and Possible Action on 2015–2016 Strategic Plan Objective to Reclassify CSE Item Bank Based Upon Results of 2014 OA

### UPDATE AND POSSIBLE ACTION ON 2015–2016 STRATEGIC PLAN OBJECTIVE TO CONDUCT REVIEW OF ARCHITECT REGISTRATION EXAMINATION AND LINKAGE STUDY

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Professional Qualifications Committee (PQC) to conduct a review of the Architect Registration Examination (ARE) and Linkage Study to meet the requirements of Business and Professions Code section (BPC) 139 and the Department of Consumer Affairs (DCA) policy on licensure examination validation and identify areas of California practice for which the ARE and California Supplemental Examination (CSE) are appropriate for assessing candidate competency, thus ensuring a valid and defensible examination process.

Licensing boards and bureaus within the DCA are required to ensure that examination programs being used in the California licensure process comply with psychometric and legal standards. To this end, the Board requested that DCA's Office of Professional Examination Services (OPES) complete a comprehensive review of the National Council of Architectural Registration Boards' (NCARB) examination program. The purpose of the OPES review was to evaluate the suitability of the ARE for continued use in California.

OPES received and reviewed ARE-related documents provided by NCARB. Follow-up teleconferences were held to clarify the procedures and practices used to validate and develop the ARE. A comprehensive evaluation of the documents was made to determine whether a) occupational analysis; b) examination development; c) passing scores; d) test administration; e) examination performance; and f) test security procedures met professional guidelines and technical standards. OPES found that the procedures used to establish and support the validity and defensibility of the ARE examination program components listed above meet professional guidelines and technical standards outlined in the *Standards for Educational and Psychological Testing* and BPC 139.

OPES convened a panel of licensed California architects who served as subject matter experts (SME) to review the content of the divisions that comprises the ARE and compare it with the description of practice for California architects as based on the *2014 California Architect Occupational Analysis*. The SMEs were selected by the Board based upon their geographic location, experience, and practice specialty.

The SMEs performed a comparison between the content areas of the ARE divisions (current version 4.0 [Attachment 1] and future version 5.0 [Attachment 2]) and the 2014 California Architect Description of Practice and concluded that the content measured by divisions of ARE 4.0 and ARE 5.0 are consistent in assessing the general knowledge required for entry-level architect practice in California.

The SMEs were also asked to correlate the job task and knowledge statements that comprise the 2014 Examination Outline for the CSE with the content of ARE 4.0 and ARE 5.0 divisions. This correlation was performed to identify if there were areas of California architect practice not covered by ARE 4.0 or ARE 5.0.

The results of the Linkage Study indicate that there are areas of California architect practice not covered by either ARE 4.0 or ARE 5.0. These missing content areas were found to be covered within the four content areas as detailed in the Content Areas of the 2014 Architect CSE Plan (Attachment 3). The CSE Examination Plan specifies the job tasks and related knowledge tested by the CSE which a California architect is expected to have mastered at the time of licensure.

Raul Villanueva of OPES provided the PQC with a brief presentation relative to this objective at its July 14, 2014 meeting, which today he will also provide the Board .

Attachments:

1. Content Areas of the Architect Registration Examination Plan (ARE 4.0)
2. Content Areas of the Architect Registration Examination Plan (ARE 5.0)
3. Content Areas of the 2014 Architect California Supplemental Examination Plan

**CONTENT AREAS OF THE ARCHITECT REGISTRATION  
EXAMINATION PLAN (ARE 4.0)**

| <b>ARE Division Examination</b>             | <b>Content of Division Sections</b>      | <b>Subarea Weights per Section</b> |
|---|--|------------------------------------|
| I. Programing, Planning & Practice          | Programming & Analysis                   | 27-33%                             |
|   | Environmental, Social, & Economic Issues | 17-23%                             |
|   | Codes & Regulations                      | 11-17%                             |
|   | Project & Practice Management            | 33-39%                             |
| II. Site Planning & Design                  | Principles                               | 27-30%                             |
|   | Environmental Issues                     | 34-32%                             |
|   | Codes & Regulations                      | 18-26%                             |
|   | Materials & Technology                   | 16-20%                             |
|   | Project & Practice Management            | 4-8%                               |
| III. Building Design & Construction Systems | Principles                               | 27-33%                             |
|   | Environmental Issues                     | 6-9%                               |
|   | Codes & Regulations                      | 10-13%                             |
|   | Materials & Technology                   | 43-49%                             |
|   | Project & Practice Management            | 4-7%                               |
| IV. Schematic Design                        |  | 100%                               |
| V. Structural Systems                       | General Structures                       | 50-54%                             |
|   | Seismic Forces                           | 18-22%                             |
|   | Wind Forces                              | 18-22%                             |
|   | Lateral Forces                           | 7-9%                               |
| VI. Building Systems                        | Codes & Regulations                      | 6-9%                               |
|   | Environmental Issues                     | 9-11%                              |
|   | Plumbing                                 | 10-15%                             |
|   | HVAC                                     | 18-23%                             |
|   | Electrical                               | 10-15%                             |
|   | Lighting                                 | 15-20%                             |
|   | Specialties                              | 18-23%                             |
| VII. Construction Documents & Services      | Codes & Regulations                      | 9-11%                              |
|   | Environmental Issues                     | 6-9%                               |
|   | Construction Drawings & Project Manual   | 48-53%                             |
|   | Project & Practice Management            | 30-35%                             |

CONTENT AREAS OF THE ARCHITECT REGISTRATION  
EXAMINATION PLAN (ARE 5.0)

| ARE Division Examination            | Content of Division Sections                | Subarea Weights per Section |
|-------------------------------------|---|-----------------------------|
| I. Practice Management              | Business Operations                         | 20-26%                      |
|                                     | Finances, Risk, & Development of Practice   | 29-35%                      |
|                                     | Practice---Wide Delivery of Services        | 22-28%                      |
|                                     | Practice Methodologies                      | 17-23%                      |
| II. Project Management              | Resource Management                         | 7-13%                       |
|                                     | Project Work Planning                       | 17-23%                      |
|                                     | Contracts                                   | 25-31%                      |
|                                     | Project Execution                           | 17-23%                      |
|                                     | Project Quality Control                     | 19-25%                      |
| III. Programming & Analysis         | Environmental & Contextual Conditions       | 14-21%                      |
|                                     | Codes & Regulations                         | 16-22%                      |
|                                     | Site Analysis & Programming                 | 21-27%                      |
|                                     | Building Analysis & Programming             | 37-43%                      |
| IV. Project Planning & Design       | Environmental Conditions & Context          | 10-16%                      |
|                                     | Codes & Regulations                         | 16-22%                      |
|                                     | Building Systems, Materials, & Assemblies   | 19-25%                      |
|                                     | Project Integration of Program & Systems    | 32-38%                      |
|                                     | Project Costs & Budgeting                   | 8-14%                       |
| V. Project Planning & Documentation | Integration of Building Materials & Systems | 31-37%                      |
|                                     | Construction Documentation                  | 32-38%                      |
|                                     | Project Manual & Specifications             | 12-18%                      |
|                                     | Codes & Regulations                         | 8-14%                       |
|                                     | Construction Cost Estimates                 | 2-8%                        |
| VI. Construction & Evaluation       | Preconstruction Activities                  | 17-23%                      |
|                                     | Construction Observation                    | 32-38%                      |
|                                     | Administrative Procedures & Protocols       | 32-38%                      |
|                                     | Project Closeout & Evaluation               | 7-13%                       |

CONTENT AREAS OF THE 2014 ARCHITECT CALIFORNIA  
SUPPLEMENTAL EXAMINATION (CSE) PLAN

| Content Area                     | Content Area Description   | Percent Weight |
|----------------------------------|--|----------------|
| I. General Practice              | This area assesses the candidate's knowledge related to core areas of practice applicable across types of projects, construction contract arrangements, and project delivery methods.  | 14             |
| II. Programming / Design         | This area assesses the candidate's ability to identify and evaluate site and project opportunities and constraints in developing design concepts that meet the client's, user's, and stakeholder's needs and applicable California regulations.          | 36             |
| III. Development / Documentation | This area assesses the candidate's knowledge regarding developing design solutions, managing a project team, and preparing design and construction drawings and documents in conformance with the project program and applicable California regulations. | 30             |
| IV. Bidding / Construction       | This area assesses the candidate's knowledge related to California regulations associated with project bidding, construction, and post-construction activities.  | 20             |
| <b>Total</b>                     |  | <b>100%</b>    |

### **UPDATE AND POSSIBLE ACTION ON 2015–2016 STRATEGIC PLAN OBJECTIVE TO RECLASSIFY CSE ITEM BANK BASED UPON RESULTS OF 2014 OA**

The California Architects Board’s 2015-2016 Strategic Plan contains an objective assigned to the Professional Qualifications Committee (PQ) to reclassify the California Supplemental Examination (CSE) item bank based upon the results of the 2014 OA (Attachment 1) in order to ensure item content reflects critical tasks and knowledge related to newly-licensed architects as identified by the OA and to maintain relevance with contemporary practice.

Business and Professions Code section (BPC) 139 requires that an OA be conducted every five to seven years. The OA currently used to develop the CSE was conducted in 2007. The primary purpose of the OA is to define current architectural practice in California based on a survey of the critical tasks, skills, and knowledge pertinent to an individual receiving initial licensure. The findings of the OA will be used to develop the content of the CSE and form the basis for determining “minimum acceptable competence” as it relates to safe practice at the time of initial licensure.

BPC 139 also requires boards and bureaus that use a national examination, such as the Architect Registration Examination (ARE), as well as any developed by the state, to have a psychometric process review conducted along with a linkage study, which compares the knowledge, skills, and abilities tested for on the national examination with those of the state exam to avoid duplication.

In March 2014, the Office of Professional Examination Services (OPES) conducted four focus group meetings as one of the initial steps in the OA process. Three of the meetings were half-day meetings and involved the following stakeholders: 1) general building contractors; 2) engineers, land surveyors, and landscape architects; and 3) building officials. The fourth meeting was a two-day session, which involved architects. OPES analyzed the focus group meeting results later that month, which provided additional information with regard to the job tasks and knowledge required of contemporarily practicing architects.

The next stage of the OA included interviews with architect subject matter experts (SME) and was conducted in April 2014. The purpose of these interviews was to enable OPES to develop a preliminary list of job tasks and knowledge statements. The following step was to conduct workshops in furtherance of developing the pilot OA questionnaire, which was distributed in June 2014. The final OA survey was distributed to a representative sample of California licensees in early July 2014; selected licensees had until July 18, 2014 to complete the questionnaire. Results were reviewed by OPES and analyzed by SMEs at two workshop held in September 2014; the findings were presented to the Board at its December 10, 2014 meeting.

OPES completed the ARE review and Linkage Study that compared content of the 2014 CSE Test Plan with the content covered in the various divisions of the ARE 4.0 (See Agenda Item I.1).

The findings of this process links the job tasks and knowledge directly to critical content areas of practice and help ensure there is minimal overlap in the content of the CSE.

Raul Villanueva of OPES provided the PQC with a brief presentation relative to this objective at its July 14, 2015 meeting.

On July 16-17, 2015, OPES held a reclassification workshop to align the current bank of examination items with the new draft 2014 Examination Plan (Attachment 2) for use in development of CSE content beginning early 2016. Also attached are OPES brochures that explain the OA and examination development processes.

Today, Mr. Villanueva will provide the Board with the same presentation seen by the PQC.

Attachments:

1. Occupational Analysis of the Architect Profession
2. 2014 Examination Plan for the California Supplemental Examination (CSE)
3. OPES Informational Series No. 1 Occupational Analysis
4. OPES Informational Series No. 3 Examination Development
5. OPES Informational Series No. 8 Expert Consultants

# CALIFORNIA ARCHITECTS BOARD

## OCCUPATIONAL ANALYSIS OF THE ARCHITECT PROFESSION



OFFICE OF PROFESSIONAL EXAMINATION SERVICES



# CALIFORNIA ARCHITECTS BOARD

## OCCUPATIONAL ANALYSIS OF THE ARCHITECT PROFESSION

This report was prepared and written by the  
Office of Professional Examination Services  
California Department of Consumer Affairs

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Heidi Lincer-Hill, Ph.D., Chief

Raul Villanueva, M.A., Personnel Selection Consultant



## EXECUTIVE SUMMARY

The California Architects Board (Board) requested that the Department of Consumer Affairs' Office of Professional Examination Services (OPES) conduct an occupational analysis of Architect practice in California. The purpose of the occupational analysis is to define practice for Architects in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis serve as the basis for determining the tasks and knowledge that make up the description of practice for the Architect profession in California. The major steps of the occupational analysis were conducted between March 2014 and September 2014.

OPES test specialists began by researching the profession and conducting stakeholder and practitioner focus groups. The purpose of the stakeholder focus groups was to identify the qualities stakeholders believed an Architect should possess and the areas of Architect practice that stakeholders felt could be improved. The stakeholder focus groups included a contractors group, a group of various engineering professionals and landscape architects, and a building officials group. The focus group of Architect practitioners was held to review the results of the stakeholder focus groups and to identify changes and trends in California Architect practice anticipated over the next five to eight years.

OPES also conducted telephone interviews with 11 Architects throughout California. The purpose of the practitioner telephone interviews was to identify the tasks performed by newly licensed Architects, and the knowledge required to perform those tasks in a safe and competent manner. The interviews were also used to follow up on topics arising from the focus groups and to inform the development of a preliminary list of tasks and knowledge statements.

Following the stakeholder focus groups and practitioner interviews, two additional Architect practitioner focus groups were convened by OPES. The purpose of these sessions was to review the results of the previous focus groups and interviews, and to develop and refine the task and knowledge statements derived from the interviews, focus groups, and research. These practitioners also performed a preliminary linkage of the task and knowledge statements to ensure all tasks had a related knowledge and all knowledge statements had a related task. New task and knowledge statements were created as a result of this process, and some statements were eliminated from the final list due to overlap and reconciliation. These practitioners also developed the demographic items for inclusion in the survey.

OPES developed the three-part questionnaire that was completed by Architects statewide. Development of the questionnaire included a pilot study which was conducted using a group of 16 licensees. The participants' feedback was used to refine the questionnaire.

In the first part of the questionnaire, licensees were asked to provide demographic information relating to their work settings and practice. In the second part, the licensees were asked to rate specific job tasks in terms of frequency (i.e., how often the licensee performs the task in the licensee's current practice) and importance (i.e., how important the task is to performance of the licensee's current practice). In the third part of the questionnaire, licensees were asked to rate specific knowledge statements in terms of how important that knowledge is to performance of their current practice.

The Board provided OPES with the email addresses for 8,902 licensees. After reviewing the response rates of previous occupational analysis studies, it was decided to include all 8,902 practitioners in the current occupational analysis. The Board sent notification emails to all 8,902 Architects, inviting them to complete the questionnaire online. Eighteen percent of the invited licensees (1,603) responded by accessing the Web-based survey. The final sample size included in the data analysis was 1,511, or 17 percent of the group invited to complete the questionnaire. This response rate reflects two adjustments, the details of which are described in the Response Rate section of this report. The group of respondents is representative of the California Architect population based on the sample's demographic composition.

OPES then performed data analyses on the task and knowledge rating responses. OPES combined the task ratings to derive an overall criticality index for each task statement. The mean importance rating was used as the criticality index for each knowledge statement.

After the data was analyzed, two additional focus groups were conducted with licensed Architects. The purpose of these focus groups was to evaluate the criticality indices and determine whether any task or knowledge statements should be eliminated. The licensees in these groups also established the linkage between job tasks and knowledge statements, organized the task and knowledge statements into content areas, and defined those areas. The licensees then evaluated and confirmed the content area weights.

The resulting description of practice for California Architects is structured into six content areas. The description of practice specifies the job tasks and knowledge critical to safe and effective Architect practice in California at the time of licensure and forms the basis for the content included in the examination outline.

The new examination outline for the Architect California Specific Examination (CSE) is structured into four content areas weighted by criticality relative to the other content areas. The CSE examination outline specifies the job tasks and knowledge specific to California practice that a California-licensed Architect is expected to have mastered at the time of licensure. An overview of the final examination outline is provided below.

## OVERVIEW OF THE ARCHITECT CSE EXAMINATION OUTLINE

| Content Area                     | Content Area Description   | Percent Weight |
|----------------------------------|--|----------------|
| I. General Practice              | This area assesses the candidate's knowledge related to core areas of practice applicable across types of projects, construction contract arrangements, and project delivery methods.  | 6              |
| II. Programming / Design         | This area assesses the candidate's ability to identify and evaluate site and project opportunities and constraints in developing design concepts that meet the client's, user's, and stakeholder's needs and applicable California regulations.          | 44             |
| III. Development / Documentation | This area assesses the candidate's knowledge regarding developing design solutions, managing a project team, and preparing design and construction drawings and documents in conformance with the project program and applicable California regulations. | 40             |
| IV. Bidding and Construction     | This area assesses the candidate's knowledge related to California regulations associated with project bidding, construction, and post-construction activities.  | 10             |
| Total                            |  | 100            |

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# CHAPTER 1. INTRODUCTION

## PURPOSE OF THE OCCUPATIONAL ANALYSIS

The California Architects Board (Board) requested that the Department of Consumer Affairs' Office of Professional Examination Services (OPES) conduct an occupational analysis to identify critical job activities performed by licensed Architects. This occupational analysis was part of the Board's comprehensive review of Architect practice in California. The purpose of the occupational analysis is to define practice for Architects in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis serve as the basis for determining the tasks and knowledge that make up the description of practice for the Architect profession in California.

## CONTENT VALIDATION STRATEGY

OPES used a content validation strategy to ensure that the occupational analysis reflected the actual tasks performed by Architects in independent practice. The technical expertise of California-licensed Architects was used throughout the occupational analysis process to ensure the identified task and knowledge statements directly reflect requirements for performance in current practice.

## UTILIZATION OF SUBJECT MATTER EXPERTS

The Board selected licensed Architects to participate as subject matter experts (SMEs) during various phases of the occupational analysis. These Architects were selected from a broad range of practice settings, geographic locations, and experience backgrounds. The SMEs provided information regarding the different aspects of current Architect practice during the development phase of the occupational analysis, and participated in focus groups to review the content of task and knowledge statements for technical accuracy prior to administration of the occupational analysis questionnaire. Following administration of the occupational analysis questionnaire, additional focus groups of SMEs were convened at OPES to review the results, finalize the description of practice, and develop the examination plan for the Architect California Supplemental Examination (CSE).

## ADHERENCE TO LEGAL STANDARDS AND GUIDELINES

Licensing, certification, and registration programs in the State of California adhere strictly to federal and State laws and regulations and professional guidelines and technical standards. For the purpose of occupational analysis, the following laws and guidelines are authoritative:

- California Business and Professions Code, Section 139.
- Uniform Guidelines on Employee Selection Procedures (1978), Code of Federal Regulations, Title 29, Section 1607.
- California Fair Employment and Housing Act, Government Code, Section 12944.
- *Principles for the Validation and Use of Personnel Selection Procedures* (2003), Society for Industrial and Organizational Psychology (SIOP).
- *Standards for Educational and Psychological Testing* (1999), American Educational Research Association, American Psychological Association, and National Council on Measurement in Education.

For a licensure program to meet these standards, it must be solidly based upon the job activities required for practice.

## DESCRIPTION OF OCCUPATION

The Architect occupation is described as follows in the California Business and Professions Code, Section 5500.1:

- (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.*

## CHAPTER 2. OCCUPATIONAL ANALYSIS QUESTIONNAIRE

### STAKEHOLDER AND PRACTITIONER FOCUS GROUPS

OPES test specialists began by researching the profession and conducting three stakeholder focus groups and one practitioner focus group. The stakeholder focus groups were held at OPES in March 2014, and included a contractor group, a group of various engineering professionals (structural engineers, civil engineers, and mechanical engineers) and landscape architects, and a group of building officials. The purpose of the stakeholder focus groups was to identify the qualities stakeholders believed an Architect should possess and the areas of Architect practice that stakeholders felt could be improved. The focus group of Architect practitioners was held at OPES in March 2014 to review the results of the stakeholder focus groups and to identify changes and trends in California Architect practice anticipated over the next five to eight years.

### SUBJECT MATTER EXPERT INTERVIEWS

The Board provided OPES with a list of California-licensed Architects to contact for telephone interviews. During the semi-structured interviews, licensed Architects were asked to identify all of the activities performed that are specific to the Architect profession. The interviews confirmed major content areas of newly licensed Architect practice and the job tasks performed in each content area. The licensees were also asked to identify the knowledge necessary for newly licensed Architects to perform each job task safely and competently.

### TASK AND KNOWLEDGE STATEMENTS

OPES staff integrated the information obtained from the focus groups of stakeholders and practitioners, the interviews, and from prior studies of the profession. OPES then developed a preliminary list task and knowledge statements, organizing the statements into major areas of practice.

In May 2014, OPES facilitated two focus groups of Architects to evaluate the task and knowledge statements for technical accuracy and comprehensiveness, and to assign each statement to the appropriate content area. The groups verified that the content areas were independent and non-overlapping, and performed a preliminary linkage of the task and knowledge statements to ensure that every task had a related knowledge and every knowledge statement had a related task. Additional task and knowledge statements were created as needed to complete the scope of the content areas.

The finalized lists of task and knowledge statements were developed into an online questionnaire that was eventually completed and evaluated by a sample of Architects throughout California.

## QUESTIONNAIRE DEVELOPMENT

OPES developed the online occupational analysis survey, a questionnaire soliciting licensees' ratings of the job task and knowledge statements for the purpose of analysis. The surveyed Architects were instructed to rate each job task in terms of how often they performed the task (FREQUENCY), and how important the task was to the performance of their current practice (IMPORTANCE). In addition, they were instructed to rate each knowledge statement in terms of how important the specific knowledge was to the performance of their current practice (IMPORTANCE). The questionnaire also included a demographic section for purposes of developing an accurate profile of the respondents. The questionnaire can be found in Appendix F.

## PILOT STUDY

Prior to developing the final questionnaire, OPES prepared an online pilot survey. The pilot questionnaire was reviewed by the Board and a group of 16 SMEs for feedback about the technical accuracy of the task and knowledge statements, estimated time for completion, online navigation, and ease of use. OPES used this feedback to develop the final questionnaire.

## CHAPTER 3. RESPONSE RATE AND DEMOGRAPHICS

### SAMPLING STRATEGY AND RESPONSE RATE

The Board sent notification emails to all Architects with active licenses in California for whom it had an email address (8,902 licensees), inviting them to complete the questionnaire online. The online format allowed for several enhancements to the survey and data collection process. As part of the survey development, configuration, and analysis process, various criteria were established to exclude invalid participants and capture data automatically, significantly reducing data input errors.

Eighteen percent of the licensed Architects in the sample (1,603) responded by accessing the Web-based survey. The final sample size included in the data analysis was 1,511, or 17 percent of the population that was invited to complete the questionnaire. This response rate (17 percent) reflects two adjustments. First, data from respondents who indicated they were not currently licensed and practicing as Architects in California were excluded from analysis. And second, the reconciliation process removed surveys containing incomplete and unresponsive data. The respondent sample was representative of the population of California Architects based on the sample's demographic composition.

### DEMOGRAPHIC SUMMARY

Of the respondents included in the analysis, 24 percent had been practicing as an Architect for 5 years or less, 29 percent had been practicing between 6 and 20 years, and 46 percent had been practicing for more than 20 years.

Sixty percent of respondents earned a bachelor's degree as their highest level of education and 33 percent had earned a master's degree. Respondents reported having between 3 to 6 years (33 percent) and 7 to 10 years (28 percent) of pre-licensure experience working in architecture before obtaining their Architect's license.

The majority of respondents (61.3 percent) worked in architecture 4 to 10 years before obtaining licensure in California. Most respondents reported working 40 or more hours per week (71 percent) in an architecture firm (74.7 percent) as either the sole Architect (33 percent) or as one of 1 to 5 Architects employed by the firm (32 percent).

When describing the types of projects they considered a specialty based on expertise and experience, the majority of respondents listed residential (62.3 percent) and commercial (61 percent) projects. Following closely were education (37.7 percent), health care (27.2 percent), hospitality (25.4 percent), institutional (24.2 percent), and industrial projects (23.3 percent).

The respondents reported that, on the average, 27.4 percent of their time was spent on construction documents, followed by project management activities (17.8 percent), design (17.7 percent), management/administrative work (15.2 percent), and construction administration activities (14.2 percent).

Finally, the respondents were also asked to review their projects over the previous five years. The primary construction contract arrangements reported by the respondents were Design-Bid-Build (58.6 percent), Guaranteed Max Price (45 percent), and Fee plus Cost (36.7 percent). The most frequent project delivery methods reported were Design-Bid-Build (61.5 percent), Design-Owner Build (32.1 percent), and Design-Build (31.9 percent).

The demographic information from the respondents can be found in Tables 1 through 18.

TABLE 1 – NUMBER OF YEARS LICENSED AND PRACTICING IN CALIFORNIA AS AN ARCHITECT

| YEARS        | N     | PERCENT |
|--------------|-------|---------|
| 0 to 5       | 361   | 23.9    |
| 6 to 10      | 187   | 12.4    |
| 11 to 20     | 253   | 16.7    |
| More than 20 | 700   | 46.3    |
| Missing      | 10    | .7      |
| Total        | 1,511 | 100     |

FIGURE 1 – NUMBER OF YEARS LICENSED AND PRACTICING IN CALIFORNIA AS AN ARCHITECT

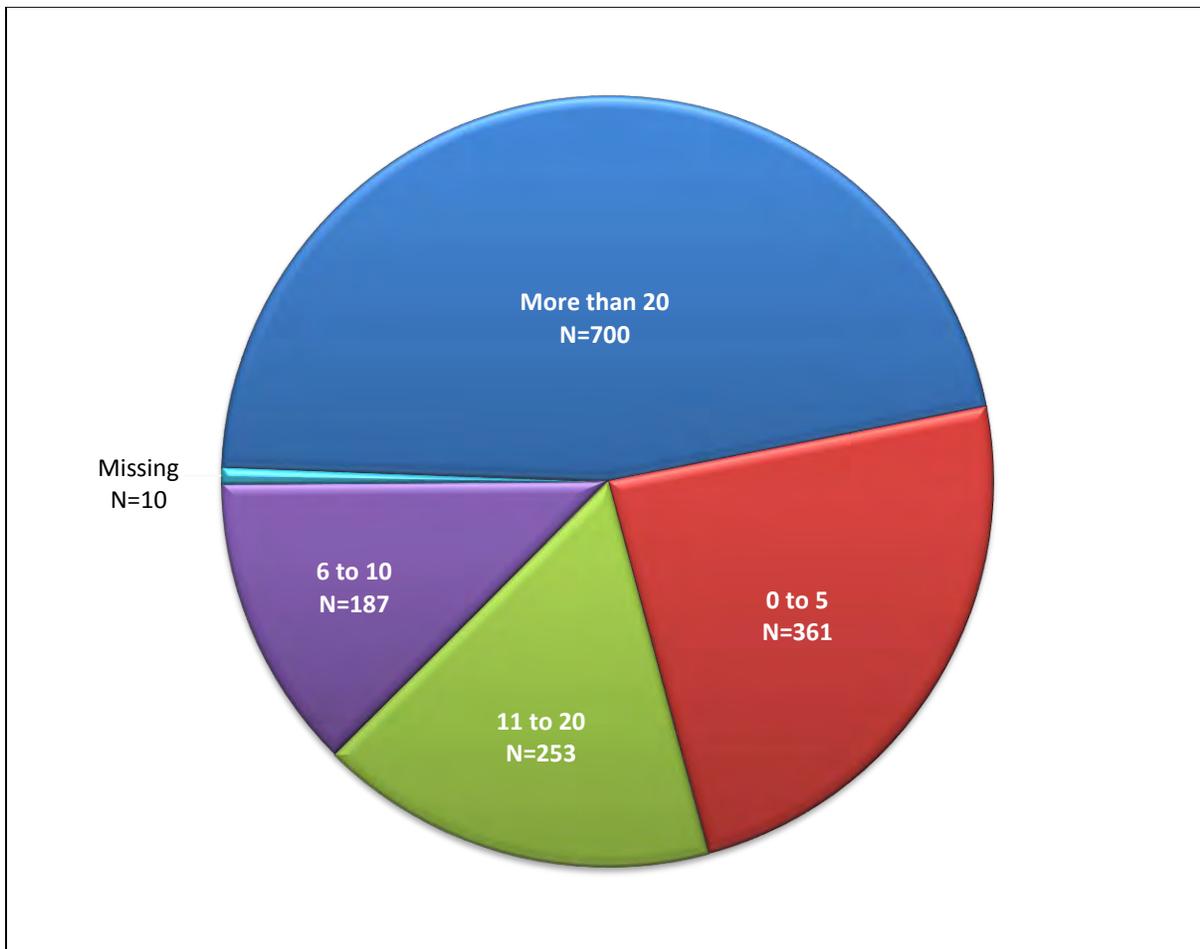


TABLE 2 – YEARS WORKED IN ARCHITECTURE BEFORE OBTAINING CALIFORNIA LICENSE

| YEARS              | N     | PERCENT |
|--------------------|-------|---------|
| 0 to 3 years       | 216   | 14.3    |
| 4 to 6 years       | 502   | 33.2    |
| 7 to 10 years      | 424   | 28.1    |
| 11 to 15 years     | 210   | 13.9    |
| More than 15 years | 154   | 10.2    |
| Subtotal           | 1,506 | 99.7    |
| Missing            | 5     | .3      |
| Total              | 1,511 | 100     |

FIGURE 2 – YEARS WORKED IN ARCHITECTURE BEFORE OBTAINING CALIFORNIA LICENSE

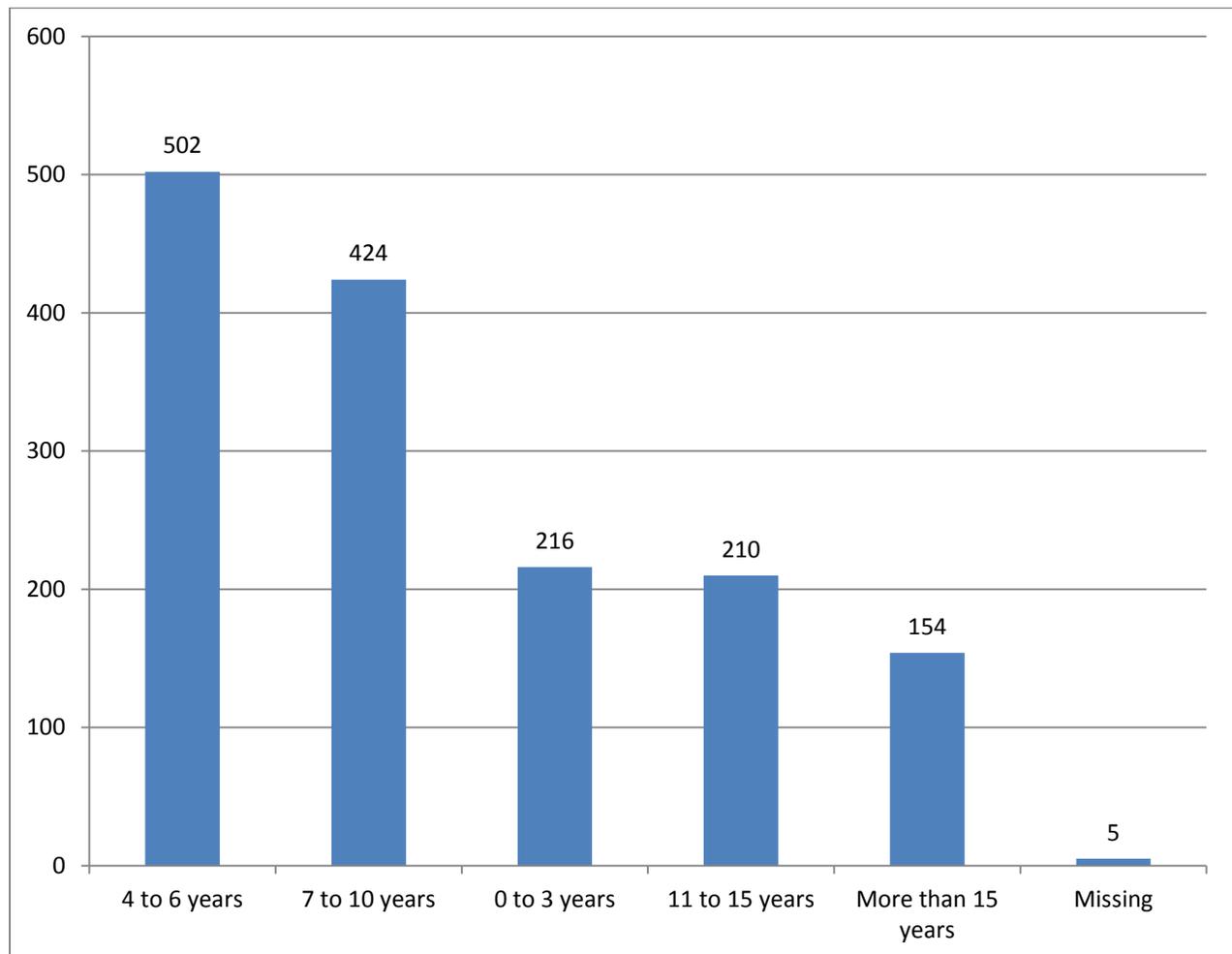


TABLE 3 – HIGHEST LEVEL OF EDUCATION

| LEVEL OF EDUCATION    | N     | PERCENT |
|-----------------------|-------|---------|
| Bachelor's degree     | 900   | 59.6    |
| Master's degree       | 494   | 32.7    |
| Associate degree      | 55    | 3.6     |
| Technical certificate | 23    | 1.5     |
| Ph.D. degree          | 8     | .5      |
| Missing               | 31    | 2.1     |
| Total                 | 1,511 | 100     |

FIGURE 3 – HIGHEST LEVEL OF EDUCATION

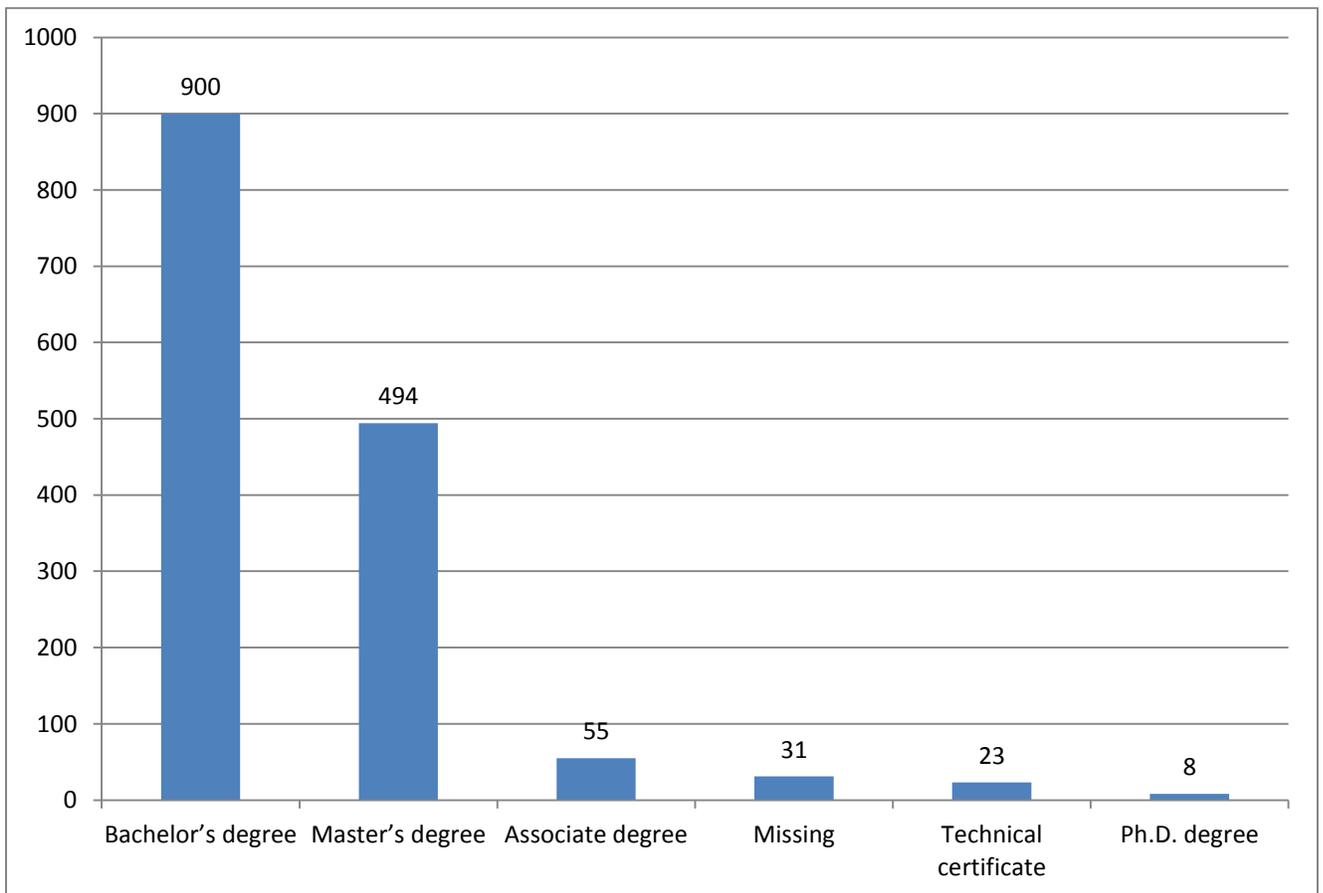


TABLE 4 – PRIMARY WORK SETTING

| WORK SETTING                                      | N     | PERCENT |
|---|-------|---------|
| Architecture firm (as individual or group)        | 1,129 | 74.7    |
| Multidisciplinary firm                            | 160   | 10.6    |
| Governmental agency                               | 85    | 5.6     |
| Other (please specify)                            | 77    | 5.1     |
| Institution (e.g., hospital, school)              | 25    | 1.7     |
| Construction firm                                 | 19    | 1.3     |
| Non-design company (e.g., hotel, utility company) | 12    | .8      |
| Missing   | 4     | .3      |
| Total   | 1,511 | 100     |

FIGURE 4 – PRIMARY WORK SETTING

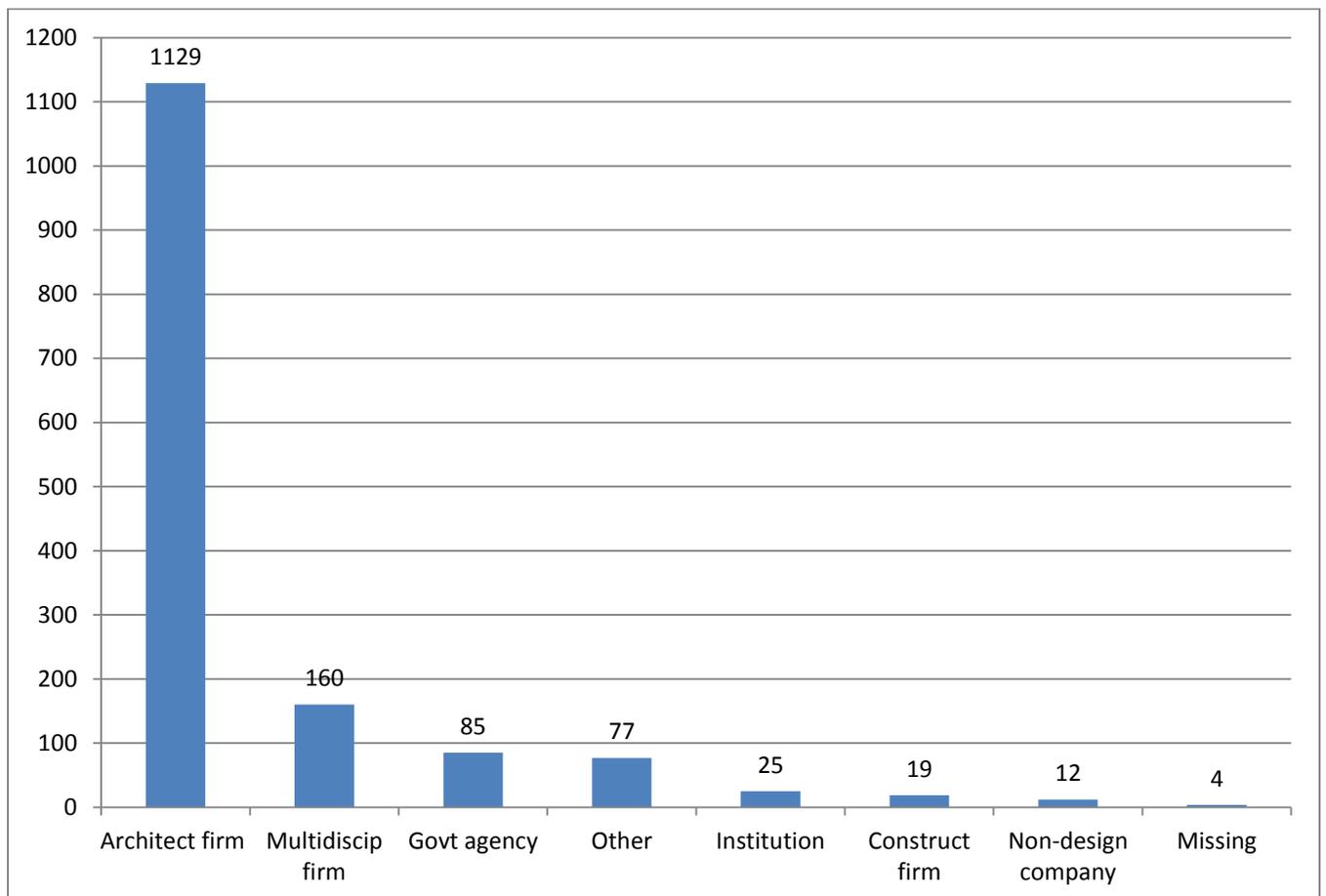


TABLE 5 – NUMBER OF HOURS WORKED PER WEEK

| HOURS WORKED     | N     | PERCENT |
|------------------|-------|---------|
| 0 to 10 hours    | 105   | 6.9     |
| 11 to 20 hours   | 89    | 5.9     |
| 21 to 39 hours   | 230   | 15.2    |
| 40 or more hours | 1,073 | 71.0    |
| Missing          | 14    | .9      |
| Total            | 1,511 | 100     |

NOTE: Total may not add to 100% due to rounding.

FIGURE 5 – NUMBER OF HOURS WORKED PER WEEK

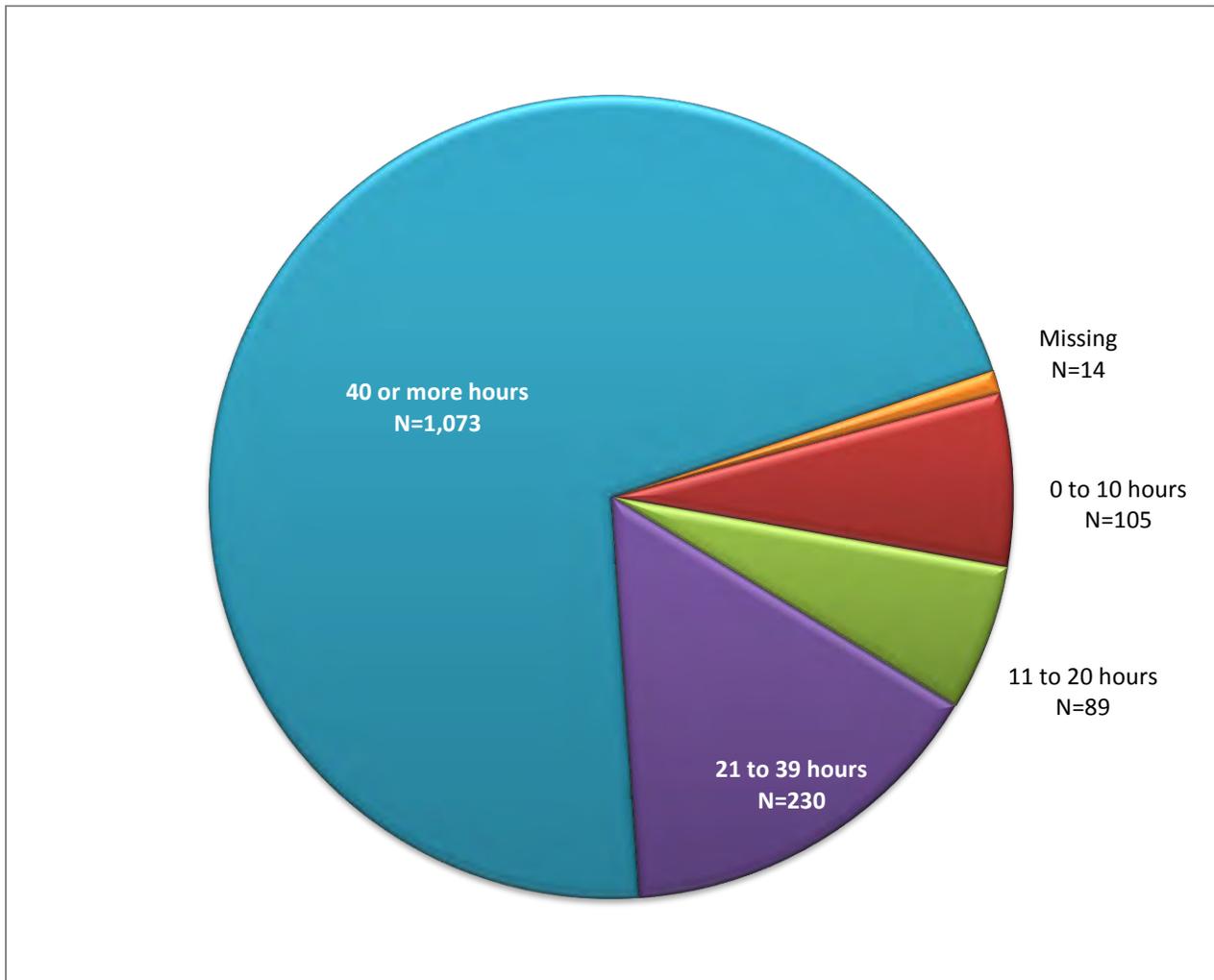


TABLE 6 – NUMBER OF EMPLOYEES OTHER THAN ARCHITECTS IN ORGANIZATION

| CLIENT       | N     | PERCENT |
|--------------|-------|---------|
| None         | 405   | 26.8    |
| 1 to 10      | 465   | 30.8    |
| 11 to 20     | 161   | 10.7    |
| 21 to 30     | 70    | 4.6     |
| More than 30 | 400   | 26.5    |
| Missing      | 10    | .7      |
| Total        | 1,511 | 100     |

NOTE: Total may not add to 100% due to rounding.

FIGURE 6 – NUMBER OF EMPLOYEES OTHER THAN ARCHITECTS IN ORGANIZATION

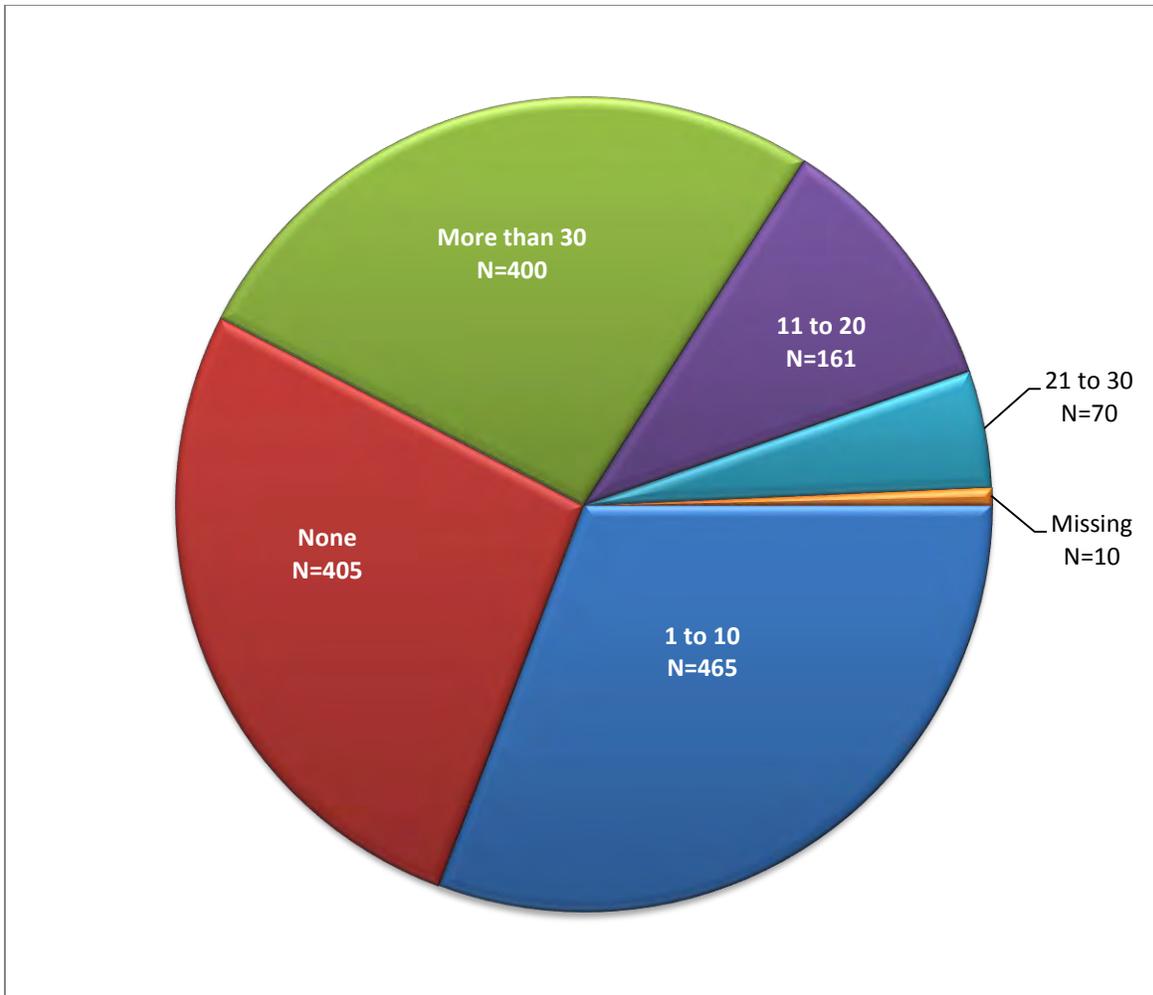


TABLE 7 – NUMBER OF OTHER LICENSED ARCHITECTS IN ORGANIZATION

| NUMBER OF ARCHITECTS | N     | PERCENT |
|----------------------|-------|---------|
| None                 | 499   | 33.0    |
| 1 to 5               | 483   | 32.0    |
| 6 to 10              | 154   | 10.2    |
| More than 10         | 352   | 23.3    |
| Missing              | 23    | 1.5     |
| Total                | 1,511 | 100     |

FIGURE 7 – NUMBER OF OTHER LICENSED ARCHITECTS IN ORGANIZATION

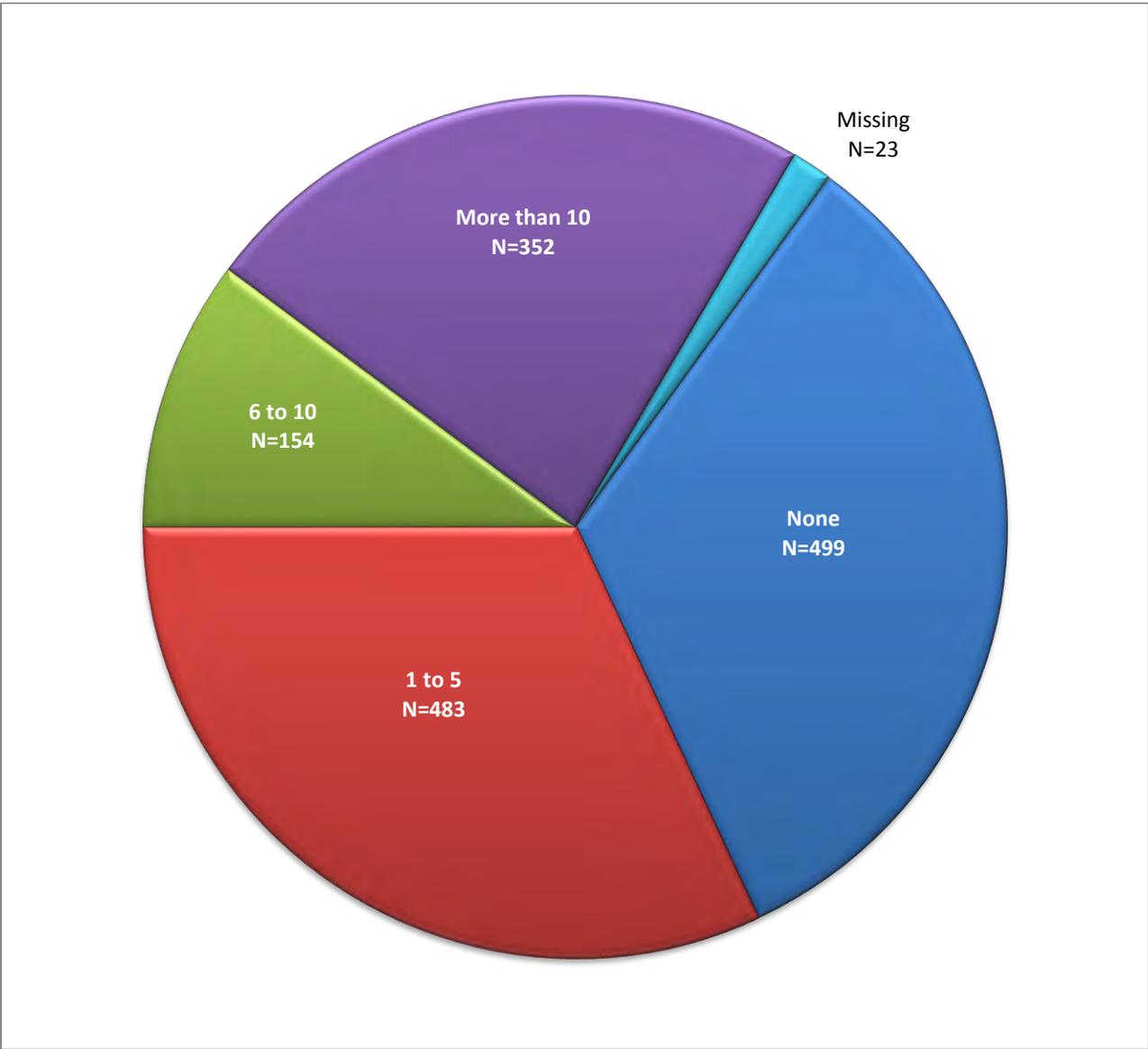


TABLE 8 – PROJECT TYPES CONSIDERED AN AREA OF SPECIALTY BY RESPONDENTS

| SPECIALIZATION  | N   | PERCENT |
|---|-----|---------|
| Residential (single-family, multifamily)                | 941 | 62.3    |
| Commercial (office, mixed-use)                          | 922 | 61.0    |
| Education (community colleges, universities, K-12)      | 570 | 37.7    |
| Health care (hospitals, clinics)                        | 411 | 27.2    |
| Hospitality (hotels, restaurants)                       | 384 | 25.4    |
| Institutional (military, justice, fire/police stations) | 365 | 24.2    |
| Industrial (factories, warehouses, utilities)           | 352 | 23.3    |

NOTE: Respondents asked to check all that apply.

FIGURE 8 – PROJECT TYPES CONSIDERED AN AREA OF SPECIALTY BY RESPONDENTS

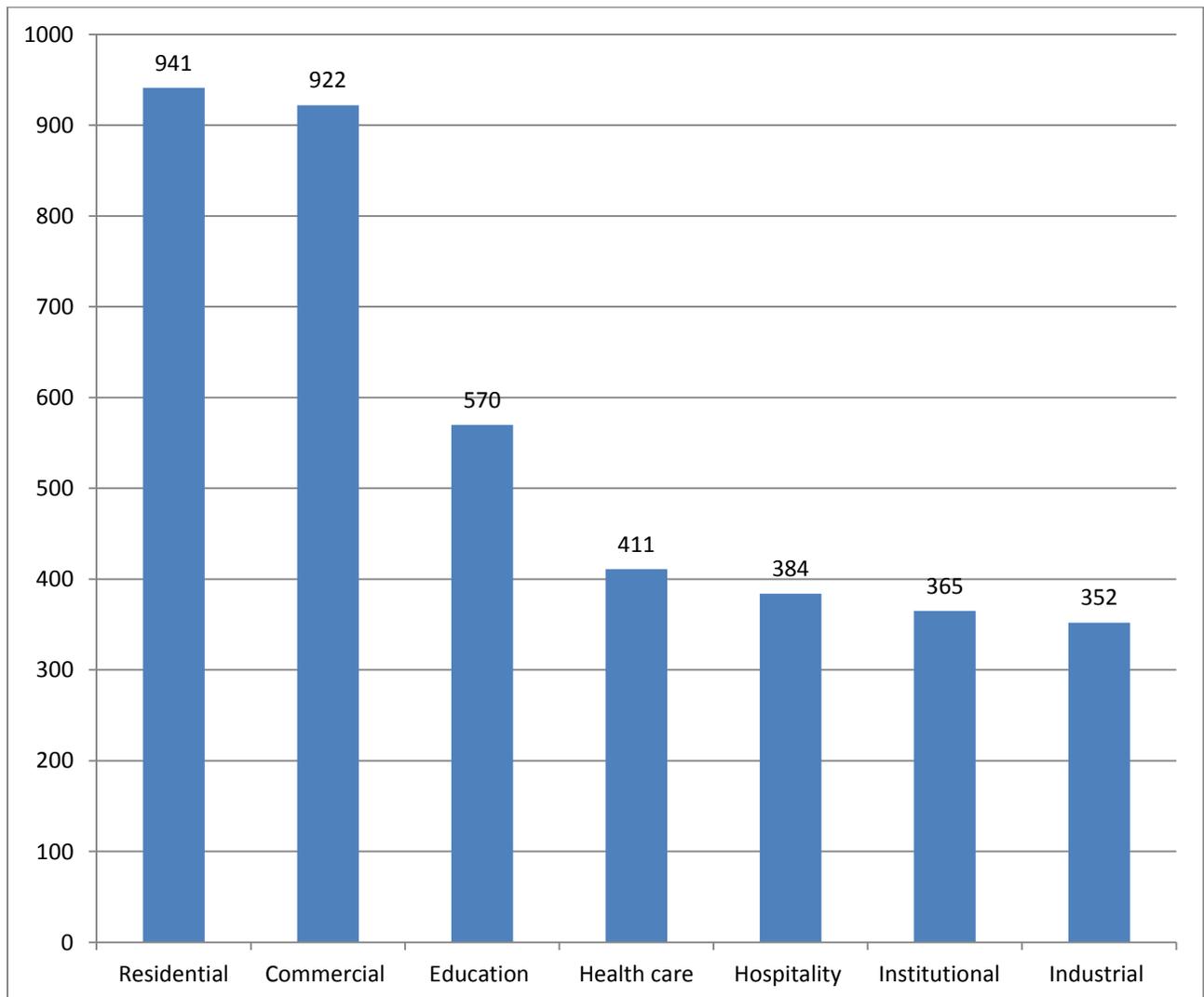


TABLE 9 – OTHER STATE LICENSES POSSESSED

| LICENSE                  | N   | PERCENT |
|--------------------------|-----|---------|
| Architect (out of state) | 123 | 8.1     |
| Contractor               | 96  | 6.4     |
| Engineer                 | 23  | 1.5     |

FIGURE 9 – OTHER STATE LICENSES POSSESSED

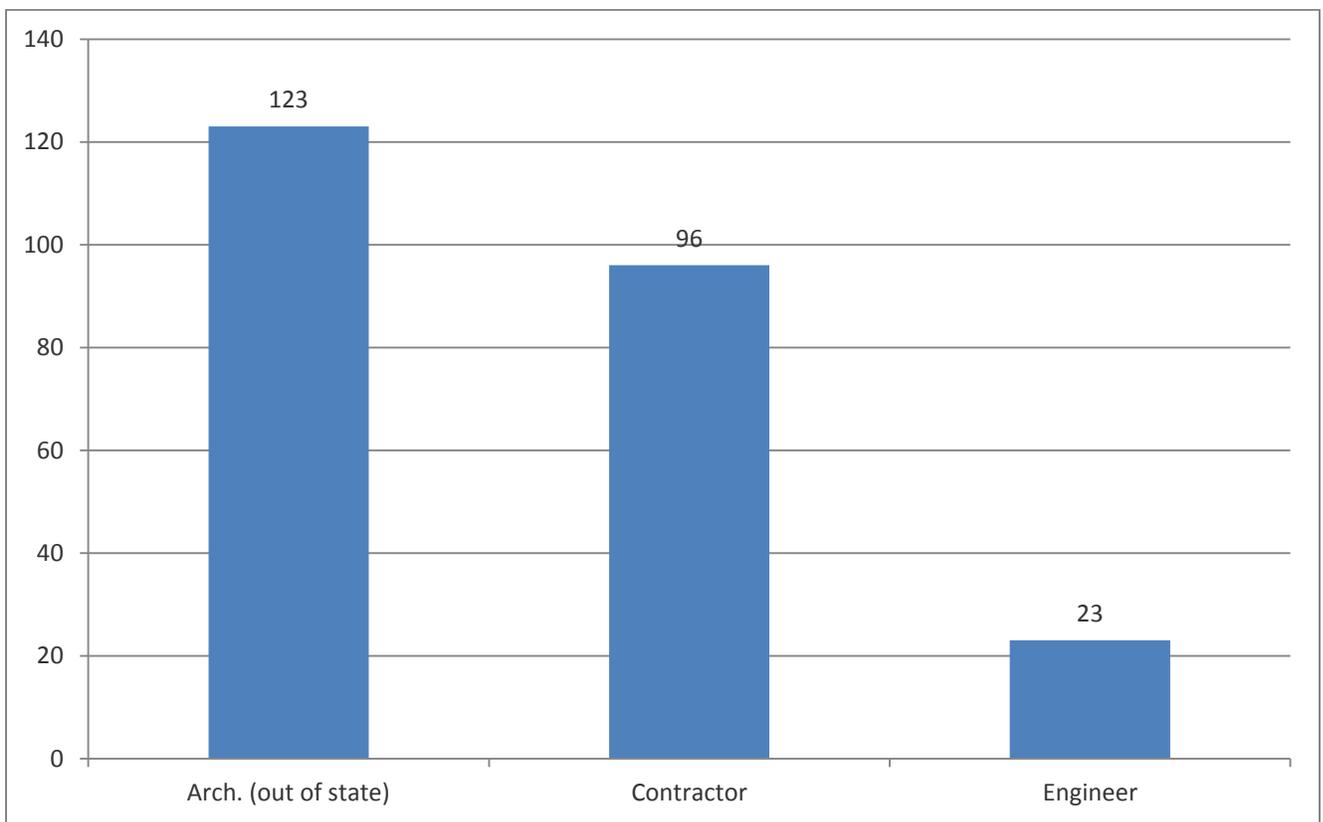


TABLE 10 – OTHER CERTIFICATES POSSESSED

| CERTIFICATE                            | N   | PERCENT |
|--|-----|---------|
| LEED                                   | 565 | 89.8    |
| CDT (Certified Document Technologist)  | 37  | 5.9     |
| California Access Specialist (CaASp)   | 33  | 5.2     |
| CPM (Certified Project Manager)        | 19  | 3.0     |
| CCS (Certified Construction Specifier) | 17  | 2.7     |
| ACHA (Health Care)                     | 12  | 1.9     |
| NCIDQ (Interior Design)                | 9   | 1.4     |

NOTE: Percentage reported is average across endorsing respondents.

FIGURE 10 – OTHER CERTIFICATES POSSESSED

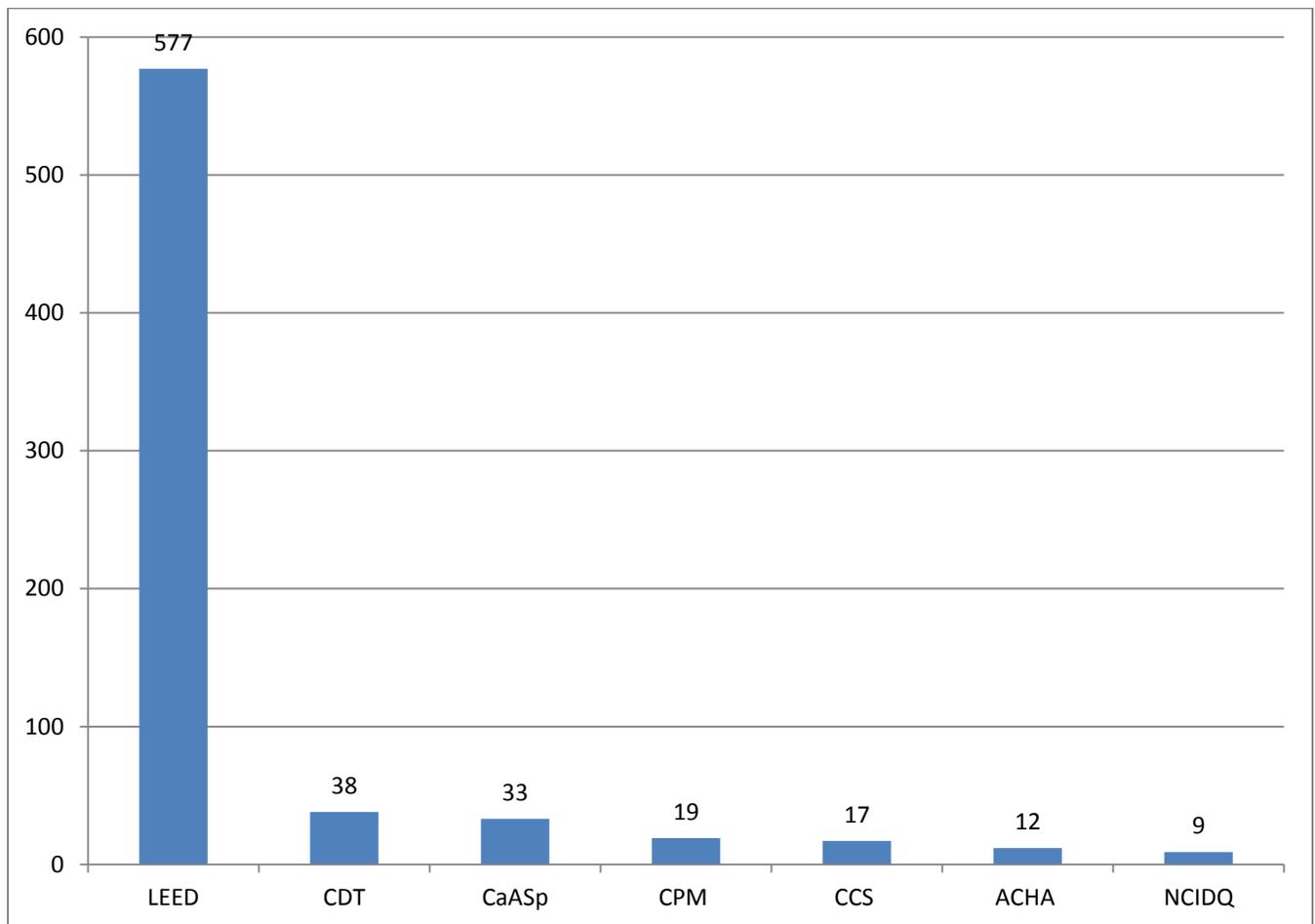


TABLE 11 – PERCENTAGE OF WORK PERFORMED IN/OUT OF STATE LAST FIVE YEARS

| LOCATION OF WORK | N     | PERCENT |
|------------------|-------|---------|
| California       | 1,502 | 89.8    |
| Other States     | 650   | 15.1    |
| International    | 497   | 11.7    |

NOTE: Percentage reported is average across endorsing respondents.

FIGURE 11 – PERCENTAGE OF WORK PERFORMED IN/OUT OF STATE LAST FIVE YEARS

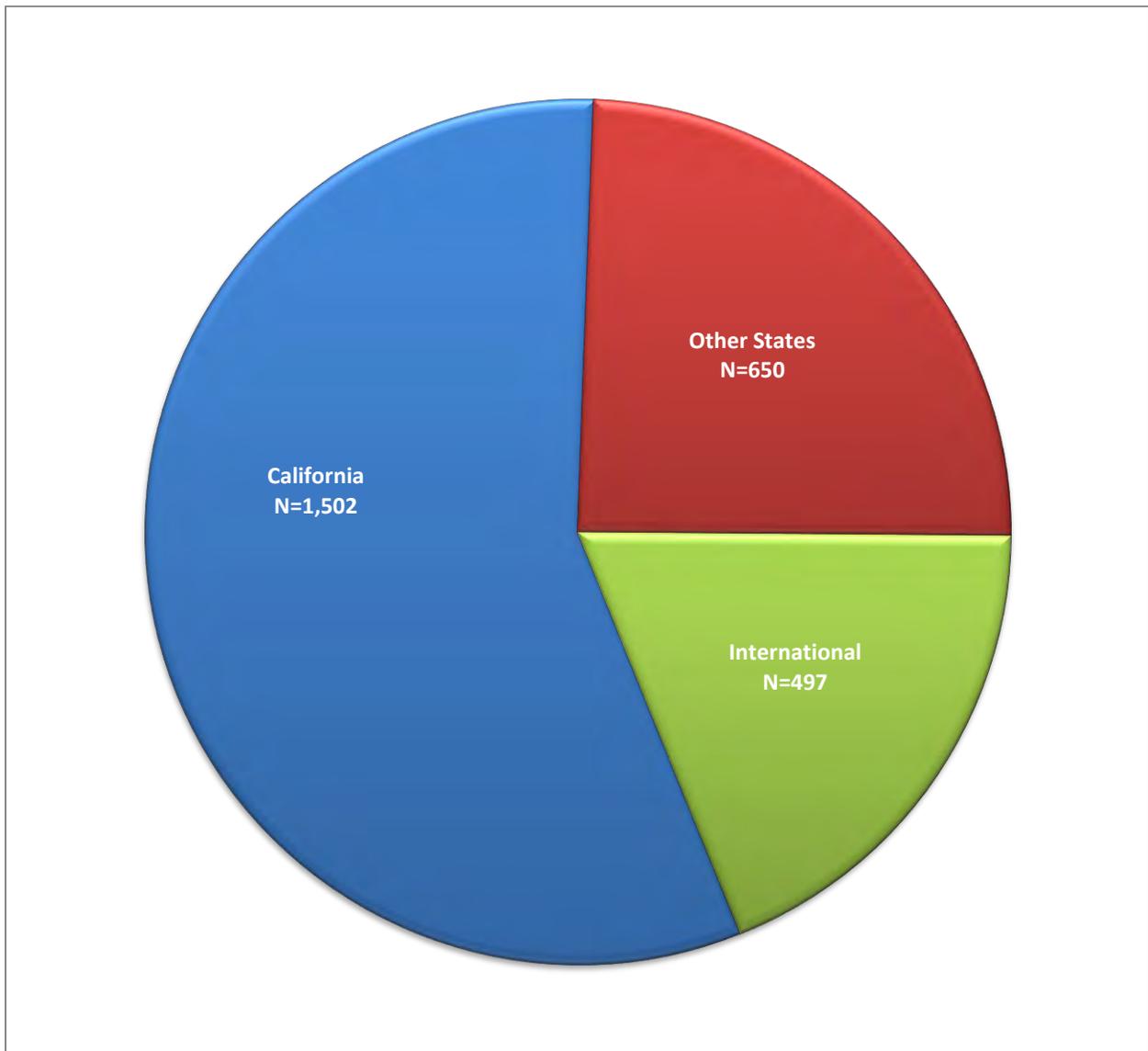


TABLE 12 – PERCENTAGE OF TIME SPENT ON PRINCIPAL WORK TASKS

| WORK TASK                   | N     | PERCENT |
|-----------------------------|-------|---------|
| Construction documents      | 1,292 | 27.4    |
| Design                      | 1,289 | 17.7    |
| Construction administration | 1,282 | 14.2    |
| Project management          | 1,200 | 17.8    |
| Agency review/approval      | 1,178 | 10.3    |
| Management/Administration   | 1,122 | 15.2    |
| Programming/Pre-Design      | 1,043 | 8.7     |
| QA/QC                       | 824   | 6.6     |
| Bid coordination            | 803   | 3.7     |
| Specification writing       | 779   | 5.1     |
| Post-occupancy services     | 543   | 2.1     |

NOTE: Percentage reported is average across respondents.

FIGURE 12 – PERCENTAGE OF TIME SPENT ON PRINCIPAL WORK TASKS

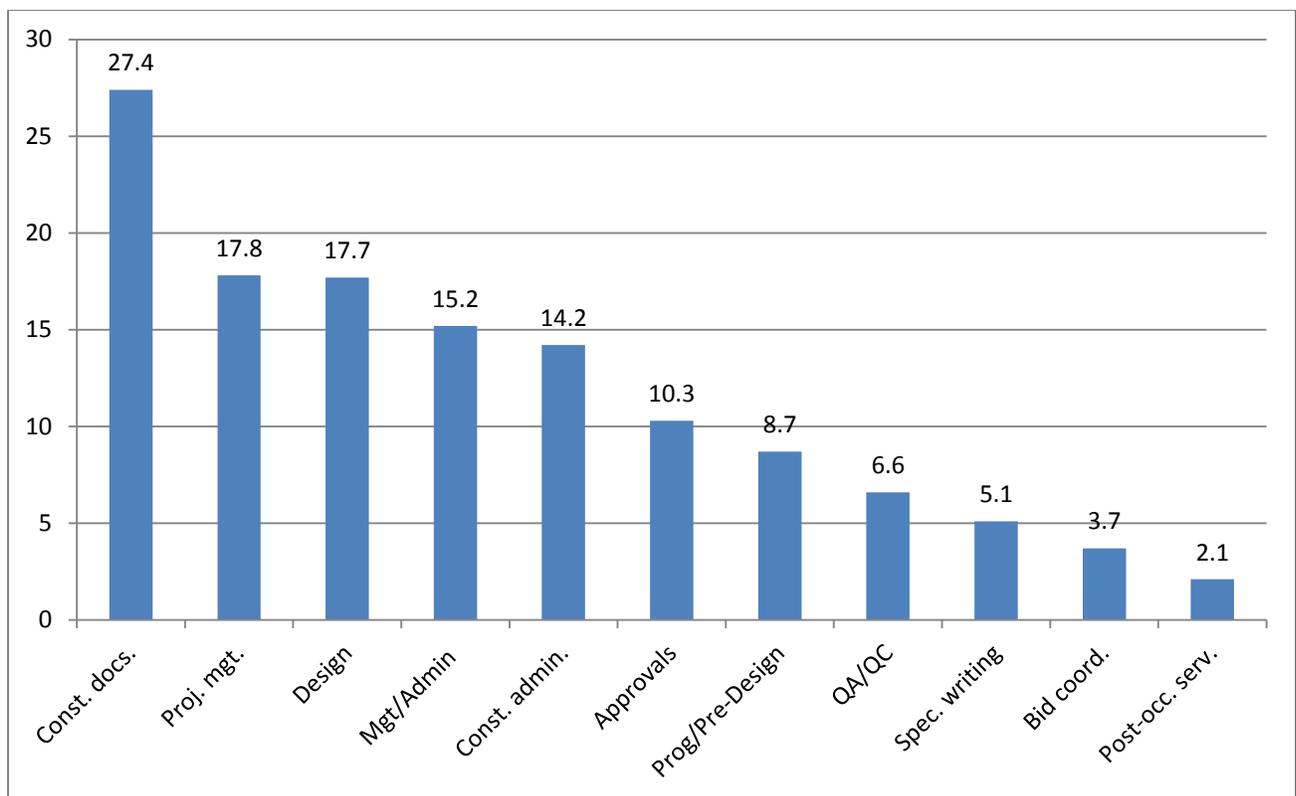


TABLE 13 – PERCENTAGE OF WORK PERFORMED USING SPECIFIC CONSTRUCTION CONTRACT ARRANGEMENTS LAST FIVE YEARS

| CONTRACT ARRANGEMENT            | N     | PERCENT |
|---------------------------------|-------|---------|
| Design–Bid–Build                | 1,112 | 58.6    |
| Guaranteed Max Price            | 957   | 45      |
| Fee plus Cost                   | 751   | 36.7    |
| Construction Management at Risk | 427   | 14.8    |
| Multi-Prime                     | 361   | 7.7     |

NOTE: Percentage reported is average across respondents.

FIGURE 13 – PERCENTAGE OF WORK PERFORMED USING SPECIFIC CONSTRUCTION CONTRACT ARRANGEMENTS LAST FIVE YEARS

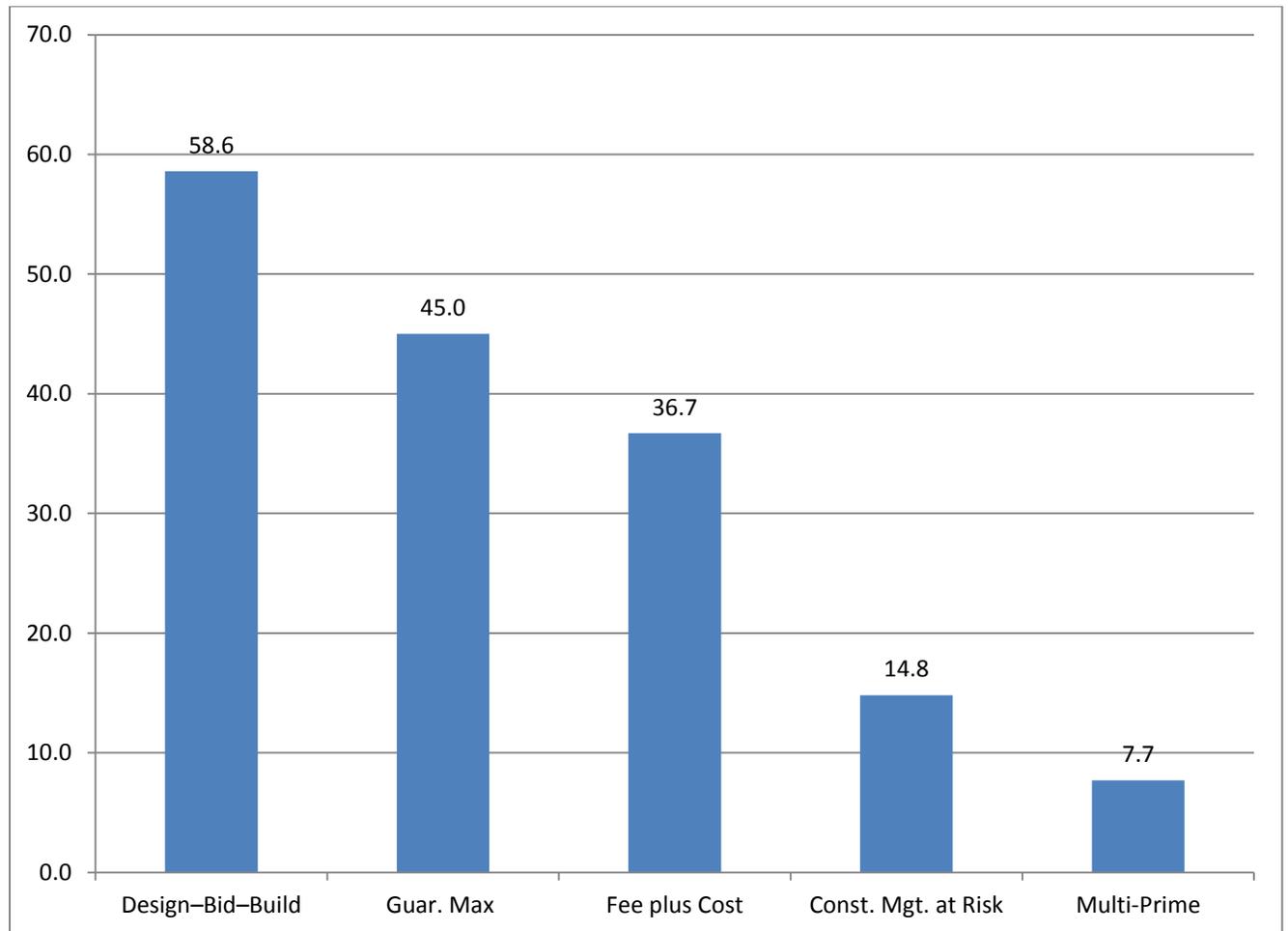


TABLE 14 – PERCENTAGE OF WORK PERFORMED USING SPECIFIC PROJECT DELIVERY METHODS LAST FIVE YEARS

| DELIVERY METHOD             | N     | PERCENT |
|-----------------------------|-------|---------|
| Design–Bid–Build            | 1,238 | 61.5    |
| Design–Build                | 725   | 32.1    |
| Design–Owner Build          | 912   | 32      |
| Integrated Project Delivery | 491   | 19.2    |
| Other                       | 393   | 17.4    |
| Public/Private Partnership  | 364   | 8.5     |

NOTE: Percentage reported is average across respondents.

FIGURE 14 – PERCENTAGE OF WORK PERFORMED USING SPECIFIC PROJECT DELIVERY METHODS LAST FIVE YEARS

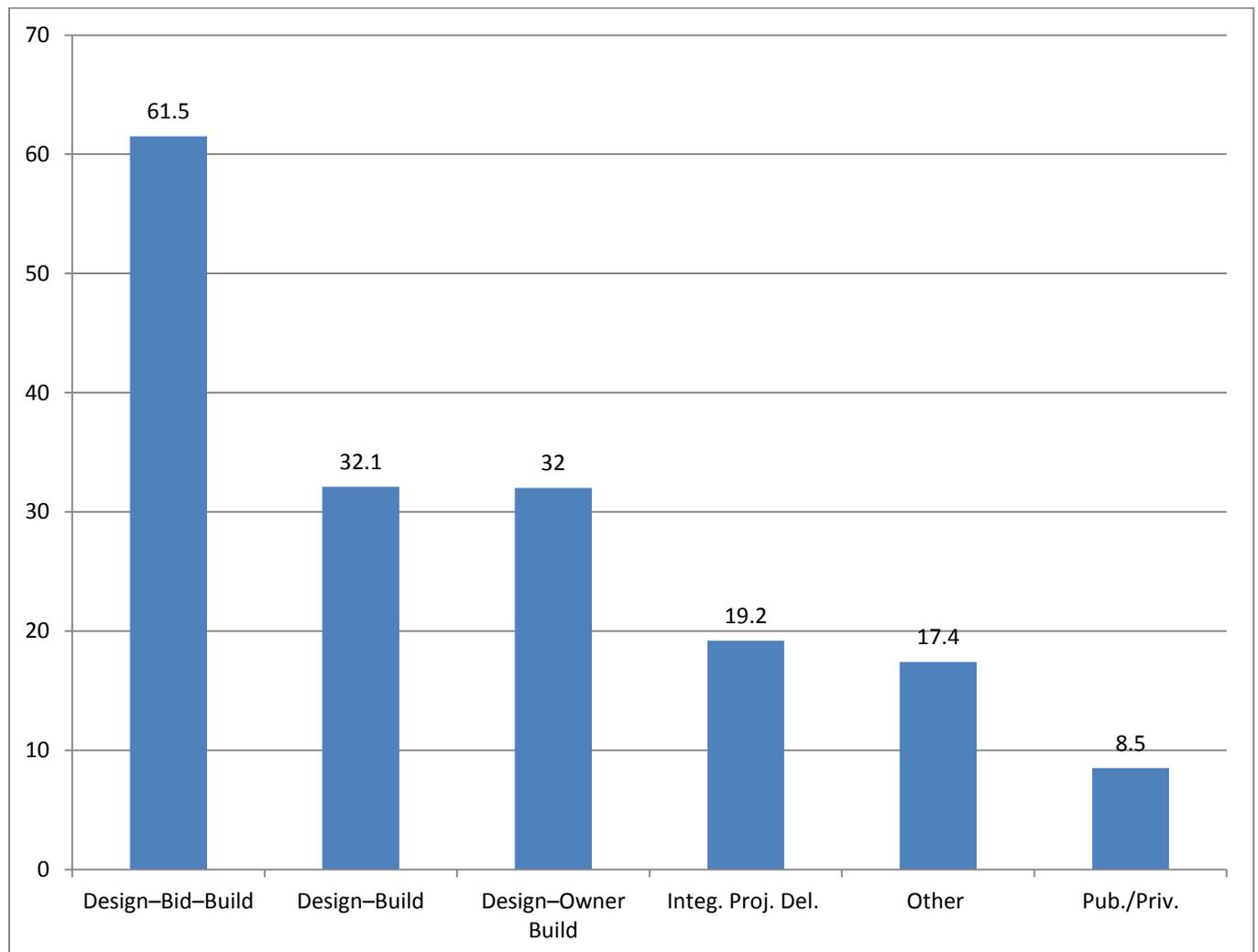


TABLE 15 – PERCENTAGE OF INFORMATION EXCHANGE USING ELECTRONIC DOCUMENTS

| PARTY             | N     | PERCENT |
|-------------------|-------|---------|
| Consultants       | 1,467 | 84.4    |
| Contractors       | 1,437 | 70.5    |
| Owners            | 1,418 | 69.2    |
| Agency submittals | 1,374 | 29.4    |

NOTE: Percentage reported is average across respondents for each Party.

FIGURE 15 – PERCENTAGE OF INFORMATION EXCHANGE USING ELECTRONIC DOCUMENTS

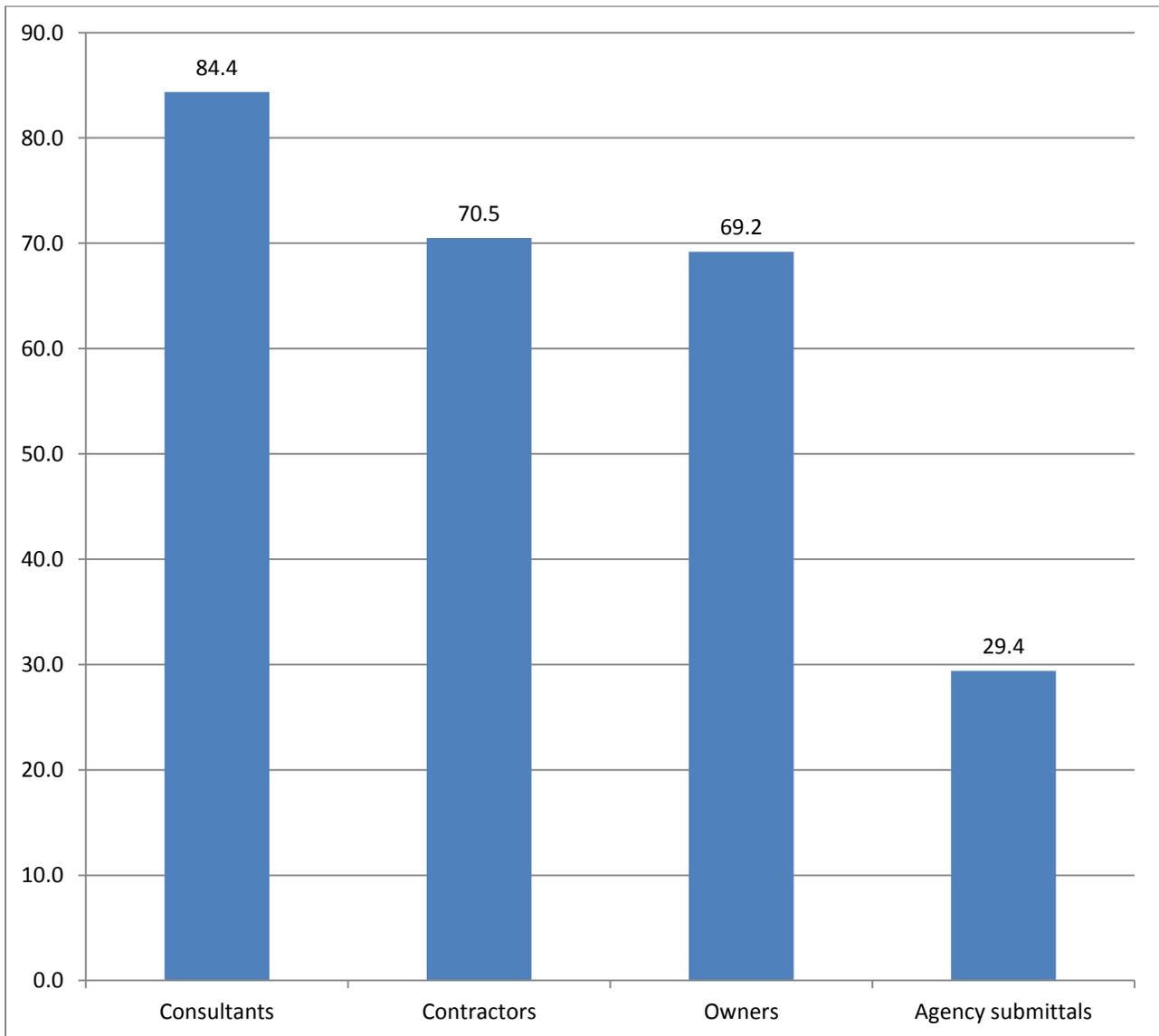
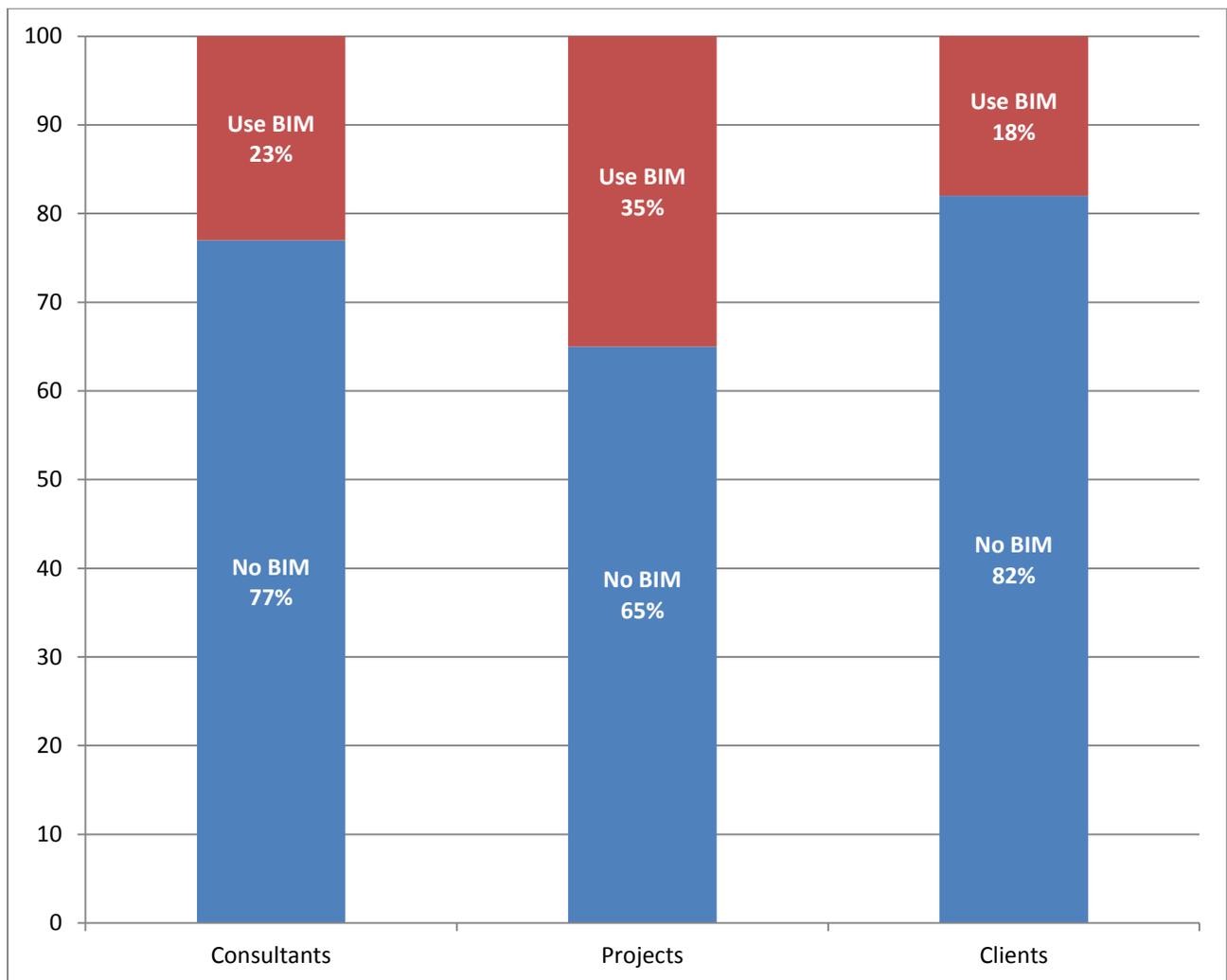


TABLE 16 – PERCENTAGE OF DESIGN TEAM CONSULTANTS, PROJECTS, AND CLIENTS USING BIM<sup>1</sup> LAST FIVE YEARS

|             | PERCENT BIM | PERCENT NO-BIM | N     |
|-------------|-------------|----------------|-------|
| Consultants | 23          | 77             | 1,481 |
| Projects    | 35          | 65             | 1,490 |
| Clients     | 18          | 82             | 1,475 |

NOTE: Percentage reported is average across respondents for each category.

FIGURE 16 – PERCENTAGE OF DESIGN TEAM CONSULTANTS, PROJECTS, AND CLIENTS USING BIM LAST FIVE YEARS



<sup>1</sup> BIM: Building Information Modeling

TABLE 17 – CAPACITY IN WHICH ARCHITECT’S FIRM PERFORMS BIM FOR CONSULTANTS

|   | YES  | NO   | N     |
|---|------|------|-------|
| BIM as part of Architect’s contract for project delivery? | 37.2 | 62.8 | 1,446 |
| BIM as an added services?                                 | 24.4 | 75.6 | 1,387 |

NOTE: Percentage reported is average across respondents for each category.

FIGURE 17 – CAPACITY IN WHICH ARCHITECT’S FIRM PERFORMS BIM FOR CONSULTANTS

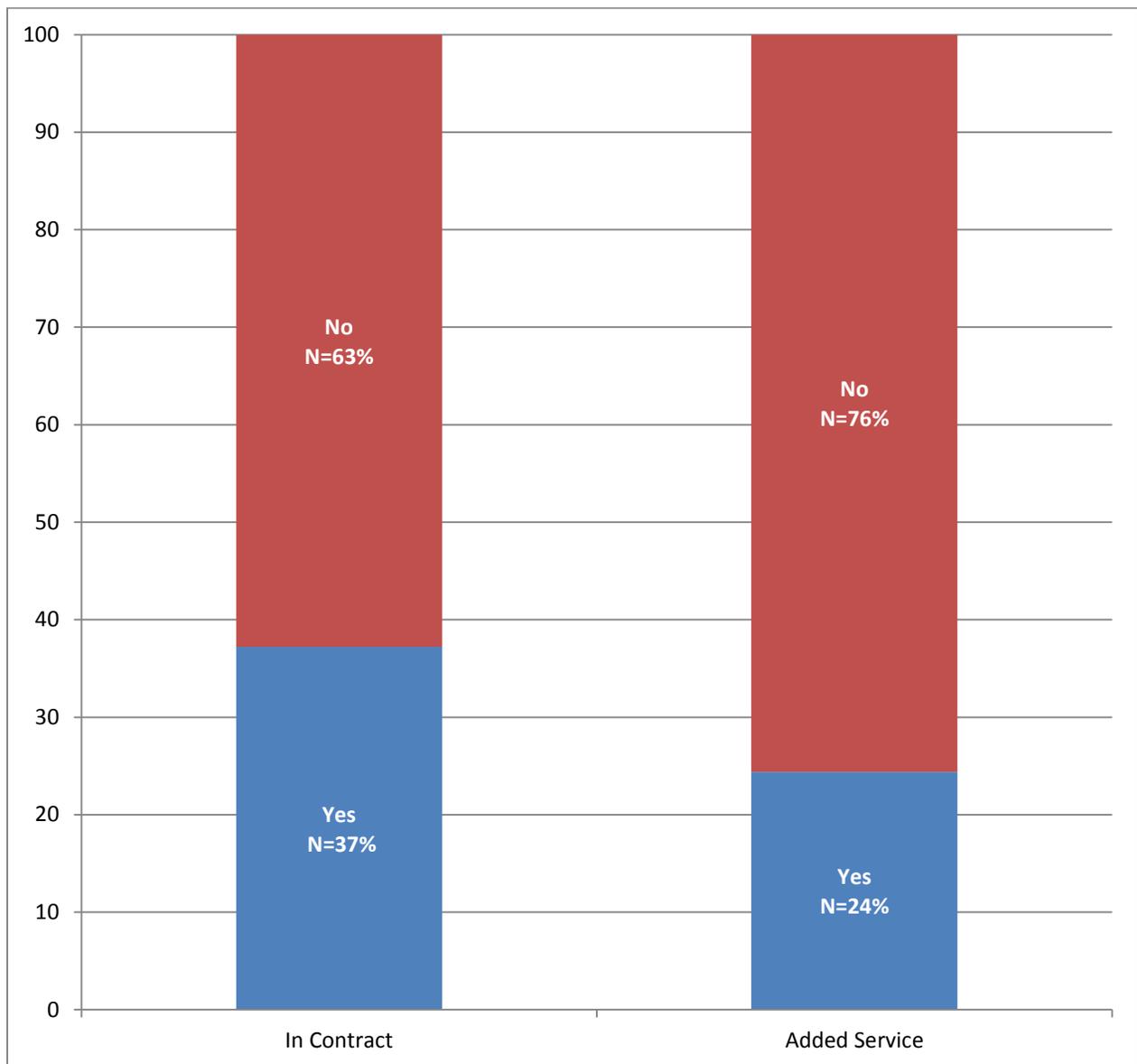


TABLE 18 – RESPONDENTS BY REGION

| <b>Region</b> | <b>Region Name</b>       | <b>Frequency</b> | <b>Percent</b> |
|---------------|--------------------------|------------------|----------------|
| 1             | Los Angeles and Vicinity | 485              | 32.1           |
| 2             | San Francisco Bay Area   | 527              | 34.9           |
| 3             | San Joaquin Valley       | 59               | 3.9            |
| 4             | Sacramento Valley        | 95               | 6.3            |
| 5             | San Diego and Vicinity   | 128              | 8.5            |
| 6             | Shasta/Cascade           | 5                | 0.3            |
| 7             | Riverside-San Bernardino | 42               | 2.8            |
| 8             | Sierra Mountain          | 33               | 2.2            |
| 9             | North Coast              | 46               | 3.0            |
| 10            | South/Central Coast      | 84               | 5.6            |
|               | Missing                  | 7                | 0.5            |
|               | Total                    | 1,511            | 100            |

*NOTE: Appendix A shows a more detailed breakdown of the frequencies by region.*

## CHAPTER 4. DATA ANALYSIS AND RESULTS

### RELIABILITY OF RATINGS

The job task and knowledge ratings obtained by the questionnaire were evaluated with a standard index of reliability called coefficient alpha ( $\alpha$ ). Coefficient alpha is an estimate of the internal consistency of the respondents' ratings of job task and knowledge statements. Coefficients were calculated for all respondent ratings.

Table 19 displays the reliability coefficients for the task rating scales in each content area. The overall ratings of task frequency ( $\alpha = .98$ ) and task importance ( $\alpha = .98$ ) across content areas were highly reliable. Table 20 displays the reliability coefficients for the knowledge statements rating scale in each content area. The overall ratings of knowledge importance ( $\alpha = .98$ ) across content areas were highly reliable. These results indicate that the responding Architects rated the task and knowledge statements consistently throughout the questionnaire.

TABLE 19 – TASK SCALE RELIABILITY

| CONTENT AREA |   | Number of Tasks | $\alpha$ Frequency | $\alpha$ Importance |
|--------------|---|-----------------|--------------------|---------------------|
| I.           | Contract Development / Project Planning | 9               | .891               | .896                |
| II.          | Project Management                      | 10              | .914               | .915                |
| III.         | Programming / Schematic Design          | 13              | .920               | .920                |
| IV.          | Design Development / Approvals          | 9               | .906               | .901                |
| V.           | Construction Documents / Permitting     | 7               | .906               | .903                |
| VI.          | Project Bidding and Construction        | 13              | .944               | .942                |
| All Tasks    |   | 62              | .979               | .979                |

TABLE 20 – KNOWLEDGE SCALE RELIABILITY

| CONTENT AREA  |   | Number of Knowledge Statements | $\alpha$ Importance |
|---------------|---|--------------------------------|---------------------|
| I.            | Contract Development / Project Planning | 10                             | .873                |
| II.           | Project Management                      | 10                             | .857                |
| III.          | Programming / Schematic Design          | 20                             | .930                |
| IV.           | Design Development / Approvals          | 14                             | .907                |
| V.            | Construction Documents / Permitting     | 10                             | .870                |
| VI.           | Project Bidding and Construction        | 18                             | .946                |
| All Knowledge |   | 82                             | .982                |

#### TASK CRITICAL VALUES

Two focus groups of licensed Architects were convened at OPES in September 2014 to review the average frequency and importance ratings, as well as the criticality indices of all task and knowledge statements. The purpose of these workshops was to identify the essential tasks and knowledge required for safe and effective Architect practice at the time of licensure. The licensees reviewed the frequency, importance, and criticality indices for all task statements.

In order to determine the critical values (criticality) of the task statements, the frequency rating (TFreq<sub>i</sub>) and the importance rating (TImp<sub>i</sub>) for each task were multiplied for each respondent, and the products averaged across respondents.

$$\text{Critical task index} = \text{mean} [(TFreq_i) \times (TImp_i)]$$

The task statements were then ranked according to the task critical values. The task statements and their mean ratings and associated critical values are presented in Appendix B.

The first September 2014 focus group of SMEs evaluated the tasks' critical values based on the questionnaire results. OPES staff instructed the SMEs to identify a cutoff value of criticality in order to determine if any tasks did not have a high enough critical value to be retained. The SMEs determined that no cutoff value should be set, based on their view of the relative importance of all tasks to California Architect practice. The second September 2014 focus group of SMEs performed an independent review of the same data, and arrived at the same conclusion that no cutoff value should be set and that all tasks should be retained as part of the California Architect description of practice.

## KNOWLEDGE IMPORTANCE RATINGS

In order to determine the importance of each knowledge, the mean importance rating for each knowledge statement (KImp) was calculated. The knowledge statements were then ranked according to mean importance. The knowledge statements and their importance ratings are presented in Appendix C.

The first September focus group of SMEs that evaluated the task critical values also reviewed the knowledge statement importance ratings and the relative importance of each knowledge to California Architect practice. Based on this review, the SMEs determined that no cutoff value should be established and that all knowledge statements should be retained. The second September focus group of SMEs independently reviewed the same data and arrived at the same conclusion, that no cutoff value should be set and that all knowledge statements should be retained as part of the California Architect description of practice. The California Architect description of practice is presented in Appendix D.

## CHAPTER 5. EXAMINATION PLAN

### CALIFORNIA-SPECIFIC PRACTICE

The first September 2014 focus group of SMEs reviewed the preliminary assignment of task and knowledge statements to content areas as developed for the OA questionnaire. They verified that the content areas were non-overlapping and described major areas of practice. The second September focus group of SMEs independently reviewed the preliminary assignment of task and knowledge statements to content areas and agreed with the first group that the content areas were non-overlapping and described major areas of practice. Both groups also determined that these content areas and their related tasks and knowledge were representative of the California Architect description of practice.

In addition to determining the California Architect description of practice, the two focus groups of SMEs were also charged with identifying the tasks and knowledge that best described California-specific practice. As part of this process, both groups of SMEs were provided information about the general content of the national examination for architects (the Architect Registration Examination, or ARE), which the Board requires all candidates for California licensure to have successfully passed before taking the State's licensure examination. The objective was to develop a stronger focus on California-specific practice while minimizing the content overlap between the national and California examinations.

The two groups of SMEs independently reviewed the tasks in each content area and identified those tasks that were descriptive of general Architect practice. These tasks were marked for possible deletion from the test plan. Each group of SMEs then identified the knowledge related to the tasks marked for removal. Those tasks that were linked to knowledge related to California-specific practice were retained. The tasks and their related knowledge that were not descriptive of California-specific practice were removed. Both groups of SMEs continued in this manner until all of the content areas had been reviewed. Once the second group of SMEs had completed this work, they were asked to review the results from the first group of SMEs and to reconcile any differences through discussion. This reconciliation process resulted in the 32 tasks and 35 knowledge statements that the SMEs felt best reflected California-specific practice. The assignment of these tasks and their related knowledge to content areas was reviewed by the SMEs. The linkage between the tasks and knowledge was also reviewed and verified by the SMEs. The resulting content areas with their respective task and knowledge linkage form the content outline for the Architect California Supplemental Examination, and are presented in Table 22.

## CONTENT AREAS AND WEIGHTS

In order for the second September 2014 group of SMEs to determine the relative weights of the content areas, initial calculations were performed by dividing the sum of the task critical values for a content area by the overall sum of the task critical values for all tasks, as shown below. The content area weights based on the task critical values are presented in Table 21.

$$\frac{\text{Sum of Critical Values for Tasks in Content Area}}{\text{Sum of Critical Values for All Tasks}} = \text{Percent Weight of Content Area}$$

In reviewing the preliminary weights based solely on the task critical values (TCV Prelim. Wts.), the SMEs determined that these weights did not reflect the relative importance of the content areas to Architect practice in California. The SMEs were then presented with values based on the knowledge importance (KImp) ratings for each content area (KImp Prelim. Wts.). These values were calculated by dividing the sum of the knowledge importance for a content area by the overall sum of the knowledge importance ratings for all knowledge, as shown below. The content area weights based on the KImp values are presented in Table 21.

$$\frac{\text{Sum of K(Imp) for Knowledge in Content Area}}{\text{Sum of K(Imp) for All Knowledge}} = \text{Percent Weight of Content Area}$$

In determining the final weighting of the content areas, the second September 2014 group of SMEs looked at the group of tasks and knowledge, the linkage between the tasks and knowledge, and the relative importance of the tasks and knowledge in each content area to Architect practice in California. The results of the SMEs evaluation are depicted in Table 21, below. The content outline for the Architect California Supplemental Examination is presented in Table 22.

TABLE 21 – CONTENT AREA WEIGHTS

| Content Area                        | TCV<br>Prelim. Wts. | KImp<br>Prelim. Wts. | Final<br>Weights |
|-------------------------------------|---------------------|----------------------|------------------|
| I. General Practice                 | 26.8                | 15.9                 | 6                |
| II. Programming / Design            | 29.5                | 36.4                 | 44               |
| III. Development /<br>Documentation | 20                  | 35.6                 | 40               |
| IV. Bidding and Construction        | 23.7                | 12.1                 | 10               |
| <b>Total</b>                        | 100%                | 100%                 | 100%             |

TABLE 22 – CONTENT OUTLINE: ARCHITECT CALIFORNIA SUPPLEMENTAL EXAMINATION

- I. **General Practice (6%):** This area assesses the candidate’s knowledge related to core areas of practice applicable across types of projects, construction contract arrangements, and project delivery methods.

| Task Statement   | Linked Knowledge   |
|--|--|
| 1 Advertise and solicit services in compliance with professional and legal requirements.   | 1 Knowledge of the provisions of the Architect’s Practice Act and CA Code of Regulations related to architect’s business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect’s stamp).  |
| 3 Assess preliminary project requirements including budget and schedule relative to own firm’s/organization’s business goals, resources, and expertise.    | 5 Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).   |
| 4 Evaluate potential contractual risks and determine strategies to manage them.  | 1 Knowledge of the provisions of the Architect’s Practice Act and CA Code of Regulations related to architect’s business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect’s stamp).<br>5 Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).<br>9 Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements. |
| 5 Collaborate with client to determine scope of work, project delivery method, deliverables, and compensation, etc., to prepare owner-architect agreement. | 1 Knowledge of the provisions of the Architect’s Practice Act and CA Code of Regulations related to architect’s business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect’s stamp).<br>5 Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).<br>9 Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements. |
| 6 Identify the local, State, and federal regulatory jurisdictions impacting project.   | 9 Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.  |

**I. General Practice (continued)**

| <b>Task Statement</b>   | <b>Linked Knowledge</b>   |
|---|---|
| 11 Implement strategies for managing and documenting communication (e.g., point of contact, reporting methods) between the architect, client, and team and between the design team and external parties (e.g., agencies, stakeholders). | 13 Knowledge of architect's role and responsibilities for managing project and contractual risk for the architect and client.<br>16 Knowledge of the architect's professional and contractual responsibilities related to the client. |
| 13 Manage client expectations related to the contracted scope of work (e.g., milestones, decision points).  | 16 Knowledge of the architect's professional and contractual responsibilities related to the client.  |
| 16 Establish standards for addressing conflicts that arise during the design and construction process.  | 16 Knowledge of the architect's professional and contractual responsibilities related to the client.  |

**II. Programming / Design (44%):** This area assesses the candidate’s ability to identify and evaluate site and project opportunities and constraints in developing design concepts that meet the client’s, user’s, and stakeholder’s needs and applicable California regulations.

| <b>Task Statement</b>  | <b>Linked Knowledge</b>  |
|--|--|
| <p>20 Perform or evaluate site feasibility studies (e.g., size, gradient, infrastructure, environmental conditions) to clarify and address project requirements.</p> | <p>25 Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.</p> <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.</p>  |
| <p>21 Assist client in evaluating design concepts based on budget, aesthetics, etc., to determine design direction.</p>  | <p>25 Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.</p> <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.</p> <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p> |

**II. Programming / Design (continued)**

| <b>Task Statement</b>  | <b>Linked Knowledge</b>  |
|--|--|
| <p>23 Provide consultants with program and background information to collaboratively develop the design concept.</p> | <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.</p> <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p> |
| <p>25 Present project to community groups and other stakeholders for their input and feedback.</p>                   | <p>28 Knowledge of processes and procedures for obtaining discretionary approvals.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.</p>  |

## II. Programming / Design (continued)

| Task Statement   | Linked Knowledge  |
|--|---|
| <p>28 Integrate sustainable design strategies and technologies into design.</p>  | <p>25 Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.</p> <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p>  |
| <p>29 Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.</p> | <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>28 Knowledge of processes and procedures for obtaining discretionary approvals.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.</p> <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p> |

## II. Programming / Design (continued)

| Task Statement  | Linked Knowledge   |
|---|--|
| <p>29 Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.</p>                            | <p>36 Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.<br/>           37 Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.</p>   |
| <p>30 Prepare and submit exhibits and application forms to governing agencies (e.g., Planning Department, Coastal Commission, Design Review Board) for discretionary approvals.</p> | <p>28 Knowledge of processes and procedures for obtaining discretionary approvals.<br/>           29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.<br/>           30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.<br/>           31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.<br/>           37 Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.</p>  |
| <p>31 Work with agency staff to incorporate proposed conditions of discretionary approval into project documents.</p>   | <p>28 Knowledge of processes and procedures for obtaining discretionary approvals.<br/>           29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.<br/>           30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.<br/>           31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.<br/>           32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> |

**II. Programming / Design (continued)**

| <b>Task Statement</b>  | <b>Linked Knowledge</b>   |
|--|---|
| <p>32 Develop design concepts based on program requirements and constraints placed by applicable laws, local codes, ordinances, etc.</p> | <p>27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.</p> <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p> <p>36 Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.</p> |

**III. Development / Documentation (40%):** This area assesses the candidate’s knowledge regarding developing design solutions, managing a project team, and preparing design and construction drawings and documents in conformance with the project program and applicable California regulations.

| <b>Task Statement</b>   | <b>Linked Knowledge</b>   |
|---|---|
| <p>34 Analyze and coordinate the selection and design of building systems (e.g., structural, mechanical, electrical, fire safety, security) with consultants.</p> | <p>41 Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design.</p> <p>42 Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.</p> <p>50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.</p> <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p> <p>59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.</p> |
| <p>35 Lead the project team in the integration of the regulatory requirements into the design development documents.</p>  | <p>49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.</p> <p>50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.</p> <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p> <p>52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.</p> <p>57 Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.</p>  |

### III. Development / Documentation (continued)

| Task Statement  | Linked Knowledge  |
|---|---|
| <p>36 Coordinate design with input from client and the overall project team (e.g., general contractor, building official), and evaluate/incorporate their inputs based on project requirements.</p> | <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).<br/>                     52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.<br/>                     63 Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).<br/>                     64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.</p>   |
| <p>39 Analyze and integrate the selection of sustainable design strategies and technologies into the design.</p>  | <p>41 Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design.<br/>                     42 Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.<br/>                     49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.<br/>                     51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p>  |
| <p>46 Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.</p>   | <p>49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.<br/>                     50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.<br/>                     51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).<br/>                     52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.<br/>                     59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.</p> |

### III. Development / Documentation (continued)

| Task Statement  | Linked Knowledge   |
|---|--|
| <p>46 Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.</p>         | <p>61 Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings).</p> <p>62 Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).</p> <p>64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.</p>   |
| <p>48 Manage the submittal of construction documents to regulatory agencies through initial submittal, coordinating responses, and obtaining approvals.</p> | <p>49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.</p> <p>50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.</p> <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p> <p>52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.</p> <p>57 Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.</p> <p>59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.</p> <p>61 Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings).</p> <p>62 Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).</p> <p>63 Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).</p> <p>64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.</p> |

### III. Development / Documentation (continued)

| Task Statement  | Linked Knowledge   |
|---|--|
| <p>42 Coordinate the preparation of the construction documents (e.g., architectural, structural, mechanical, civil, electrical, specs) and resolve potential conflicts or errors.</p> | <p>49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.</p> <p>50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.</p> <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p> <p>52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.</p> <p>57 Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.</p> <p>59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.</p> <p>61 Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings).</p> <p>62 Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).</p> <p>63 Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).</p> <p>64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.</p> |

**IV. Bidding / Construction (10%):** This area assesses the candidate’s knowledge related to California regulations associated with project bidding, construction, and post-construction activities.

| Task Statement   | Linked Knowledge  |
|--|---|
| 49 Assist client in the bidding process (e.g., distribute documents, conduct pre-bid meetings, prepare addenda).   | 67 Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.   |
| 50 Assist client in selecting contractors and negotiating construction contracts.  | 67 Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.   |
| 51 Prepare bid documents appropriate to the selected delivery method.  | 67 Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects  |
| 54 Monitor project construction costs and schedule (e.g., review and certify contractor applications for payment, verify lien releases).   | 68 Knowledge of California laws related to design professional and contractor liens and their implications for the architect’s and client’s responsibilities.   |
| 55 Review test, inspection, observation schedules, programs and reports for conformance with construction documents.   | 78 Knowledge of code-required special inspections and testing (e.g., field welding, high-strength concrete).<br>79 Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings. |
| 56 Review shop drawings and submittals during construction for conformance with design intent.   | 79 Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings.   |
| 60 Manage project close-out procedures (e.g., Certificate of Substantial Completion, Notice of Completion, verification of final lien releases, verification of public agency approvals) per contract. | 68 Knowledge of California laws related to design professional and contractor liens and their implications for the architect’s and client’s responsibilities.<br>77 Knowledge of the California construction laws related to minimum warranty periods.                                |
| 62 Assist owner with resolving post-occupancy issues (e.g., evaluation of building performance, warranty issues).  | 77 Knowledge of the California construction laws related to minimum warranty periods.   |

## CHAPTER 6. CONCLUSION

The occupational analysis of the Architect profession described in this report provides a comprehensive description of current practice in California. The procedures employed to perform the occupational analysis were based upon a content validation strategy to ensure that the results accurately represent the practice of Architects. Results of this occupational analysis provide information regarding current practice that can be used to make job-related decisions regarding professional licensure.

By adopting the Architect Content Outline contained in this report, the Board ensures that its examination program reflects current practice.

This report provides all documentation necessary to verify that the analysis has been implemented in accordance with legal, professional, and technical standards.

## APPENDIX A. RESPONDENTS BY REGION

LOS ANGELES AND VICINITY

| County of Practice | Frequency |
|--------------------|-----------|
| Los Angeles        | 350       |
| Orange             | 135       |
| TOTAL              | 485       |

SAN FRANCISCO BAY AREA

| County of Practice | Frequency |
|--------------------|-----------|
| Alameda            | 106       |
| Contra Costa       | 32        |
| Marin              | 33        |
| Napa               | 5         |
| San Francisco      | 221       |
| San Mateo          | 34        |
| Santa Clara        | 81        |
| Santa Cruz         | 9         |
| Solano             | 6         |
| TOTAL              | 527       |

SAN JOAQUIN VALLEY

| County of Practice | Frequency |
|--------------------|-----------|
| Calaveras          | 2         |
| Fresno             | 21        |
| Kern               | 10        |
| Mariposa           | 1         |
| Madera             | 4         |
| Merced             | 2         |
| San Joaquin        | 10        |
| Stanislaus         | 6         |
| Tulare             | 3         |
| TOTAL              | 59        |

SACRAMENTO VALLEY

| County of Practice | Frequency |
|--------------------|-----------|
| Butte              | 3         |
| Lake               | 1         |
| Sacramento         | 81        |
| Sutter             | 1         |
| Yolo               | 9         |
| TOTAL              | 95        |

SAN DIEGO AND VICINITY

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| San Diego                 | 127              |
| Inyo                      | 1                |
| TOTAL                     | 128              |

SHASTA/CASCADE

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| Shasta                    | 5                |
| TOTAL                     | 5                |

RIVERSIDE – SAN BERNARDINO

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| Riverside                 | 24               |
| San Bernardino            | 18               |
| TOTAL                     | 42               |

SIERRA MOUNTAIN

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| Nevada                    | 7                |
| Placer                    | 17               |
| El Dorado                 | 9                |
| TOTAL                     | 33               |

NORTH COAST

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| Del Norte                 | 1                |
| Humboldt                  | 4                |
| Mendocino                 | 6                |
| Sonoma                    | 35               |
| TOTAL                     | 46               |

SOUTH/CENTRAL COAST

| <b>County of Practice</b> | <b>Frequency</b> |
|---------------------------|------------------|
| Monterey                  | 14               |
| San Luis Obispo           | 25               |
| Santa Barbara             | 21               |
| San Benito                | 1                |
| Ventura                   | 23               |
| TOTAL                     | 84               |

APPENDIX B. CRITICALITY INDICES FOR ALL TASKS

| <b>Task Num</b> | <b>Task Statement</b>  | <b>Average Task Freq.</b> | <b>Average Task Impt.</b> | <b>Task Crit. Value</b> |
|-----------------|--|---------------------------|---------------------------|-------------------------|
| 1               | Advertise and solicit services in compliance with professional and legal requirements.   | 1.61                      | 2.76                      | 5.49                    |
| 2               | Evaluate the project's opportunities and constraints for alignment with client goals and requirements.   | 3.51                      | 4.00                      | 10.06                   |
| 3               | Assess preliminary project requirements including budget and schedule relative to own firm's/organization's business goals, resources, and expertise.  | 3.09                      | 3.69                      | 14.89                   |
| 4               | Evaluate potential contractual risks and determine strategies to manage them.  | 2.78                      | 3.68                      | 12.93                   |
| 5               | Collaborate with client to determine scope of work, project delivery method, deliverables, and compensation, etc., to prepare owner-architect agreement.   | 3.13                      | 3.89                      | 12.35                   |
| 6               | Identify the local, State, and federal regulatory jurisdictions impacting project.   | 3.76                      | 4.11                      | 10.99                   |
| 7               | Identify the project team members (e.g., architects, engineers, specialty consultants) and who is responsible for the contracting, management, and coordination of each member.  | 3.19                      | 3.60                      | 11.24                   |
| 8               | Collaborate with client to determine the specific roles and responsibilities of project participants (e.g., owner's representative, architect, contractor, construction manager).  | 2.67                      | 3.23                      | 11.99                   |
| 9               | Solicit the consultants to be contracted under the architect and evaluate their qualifications and scope of services based on project requirements.  | 2.72                      | 3.38                      | 13.06                   |
| 10              | Implement strategies for managing contractual risk (QA/QC, peer review).   | 2.34                      | 3.35                      | 15.19                   |
| 11              | Implement strategies for managing and documenting communication (e.g., point of contact, reporting methods) between the architect, client, and team and between the design team and external parties (e.g., agencies, stakeholders). | 2.79                      | 3.36                      | 16.23                   |
| 12              | Implement strategies to control risk and manage liability for the client (e.g., due diligence, accessibility).   | 2.88                      | 3.53                      | 13.54                   |
| 13              | Manage client expectations related to the contracted scope of work (e.g., milestones, decision points).  | 3.26                      | 3.71                      | 12.26                   |
| 14              | Manage the distribution and review of documents for project coordination.  | 3.38                      | 3.66                      | 10.21                   |
| 15              | Establish documentation standards for the design team to support consistency and coordination.   | 2.70                      | 3.34                      | 9.54                    |
| 16              | Establish standards for addressing conflicts that arise during the design and construction process.  | 2.41                      | 3.20                      | 9.36                    |
| 17              | Conduct periodic progress meetings with design and project team to identify potential issues in work processes or team communication and develop plans to address the issues.  | 2.92                      | 3.47                      | 10.10                   |
| 18              | Review and update construction cost estimates as required by contract.   | 2.01                      | 3.23                      | 8.36                    |

| <b>Task Num</b> | <b>Task Statement</b>   | <b>Average Task Freq.</b> | <b>Average Task Impt.</b> | <b>Task Crit. Value</b> |
|-----------------|---|---------------------------|---------------------------|-------------------------|
| 19              | Manage the design team's fees, deliverables, and schedules to conform to contract.  | 2.71                      | 3.57                      | 8.82                    |
| 20              | Perform or evaluate site feasibility studies (e.g., size, gradient, infrastructure, environmental conditions) to clarify and address project requirements.                                | 2.46                      | 3.42                      | 10.11                   |
| 21              | Assist client in evaluating design concepts based on budget, aesthetics, etc., to determine design direction.   | 3.25                      | 3.76                      | 10.34                   |
| 22              | Review program with client to validate project requirements and gain approval to proceed.   | 3.25                      | 3.90                      | 10.36                   |
| 23              | Provide consultants with program and background information to collaboratively develop the design concept.  | 3.01                      | 3.52                      | 11.17                   |
| 24              | Develop the project program using multiple approaches (e.g., surveys, interviews) to identify and evaluate user needs.  | 1.93                      | 2.97                      | 12.10                   |
| 25              | Present project to community groups and other stakeholders for their input and feedback.  | 1.88                      | 3.03                      | 12.79                   |
| 26              | Prepare models, renderings, sketches, etc., to help communicate project designs.  | 2.94                      | 3.52                      | 12.86                   |
| 27              | Present schematic design documents that meet program requirements to client to obtain client's input and approval.  | 3.39                      | 3.95                      | 13.06                   |
| 28              | Integrate sustainable design strategies and technologies into design.   | 2.83                      | 3.14                      | 10.40                   |
| 29              | Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.  | 3.57                      | 3.98                      | 9.82                    |
| 30              | Prepare and submit exhibits and application forms to governing agencies (e.g., Planning Department, Coastal Commission, Design Review Board) for discretionary approvals.                 | 2.96                      | 3.76                      | 8.66                    |
| 31              | Work with agency staff to incorporate proposed conditions of discretionary approval into project documents.   | 2.71                      | 3.56                      | 8.53                    |
| 32              | Develop design concepts based on program requirements and constraints placed by applicable laws, local codes, ordinances, etc.  | 3.53                      | 4.08                      | 10.02                   |
| 33              | Lead the preparation of design development documents that integrate the architectural design and engineered building systems.   | 3.29                      | 3.91                      | 11.01                   |
| 34              | Analyze and coordinate the selection and design of building systems (e.g., structural, mechanical, electrical, fire safety, security) with consultants.                                   | 3.14                      | 3.77                      | 7.42                    |
| 35              | Lead the project team in the integration of the regulatory requirements into the design development documents.  | 3.13                      | 3.82                      | 7.16                    |
| 36              | Coordinate design with input from client and the overall project team (e.g., general contractor, building official), and evaluate/incorporate their inputs based on project requirements. | 3.30                      | 3.72                      | 8.97                    |

| <b>Task Num</b> | <b>Task Statement</b>   | <b>Average Task Freq.</b> | <b>Average Task Impt.</b> | <b>Task Crit. Value</b> |
|-----------------|---|---------------------------|---------------------------|-------------------------|
| 37              | Perform value engineering and life-cycle cost analyses to advise owner about approaches for managing project costs.   | 2.02                      | 2.88                      | 10.43                   |
| 38              | Review design development documents with client for compliance with project requirements and to gain approval to proceed.   | 3.19                      | 3.78                      | 9.10                    |
| 39              | Analyze and integrate the selection of sustainable design strategies and technologies into the design.  | 2.45                      | 2.95                      | 9.29                    |
| 40              | Incorporate final conditions of discretionary approval into project documents.  | 2.87                      | 3.69                      | 11.68                   |
| 41              | Conduct constructability review of Design Development documents.  | 2.47                      | 3.39                      | 12.93                   |
| 42              | Coordinate the preparation of the construction documents (e.g., architectural, structural, mechanical, civil, electrical, specs) and resolve potential conflicts or errors. | 3.51                      | 4.19                      | 12.83                   |
| 43              | Modify construction documents based on changes in cost estimates including developing bidding alternates for client to consider.  | 2.51                      | 3.29                      | 13.32                   |
| 44              | Manage distribution and review of documents during the construction document and permit phases.   | 3.06                      | 3.39                      | 12.13                   |
| 45              | Prepare construction documents that meet program requirements and project goals, and present to client for approval.  | 3.31                      | 3.99                      | 11.33                   |
| 46              | Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.                                   | 3.34                      | 4.06                      | 7.21                    |
| 47              | Perform a detailed review of construction documents for constructability and incorporate changes into final documents.  | 2.94                      | 3.73                      | 6.59                    |
| 48              | Manage the submittal of construction documents to regulatory agencies through initial submittal, coordinating responses, and obtaining approvals.                           | 3.30                      | 3.88                      | 6.03                    |
| 49              | Assist client in the bidding process (e.g., distribute documents, conduct pre-bid meetings, prepare addenda).   | 2.47                      | 3.13                      | 6.32                    |
| 50              | Assist client in selecting contractors and negotiating construction contracts.  | 2.20                      | 3.06                      | 9.05                    |
| 51              | Prepare bid documents appropriate to the selected delivery method.  | 2.54                      | 3.45                      | 11.36                   |
| 52              | Manage the initiation/processing of documents to record construction changes (e.g., Construction Change Directives, Architect's Supplemental Instructions, Change Orders).  | 2.61                      | 3.41                      | 12.62                   |
| 53              | Participate in pre-construction and pre-installation meetings with contractor as required by the contract documents.  | 2.61                      | 3.20                      | 14.12                   |
| 54              | Monitor project construction costs and schedule (e.g., review and certify contractor applications for payment, verify lien releases).                                       | 2.17                      | 3.10                      | 11.51                   |

| <b>Task Num</b> | <b>Task Statement</b>  | <b>Average Task Freq.</b> | <b>Average Task Impt.</b> | <b>Task Crit. Value</b> |
|-----------------|--|---------------------------|---------------------------|-------------------------|
| 55              | Review test, inspection, observation schedules, programs and reports for conformance with construction documents.  | 2.22                      | 3.07                      | 9.71                    |
| 56              | Review shop drawings and submittals during construction for conformance with design intent.  | 3.00                      | 3.72                      | 11.57                   |
| 57              | Conduct periodic site observations/field reports to confirm that construction is in general conformance with contract documents.   | 3.07                      | 3.69                      | 14.90                   |
| 58              | Respond to contractor Requests for Information.  | 3.34                      | 3.91                      | 12.23                   |
| 59              | Assist client with evaluating possible changes to the project during construction (e.g., cost, scope, schedule, quality).  | 2.81                      | 3.42                      | 11.86                   |
| 60              | Manage project close-out procedures (e.g., Certificate of Substantial Completion, Notice of Completion, verification of final lien releases, verification of public agency approvals) per contract | 2.18                      | 3.15                      | 10.85                   |
| 61              | Conduct post-construction services (e.g., post-occupancy evaluations, extended commissioning, record drawings) per contract.   | 1.38                      | 2.45                      | 10.48                   |
| 62              | Assist owner with resolving post-occupancy issues, (e.g., evaluation of building performance, warranty issues).  | 1.41                      | 3.01                      | 13.16                   |

## APPENDIX C. KNOWLEDGE IMPORTANCE RATINGS

| <b>K Num</b> | <b>Knowledge Statement</b>  | <b>Mean Klmp</b> |
|--------------|---|------------------|
| 1            | Knowledge of the provisions of the Architect's Practice Act and CA Code of Regulations related to architect's business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect's stamp). | 3.48             |
| 2            | Knowledge of different project delivery methods and the architect's and project team's corresponding roles and responsibilities (e.g., to client, as part of team).   | 3.19             |
| 3            | Knowledge of options for tailoring architectural services to meet the client and project needs.   | 3.37             |
| 4            | Knowledge of types of contracts and their application to the scope of work and the project's service requirements (client, consultant, etc.).   | 3.23             |
| 5            | Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).  | 3.70             |
| 6            | Knowledge of consultants (e.g., civil, structural, MEP, geotechnical), the services they provide, and their applications to meeting project requirements.   | 3.82             |
| 7            | Knowledge of methods for evaluating own/firm's capabilities and capacities in relation to project requirements.   | 3.57             |
| 8            | Knowledge of approaches for increasing the capability and/or capacity of the architect/firm to meet project requirements.   | 3.20             |
| 9            | Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.   | 3.84             |
| 10           | Knowledge of methods for evaluating client goals and resources in order to identify/define the preliminary project requirements, budget, and schedule.  | 3.66             |
| 11           | Knowledge of procedures and standard practices for documenting contractual milestones (e.g., decisions, changes, approvals).  | 3.37             |
| 12           | Knowledge of methods and techniques for communicating with client, project team, contractors, agencies, and stakeholders (e.g., meetings, emails, letters, minutes, transmittals, phone logs, visual aids).                                 | 3.68             |
| 13           | Knowledge of architect's role and responsibilities for managing project and contractual risk for the architect and client.  | 3.79             |
| 14           | Knowledge of methods and techniques for using technological resources (e.g., BIM/CAD, imaging software, web-based applications) to support communication with client and team.  | 3.22             |
| 15           | Knowledge of the architect's role and responsibilities in orchestrating the architect's consultants and the entire project team.  | 3.84             |
| 16           | Knowledge of the architect's professional and contractual responsibilities related to the client.   | 4.05             |
| 17           | Knowledge of methods for controlling project costs (e.g., value engineering, life-cycle costing, cost estimating).  | 3.21             |

| <b>K Num</b> | <b>Knowledge Statement</b>  | <b>Mean Klmp</b> |
|--------------|---|------------------|
| 18           | Knowledge of procedures for preparing and monitoring the project budget including hard and soft costs.  | 3.05             |
| 19           | Knowledge of methods and procedures for allocating resources and managing in-house and consultant costs throughout all phases of architectural services.  | 3.24             |
| 20           | Knowledge of methods and techniques for resolving conflicts that occur during design and construction.  | 3.74             |
| 21           | Knowledge of methods, techniques, and procedures for conducting predesign services (e.g., programming, feasibility studies, site analysis).   | 3.28             |
| 22           | Knowledge of methods for evaluating and finalizing the program to determine feasibility and conformance to client's project requirements.   | 3.36             |
| 23           | Knowledge of methods for developing design solutions with the involvement of client, users, consultants, and stakeholders.  | 3.61             |
| 24           | Knowledge of methods and procedures for developing the schematic design deliverables.   | 3.46             |
| 25           | Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.   | 3.47             |
| 26           | Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.   | 3.28             |
| 27           | Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.   | 3.61             |
| 28           | Knowledge of processes and procedures for obtaining discretionary approvals.  | 3.49             |
| 29           | Knowledge of processes and procedures for compliance with local codes and ordinances related to design.   | 4.12             |
| 30           | Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.  | 3.13             |
| 31           | Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.   | 2.76             |
| 32           | Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).  | 2.56             |
| 33           | Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc. | 3.19             |
| 34           | Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.  | 3.74             |

| <b>K Num</b> | <b>Knowledge Statement</b>  | <b>Mean Klmp</b> |
|--------------|---|------------------|
| 35           | Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.   | 3.98             |
| 36           | Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.  | 3.14             |
| 37           | Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.   | 2.70             |
| 38           | Knowledge of the Americans with Disabilities Act (ADA) with regard to how it impacts architectural practice (e.g., client and architect responsibilities, design, construction).  | 4.19             |
| 39           | Knowledge of national standards (e.g., UL, ANSI, ASTM, Factory Mutual) relevant to design and construction.   | 2.77             |
| 40           | Knowledge of methods and procedures for incorporating sustainable design strategies and technologies into design and construction.  | 3.04             |
| 41           | Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design.  | 3.79             |
| 42           | Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.   | 3.42             |
| 43           | Knowledge of methods for incorporating sustainable design (e.g., energy conservation, resource management, indoor air quality) into project design and construction.  | 3.15             |
| 44           | Knowledge of methods for identifying and evaluating the implications of special conditions (e.g., based on loading, soils, uses) on design and construction.  | 3.22             |
| 45           | Knowledge of contents of design drawings and related documents required for agency approvals.   | 3.98             |
| 46           | Knowledge of architect's role and responsibilities in leading project team in order to obtain necessary agency approvals at the appropriate time.   | 3.88             |
| 47           | Knowledge of methods for analyzing initial and life-cycle costs to select materials and systems for project.  | 2.52             |
| 48           | Knowledge of methods for performing a QA/QC review of Design Development documents including constructability.  | 3.21             |
| 49           | Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.   | 2.82             |
| 50           | Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc. | 3.17             |

| <b>K Num</b> | <b>Knowledge Statement</b>   | <b>Mean Klmp</b> |
|--------------|--|------------------|
| 51           | Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).  | 3.81             |
| 52           | Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.   | 3.85             |
| 53           | Knowledge of methods and procedures for demonstrating design compliance with federal laws and authorities: ADA, Army Corps of Engineers, FAA, etc.   | 3.51             |
| 54           | Knowledge of methods and procedures for demonstrating design compliance with National Standards: NFPA, ASTM, etc.  | 2.77             |
| 55           | Knowledge of methods for performing a QA/QC review of construction docs including constructability, code compliance, etc.  | 3.38             |
| 56           | Knowledge of the architect's role in reconciling client's budget with probable construction costs.   | 3.28             |
| 57           | Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.  | 3.34             |
| 58           | Knowledge of methods and procedures for presenting contract documents to client for approval.  | 3.45             |
| 59           | Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.                                       | 4.06             |
| 60           | Knowledge of methods for the detailed integration of building systems (e.g., clash detection, interdisciplinary overlays).   | 3.35             |
| 61           | Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings). | 3.24             |
| 62           | Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).                             | 3.85             |
| 63           | Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).  | 3.49             |
| 64           | Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.   | 3.39             |
| 65           | Knowledge of methods and procedures for preparing bidding documents based on project funding source (private/public) and delivery method.  | 3.06             |
| 66           | Knowledge of architect's role and responsibilities related to construction bidding and negotiation processes.  | 3.11             |

| <b>K Num</b> | <b>Knowledge Statement</b>   | <b>Mean Klmp</b> |
|--------------|--|------------------|
| 67           | Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.   | 2.83             |
| 68           | Knowledge of California laws related to design professional and contractor liens and their implications for the architect's and client's responsibilities.   | 2.85             |
| 69           | Knowledge of the limits of the architect's role and responsibilities during construction (e.g., directing subcontractors, means and methods).  | 3.65             |
| 70           | Knowledge of the interrelationships and responsibilities between the owner, architect, and contractor during construction.   | 3.85             |
| 71           | Knowledge of methods for resolving conflicts that occur during construction (e.g., mediation, arbitration, litigation).  | 3.15             |
| 72           | Knowledge of methods and procedures for developing and reviewing the contract documents package.   | 3.60             |
| 73           | Knowledge of procedures for determining general conformance of construction with contract documents (e.g., observation, submittal reviews, RFIs).  | 3.69             |
| 74           | Knowledge of methods and procedures for implementing changes during construction (e.g., Architect's Supplemental Instructions, Change Orders).   | 3.57             |
| 75           | Knowledge of procedures for monitoring construction costs and schedules (e.g., reviewing and certifying payments to contractor, reviewing lien releases).  | 3.06             |
| 76           | Knowledge of procedures for performing project close-out (e.g., Certificate of Substantial Completion, Notice of Completion, final lien releases).   | 3.05             |
| 77           | Knowledge of the California construction laws related to minimum warranty periods.   | 2.56             |
| 78           | Knowledge of code-required special inspections and testing (e.g., field welding, high-strength concrete).  | 2.85             |
| 79           | Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings.                                       | 3.17             |
| 80           | Knowledge of the architect's role and responsibilities in providing contract administration services based on the client-architect agreement.  | 3.46             |
| 81           | Knowledge of post-construction services (e.g., extended building commissioning, record document preparation, operational and maintenance programming, facilities management, post-occupancy evaluation). | 2.53             |
| 82           | Knowledge of the architect's role and responsibilities to client regarding changes to project during construction (e.g., cost, scope, schedule, quality).  | 3.53             |

APPENDIX D. ARCHITECT DESCRIPTION OF PRACTICE

## CALIFORNIA ARCHITECT DESCRIPTION OF PRACTICE

### I. Contract Development / Project Planning

| Task Statements   | Knowledge Statements  |
|---|---|
| 1 Advertise and solicit services in compliance with professional and legal requirements.  | 1 Knowledge of the provisions of the Architect's Practice Act and CA Code of Regulations related to architect's business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect's stamp). |
| 2 Evaluate the project's opportunities and constraints for alignment with client goals and requirements.  | 2 Knowledge of different project delivery methods and the architect's and project team's corresponding roles and responsibilities (e.g., to client, as part of team).   |
| 3 Assess preliminary project requirements including budget and schedule relative to own firm's/organization's business goals, resources, and expertise.                             | 3 Knowledge of options for tailoring architectural services to meet the client and project needs.   |
| 4 Evaluate potential contractual risks and determine strategies to manage them.   | 4 Knowledge of types of contracts and their application to the scope of work and the project's service requirements (client, consultant, etc.).   |
| 5 Collaborate with client to determine scope of work, project delivery method, deliverables, and compensation, etc., to prepare owner-architect agreement.                          | 5 Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).  |
| 6 Identify the local, State, and federal regulatory jurisdictions impacting project.  | 6 Knowledge of consultants (e.g., civil, structural, MEP, geotechnical), the services they provide, and their applications to meeting project requirements.   |
| 7 Identify the project team members (e.g., architects, engineers, specialty consultants) and who is responsible for the contracting, management, and coordination of each member.   | 7 Knowledge of methods for evaluating own/firm's capabilities and capacities in relation to project requirements.   |
| 8 Collaborate with client to determine the specific roles and responsibilities of project participants (e.g., owner's representative, architect, contractor, construction manager). | 8 Knowledge of approaches for increasing the capability and/or capacity of the architect/firm to meet project requirements.   |
| 9 Solicit the consultants to be contracted under the architect and evaluate their qualifications and scope of services based on project requirements.                               | 9 Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.   |
|   | 10 Knowledge of methods for evaluating client goals and resources in order to identify/define the preliminary project requirements, budget, and schedule.   |

## II. Project Management

| Task Statements   | Knowledge Statements   |
|---|--|
| 10 Implement strategies for managing contractual risk (QA/QC, peer review).   | 11 Knowledge of procedures and standard practices for documenting contractual milestones (e.g., decisions, changes, approvals).  |
| 11 Implement strategies for managing and documenting communication (e.g., point of contact, reporting methods) between the architect, client, and team and between the design team and external parties (e.g., agencies, stakeholders). | 12 Knowledge of methods and techniques for communicating with client, project team, contractors, agencies, and stakeholders (e.g., meetings, emails, letters, minutes, transmittals, phone logs, visual aids). |
| 12 Implement strategies to control risk and manage liability for the client (e.g., due diligence, accessibility).   | 13 Knowledge of architect's role and responsibilities for managing project and contractual risk for the architect and client.  |
| 13 Manage client expectations related to the contracted scope of work (e.g., milestones, decision points).  | 14 Knowledge of methods and techniques for using technological resources (e.g., BIM/CAD, imaging software, web-based applications) to support communication with client and team.                              |
| 14 Manage the distribution and review of documents for project coordination.  | 15 Knowledge of the architect's role and responsibilities in orchestrating the architect's consultants and the entire project team.  |
| 15 Establish documentation standards for the design team to support consistency and coordination.   | 16 Knowledge of the architect's professional and contractual responsibilities related to the client.   |
| 16 Establish standards for addressing conflicts that arise during the design and construction process.  | 17 Knowledge of methods for controlling project costs (e.g., value engineering, life-cycle costing, cost estimating).  |
| 17 Conduct periodic progress meetings with design and project team to identify potential issues in work processes or team communication and develop plans to address the issues.  | 18 Knowledge of procedures for preparing and monitoring the project budget including hard and soft costs.  |
| 18 Review and update construction cost estimates as required by contract.   | 19 Knowledge of methods and procedures for allocating resources and managing in-house and consultant costs throughout all phases of architectural services.  |
| 19 Manage the design team's fees, deliverables, and schedules to conform to contract.   | 20 Knowledge of methods and techniques for resolving conflicts that occur during design and construction.  |

### III. Programming / Schematic Design

| Task Statements  | Knowledge Statements   |
|--|--|
| 20 Perform or evaluate site feasibility studies (e.g., size, gradient, infrastructure, environmental conditions) to clarify and address project requirements.                | 21 Knowledge of methods, techniques, and procedures for conducting predesign services (e.g., programming, feasibility studies, site analysis).                               |
| 21 Assist client in evaluating design concepts based on budget, aesthetics, etc., to determine design direction.   | 22 Knowledge of methods for evaluating and finalizing the program to determine feasibility and conformance to client's project requirements.                                 |
| 22 Review program with client to validate project requirements and gain approval to proceed.   | 23 Knowledge of methods for developing design solutions with the involvement of client, users, consultants, and stakeholders.  |
| 23 Provide consultants with program and background information to collaboratively develop the design concept.  | 24 Knowledge of methods and procedures for developing the schematic design deliverables.   |
| 24 Develop the project program using multiple approaches (e.g., surveys, interviews) to identify and evaluate user needs.  | 25 Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.   |
| 25 Present project to community groups and other stakeholders for their input and feedback.  | 26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.       |
| 26 Prepare models, renderings, sketches, etc., to help communicate project designs.  | 27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations. |
| 27 Present schematic design documents that meet program requirements to client to obtain client's input and approval.  | 28 Knowledge of processes and procedures for obtaining discretionary approvals.  |
| 28 Integrate sustainable design strategies and technologies into design.   | 29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.   |
| 29 Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.                            | 30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.                                |
| 30 Prepare and submit exhibits and application forms to governing agencies (e.g., Planning Department, Coastal Commission, Design Review Board) for discretionary approvals. | 31 Knowledge of methods and procedures for complying with California Coastal Act as it relates to design and construction.   |
| 31 Work with agency staff to incorporate proposed conditions of discretionary approval into project documents.   |  |

**III. Programming / Schematic Design (continued)**

| <b>Task Statements</b>   | <b>Knowledge Statements</b>  |
|--|--|
| <p>32 Develop design concepts based on program requirements and constraints placed by applicable laws, local codes, ordinances, etc.</p> | <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> <p>35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.</p> <p>36 Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.</p> <p>37 Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.</p> <p>38 Knowledge of the Americans with Disabilities Act (ADA) with regard to how it impacts architectural practice (e.g., client and architect responsibilities, design, construction).</p> <p>39 Knowledge of national standards (e.g., UL, ANSI, ASTM, Factory Mutual) relevant to design and construction.</p> <p>40 Knowledge of methods and procedures for incorporating sustainable design strategies and technologies into design and construction.</p> |

#### IV. Design Development / Approvals

| Task Statements  | Knowledge Statements  |
|--|---|
| 33 Lead the preparation of design development documents that integrate the architectural design and engineered building systems.   | 41 Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design. |
| 34 Analyze and coordinate the selection and design of building systems (e.g., structural, mechanical, electrical, fire safety, security) with consultants.                                   | 42 Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.  |
| 35 Lead the project team in the integration of the regulatory requirements into the design development documents.  | 43 Knowledge of methods for incorporating sustainable design (e.g., energy conservation, resource management, indoor air quality) into project design and construction.   |
| 36 Coordinate design with input from client and the overall project team (e.g., general contractor, building official), and evaluate/incorporate their inputs based on project requirements. | 44 Knowledge of methods for identifying and evaluating the implications of special conditions (e.g., based on loading, soils, uses) on design and construction.   |
| 37 Perform value engineering and life-cycle cost analyses to advise owner about approaches for managing project costs.   | 45 Knowledge of contents of design drawings and related documents required for agency approvals.  |
| 38 Review design development documents with client for compliance with project requirements and to gain approval to proceed.   | 46 Knowledge of architect's role and responsibilities in leading project team in order to obtain necessary agency approvals at the appropriate time.  |
| 39 Analyze and integrate the selection of sustainable design strategies and technologies into the design.  | 47 Knowledge of methods for analyzing initial and life-cycle costs to select materials and systems for project.   |
| 40 Incorporate final conditions of discretionary approval into project documents.  | 48 Knowledge of methods for performing a QA/QC review of Design Development documents including constructability.   |
| 41 Conduct constructability review of Design Development documents.  | 49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.              |

**IV. Design Development / Approvals (continued)**

| <b>Task Statements</b> | <b>Knowledge Statements</b>   |
|------------------------|---|
|                        | <p>50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.</p> <p>51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).</p> <p>52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.</p> <p>53 Knowledge of methods and procedures for demonstrating design compliance with federal laws and authorities: ADA, Army Corps of Engineers, FAA, etc.</p> <p>54 Knowledge of methods and procedures for demonstrating design compliance with National Standards: NFPA, ASTM, etc.</p> |

## V. Construction Documents / Permitting

| Task Statements  | Knowledge Statements  |
|--|---|
| 42 Coordinate the preparation of the construction documents (e.g., architectural, structural, mechanical, civil, electrical, specs) and resolve potential conflicts or errors. | 55 Knowledge of methods for performing a QA/QC review of construction documents including constructability, code compliance, etc.   |
| 43 Modify construction documents based on changes in cost estimates including developing bidding alternates for client to consider.  | 56 Knowledge of the architect's role in reconciling client's budget with probable construction costs.   |
| 44 Manage distribution and review of documents during the construction document and permit phases.   | 57 Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.  |
| 45 Prepare construction documents that meet program requirements and project goals, and present to client for approval.  | 58 Knowledge of methods and procedures for presenting contract documents to client for approval.  |
| 46 Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.                                   | 59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.                                       |
| 47 Perform a detailed review of construction documents for constructability and incorporate changes into final documents.  | 60 Knowledge of methods for the detailed integration of building systems (e.g., clash detection, interdisciplinary overlays).   |
| 48 Manage the submittal of construction documents to regulatory agencies through initial submittal, coordinating responses, and obtaining approvals.                           | 61 Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings). |
|  | 62 Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).                             |
|  | 63 Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).  |
|  | 64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.   |

## VI. Project Bidding and Construction

| Task Statements   | Knowledge Statements  |
|---|---|
| 49 Assist client in the bidding process (e.g., distribute documents, conduct pre-bid meetings, prepare addenda).  | 65 Knowledge of methods and procedures for preparing bidding documents based on project funding source (private/public) and delivery method.                  |
| 50 Assist client in selecting contractors and negotiating construction contracts.   | 66 Knowledge of architect's role and responsibilities related to construction bidding and negotiation processes.  |
| 51 Prepare bid documents appropriate to the selected delivery method.   | 67 Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.       |
| 52 Manage the initiation/processing of documents to record construction changes (e.g., Construction Change Directives, Architect's Supplemental Instructions, Change Orders).                         | 68 Knowledge of California laws related to design professional and contractor liens and their implications for the architect's and client's responsibilities. |
| 53 Participate in pre-construction and pre-installation meetings with contractor as required by the contract documents.   | 69 Knowledge of the limits of the architect's role and responsibilities during construction (e.g., directing subcontractors, means and methods).              |
| 54 Monitor project construction costs and schedule (e.g., review and certify contractor applications for payment, verify lien releases).  | 70 Knowledge of the interrelationships and responsibilities between the owner, architect, and contractor during construction.                                 |
| 55 Review test, inspection, observation schedules, programs and reports for conformance with construction documents.  | 71 Knowledge of methods for resolving conflicts that occur during construction (e.g., mediation, arbitration, litigation).                                    |
| 56 Review shop drawings and submittals during construction for conformance with design intent.  | 72 Knowledge of methods and procedures for developing and reviewing the contract documents package.   |
| 57 Conduct periodic site observations/field reports to confirm that construction is in general conformance with contract documents.   | 73 Knowledge of procedures for determining general conformance of construction with contract documents (e.g., observation, submittal reviews, RFIs).          |
| 58 Respond to contractor Requests for Information.  | 74 Knowledge of methods and procedures for implementing changes during construction (e.g., Architect's Supplemental Instructions, Change Orders).             |
| 59 Assist client with evaluating possible changes to the project during construction (e.g., cost, scope, schedule, quality).  | 75 Knowledge of procedures for monitoring construction costs and schedules (e.g., reviewing and certifying payments to contractor, reviewing lien releases).  |
| 60 Manage project close-out procedures (e.g., Certificate of Substantial Completion, Notice of Completion, verification of final lien releases, verification of public agency approvals) per contract |   |
| 61 Conduct post-construction services (e.g., post-occupancy evaluations, extended commissioning, record drawings) per contract.   |   |

**VI. Project Bidding and Construction (continued)**

| <b>Task Statements</b>  | <b>Knowledge Statements</b>   |
|---|---|
| <p>62 Assist owner with resolving post-occupancy issues, (e.g., evaluation of building performance, warranty issues).</p> | <p>76 Knowledge of procedures for performing project close-out (e.g., Certificate of Substantial Completion, Notice of Completion, final lien releases).</p> <p>77 Knowledge of the California construction laws related to minimum warranty periods.</p> <p>78 Knowledge of code-required special inspections and testing (e.g., field welding, high-strength concrete).</p> <p>79 Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings.</p> <p>80 Knowledge of the architect's role and responsibilities in providing contract administration services based on the client-architect agreement.</p> <p>81 Knowledge of post-construction services (e.g., extended building commissioning, record document preparation, operational and maintenance programming, facilities management, post-occupancy evaluation).</p> <p>82 Knowledge of the architect's role and responsibilities to client regarding changes to project during construction (e.g., cost, scope, schedule, quality).</p> |

APPENDIX E. EMAIL TO PRACTITIONERS

Dear Licensee:

You have been selected by the California Architects Board to participate in the 2014 Architect Occupational Survey. The purpose of the survey is to gather data on the job tasks performed by Architects as well as the knowledge and abilities required to perform those tasks. Your participation is essential to the success of this project.

You may complete the survey all at one sitting or return to it multiple times. Your individual response will be confidential. The Survey may be found at:

[https://www.surveymonkey.com/s.aspx?sm=KkNx\\_2fSW\\_2bKTUWNWj0Zpsn6Q\\_3d\\_3d](https://www.surveymonkey.com/s.aspx?sm=KkNx_2fSW_2bKTUWNWj0Zpsn6Q_3d_3d)

Please complete the survey by July 18, 2014.

Any questions, please contact Justin Sotelo at [Justin.sotelo@dca.ca.gov](mailto:Justin.sotelo@dca.ca.gov) or 916 575-7216.

Your participation is essential to the success of this project.

CALIFORNIA ARCHITECTS BOARD

## APPENDIX F. QUESTIONNAIRE

## 1. COVER LETTER

Dear Licensee:

The California Architects Board (Board) is conducting an occupational analysis of the Architect profession. The purpose of the occupational analysis is to identify the important tasks performed by Architects in current practice and the knowledge required to perform those tasks. Results of the occupational analysis will be used to update and improve the Architect California Supplemental Examination.

The Board requests your assistance in this process. Please take the time to complete the survey questionnaire as it relates to your current practice. Your participation ensures that all aspects of the profession are covered and is essential to the success of this project.

**Your individual responses will be kept confidential.** Your responses will be combined with responses of other Architects and only group trends will be reported. Your personal information will not be tied to your responses.

In order to progress through this survey, please use the following navigation buttons:

- Click the **Next** button to continue to the next page.
- Click the **Prev** button to return to the previous page.
- Click the **Exit this survey** button to exit the survey and return to it at a later time.
- Click the **Done/Submit** button to submit your survey as completed.

Any questions marked with an asterisk (\*) require an answer in order to progress through the survey questionnaire.

**Please Note:** The survey automatically saves fully-completed pages, but will **not** save responses to questions on pages that were partially completed when the survey was exited. Once you have started the survey, you can exit at any time and return to it later without losing your responses as long as you fully completed the page before logging out and are accessing the survey from the same computer. For your convenience, the weblink is available 24 hours a day 7 days a week.

**Please submit the completed survey questionnaire by July 18, 2014.**

If you have any questions about completing this survey, please contact Justin Sotelo of CAB, Justin.Sotelo@dca.ca.gov; (916) 575-7216. The Board welcomes your participation in this project and thanks you for your time.

### **INSTRUCTIONS FOR COMPLETING THE DEMOGRAPHIC ITEMS**

This part of the questionnaire contains an assortment of demographic items, the responses to which will be used to describe Architect practice as represented by the respondents to the questionnaire. Please note the instructions for each item before marking your response as several permit multiple responses.

### INSTRUCTIONS FOR RATING TASK AND KNOWLEDGE STATEMENTS

This part of the questionnaire contains a list of tasks and knowledge descriptive of Architect practice in a variety of settings. Please note that some of the tasks or knowledge may not apply to your setting.

For each task, you will be asked to answer two questions: how often you perform the task **(frequency)** and how important the task is in the performance of your current practice **(importance)**. For each knowledge, you will be asked to answer one question: how important the knowledge is in the performance of your current practice **(importance)**.

Please rate each task and knowledge as it relates to your current practice as a licensed Architect. **Do not respond based on what you believe all Architects should be expected to know or be able to do.**

## 2. ARCHITECT OCCUPATIONAL ANALYSIS

The California Architects Board recognizes that every Architect practitioner may not perform all of the tasks and use all of the knowledge contained in this questionnaire. However, your participation is essential to the success of this project, and your contributions will help establish standards for safe and effective Architect practice in the state of California.

Complete this questionnaire only if you are currently licensed and practicing as an Architect in California.

## 3. PART I PERSONAL DATA

The information you provide here is voluntary and confidential. It will be treated as personal information subject to the Information Practices Act (Civil Code, Section 1798 et seq.) and it will be used only for the purpose of analyzing the ratings from this questionnaire.

4.

**\* 1. Are you currently licensed and practicing in California as an Architect?**

- Yes
- No

## 5.

### 1. How many years have you been licensed and practicing in California?

- 0 to 5 years
- 6 to 10 years
- 11 to 20 years
- More than 20 years

### 2. How many years did you work in architecture before obtaining licensure in California?

- 0 to 3 years
- 4 to 6 years
- 7 to 10 years
- 11 to 15 years
- More than 15 years

### 3. How would describe your primary work setting?

- Architecture firm (as individual or group)
- Multidisciplinary firm
- Governmental agency
- Institution (e.g., hospital, school)
- Non-design Company (hotel, utility company, etc.)
- Construction firm
- Other (please specify)

### 4. How many other licensed Architects work in your organization?

- None
- 1 to 5
- 6 to 10
- More than 10

## Architect Occupational Analysis

### 5. How many employees other than Architects work in your organization?

- None
- 1 to 10
- 11 to 20
- 21 to 30
- More than 30

### 6. How many hours per week do you work as an Architect?

- 0 to 10 hours
- 11 to 20 hours
- 21 to 39 hours
- 40 or more hours

### 7. What is the highest level of education you have completed?

- Technical certificate
- Associate's degree
- Bachelor's degree
- Master's degree
- Doctorate degree

### 8. In what major field of study did you receive your certificate or degree in?

|                     |                      |
|---------------------|----------------------|
| Certificate program | <input type="text"/> |
| AA Degree           | <input type="text"/> |
| BA/BS               | <input type="text"/> |
| MA/MS               | <input type="text"/> |
| Ph.D.               | <input type="text"/> |

# Architect Occupational Analysis

**9. Which of the following project types would you consider to be a specialty based on your expertise and experience? (Mark all that apply)**

- Education (Community college, universities, K-12)
- Health care (Hospitals, clinics)
- Commercial (Office, mixed-use)
- Industrial (Factories, warehouse, utilities)
- Hospitality (Hotel, restaurant)
- Residential (Single-family, multifamily)
- Institutional (Military, justice, fire/police stations)

**10. Over the past 5 years, what percentage of your work was performed in each of the following three areas? (use whole numbers; numbers should add to 100)**

|               |                      |
|---------------|----------------------|
| CA            | <input type="text"/> |
| Other States  | <input type="text"/> |
| International | <input type="text"/> |

**11. Over the past 5 years, what percentage of your work was performed for each of the following project clients? (use whole numbers; numbers should add to 100)**

|                       |                      |
|-----------------------|----------------------|
| Government Agencies   | <input type="text"/> |
| Private companies     | <input type="text"/> |
| Non-profits           | <input type="text"/> |
| Individual homeowners | <input type="text"/> |

**12. Which of the following licenses do you possess in addition to CA Architect? (Mark all that apply)**

- Contractor
- Architect
- Engineer
- Architect (out of State)

# Architect Occupational Analysis

## 13. Which of the following certificates do you possess? (mark all that apply)

- CA Access Specialist (CaASp)
- ACHA (health care)
- LEED
- CPM (project management)
- CCS (Certified Construction Specifier)
- CDT
- NCIDQ

## 14. On the average what percentage of your time is spent performing each of the following tasks in the course of your work? (use whole numbers; numbers should add to 100)

|                             |                      |
|-----------------------------|----------------------|
| Construction documents      | <input type="text"/> |
| Construction administration | <input type="text"/> |
| Agency review/approval      | <input type="text"/> |
| Management/Administration   | <input type="text"/> |
| Project Management          | <input type="text"/> |
| Design                      | <input type="text"/> |
| Programming / Pre-Design    | <input type="text"/> |
| Post-occupancy services     | <input type="text"/> |
| Specification Writing       | <input type="text"/> |
| QA/QC                       | <input type="text"/> |
| Bid Coordination            | <input type="text"/> |

## 15. Over the past 5 years, what percentage of your work was performed using each of the project delivery methods? (use whole numbers; numbers should add to 100)

|                             |                      |
|-----------------------------|----------------------|
| Design – build              | <input type="text"/> |
| Design – bid – build        | <input type="text"/> |
| Integrated project delivery | <input type="text"/> |
| Public/private partnership  | <input type="text"/> |
| Design – Owner Build        | <input type="text"/> |
| Other (percentage)          | <input type="text"/> |

# Architect Occupational Analysis

**16. Over the past 5 years, what percentage of your work was performed using each of the following construction contract arrangements below? (use whole numbers; numbers should add to 100)**

|                                 |                      |
|---------------------------------|----------------------|
| Guaranteed Max Price            | <input type="text"/> |
| Design – bid – build            | <input type="text"/> |
| Construction Management at Risk | <input type="text"/> |
| Fee plus Cost                   | <input type="text"/> |
| Multi-Prime                     | <input type="text"/> |

**17. What percentage of the information exchange with each of the following parties is being done using electronic documents (e.g., texts/email, PDFs, Word docs)? (enter a percent between 0-100; use whole numbers)**

|                   |                      |
|-------------------|----------------------|
| Consultants       | <input type="text"/> |
| Contractors       | <input type="text"/> |
| Agency submittals | <input type="text"/> |
| Owners            | <input type="text"/> |

**18. What percentage of your projects use BIM (Building Information Modeling)? (enter a percent between 0-100, use whole numbers, )**

Percent of projects:

**19. What percentage of your clients require BIM (Building Information Modeling) as part of their requested services? (enter a percent between 0-100, use whole numbers)**

Percent of clients:

**20. Over the past 5 years, what percentage of the design team consultants you worked with used BIM to generate their drawings? (enter a percent between 0 and 100; use whole numbers)**

Percent of consultants

**21. In what capacity do you or your firm perform BIM for your consultants:**

|  | Yes                   | No                    |
|--|-----------------------|-----------------------|
| As part of your contract for project delivery? | <input type="radio"/> | <input type="radio"/> |
| As an added service?                           | <input type="radio"/> | <input type="radio"/> |

**22. Which type of setting best describes your primary work location?**

- Urban (greater than 50,000 people)
- Rural (less than 50,000 people)

## Architect Occupational Analysis

### 23. In what California county is your primary practice located?

- |                                    |                                       |                                     |
|------------------------------------|---------------------------------------|-------------------------------------|
| <input type="radio"/> Alameda      | <input type="radio"/> Marin           | <input type="radio"/> San Mateo     |
| <input type="radio"/> Alpine       | <input type="radio"/> Mariposa        | <input type="radio"/> Santa Barbara |
| <input type="radio"/> Amador       | <input type="radio"/> Mendocino       | <input type="radio"/> Santa Clara   |
| <input type="radio"/> Butte        | <input type="radio"/> Merced          | <input type="radio"/> Santa Cruz    |
| <input type="radio"/> Calaveras    | <input type="radio"/> Modoc           | <input type="radio"/> Shasta        |
| <input type="radio"/> Colusa       | <input type="radio"/> Mono            | <input type="radio"/> Sierra        |
| <input type="radio"/> Contra Costa | <input type="radio"/> Monterey        | <input type="radio"/> Siskiyou      |
| <input type="radio"/> Del Norte    | <input type="radio"/> Napa            | <input type="radio"/> Solano        |
| <input type="radio"/> El Dorado    | <input type="radio"/> Nevada          | <input type="radio"/> Sonoma        |
| <input type="radio"/> Fresno       | <input type="radio"/> Orange          | <input type="radio"/> Stanislaus    |
| <input type="radio"/> Glenn        | <input type="radio"/> Placer          | <input type="radio"/> Sutter        |
| <input type="radio"/> Humboldt     | <input type="radio"/> Plumas          | <input type="radio"/> Tehama        |
| <input type="radio"/> Imperial     | <input type="radio"/> Riverside       | <input type="radio"/> Trinity       |
| <input type="radio"/> Inyo         | <input type="radio"/> Sacramento      | <input type="radio"/> Tulare        |
| <input type="radio"/> Kern         | <input type="radio"/> San Benito      | <input type="radio"/> Tuolumne      |
| <input type="radio"/> Kings        | <input type="radio"/> San Bernardino  | <input type="radio"/> Ventura       |
| <input type="radio"/> Lake         | <input type="radio"/> San Diego       | <input type="radio"/> Yolo          |
| <input type="radio"/> Lassen       | <input type="radio"/> San Francisco   | <input type="radio"/> Yuba          |
| <input type="radio"/> Los Angeles  | <input type="radio"/> San Joaquin     |                                     |
| <input type="radio"/> Madera       | <input type="radio"/> San Luis Obispo |                                     |

## 6. PART II RATING JOB TASKS

In this part of the questionnaire, please rate each task as it relates to your current practice as an Architect. Your Frequency and Importance ratings should be separate and independent ratings. Therefore, the ratings that you assign from one rating scale should not influence the ratings that you assign from the other rating scale.

If the task is NOT part of your current practice, rate the task "0" (zero) Frequency and "0" (zero) Importance.

The boxes for rating the Frequency and Importance of each task have drop-down lists. Click on the "down" arrow for each list to see the ratings and then select the option based on your current job.

### FREQUENCY RATING

How often are these tasks performed in your current job?  
Use the following scale to make your rating.

- 0 - DOES NOT APPLY TO MY PRACTICE. I do not perform this task in my job.
- 1 - RARELY. This task is one of the tasks I perform least often in my practice relative to other tasks I perform.
- 2 - SELDOM. This task is performed less often relative to other tasks I perform in my practice.
- 3 - REGULARLY. This task is performed as often as other tasks I perform in my practice.
- 4 - OFTEN. This task is performed more often than most other tasks I perform in my practice.
- 5 - VERY OFTEN. This task is one of the tasks I perform most often in my practice.

### IMPORTANCE RATING

HOW IMPORTANT are these tasks in the performance of your current practice?  
Use the following scale to make your ratings.

- 0 - NOT IMPORTANT; DOES NOT APPLY TO MY PRACTICE. I do not perform this task in my practice.
- 1 - OF MINOR IMPORTANCE. This task is of minor importance for effective performance relative to other tasks; it has the lowest priority of all the tasks I perform in my current practice.
- 2 - FAIRLY IMPORTANT. This task is fairly important for effective performance relative to other tasks; however, it does not have the priority of most other tasks I perform in my current practice.
- 3 - MODERATELY IMPORTANT. This task is moderately important for effective performance relative to other tasks; it has average priority of all the tasks I perform in my current job.

# Architect Occupational Analysis

4 - VERY IMPORTANT. This task is very important for performance in my practice; it has a higher degree of priority than most other tasks I perform in my current practice.

5 - CRITICALLY IMPORTANT. This task is one of the most critical tasks I perform in practice; it has the highest degree of priority of all the tasks I perform in my current practice.

## 1. TASK STATEMENTS

|  | Frequency            | Importance           |
|--|----------------------|----------------------|
| 1. Advertise and solicit services in compliance with professional and legal requirements.  | <input type="text"/> | <input type="text"/> |
| 2. Evaluate the project's opportunities and constraints for alignment with client goals and requirements.  | <input type="text"/> | <input type="text"/> |
| 3. Assess preliminary project requirements including budget and schedule relative to own firm's/organization's business goals, resources, and expertise.   | <input type="text"/> | <input type="text"/> |
| 4. Evaluate potential contractual risks and determine strategies to manage them.   | <input type="text"/> | <input type="text"/> |
| 5. Collaborate with client to determine scope of work, project delivery method, deliverables, and compensation, etc., to prepare owner-architect agreement.  | <input type="text"/> | <input type="text"/> |
| 6. Identify the local, state, and federal regulatory jurisdictions impacting project.  | <input type="text"/> | <input type="text"/> |
| 7. Identify the project team members (e.g., architects, engineers, specialty consultants) and who is responsible for the contracting, management, and coordination of each member.   | <input type="text"/> | <input type="text"/> |
| 8. Collaborate with client to determine the specific roles and responsibilities of project participants (e.g., owner's representative, architect, contractor, construction manager).   | <input type="text"/> | <input type="text"/> |
| 9. Solicit the consultants to be contracted under the architect and evaluate their qualifications and scope of services based on project requirements.   | <input type="text"/> | <input type="text"/> |
| 10. Implement strategies for managing contractual risk (QA/QC, peer review).   | <input type="text"/> | <input type="text"/> |
| 11. Implement strategies for managing and documenting communication (e.g., point of contact, reporting methods) between the architect, client, and team and between the design team and external parties (e.g., agencies, stakeholders). | <input type="text"/> | <input type="text"/> |

## Architect Occupational Analysis

12. Implement strategies to control risk and manage liability for the client (e.g., due diligence, accessibility).

13. Manage client expectations related to the contracted scope of work (e.g., milestones, decision points).

14. Manage the distribution and review of documents for project coordination.

15. Establish documentation standards for the design team to support consistency and coordination.

16. Establish standards for addressing conflicts that arise during the design and construction process.

17. Conduct periodic progress meetings with design and project team to identify potential issues in work processes or team communication and develop plans to address the issues.

18. Review and update construction cost estimates as required by contract.

19. Manage the design team's fees, deliverables, and schedules to conform to contract.

20. Perform or evaluate site feasibility studies (e.g., size, gradient, infrastructure, environmental conditions) to clarify and address project requirements.

21. Assist client in evaluating design concepts based on budget, aesthetics, etc., to determine design direction.

22. Review program with client to validate project requirements and gain approval to proceed.

23. Provide consultants with program and background information to collaboratively develop the design concept.

24. Develop the project program using multiple approaches (e.g., surveys, interviews) to identify and evaluate user needs.

25. Present project to community groups and other stakeholders for their input and feedback.

# Architect Occupational Analysis

## 2. TASK STATEMENTS

|   | Frequency            | Importance           |
|---|----------------------|----------------------|
| 26. Prepare models, renderings, sketches, etc., to help communicate project designs.  | <input type="text"/> | <input type="text"/> |
| 27. Present schematic design documents that meet program requirements to client to obtain client's input and approval.  | <input type="text"/> | <input type="text"/> |
| 28. Integrate sustainable design strategies and technologies into design.   | <input type="text"/> | <input type="text"/> |
| 29. Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.  | <input type="text"/> | <input type="text"/> |
| 30. Prepare and submit exhibits and application forms to governing agencies (e.g., Planning Department, Coastal Commission, Design Review Board) for discretionary approvals.                 | <input type="text"/> | <input type="text"/> |
| 31. Work with agency staff to incorporate proposed conditions of discretionary approval into project documents.   | <input type="text"/> | <input type="text"/> |
| 32. Develop design concepts based on program requirements and constraints placed by applicable laws, local codes, ordinances, etc.  | <input type="text"/> | <input type="text"/> |
| 33. Lead the preparation of design development documents that integrate the architectural design and engineered building systems.   | <input type="text"/> | <input type="text"/> |
| 34. Analyze and coordinate the selection and design of building systems (e.g., structural, mechanical, electrical, fire safety, security) with consultants.                                   | <input type="text"/> | <input type="text"/> |
| 35. Lead the project team in the integration of the regulatory requirements into the design development documents.  | <input type="text"/> | <input type="text"/> |
| 36. Coordinate design with input from client and the overall project team (e.g., general contractor, building official), and evaluate/incorporate their inputs based on project requirements. | <input type="text"/> | <input type="text"/> |
| 37. Perform value engineering and life-cycle cost analyses to advise owner about approaches for managing project costs.   | <input type="text"/> | <input type="text"/> |
| 38. Review design development documents with client for compliance with project requirements and to gain approval   | <input type="text"/> | <input type="text"/> |

# Architect Occupational Analysis

to proceed.

39. Analyze and integrate the selection of sustainable design strategies and technologies into the design.

40. Incorporate final conditions of discretionary approval into project documents.

41. Conduct constructability review of Design Development documents.

42. Coordinate the preparation of the construction documents (e.g., architectural, structural, mechanical, civil, electrical, specs) and resolve potential conflicts or errors.

43. Modify construction documents based on changes in cost estimates including developing bidding alternates for client to consider.

44. Manage distribution and review of documents during the construction document and permit phases.

45. Prepare construction documents that meet program requirements and project goals, and present to client for approval.

46. Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.

47. Perform a detailed review of construction documents for constructability and incorporate changes into final documents.

48. Manage the submittal of construction documents to regulatory agencies through initial submittal, coordinating responses, and obtaining approvals.

49. Assist client in the bidding process (e.g., distribute documents, conduct pre-bid meetings, prepare addenda).

50. Assist client in selecting contractors and negotiating construction contracts.

# Architect Occupational Analysis

## 3. TASK STATEMENTS

|  | Frequency            | Importance           |
|--|----------------------|----------------------|
| 51. Prepare bid documents appropriate to the selected delivery method.   | <input type="text"/> | <input type="text"/> |
| 52. Manage the initiation/processing of documents to record construction changes (e.g., Construction Change Directives, Architect's Supplemental Instructions, Change Orders).                         | <input type="text"/> | <input type="text"/> |
| 53. Participate in pre-construction and pre-installation meetings with contractor as required by the contract documents.   | <input type="text"/> | <input type="text"/> |
| 54. Monitor project construction costs and schedule (e.g., review and certify contractor applications for payment, verify lien releases).  | <input type="text"/> | <input type="text"/> |
| 55. Review test, inspection, observation schedules, programs and reports for conformance with construction documents.  | <input type="text"/> | <input type="text"/> |
| 56. Review shop drawings and submittals during construction for conformance with design intent.  | <input type="text"/> | <input type="text"/> |
| 57. Conduct periodic site observations/field reports to confirm that construction is in general conformance with contract documents.   | <input type="text"/> | <input type="text"/> |
| 58. Respond to contractor Requests for Information.  | <input type="text"/> | <input type="text"/> |
| 59. Assist client with evaluating possible changes to the project during construction (e.g., cost, scope, schedule, quality).  | <input type="text"/> | <input type="text"/> |
| 60. Manage project close-out procedures (e.g., Certificate of Substantial Completion, Notice of Completion, verification of final lien releases, verification of public agency approvals) per contract | <input type="text"/> | <input type="text"/> |
| 61. Conduct post-construction services (e.g., post-occupancy evaluations, extended commissioning, record drawings) per contract.   | <input type="text"/> | <input type="text"/> |
| 62. Assist owner with resolving post-occupancy issues, (e.g., evaluation of building performance, warranty issues).  | <input type="text"/> | <input type="text"/> |

## 7. PART III. RATING JOB KNOWLEDGE

In this part of the questionnaire, rate each of the knowledge statements based on how important the knowledge is to successful performance in your practice. If a knowledge statement is NOT part of your job, then rate it "0" (zero) for Importance.

The boxes for rating the Importance of each knowledge statement have a drop-down list. Click on the "down" arrow for each list to see the ratings. Then select the rating based on your current practice.

### IMPORTANCE RATING

HOW IMPORTANT is this knowledge in the performance of your current practice?  
Use the following scale to make your ratings.

0 DOES NOT APPLY TO MY PRACTICE; NOT REQUIRED; this knowledge is not required to perform in my practice.

1 OF MINOR IMPORTANCE; this knowledge is of minor importance for performance of my practice relative to all other knowledge.

2 FAIRLY IMPORTANT; this knowledge is fairly important for performance of my practice relative to all other knowledge.

3 MODERATELY IMPORTANT; this knowledge is moderately important for performance of my practice relative to all other knowledge.

4 VERY IMPORTANT; this knowledge is very important for performance of my practice relative to all other knowledge.

5 CRITICALLY IMPORTANT; this knowledge is essential for performance of my practice relative to all other knowledge.

# Architect Occupational Analysis

## 1. Knowledge Statements

Importance

1. Knowledge of the provisions of the Architect's Practice Act and CA Code of Regulations related to architect's business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect's stamp).

2. Knowledge of different project delivery methods and the architect's and project team's corresponding roles and responsibilities (e.g., to client, as part of team).

3. Knowledge of options for tailoring architectural services to meet the client and project needs.

4. Knowledge of types of contracts and their application to the scope of work and the project's service requirements (client, consultant, etc.).

5. Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).

6. Knowledge of consultants (e.g., civil, structural, MEP, geotechnical), the services they provide, and their applications to meeting project requirements.

7. Knowledge of methods for evaluating own/firm's capabilities and capacities in relation to project requirements.

8. Knowledge of approaches for increasing the capability and/or capacity of the architect/firm to meet project requirements.

9. Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.

10. Knowledge of methods for evaluating client goals and resources in order to identify/define the preliminary project requirements, budget, and schedule.

11. Knowledge of procedures and standard practices for documenting contractual milestones (e.g., decisions, changes, approvals).

12. Knowledge of methods and techniques for communicating with client, project team, contractors, agencies, and stakeholders (e.g., meetings, emails, letters, minutes, transmittals, phone logs, visual aids).

13. Knowledge of architect's role and responsibilities for managing project and contractual risk for the architect and client.

14. Knowledge of methods and techniques for using technological resources (e.g., BIM/CAD, imaging software, web-based applications) to support communication with client and team.

15. Knowledge of the architect's role and responsibilities in orchestrating the architect's consultants and the entire project team.

16. Knowledge of the architect's professional and contractual responsibilities related to the client.

17. Knowledge of methods for controlling project costs (e.g., value engineering, life-cycle costing, cost estimating).

## Architect Occupational Analysis

18. Knowledge of procedures for preparing and monitoring the project budget including hard and soft costs.
19. Knowledge of methods and procedures for allocating resources and managing in-house and consultant costs throughout all phases of architectural services.
20. Knowledge of methods and techniques for resolving conflicts that occur during design and construction.
21. Knowledge of methods, techniques, and procedures for conducting predesign services (e.g., programming, feasibility studies, site analysis).
22. Knowledge of methods for evaluating and finalizing the program to determine feasibility and conformance to client's project requirements.
23. Knowledge of methods for developing design solutions with the involvement of client, users, consultants, and stakeholders.
24. Knowledge of methods and procedures for developing the schematic design deliverables.
25. Knowledge of procedures for obtaining and interpreting data about the existing built environment to determine impacts on project.
26. Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.
27. Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.
28. Knowledge of processes and procedures for obtaining discretionary approvals.
29. Knowledge of processes and procedures for compliance with local codes and ordinances related to design.
30. Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.

# Architect Occupational Analysis

## 2. Knowledge Statements

|   | Importance           |
|---|----------------------|
| 31. Knowledge of methods and procedures for complying with California Coastal Act as it related to design and construction.   | <input type="text"/> |
| 32. Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).  | <input type="text"/> |
| 33. Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc. | <input type="text"/> |
| 34. Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.  | <input type="text"/> |
| 35. Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.   | <input type="text"/> |
| 36. Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.  | <input type="text"/> |
| 37. Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.   | <input type="text"/> |
| 38. Knowledge of the Americans with Disabilities Act (ADA) with regard to how it impacts architectural practice (e.g., client and architect responsibilities, design, construction).  | <input type="text"/> |
| 39. Knowledge of national standards (e.g., UL, ANSI, ASTM, Factory Mutual) relevant to design and construction.   | <input type="text"/> |
| 40. Knowledge of methods and procedures for incorporating sustainable design strategies and technologies into design and construction.  | <input type="text"/> |
| 41. Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design.  | <input type="text"/> |
| 42. Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.   | <input type="text"/> |
| 43. Knowledge of methods for incorporating sustainable design (e.g., energy conservation, resource management, indoor air quality) into project design and construction.  | <input type="text"/> |
| 44. Knowledge of methods for identifying and evaluating the implications of special conditions (e.g., based on loading, soils, uses) on design and construction.  | <input type="text"/> |
| 45. Knowledge of contents of design drawings and related documents required for agency approvals.   | <input type="text"/> |

## Architect Occupational Analysis

46. Knowledge of architect's role and responsibilities in leading project team in order to obtain necessary agency approvals at the appropriate time.

47. Knowledge of methods for analyzing initial and life-cycle costs to select materials and systems for project.

48. Knowledge of methods for performing a QA/QC review of Design Development documents including constructability.

49. Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.

50. Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc.

51. Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).

52. Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.

53. Knowledge of methods and procedures for demonstrating design compliance with federal laws and authorities: ADA, Army Corps of Engineers, FAA, etc.

54. Knowledge of methods and procedures for demonstrating design compliance with National Standards: NFPA, ASTM, etc.

55. Knowledge of methods for performing a QA/QC review of construction docs including constructability, code compliance, etc.

56. Knowledge of the architect's role in reconciling client's budget with probable construction costs.

57. Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.

58. Knowledge of methods and procedures for presenting contract documents to client for approval.

59. Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.

60. Knowledge of methods for the detailed integration of building systems (e.g., clash detection, interdisciplinary overlays).

# Architect Occupational Analysis

## 3. Knowledge Statements

|  | Importance           |
|--|----------------------|
| 61. Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings). | <input type="text"/> |
| 62. Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).                             | <input type="text"/> |
| 63. Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).  | <input type="text"/> |
| 64. Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.   | <input type="text"/> |
| 65. Knowledge of methods and procedures for preparing bidding documents based on project funding source (private/public) and delivery method.  | <input type="text"/> |
| 66. Knowledge of architect's role and responsibilities related to construction bidding and negotiation processes.  | <input type="text"/> |
| 67. Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.   | <input type="text"/> |
| 68. Knowledge of California laws related to design professional and contractor liens and their implications for the architect's and client's responsibilities.   | <input type="text"/> |
| 69. Knowledge of the limits of the architect's role and responsibilities during construction (e.g., directing subcontractors, means and methods).  | <input type="text"/> |
| 70. Knowledge of the interrelationships and responsibilities between the owner, architect, and contractor during construction.   | <input type="text"/> |
| 71. Knowledge of methods for resolving conflicts that occur during construction (e.g., mediation, arbitration, litigation).  | <input type="text"/> |
| 72. Knowledge of methods and procedures for developing and reviewing the contract documents package.   | <input type="text"/> |
| 73. Knowledge of procedures for determining general conformance of construction with contract documents (e.g., observation, submittal reviews, RFIs).  | <input type="text"/> |
| 74. Knowledge of methods and procedures for implementing changes during construction (e.g., Architect's Supplemental Instructions, Change Orders).   | <input type="text"/> |
| 75. Knowledge of procedures for monitoring construction costs and schedules (e.g., reviewing and certifying payments to contractor, reviewing lien releases).  | <input type="text"/> |
| 76. Knowledge of procedures for performing project close-out (e.g., Certificate of Substantial Completion, Notice of Completion, final lien releases).   | <input type="text"/> |
| 77. Knowledge of the California construction laws related to minimum warranty periods.   | <input type="text"/> |
| 78. Knowledge of code-required special inspections and testing (e.g., field  | <input type="text"/> |

## Architect Occupational Analysis

welding, high-strength concrete).

79. Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings.

80. Knowledge of the architect's role and responsibilities in providing contract administration services based on the client-architect agreement.

81. Knowledge of post-construction services (e.g., extended building commissioning, record document preparation, operational and maintenance programming, facilities management, post-occupancy evaluation).

82. Knowledge of the architect's role and responsibilities to client regarding changes to project during construction (e.g., cost, scope, schedule, quality).

## 8. FINISHED

THANK YOU FOR COMPLETING THIS SURVEY QUESTIONNAIRE.

2014 EXAMINATION PLAN FOR THE ARCHITECT CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)

- I. **General Practice (14%):** This area assesses the candidate’s knowledge related to core areas of practice applicable across types of projects, construction contract arrangements, and project delivery methods.

| Task Statements  | Knowledge Statements  |
|--|---|
| <p>1 Advertise and solicit services in compliance with professional and legal requirements.</p> <p>2 Evaluate the project’s opportunities and constraints for alignment with client goals and requirements.</p> <p>3 Assess preliminary project requirements including budget and schedule relative to own firm’s/organization’s business goals, resources, and expertise.</p> <p>4 Evaluate potential contractual risks and determine strategies to manage them.</p> <p>5 Collaborate with client to determine scope of work, project delivery method, deliverables, and compensation, etc., to prepare owner-architect agreement.</p> <p>6 Identify the local, state, and federal regulatory jurisdictions impacting project.</p> <p>7 Identify the project team members (e.g., architects, engineers, specialty consultants) and who is responsible for the contracting, management, and coordination of each member.</p> <p>8 Collaborate with client to determine the specific roles and responsibilities of project participants (e.g., owner’s representative, architect, contractor, construction manager).</p> <p>9 Solicit the consultants to be contracted under the architect and evaluate their qualifications and scope of services based on project requirements.</p> | <p>1 Knowledge of the provisions of the Architect’s Practice Act and CA Code of Regulations related to architect’s business and professional requirements (e.g., contracts, architectural corporations, responsible control, architect’s stamp).</p> <p>2 Knowledge of different project delivery methods and the architect’s and project team’s corresponding roles and responsibilities (e.g., to client, as part of team).</p> <p>4 Knowledge of types of contracts and their application to the scope of work and the project’s service requirements (client, consultant, etc.).</p> <p>5 Knowledge of methods for limiting professional liability (e.g., contractual allocation of risk, standard of care, client and project selection).</p> <p>7 Knowledge of methods for evaluating own/firm’s capabilities and capacities in relation to project requirements.</p> <p>9 Knowledge of methods and procedures for identifying the regulatory agencies having jurisdiction over the project and their specific requirements.</p> <p>13 Knowledge of architect’s role and responsibilities for managing project and contractual risk for the architect and client.</p> <p>15 Knowledge of the architect’s role and responsibilities in orchestrating the architect’s consultants and the entire project team.</p> <p>16 Knowledge of the architect’s professional and contractual responsibilities related to the client.</p> <p>20 Knowledge of methods and techniques for resolving conflicts that occur during design and construction.</p> |

**I. General Practice (14%) (continued)**

| Task Statements   | Knowledge Statements |
|---|----------------------|
| <p>10 Implement strategies for managing contractual risk (QA/QC, peer review).</p> <p>11 Implement strategies for managing and documenting communication (e.g., point of contact, reporting methods) between the architect, client, and team and between the design team and external parties (e.g., agencies, stakeholders).</p> <p>12 Implement strategies to control risk and manage liability for the client (e.g., due diligence, accessibility).</p> <p>17 Conduct periodic progress meetings with design and project team to identify potential issues in work processes or team communication and develop plans to address the issues.</p> <p>19 Manage the design team's fees, deliverables, and schedules to conform to contract.</p> |                      |

**II. Programming / Design (36%):** This area assesses the candidate’s ability to identify and evaluate site and project opportunities and constraints in developing design concepts that meet the client’s, user’s, and stakeholder’s needs and applicable California regulations.

| Task Statements  | Knowledge Statements   |
|--|--|
| <p>20 Perform or evaluate site feasibility studies (e.g., size, gradient, infrastructure, environmental conditions) to clarify and address project requirements.</p> <p>21 Assist client in evaluating design concepts based on budget, aesthetics, etc., to determine design direction.</p> <p>22 Review program with client to validate project requirements and gain approval to proceed.</p> <p>23 Provide consultants with program and background information to collaboratively develop the design concept.</p> <p>24 Develop the project program using multiple approaches (e.g., surveys, interviews) to identify and evaluate user needs.</p> <p>25 Present project to community groups and other stakeholders for their input and feedback.</p> <p>28 Integrate sustainable design strategies and technologies into design.</p> <p>29 Identify the specific requirements of regulatory agencies and discuss their incorporation into the design/program with client and design team.</p> <p>30 Prepare and submit exhibits and application forms to governing agencies (e.g., Planning Department, Coastal Commission, Design Review Board) for discretionary approvals.</p> | <p>23 Knowledge of methods for developing design solutions with the involvement of client, users, consultants, and stakeholders.</p> <p>26 Knowledge of environmental conditions regulated in California (e.g., wetlands, coastal regions, habitats of endangered species) related to design and construction.</p> <p>27 Knowledge of the impacts to project from environmental conditions (e.g., seismic activity, fire, winds, flood zone, hazardous materials) and their potential mitigations.</p> <p>28 Knowledge of processes and procedures for obtaining discretionary approvals.</p> <p>29 Knowledge of processes and procedures for compliance with local codes and ordinances related to design.</p> <p>30 Knowledge of methods and procedures for complying with the California Environmental Quality Act (CEQA) related to design and construction.</p> <p>31 Knowledge of methods and procedures for complying with California Coastal Act as it related to design and construction.</p> <p>32 Knowledge of methods and procedures for complying with California Clean Air Act related to design and construction (e.g., air quality requirements for dust mitigation, limitations on generator exhaust).</p> <p>33 Knowledge of methods and procedures for complying with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to the design and construction of hospitals, schools, fire/police stations, etc.</p> <p>34 Knowledge of what is encompassed by the California Building Standards Code (e.g., building, electrical, mechanical, plumbing, energy) and how the CBSC is distinct from the model codes.</p> |

**II. Programming / Design (36%) (continued)**

| Task Statements   | Knowledge Statements  |
|---|---|
| 31 Work with agency staff to incorporate proposed conditions of discretionary approval into project documents.                    | 35 Knowledge of methods and procedures for complying with provisions of the California Building Standards Code related to design and construction.                                  |
| 32 Develop design concepts based on program requirements and constraints placed by applicable laws, local codes, ordinances, etc. | 36 Knowledge of methods and procedures for complying with the California Health and Safety Code related to design and construction.   |
|   | 37 Knowledge of methods and procedures for complying with the California water quality regulations related to design and construction.  |
|   | 38 Knowledge of the Americans with Disabilities Act (ADA) with regard to how it impacts architectural practice (e.g., client and architect responsibilities, design, construction). |
|   | 39 Knowledge of national standards (e.g., UL, ANSI, ASTM, Factory Mutual) relevant to design and construction.  |

**III. Development / Documentation (30%):** This area assesses the candidate’s knowledge regarding developing design solutions, managing a project team, and preparing design and construction drawings and documents in conformance with the project program and applicable California regulations.

| Task Statements  | Knowledge Statements   |
|--|--|
| 33 Lead the preparation of design development documents that integrate the architectural design and engineered building systems.   | 41 Knowledge of methods and procedures for evaluating and integrating building systems (e.g., structural, mechanical, electrical, plumbing, life safety, conveying, building systems controls) into the project design.  |
| 34 Analyze and coordinate the selection and design of building systems (e.g., structural, mechanical, electrical, fire safety, security) with consultants.                                   | 42 Knowledge of methods and procedures for evaluating building materials (e.g., material characteristics, performance, testing standards) for selection into the project design.   |
| 35 Lead the project team in the integration of the regulatory requirements into the design development documents.  | 46 Knowledge of architect's role and responsibilities in leading project team in order to obtain necessary agency approvals at the appropriate time.   |
| 36 Coordinate design with input from client and the overall project team (e.g., general contractor, building official), and evaluate/incorporate their inputs based on project requirements. | 48 Knowledge of methods for performing a QA/QC review of Design Development documents including constructability.  |
| 37 Perform value engineering and life-cycle cost analyses to advise owner about approaches for managing project costs.   | 49 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements for environmental quality: CEQA, Coastal Act, Clean Air Act, water quality regulations, etc.   |
| 39 Analyze and integrate the selection of sustainable design strategies and technologies into the design.  | 50 Knowledge of methods and procedures for demonstrating design compliance with State regulatory requirements (e.g., Essential Services Building Seismic Safety Act, Field Act, Hospital Facilities Seismic Safety Act) related to design and construction of hospitals, schools, fire/police stations, etc. |
| 40 Incorporate final conditions of discretionary approval into project documents.  | 51 Knowledge of methods and procedures for demonstrating design compliance with California Building Standards Code (CBSC).   |
| 41 Conduct constructability review of Design Development documents.  | 52 Knowledge of methods and procedures for demonstrating design compliance with local regulations: zoning, planning, general plan, CBSC modifications, etc.  |
| 42 Coordinate the preparation of the construction documents (e.g., architectural, structural, mechanical, civil, electrical, specs) and resolve potential conflicts or errors.               | 53 Knowledge of methods and procedures for demonstrating design compliance with federal laws and authorities: ADA, Army Corps of Engineers, FAA, etc.  |
|  | 54 Knowledge of methods and procedures for demonstrating design compliance with National Standards: NFPA, ASTM, etc.   |

**III. Development / Documentation (30%) (continued)**

| Task Statements  | Knowledge Statements  |
|--|---|
| 44 Manage distribution and review of documents during the construction document and permit phases.   | 55 Knowledge of methods for performing a QA/QC review of construction docs including constructability, code compliance, etc.  |
| 45 Prepare construction documents that meet program requirements and project goals, and present to client for approval.                              | 57 Knowledge of methods and procedures for managing the distribution and review of documents during the construction document and permit phases.  |
| 46 Prepare construction documents and verify conformance with the conditions of prior agency approvals and applicable codes and regulations.         | 59 Knowledge of contents of contract documents (e.g., construction drawings, specifications, project manual) required for agency approval, bidding, and construction.                                       |
| 47 Perform a detailed review of construction documents for constructability and incorporate changes into final documents.                            | 61 Knowledge of methods for documenting the anchoring of nonstructural elements as defined by the California Building Code (e.g., fixtures and equipment items, nonbearing partitions, suspended ceilings). |
| 48 Manage the submittal of construction documents to regulatory agencies through initial submittal, coordinating responses, and obtaining approvals. | 62 Knowledge of processes and procedures for working with regulatory agencies having jurisdiction over the project to obtain final approvals (local, regional, State, federal).                             |
|  | 63 Knowledge of interrelationships between regulatory agencies and their impact on the approval process (e.g., sequence of approvals, hierarchy of jurisdictions).  |
|  | 64 Knowledge of the architect's role in resolving conflicts between agencies regarding conflicting codes, regulations, and standards.   |

**IV. Bidding / Construction (20%):** This area assesses the candidate’s knowledge related to California regulations associated with project bidding, construction, and post-construction activities.

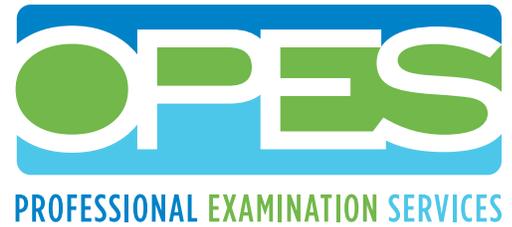
| Task Statements   | Knowledge Statements  |
|---|---|
| 49 Assist client in the bidding process (e.g., distribute documents, conduct pre-bid meetings, prepare addenda).  | 66 Knowledge of architect’s role and responsibilities related to construction bidding and negotiation processes.  |
| 50 Assist client in selecting contractors and negotiating construction contracts.   | 67 Knowledge of the provisions of the California Public Contract Code related to the bidding and contracting requirements for publicly funded projects.       |
| 51 Prepare bid documents appropriate to the selected delivery method.   | 68 Knowledge of California laws related to design professional and contractor liens and their implications for the architect’s and client’s responsibilities. |
| 52 Manage the initiation/processing of documents to record construction changes (e.g., Construction Change Directives, Architect’s Supplemental Instructions, Change Orders). | 70 Knowledge of the interrelationships and responsibilities between the owner, architect, and contractor during construction.                                 |
| 53 Participate in pre-construction and pre-installation meetings with contractor as required by the contract documents.   | 71 Knowledge of methods for resolving conflicts that occur during construction (e.g., mediation, arbitration, litigation).                                    |
| 54 Monitor project construction costs and schedule (e.g., review and certify contractor applications for payment, verify lien releases).                                      | 73 Knowledge of procedures for determining general conformance of construction with contract documents (e.g., observation, submittal reviews, RFIs).          |
| 55 Review test, inspection, observation schedules, programs and reports for conformance with construction documents.  | 74 Knowledge of methods and procedures for implementing changes during construction (e.g., Architect’s Supplemental Instructions, Change Orders).             |
| 56 Review shop drawings and submittals during construction for conformance with design intent.  | 75 Knowledge of procedures for monitoring construction costs and schedules (e.g., reviewing and certifying payments to contractor, reviewing lien releases).  |
| 57 Conduct periodic site observations/field reports to confirm that construction is in general conformance with contract documents.   | 76 Knowledge of procedures for performing project close-out (e.g., Certificate of Substantial Completion, Notice of Completion, final lien releases).         |
|   | 77 Knowledge of the California construction laws related to minimum warranty periods.   |

**IV. Bidding / Construction (20%) (continued)**

| Task Statements   | Knowledge Statements  |
|---|---|
| 58 Respond to contractor Requests for Information.  | 78 Knowledge of code-required special inspections and testing (e.g., field  |
| 59 Assist client with evaluating possible changes to the project during construction (e.g., cost, scope, schedule, quality).  | welding, high-strength concrete).   |
| 60 Manage project close-out procedures (e.g., Certificate of Substantial Completion, Notice of Completion, verification of final lien releases, verification of public agency approvals) per contract | 79 Knowledge of State inspection, testing, reporting, and documentation requirements for construction of hospitals, public schools, and essential services buildings. |
| 61 Conduct post-construction services (e.g., post-occupancy evaluations, extended commissioning, record drawings) per contract.   |   |
| 62 Assist owner with resolving post-occupancy issues, (e.g., evaluation of building performance, warranty issues).  |   |

|                                       |  |
|---------------------------------------|--|
| <b>Purpose</b>                        | <p>An occupational analysis (or job analysis) defines a profession in terms of the actual tasks that new licensees must be able to perform safely and competently at the time of licensure. In order to develop a licensing examination that is fair, job-related, and legally defensible, it must be based solidly upon what licensees actually do on the job. The occupational analysis should be reviewed routinely every five to seven years to verify that it accurately describes current practice.</p>  |
| <b>Process</b>                        | <p>Typically, the process begins by selecting and interviewing a sample of licensees who accurately represent the geographic, ethnic, gender, experience, and practice specialty mix of the profession. During the interview, they identify the tasks that they perform within major categories of their profession and the knowledge required to perform those tasks. A committee of subject matter experts meets to finalize the task and knowledge statements, and develop a questionnaire. The questionnaire is sent to a representative sample of licensed practitioners. The data are analyzed, and the results are used to update the description of practice and/or develop a content outline.</p> |
| <b>Content Outline</b>                | <p>The content outline specifies the tasks and knowledge that a newly licensed practitioner is expected to master by the time of licensure, and identifies the relative weight or percentage of each major subject area to be assessed in an examination. The content outline is used to develop questions for and validate new examinations.</p>  |
| <b>Content Validation Strategy</b>    | <p>In order for an examination to be valid, it must be empirically linked to the content outline of a recent occupational analysis. The Office of Professional Examination Services recommends that occupational analyses be validated no less than every five to seven years.</p>   |
| <b>Legal Standards and Guidelines</b> | <p>A number of statutes, standards, and professional guidelines set criteria for the licensing process in California. These include the Standards for Educational and Psychological Testing, the Federal Uniform Guidelines for Employee Selection Procedures, the Civil Rights Act of 1991, California Government Code section 12944 of the California Fair Employment and Housing Act, Business and Professions Code section 139, and the Americans with Disabilities Act of 1990, as amended.</p>   |
| <b>Contact</b>                        | <p>To learn more about these and other examination-related services, please contact the Office of Professional Examination Services at (916) 575-7240.</p>   |

# EXAMINATION DEVELOPMENT



## Purpose

The purpose of licensing examinations is to protect consumers by verifying that new licensees possess the minimally acceptable knowledge and experience necessary to perform tasks on the job safely and competently.

## Process

A valid occupational analysis (OA) and content outline is required to begin the examination development process. The content outline provides the specifications for the examination.

Examination development is a group process, conducted in structured workshops comprised of subject matter experts (SMEs). Each SME provides a different perspective of the profession that would not otherwise be objectively considered by individuals working alone. To ensure that the description of the profession represents the job tasks of practitioners entering the profession, each workshop always includes a number of newly licensed practitioners. While there may be several workshops to develop an examination, it is recommended that each be scheduled for a minimum of two days to obtain optimum results.

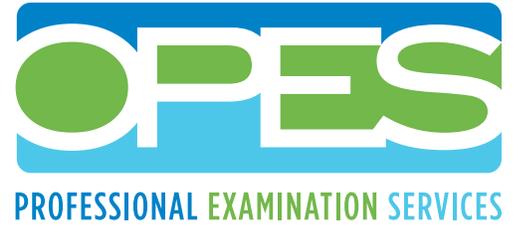
The types of workshops required may include such tasks as re-linking old items (questions) to a new OA content outline; writing new items linked to the outline; reviewing and revising new or poorly functioning items; constructing a new examination version; and determining a passing score.

During each workshop SMEs are trained in the technical, professional, and legal standards that serve as specific guidelines for the development of examinations. For multiple-choice examinations, incorrect options (distracters) in multiple-choice items should be plausible so that an unprepared candidate will seriously consider them with the correct answer (key). For performance examinations, the activities should be sufficiently complex that an examiner can thoroughly assess a candidate's competence to perform actual job-related tasks.

## Validation

In order for an examination to be valid, it must be empirically linked to the content outline of a recent occupational analysis. See Informational Series No. 1, "Occupational Analysis" for more information.

## EXPERT CONSULTANTS

**Purpose**

In licensure examination development work, expert consultants are referred to as subject matter experts (SMEs). Their participation is essential to the development of licensure exams, and ensures that the exams accurately assess whether candidates possess the minimally acceptable knowledge, skills, and abilities necessary to perform tasks on the job safely and competently.

**Process**

The selection of expert consultants/SMEs by boards, bureaus, and committees of the Department of Consumer Affairs (DCA) critically affects the quality and defensibility of their licensure exams, and is based on the following minimum criteria:

- Reflect the profession in specialty, practice setting, geographic location, ethnicity, and gender.
- Represent the current pool of practitioners.
- Possess current skills and a valid license in good standing.
- Articulate specialized technical knowledge related to a profession.

In addition, several of the six to ten expert consultants/SMEs in each workshop should be licensed five years or less to ensure an entry-level perspective is represented.

Due to potential conflict of interest, undue influence, and/or security considerations, board members, committee members, and instructors shall not serve as expert consultants/SMEs for, nor participate in, any aspect of licensure exam development or administration, pursuant to DCA Policy OPES 11-01.

**Workshops**

OPES exam development workshops bring together the professional knowledge and experience of expert consultants/SMEs, and the expertise of OPES exam development specialists. Separate workshops are conducted for:

**Occupational analysis:** Identifying critical job tasks and required knowledge.

**Item linking:** Linking old exam items (questions) to an updated exam outline.

**Item writing:** Creating new items.

**Item review:** Revising new or poorly functioning items.

**Exam construction:** Selecting items to construct a new exam version.

**Setting a passing score:** Determining the passing score of an exam.

OPES exam development specialists begin each workshop by training expert consultants/SMEs in the required concepts, standards, and techniques. The exam development specialist serves as a facilitator, guide, and coach. Workshops are typically conducted on two consecutive eight-hour days at the OPES offices in Sacramento.

*(Continued on back)*

**Security**

OPES has implemented a variety of controls to ensure the integrity, security and appropriate level of confidentiality of licensure exam 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 exam-related workshops.

Expert consultants/SMEs are required to provide valid identification, allow for personal belongings to be secured during workshops, and sign one or more agreements accepting responsibility for maintaining strict confidentiality of licensing exam material and information to which they have access.

Any person who fails to comply with OPES' security requirements will not be allowed to participate in licensure exam workshops. In addition, any person who subverts or attempts to subvert any licensing exam will face serious consequences which may include loss of licensure and/or criminal charges.

**Authority**

California Business and Professions Code section 123

**NCARB**

1. Discuss and Possible Action on Implementing NCARB's Integrated Path Initiative
2. Discuss and Possible Action on Modifications to NCARB Education Standard
3. Discuss and Possible Action on NCARB Resolution 2015-02 Regarding Broadly Experienced Foreign Architect Program

### **DISCUSS AND POSSIBLE ACTION ON IMPLEMENTING NCARB'S INTEGRATED PATH INITIATIVE**

The California Architects Board's 2015-16 Strategic Plan contains an objective assigned to the Professional Qualifications Committee to collaborate with California's National Architectural Accrediting Board (NAAB) accredited programs and the National Council of Architectural Registration Boards (NCARB) to establish and promote an accelerated path to architectural licensure.

NCARB has been pursuing a path to licensure that integrates a professional education in architecture with practical experience and the examination since it commissioned its Licensure Task Force (LTF) in September 2013. The LTF was charged with exploring potential avenues to licensure by analyzing the essential components (education, experience, and examination) and determining where efficiencies can be realized in order to streamline the licensure process. On May 30, 2014, NCARB formally announced its endorsement of the concept of integrated programs.

On September 9, 2014, NCARB released its Request for Interest and Information (RFI&I) to NAAB accredited programs. The Board (at its meeting on September 10, 2014) adopted a Supporting Position Statement (Attachment 1) endorsing the concept of integrated programs. The LTF received 38 responses to the RFI&I; of the schools that responded, 32 (representing 26 percent of institutions with NAAB-accredited degree programs) declared an interest in submitting a formal proposal. The formal NCARB Request for Proposal (RFP) was released on January 23, 2015, with a submission deadline of June 1, 2015.

NCARB received more than a dozen responses to the RFP, which were reviewed by the LTF in June/July 2015. On August 31, 2015, NCARB announced the names of the first 13 accredited architectural programs (three of which are from California: NewSchool of Architecture and Design, University of Southern California, and Woodbury University) to be accepted for participation in the NCARB Integrated Path Initiative (IPI). The initiative encourages NAAB programs to propose a pre-graduation integration of education, experience, and the opportunity to take each of the six divisions of the Architect Registration Examination (ARE) version 5.0.

NCARB also established a new Integrated Path Evaluation Committee (IPEC) to oversee the ongoing work of this initiative. It is anticipated that the IPEC will continue to coach accepted programs, promote engagement with state boards regarding the necessary statutory or regulatory changes to incorporate integrated path candidates, and oversee the acceptance of future program applicants. According to NCARB, each program will implement the integrated path in alignment with the schedule developed by the respective school administration and faculty; specific starting dates may vary from one school to another. Integrated path students in each program will be part of existing accredited programs.

Board staff reviewed the Architects Practice Act to determine whether any statutory or regulatory changes are necessary for implementation of an NCARB-accepted IPI program. The Executive Officer provided language for inclusion into Assembly Bill (AB) 177 that created Business and

Professions Code section (BPC) 5550.2, which authorizes the Board to grant candidates enrolled in an integrated program early eligibility to take the ARE. The Governor signed AB 177 on October 2, 2015, with an effective date of January 1, 2016 (Attachment 2).

Board staff recommends the language of BPC 5550.2 be amended to update and clarify the language (Attachment 3). The proposed amendment would remove the prescriptiveness of the original BPC 5550.2 language by deleting references to “Additional Path to Architectural Licensing Program” and specifying the law applies those candidates enrolled in an NCARB-accepted program in lieu of offered by NAAB.

At today’s meeting, the Board is asked to discuss this matter and review and approve the proposed language for BPC 5550.2.

Attachments:

1. Board’s Additional Path to Licensure Supporting Position Statement (Amended by the Board June 10, 2015)
2. Excerpt from AB 177 (Chapter 428, Statutes of 2015)
3. Proposed Language for BPC 5550.2



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## **Additional Path to Licensure Supporting Position Statement**

California's examination and licensure requirements are more flexible than most other jurisdictions. Obtaining a license in California involves requirements that can be met in multiple ways with several possible entry points. Although each candidate's path to licensure may differ, all candidates will complete the process with the necessary knowledge, skills, and ability to be a licensed architect who practices in a way that protects the health, safety, and welfare of Californians.

The California Architects Board supports and encourages California schools of architecture to participate in formulating integrated curriculums of education, experience, and examination that promote licensure. The Board will monitor and analyze, for alignment, participating school proposals and the National Council of Architectural Registration Boards' initiative with the intent to establish an earlier entry point of eligibility to begin taking the Architect Registration Examination.

*Adopted by the Board on September 10, 2014*

*Amended by the Board on December 10, 2014*

*Amended by the Board on March 12, 2015*

*Amended by the Board on June 10, 2015*

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, 2016.

SEC. 3. Section 207 of the Business and Professions Code is amended to read:

207. (a) Notwithstanding any other provision of law, the money in any fund described in Section 205 that is attributable to administrative fines, civil penalties, and criminal penalties imposed by a regulating entity, or cost recovery by a regulating entity from enforcement actions and case settlements, shall not be continuously appropriated. The money in each fund that is not continuously appropriated shall be available for expenditure as provided in this code only upon appropriation by the Legislature.

(b) Notwithstanding any other provision of law, the annual Budget Act may appropriate, in a single budget item for each individual fund described in subdivision (a) of Section 205, the entire amount available for expenditure in the budget year for that fund. That appropriation may include funds that are continuously appropriated and funds that are not continuously appropriated.

SEC. 4. Section 5510 of the Business and Professions Code is amended to read:

5510. There is in the Department of Consumer Affairs a California Architects Board which consists of 10 members.

Any reference in law to the California Board of Architectural Examiners shall mean the California Architects Board.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 5. Section 5517 of the Business and Professions Code is amended to read:

5517. The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 6. Section 5550.2 is added to the Business and Professions Code, to read:

5550.2. Notwithstanding subdivision (b) of Section 5552, the board may grant eligibility, based on an eligibility point determined by the Additional Path to Architectural Licensing Program, for a candidate to take the examination for a license to practice architecture if he or she is enrolled in an Additional Path to Architectural Licensing program that integrates the experience and examination components offered by a National Architectural Accrediting Board-accredited degree program.

SEC. 7. Section 5620 of the Business and Professions Code is amended to read:

# Proposed Language

## Business and Professions Code

5550.2 Notwithstanding subdivision (b) of Section 5552, the board may grant eligibility, ~~based on an eligibility point determined by the Additional Path to Architectural Licensing Program, for a candidate~~ to take the examination ~~for a license to practice architecture if he or she is~~ to candidates enrolled in an ~~Additional Path to Architectural Licensing degree~~ program accepted by the National Council of Architectural Registration Boards that integrates the experience and examination components ~~offered by a National Architectural Accrediting Board accredited degree program.~~ The eligibility point shall be determined by such program.

**DISCUSS AND POSSIBLE ACTION ON MODIFICATIONS TO NCARB EDUCATION STANDARD**

On October 8, 2015, the National Council of Architectural Registration Boards (NCARB) released the attached Request for Comments asking Member Boards for feedback regarding modifications to the *NCARB Education Standard* (Standard). The comment period ends on January 12, 2016. The NCARB Board of Directors (BOD) will be voting on the proposed modifications at a special meeting scheduled for January 30, 2016.

The Standard is used in the Education Evaluation Service for Architects NCARB education evaluation report for foreign educated individuals pursuing initial licensure in the U.S. and is regularly reviewed and updated in order to remain relevant to current practice and in alignment with the National Architectural Accrediting Board (NAAB) *2014 Conditions for Accreditation* (Conditions). The proposal for modifications to the Standard was previously reviewed by the BOD at its June 16, 2015, Pre-Annual Board Meeting.

Following the 2013 NAAB Accreditation Review Conference, the Conditions were revised and updated in 2014. The NCARB Education Committee was charged with reviewing the Standard in order to confirm relevancy and alignment with the updated Student Performance Criteria (SPC) in the Conditions. The Committee approached the charge by identifying misalignments between the subject areas of the Standard and the SPC of the Conditions, eliminating overlap between the two sets of requirements, and addressing SPC not currently covered in the Standard. This approach led to modifications, including nomenclature changes, reorganization and addition of subject area categories, merging of categories, and adjustments to semester credit hour requirements. The proposed changes also include an update to the Standard's subject area and category definitions completed in collaboration with NAAB subject matter experts. The process ultimately maintains the relevancy and currency of the Standard as the criteria by which to review candidates for licensure and/or certification.

The Board is asked to provide its feedback regarding the proposed modifications to NCARB before the January 12, 2016 deadline for comments.

Attachment:

NCARB Request for Comments Dated October 8, 2015

## MEMORANDUM

Dennis S. Ward, AIA, NCARB  
President/Chair of the Board  
Florence, South Carolina

Kristine A. Harding, AIA, NCARB  
1st Vice President/President-Elect  
Huntsville, Alabama

Gregory L. Erny, NCARB, AIA  
2nd Vice President  
Reno, Nevada

David L. Hoffman, FAIA, NCARB  
Treasurer  
Wichita, Kansas

Terry L. Allers, AIA, NCARB  
Secretary  
Fort Dodge, Iowa

Dale McKinney, FAIA, NCARB  
Past President  
Sioux City, Iowa

David R. Prengaman, AIA, NCARB  
Director, Region 1  
Providence, Rhode Island

Susan B. McClymonds, AIA, CSI  
Director, Region 2  
Amsterdam, New York

Alfred Vidaurri Jr., FAIA, NCARB, AICP  
Director, Region 3  
Fort Worth, Texas

Stephen L. Sharp, AIA, NCARB  
Director, Region 4  
Springfield, Ohio

Bayliss Ward, NCARB, AIA  
Director, Region 5  
Bozeman, Montana

Robert M. Calvani, NCARB, AIA  
Director, Region 6  
Albuquerque, New Mexico

Kingsley Johnson Glasgow  
Member Board Executive Director  
Little Rock, Arkansas

John G. Cameron Jr.  
Public Director  
Grand Rapids, Michigan

Michael J. Armstrong  
Chief Executive Officer

**TO:** Member Board Members  
Member Board Executives

**FROM:** Dennis Ward, AIA, NCARB  
President/Chair of the Board 

**DATE:** October 8, 2015

**SUBJECT:** **Request for Comments:** Modifications to the *NCARB Education Standard*

## INTRODUCTION

The education requirement for NCARB certification is a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB). There are two alternative means to satisfy the education requirement:

- Completion of the Broadly Experienced Architect (BEA) Program
- An EESA-NCARB education evaluation report stating satisfaction of the *NCARB Education Standard*.

Both alternatives utilize the *NCARB Education Standard* as criteria by which certificate applicants are assessed.

The *Standard* is also used in the EESA-NCARB education evaluation report for foreign educated applicants pursuing initial licensure in the U.S. The *Standard* is regularly reviewed and updated from time to time in order to remain relevant to current practice and in alignment with the *NAAB Conditions for Accreditation*.

The proposal for modifications to the *NCARB Education Standard* was reviewed by the NCARB Board of Directors at the June Pre-Annual Board Meeting. The Board of Directors would now like feedback from our Member Boards prior to voting on these proposed changes. Comments will be received through January 12, 2016.

Feedback from our Members Boards on these proposed changes is critical to the Board of Directors. The Board would like to assure that we have heard from our membership on this subject and that we continue to maintain the *NCARB Education Standard* as a valid and appropriate **criteria by which to review an applicant's** alternative education for certification.

The following pages provide details and rationale on all proposed modifications. Questions regarding the proposal should be directed to Harry Falconer ([hfalconer@ncarb.org](mailto:hfalconer@ncarb.org)) or Michelle Dixon ([mdixson@ncarb.org](mailto:mdixson@ncarb.org)).

### **BACKGROUND**

The *NCARB Education Standard* is the approximation of the requirements of a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB). It includes general studies, professional studies, and electives, which together comprise a professional education in architecture.

The *NCARB Education Standard* is not the equivalent to the *NAAB Conditions for Accreditation*. The *NCARB Education Standard* is prescriptive based and includes subject area definitions and semester credit hour requirements. The *NAAB Conditions for Accreditation* are performance based and include criteria by which student outcomes are reviewed.

### **EXECUTIVE SUMMARY**

Following the 2013 NAAB Accreditation Review Conference, the *Conditions for Accreditation* were revised and updated in 2014. The FY15 Education Committee was charged with reviewing the *NCARB Education Standard in order to confirm* relevancy and alignment with the updated Student Performance Criteria (SPC) in the *2014 NAAB Conditions for Accreditation*.

The committee, composed of education specialists and a representative from the NAAB, approached the charge by identifying misalignments between the subject areas of the *Standard* and the SPC of the *Conditions*, eliminating overlap between the two sets of requirements, and addressing SPC not currently covered in the *Standard*. This approach led to modifications, including nomenclature changes, reorganization and addition of subject area categories, merging of categories, and adjustments to semester credit hour requirements. The proposed changes include an update to the *Standard's* subject area and category definitions completed in collaboration with NAAB subject matter experts.

Please refer to the attached *Education Standard* Comparison Chart and the *Education Standard* redline document for details regarding the proposed changes.

### **PROPOSED EDUCATION STANDARD OUTLINE**

In this proposed outline, the relative NAAB SPC are identified and aligned under each subject area, with the exception of General Education. The language from each of the NAAB SPC was then integrated into the *NCARB Education Standard* based upon the proposed alignments.

- I. **General Education** (currently 45 semester credit hours); remain as is.
  
- II. **History and Theory, Human Behavior, and Environment** (currently 16 semester credit hours)  
*Proposed Changes:*
  - Subject Area title change to History and Theory, and Human Behavior.
  - Requirement reduction from 16 to 12 semester credit hours.
  - Relocate Environment category to studio design hours.
  - The remaining three (3) semester credit hours may be in any one or more categories of the History and Theory, and Human Behavior subject area.*Proposed Categories and Related SPC:*
  - A. History and Theory – 6 semester credit hours min.
    - i. A.7 – History and Global Conditions
  - B. Human Behavior – 3 semester credit hours min.
    - ii. A.8 – Cultural Diversity and Social Equity
  
- III. **Technical Systems** (currently 24 semester credit hours)  
*Proposed Changes:*
  - Subject Area title change to Building Practices.
  - Requirement increase from 24 to 27 semester credit hours.
  - Move Technical Documentation from Practice Subject Area to this Subject Area.
  - Category title change from Building Service Systems and Building Envelope/Enclosure Systems to Building Service and Building Enclosure Systems.
  - Add Financial Considerations category

***Proposed Categories and Related SPC:***

- A. Structural Systems – 6 semester credit hours min.
  - i. B.5 – Structural Systems
- B. Environmental Control Systems – 6 semester credit hours min.
  - ii. B.6 – Environmental Systems
- C. Construction Materials and Assemblies – 6 semester credit hours min.
  - iii. B.8 – Building Materials and Assemblies
- D. Building Service and Building Enclosure Systems – 3 semester credit hours min. (title change)***
  - iv. B.7 – Building Envelope Systems and Assemblies
  - v. B.9 – Building Service Systems
- E. Technical Documentation – 3 semester credit hours min. (moved from Practice)***
  - vi. B.4 – Technical Documentation
- F. Financial Consideration – 3 semester credit hours min. (added requirement)***
  - vii. B.10 – Financial Considerations

**IV. Design** (currently 50 semester credit hours)***Proposed Changes:***

- Requirement reduction from 50 to 42 semester credit hours.
  - This reduction in semester credit hours is based on the linking study performed by the committee. The NAAB SPC linked to Design Levels I-IV only, therefore the committee has proposed the elimination of Design V, which required 8 credit hours.
  - Current Level V Design, which includes comprehensive design requirements, is now represented in ***Integrated Design***, the proposed fourth category.
  - The remaining ten (10) semester credit hours may be in any one or more categories of the Design subject area.
- Categories renamed and redefined.
  - Eliminates the misperception that Design Levels, which demonstrate knowledge that is built upon through each consecutive Level, are sequential and refer to years in school.

- o Provides a more accurate reflection of the criteria.

***Proposed Categories and Related SPC:***

- A. ***Fundamental Design (current Level I) – 8 semester credit hours min.***
  - i. A.1 - Professional Communication Skills
  - ii. A.2 - Design Thinking
  - iii. A.4 - Architectural Design Skills
  - iv. A.5 - Ordering Systems
- B. ***Program and Site Design (current Level II) – 8 semester credit hours min.***
  - i. B.1 - Pre-Design
  - ii. B.2 - Site Design
  - iii. Added language from NAAB Perspectives on sustainability and environmental design
- C. ***Research and Investigative Based Design (current Levels III and IV) – 8 semester credit hours min.***
  - i. A.3 - Investigative Skills
  - ii. A.6 - Use of Precedents
  - iii. C.1 - Research
- D. ***Integrated Design (current Levels IV and V) – 8 semester credit hours min.***
  - i. C.2 - Integrated Evaluations and Decision-Making Design Process
  - ii. C.3 - Integrative Design

**V. Practice** (currently 9 semester credit hours, of which 3 must be in Laws and Regulations)

***Proposed Changes:***

- Requirement increase from 9-12 semester credit hours.
- Require an additional minimum of 3 credit hours in Ethics and Professional Conduct.
- Category title change from Project Process to Stakeholder Roles in Architecture.
- Subject Area title change to Professional Practice.
- The remaining six (6) must be distributed across the other three categories.

***Proposed Categories and Related SPC:***

- A. Stakeholder Roles in Architecture – 3 semester credit hours max.
  - i. D.1 – Stakeholder Roles in Architecture
- B. ***Project Management – 3 semester credit hours max. (change title)***

- ii. D.2 – Project Management
- C. Business Management – 3 semester credit hours max.
- iii. D.3 – Business Practices
- D. Laws and Regulations – 3 semester credit hours min.
- iv. B.3 – Code and Regulations
- v. D.4 – Legal Responsibilities
- E. ***Ethics and Professional Conduct – 3 semester credit hours min.***
- vi. D.5 – Professional Conduct

VI. **Electives** (currently 16 semester credit hours)

***Proposed Changes:***

- Requirement decrease from 16-12 semester credit hours.
- Subject Area title change to Optional Studies.

Note: Although there is an overall reduction of ten semester credit hours, the proposed ***Standard*** includes the same percentage of architecture-related coursework as the current ***Standard***. The proposed total (150 semester credit hours) is also in alignment with the current requirements for an accredited Bachelor of Architecture degree program. The resulting outline provides a distribution of hours and subject areas that are aligned with the ***2014 NAAB Conditions for Accreditation***.

### **CONCLUSION**

The Education Committee, educators and subject matter experts in education evaluation were engaged in the comprehensive assessment and revision of the proposed ***NCARB Education Standard***. The reorganization, revisions to nomenclature and subject area definitions, and adjustment of semester credit hour requirements maintains the relevancy and currency of the ***Standard*** as the criteria by which to review applicants for licensure and/or certification.

Comments will be received through January 10, 2016 and the Board of Directors will be reviewing these comments and voting on these proposed changes at a special meeting scheduled for January 30, 2016.

The *NCARB Education Standard* is the approximation of ~~the a first requirements of a~~ professional degree from a NAAB-accredited degree program. It includes general studies, professional studies, and ~~electives optional studies~~, which together comprise a professional liberal education in architecture.

The *NCARB Education Standard* is the criteria for the EESA-NCARB Education Evaluation (described on page 19 of the Education Guidelines). An EESA-NCARB Education Evaluation is required for two types of applicants who are seeking to satisfy one of two alternates to the education requirement for NCARB certification:

1. ➤ Applicants who have a professional degree in architecture from a country other than the United States or Canada and whose degree meets the requirements for licensure in that country, ~~and~~
2. ➤ Applicants for the Broadly Experienced Architect (BEA) Program who have at least 64 semester credit hours (or 96 quarter credit hours) of post-secondary education.

The EESA-NCARB Education Evaluation process is described on page 20 and the BEA Program is described on page 9 of the *Education Guidelines*. The education requirement for NCARB certification is described in the [Handbook for Interns and Architects Certification Guidelines](#).

The *NCARB Education Standard*, the individual subject areas and categories of the *NCARB Education Standard*, and means to satisfy any identified deficiencies are described ~~below and~~ on the following pages. The following definitions have been developed to approximate the requirements of a NAAB-accredited degree program in architecture.

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<sup>1 1</sup> A “credit hour” is the unit of measuring educational credit, usually based on the number of classroom hours per week throughout a term. Students are awarded credit for classes on the basis of the

A minimum of ~~160~~150 semester credit hours<sup>1</sup> (~~which is the equivalent of 240-225~~ quarter credit hours) of academic credit is required and is grouped into six subject areas: General Education; History and Theory ~~and~~; Human Behavior, ~~and Environment~~; ~~Technical Systems Building Practices~~; ~~Practice~~; Design; [Professional Practice](#); and [Electives Optional Studies](#).

## 1. General Education

A total of 45 semester credit hours are required. At least three (3) hours in the Communication Skills category must be in English Composition. The remaining 42 hours may be in any one or more categories of the General Education subject area.

### A. Communication Skills

Communication Skills are defined as effective written and oral communication using the conventions of Standard English as taught in ~~the United States~~[English-speaking countries](#).

Acceptable courses include English composition, English grammar, public speaking, media communication, community consensus building, research methods, speech communication, business communication, and introductions to research.

Courses in English literature are NOT acceptable in this category, but they are acceptable in Humanities and Arts. Courses in English as a foreign language are NOT acceptable in Communication Skills; however, they may be acceptable in Humanities and Arts.

### B. Humanities ~~a~~And Arts

[Carnegie unit](#). This defines a semester unit of credit as equal to a minimum of three hours of work per week for a semester (Definition of a Carnegie Unit). Generally, in the U.S., a semester credit hour is measured as 15-16 contact hours per semester.

Humanities and Arts are defined as the academic study of the expressions and artifacts of human experience in word, image, music, and gesture using methods that are primarily analytic, critical, or speculative and that apply rational thought to construct and assess opinions, ideas, and arguments.

Acceptable courses include philosophy, ancient and modern languages, literature, law, history, philosophy, religion, visual, performing and applied arts, and language courses other than English.

### C. Quantitative Reasoning

Quantitative Reasoning is defined as the study of quantitative methods and rational, systematic steps based on sound mathematical procedures to arrive at a conclusion.

Acceptable courses include algebra, analytic and descriptive geometry, trigonometry, calculus, logical reasoning, pre-calculus, linear algebra, and statistics.

### D. Natural Sciences

Natural Sciences is defined as the study of the universe using a naturalistic approach, which is understood as obeying rules or laws of natural origin. The term Natural Science is also used to distinguish study in those fields that use the scientific method to study science and nature.

Acceptable courses include astronomy, astrophysics, bacteriology, biology, chemistry, earth science, physics, geology, zoology, microbiology, biochemistry, and botany.

### E. Social Sciences

Social Sciences is defined as the study of the fields of academic scholarship that explore human society.

Acceptable courses include: anthropology, archaeology,

economics, geography, history, law, linguistics, human geography, political science, gender studies, racial/ethnic studies, geography, international studies, psychology, and sociology.

### Satisfying deficiencies in General Education

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges. Information concerning regional accreditation is usually found on each academic institution's website. It can also be obtained from the admissions office or the registrar.

If a U.S. regionally accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution or by the College Entrance Examination Board's Advance Placement Program, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy the general education requirement.

[The College Level Examination Program \(CLEP\)](#) can be used to satisfy the general education requirement. The score required varies from subject to subject. Further information can be obtained from [NAAB](#).

### 2. History and Theory, and Human Behavior, and Environment

A total of at least 16-12 semester credit hours, with minimum requirements for each category as indicated:

- A. ➤ History and Theory (6)
- B. ➤ Human Behavior (3)

> ~~Environment (3)~~

The remaining four (4) semester credit hours may be in any one or more categories of the History and Theory, and Human Behavior, ~~and Environment~~ subject area.

**A. History and Theory**

History and Theory are defined as the study of the traditions of architecture and the built environment, landscape architecture, urban form, and construction by which diverse human needs, values, and aspirations have been addressed in response to cultural, climatic, ecological, technological, socioeconomic, and public health constraints.

Acceptable topics include historical movements in architecture, history of architecture, landscape architecture, and urban ism-design, history of building technology, and theory of architecture.

Courses in art history, cultural history, economic history, and political history are NOT acceptable in this category, but they are acceptable in General Education.

**B. Human Behavior**

Human Behavior is defined as the study of the characteristics, nature, and behavior al norms of diverse individuals and groups that relate to the economic, physical and spatial environments in which they function, and to the processes of environmental modification and change.

Acceptable topics include the study of environmental psychology, ergonomics, human behavior, post-occupancy studies, cultural diversity, social diversity, and social response to the environment.

**Satisfying deficiencies in History and Theory and Human Behavior**

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

Courses taken at community or junior colleges are acceptable for satisfying deficiencies in the History and Theory and Human Behavior requirement category and the Human Behavior category only.

**Satisfying Deficiencies in Environment**

~~Courses to satisfy deficiencies in this category may be taken at either~~

~~> Four-year institutions that offer a professional degree program accredited by NAAB or CACB/CCCA. A list of institutions with NAAB and CACB/CCCA-accredited programs can be found here.~~

~~OR~~

~~> Four-year institutions that offer a pre-professional degree in architecture but do not also offer a NAAB or CACB/CCCA-accredited program.~~

All courses must be approved by NAAB in advance

~~If a U.S. regionally accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations~~

administered by the institution, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy these subject area requirements.

### 3. Technical Systems Building Practices

A total of at least 24-27 semester credit hours, with minimum requirements for each category as indicated:

- A. ~~>~~ Structural Systems (6)
- B. ~~>~~ Environmental Control Systems (6)
- C. ~~>~~ Construction Materials and Assemblies (6)
- D. > Building Service Systems and Building Envelope/Enclosure Systems (3)
- E. Technical Documentation (3)
- ~~D-F. Financial Considerations (3)~~

The remaining three (3) hours may be in any one or more categories of the Technical Systems subject area.

#### A. Structural Systems

Structural Systems are defined as the study of the basic structural elements of buildings, their interaction as a support system, the forces that act on and in buildings, and the principles, theory, and appropriate applications of these systems.

Acceptable topics include analysis of structural systems, construction, construction assemblies, determinate and indeterminate systems, equilibrium, forces and force systems, free body diagrams, gravity, lateral and seismic forces, loads, mechanics of materials, resolution of external forces, shear and bending moments, sizing of structural members, stability, statics, strength of materials, stress and strain, structural elements, structural systems in wood, steel and concrete, and theory of structures.

#### B. Environmental Control Systems

Environmental Control Systems are defined as the study of building elements that pertain to the modification of the microclimate for purposes of human use and comfort.

Acceptable topics include acoustics, air conditioning, building core systems, energy, energy efficiency, energy transmission, environmental systems, active and passive heating and cooling systems, lighting (natural and artificial), solar geometry, natural ventilation, indoor air quality, solar energy utilization, and sustainability.

#### C. Construction ~~materials~~ Materials and Assemblies

Construction Materials and Assemblies are defined as the study of the basic principles and appropriate selection and application of characteristics of building materials and how they are used, made, and appropriately applied in a building project interior and exterior construction materials, finishes, products, components, and the assemblies based on their inherent performance, including environmental impact and reuse.

Acceptable topics include physical properties of building materials, fenestration, sustainable material selection, detailing, installation characteristics of material assemblies, and associated assembly cost for labor and materials, and material use and detailing.

#### D. Building Service ~~Systems~~ and Building ~~Envelope/Enclosure~~ Systems

Building Service and Building Envelope Systems and Building Envelope/Enclosure Systems are defined as the study of the appropriate selection and application of: bBuilding sService sSystems including lighting, the application and performance of non-thermal mechanical, plumbing, electrical, control, communi-cations, vertical transportation, security, fire protection, non-thermal mechanical, control, circulation, and signal systems and application of Bbuilding Envelope/Eenclosure sSystems relative

~~to, the performance fundamental performance, aesthetics, moisture transfer, durability, and energy characteristics of the building envelope/enclosure.~~

Acceptable topics ~~in Building Envelope/Enclosure Systems~~ include ~~curtain wall systems, sustainability, construction methods, facades, moisture transfer, durability, energy performance, and material use and detailing.~~ Acceptable topics ~~in Building Service Systems~~ include plumbing, electrical, vertical transportation, security, control, communication, and fire protection and life safety systems.

#### E. Technical Documentation-

Technical documentation is defined as the study of preparing technically clear and accurate drawings, preparing outline specifications, and models illustrating and identifying the assembly of materials, systems, and components appropriate for a building design.

#### F. Financial Considerations

Financial considerations are defined as the study of building economics and the fundamentals of building costs, project financing, methods, and feasibility.

Acceptable topics include building costs, cost and benefit analysis, cost control, development costs, estimating, finance, life-cycle costing, site acquisition and development, and value engineering.

Satisfying deficiencies in **Technical Systems Building Practices**  
Courses to satisfy deficiencies in this category may be taken at either

> Four-year institutions that offer a professional degree program accredited by NAAB or CACB/CCCA. A list of

institutions with NAAB- and CACB/CCCA-accredited programs can be found [here](#).

OR

> Four-year institutions that offer a pre-professional degree in architecture but do not also offer a NAAB- or CACB/CCCA-accredited program. Courses taken at community or junior colleges are NOT acceptable for satisfying deficiencies in ~~technical systems~~ building practices.

All courses must be approved by NAAB in advance.

~~Courses taken at community or junior colleges are NOT acceptable for satisfying deficiencies in technical systems.~~

If a U.S.-regionally accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy these subject area requirements.

#### 45. Design

A total of at least 50/42 semester credit hours with a including at least one Level V design studio sequence, with a minimum of eight (8) hours and maximum of twelve (12) hours in each level in each area. The remaining ten (10) hours may be in one or more areas of

Design:

A. > Level I Fundamental Design (8)

A. \_\_\_\_\_

B. > Level II Programming and Site Design (8)

C. > Level III Research and Investigative-Based Design (8)

> Level IV

D. > Level V Integrated Design (8)

The remaining ten (10) hours may be in any one or more

levels of the Design subject area with no more than twelve (12) hours in any one level.

Design is defined as collection of data or information, the analysis, synthesis, use of judgment, and development and communication tools and methods that architects use to understand, assess, bring together, and express the ideas that lead to a built project.

Design is divided into five levels. Each level requires competency in the subordinate level(s):

**A. Level I Fundamental Design:**

Level I is defined as individual learning experiences that require students to raise clear and precise questions, use abstract ideas to interpret information, consider diverse points of view, reach well-reasoned conclusions, and test alternative outcomes against relevant criteria and standards; use basic formal, organizational and environmental principles and the capacity of each to inform within two-dimensional and three-dimensional design; spatial contexts and ordering systems; basic architectural and application of the fundamentals of both natural and formal ordering systems and the capacity of each; and articulating effectively and using representational media appropriate for the assignment. environmental design principles, beginning user consciousness with a familiarity of spatial analysis, natural and formal ordering systems, design process methodology, and development of communication skills using appropriate media; and design literacy.

**B. Level II Programming and Site Design:**

Learning experiences in which students are required to prepare a comprehensive program for an architectural project that includes an assessment of client and user needs; an inventory of spaces and their requirements; an analysis of site conditions (including existing buildings); a review of the relevant building codes and standards, including relevant

sustainability requirements, and an assessment of their implications for the project; and a definition of site selection and design assessment criteria; to respond to site characteristics, including urban context and developmental patterning, historical fabric, soil, topography, ecology, climate, and building orientation, in the development of a project design. Level II is defined as individual learning experiences with emphasis on the environment, precedent, user-space study, investigative skills, and further design skill development; introduction of qualitative technical materials; a minimum proficiency in the design and communication of simple buildings with an introductory understanding of client need assessment, site (including existing building) assessment, construction and structural systems; and data analysis, programming, site analysis, and design.

**C. Level III Research and Investigative-Based Design:**

Learning experiences that require students to utilize methods for gathering, assessing, recording, and comparatively evaluating relevant information and performance in order to support conclusions related to a specific project or assignment; to use theoretical and applied research methodologies and practices necessary in the design process; to examine and comprehend the fundamental principles present in relevant precedents and make informed choices about the incorporation of such principles into architecture projects. Level III is defined as individual and group learning experiences with emphasis on simple and complex building case studies with applied research and qualitative technical input; individual and group projects; development of total building synthesis design skills including building envelope/enclosure systems and assemblies; a general proficiency in the complete design of simple buildings with a minimum ability to deal with complex buildings and multi-building complexes; site analysis and design, principles of sustainable design related to manmade and natural resources,

healthful environments, and reduced impact on the environment; and visual representation of each stage of the programming and design process including traditional and digital media.

**D. Level IV Integrated Design:**

Learning experiences that require the student to evaluate options and reconcile the implications of design decisions across systems and scales; to synthesize variables from diverse and complex systems into an integrated architectural solution, while responding to environmental stewardship goals across multiple systems including building design and detailing, planning, programming with integrated structural, mechanical, environmental, building services systems, accessibility, site conditions, life safety, building enclosure systems and assemblies. Level IV is defined as individual or group learning that emphasizes the synthesis of complex building and multi-building complexes within the urban context; integration of technical information; ability to create technical drawings and specifications; general proficiency in the total synthesis of complex buildings and related systems; structural, environmental, service, transportation, communication, life-safety, and accessibility systems; and the social ramifications of planning and architecture. Studio learning at this level may integrate the use of digital media in design decision-making. Level IV requires collaborative group projects and requires mastery of Levels I, II, and III.

**E. Level V:** Level V is defined as individual or group learning that emphasizes comprehensive design and complex building design, planning, and urban design. Level V work must indicate a mastery of data collection, analysis, programming, planning, building design; an understanding of the basic principles of structural design, building service system design, building envelope/enclosure systems, landscape design; facility in other related knowledge and skills; and a full range of representational

skills including traditional and digital media. Level V requires collaborative group projects and requires mastery of Levels I, II, III, and IV.

**Satisfying deficiencies in design**

All deficiencies in design must be satisfied in studio courses offered either within a professional degree program accredited by the NAAB or the CACB/CCCA or in a pre-professional architecture degree program offered at a four-year institution accredited by a U.S. regional accrediting agency.

Studios must be administered or monitored by a member of the design faculty and must be taken for academic credit.

A list of NAAB- and CACB/CCCA-accredited programs can be found at [www.naab.org/architecture\\_programs/home](http://www.naab.org/architecture_programs/home).

[www.naab.org/architecture\\_programs/www.naab.org/architecture\\_programs/www.naab.org/architecture\\_programs/](http://www.naab.org/architecture_programs/www.naab.org/architecture_programs/www.naab.org/architecture_programs/).

Courses in graphic communication, computer-assisted design, and digital design media (e.g. building information modeling programs) may be used to fulfill Levels II-IV when they are clearly integrated with studio courses. If such courses are taken on their own and without integration in a specific studio, they will be allocated as electives. Completion of a comprehensive studio in Level IV or Level V is required.

All design studio courses must be approved by NAAB in advance.

**54. Professional Practice**

A total of at least ~~nine~~ **twelve (12)** semester credit hours are required with a minimum of three (3) in Laws and Regulations and three (3) in Ethics and Professional Conduct. At least three (3) hours must be

in: The remaining six (6) must be distributed across the other three categories.

> Laws and Regulations

A. The other six (6) hours must be in the following categories with no more than three (3) hours in any one category:

B.A. > Project Process Stakeholder Roles in Architecture (3 max)

C.B. > Project Economics Management (3 max)

D.C. > Business Management (3 max)

E.D. > Technical Documentation Laws and Regulations (3 min)

F.E. > Ethics and Social Responsibility Professional Conduct (3min)

**A. Project Process Stakeholder Roles in Architecture**

Project Process Stakeholder Roles in Architecture is defined as the study of the relationships among key stakeholders in design process (client, contractor, architect, user groups, and local community) and the architect's role to reconcile stakeholder needs.

Acceptable topics include: Urban and community center design practice studios, and special topic courses on public good projects and professional practice courses identifying the roles and responsibilities of stakeholders.

entire range of activities involved in a typical architectural design project as it moves from inception through completion of construction. These activities include not only those which the architect carries out, but also those of other professionals.

Acceptable topics include bidding and negotiation, client relationships, leadership and collaboration, construction documents, contracts, design development, problem identification, project management, programming, site

analysis, building code and accessibility analysis, and specifications.

**B. Project Economics Management**

Project Economics Management is defined as the study of the entire range of activities involved in a typical architectural design project as it moves from inception through completion of construction including methods for selecting consultants and assembling teams; identifying work plans, project schedules, and time requirements; and recommending project delivery methods. financial aspects of building, including the economics of development.

Acceptable topics include bidding and negotiation, client relationships, leadership and collaboration, construction documents, construction management, contracts, design development, problem identification, project management, programming, site analysis, building code and accessibility analysis, and specifications. building costs, cost and benefit analysis, cost control, development costs, estimating, finance, life cycle costing, site acquisition and development, and value engineering.

**C. Business Management**

Business Management is defined as the study of the concepts, standards, and procedures/practices related to different forms of organization for architectural practice, including private and corporate offices as well as public sector organizations and agencies.

Acceptable topics include business management, financial management, risk management, office management, office organization, customer service, legal agreements, marketing, negotiating legal agreements, legal and licensure responsibilities, professional liability, risk management, and rules of professional rules of conduct.

**D. Laws and Regulations**

Laws and Regulations are defined as the study of the body of common law, legislation, codes and standards, and regulation in the United States, ~~including rules of professional conduct~~ that affect architectural practice.

Acceptable topics include accessibility standards, barrier-free design, building codes, laws affecting architectural practice, environmental regulation, life-safety systems, professional liability, professional service contracts, professional registration, professional rules of conduct, tax laws, and zoning regulations. Courses in foreign law are NOT acceptable, but may be acceptable in the Electives subject area.

~~**E. Technical Documentation** Technical Documentation is defined as the study of the ability to prepare technically clear and accurate drawings, outline specifications, and models illustrating and identifying the assembly of materials, systems, and components appropriate for a building design.~~

~~**EF. Ethics and Social Responsibility**~~ **Professional Conduct** Ethics and Social Responsibility Professional Conduct are defined as the study of ~~the application~~ ethical issues involved in the exercise of professional judgment ~~and leadership on ethical subjects regarding social, legal, political, and cultural issues~~ in architectural design and practice. ~~† This also~~ includes the role of the NCARB Rules of Conduct and the AIA Code of Ethics in defining professional conduct, architect’s responsibility to work in the public interest, to respect historic assets, and to improve the quality of life for local and global societies.

**Satisfying deficiencies in Practice**

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States Association of Colleges and Schools, North Central Association of

Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

All courses must be approved in advance by the NAAB.

If a U.S.-regionally accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy these subject area requirements.

~~**5. Design** A total of at least 50 semester credit hours including at least one Level V design studio sequence, with a minimum of eight (8) hours and maximum of twelve (12) hours in each level:~~

- ~~> Level I~~
- ~~> Level II~~
- ~~> Level III~~
- ~~> Level IV~~
- ~~> Level V~~

~~The remaining ten (10) hours may be in any one or more levels of the Design subject area with no more than twelve (12) hours in any one level.~~

~~Design is defined as the analysis, synthesis, use of judgment, and development and communication tools and methods that architects use to understand, assess, bring together, and express the ideas that lead to a built project.~~

~~Design is divided into five levels. Each level requires competency in the subordinate level(s).~~

~~**A. Level I:**~~

~~Level I is defined as individual learning experiences within two~~

dimensional and three-dimensional spatial contexts and ordering systems; basic architectural and environmental design principles, beginning user consciousness with a familiarity of spatial analysis, natural and formal ordering systems, design process methodology, and development of communication skills using appropriate media; and design literacy.

**B. Level II:**

Level II is defined as individual learning experiences with emphasis on the environment, precedent, user-space study, investigative skills, and further design-skill development; introduction of qualitative technical materials; a minimum proficiency in the design and communication of simple buildings with an introductory understanding of client-need assessment, site (including existing building) assessment, construction and structural systems; and data analysis, programming, site analysis, and design.

**C. Level III:**

Level III is defined as individual and group learning experiences with emphasis on simple and complex building case studies with applied research and qualitative technical input; individual and group projects; development of total building synthesis design skills including building envelope/enclosure systems and assemblies; a general proficiency in the complete design of simple buildings with a minimum ability to deal with complex buildings and multi-building complexes; site analysis and design, principles of sustainable design related to manmade and natural resources, healthful environments, and reduced impact on the environment; and visual representation of each stage of the programming and design process including traditional and digital media.

**D. Level IV:**

Level IV is defined as individual or group learning that emphasizes the synthesis of complex building and multi-building

complexes within the urban context; integration of technical information; ability to create technical drawings and specifications; general proficiency in the total synthesis of complex buildings and related systems; structural, environmental, service, transportation, communication, life-safety, and accessibility systems; and the social ramifications of planning and architecture. Studio learning at this level may integrate the use of digital media in design decision-making. Level IV requires collaborative group projects and requires mastery of Levels I, II, and III.

**E. Level V:**

Level V is defined as individual or group learning that emphasizes comprehensive design and complex building design, planning, and urban design. Level V work must indicate a mastery of data collection, analysis, programming, planning, building design; an understanding of the basic principles of structural design, building service system design, building envelope/enclosure systems, landscape design; facility in other related knowledge and skills; and a full range of representational skills including traditional and digital media. Level V requires collaborative group projects and requires mastery of Levels I, II, III, and IV.

**Satisfying deficiencies in design**

All deficiencies in design must be satisfied in studio courses offered either within a professional degree program accredited by the NAAB or the CACB/CCCA or in a pre-professional architecture degree program offered at a four-year institution accredited by a U.S. regional accrediting agency.

Studios must be administered or monitored by a member of the design faculty and must be taken for academic credit.

A list of NAAB and CACB/CCCA accredited programs can be found at [www.naab.org/architecture\\_programs/](http://www.naab.org/architecture_programs/).

~~Courses in graphic communication, computer-assisted design, and digital design media (e.g. building information modeling programs) may be used to fulfill Levels II-IV when they are clearly integrated with studio courses. If such courses are taken on their own and without integration in a specific studio, they will be allocated as electives. Completion of a comprehensive studio in Level IV or Level V is required.~~

~~All design studio courses must be approved by NAAB in advance.~~

#### **6. Elective Subjects**Optional Studies

The minimum number of semester credit hours in each subject area listed above total 138-144 hours/semester credit hours. The additional 16-12 hours/semester credit hours may be in any one or more of the five subject areas and/or acceptable Electives/Optional Studies.

Acceptable Electives/topics in this area include architecture, business administration, computer science, engineering, interior design, landscape design, law, public administration, urban design, and other subjects that in the opinion of NAAB are acceptable toward Electives/Optional Studies.

# NCARB Education Standard

A comparison of the current and proposed requirements

## Current

## Proposed

| Subject Area and Category   | Semester Credit Hour Requirement    | Subject Area and Category                          | Semester Credit Hour Requirement    |
|---|-------------------------------------|--|-------------------------------------|
| General Education   | 45 Hours                            | General Education                                  | 45 Hours                            |
| A. Communication Skills   | 3 Hours min. in English Composition | A. Communication Skills                            | 3 Hours min. in English Composition |
| B. Humanities and Arts  | N/A                                 | B. Humanities and Arts                             | N/A                                 |
| C. Quantitative Reasoning   | N/A                                 | C. Quantitative Reasoning                          | N/A                                 |
| D. Natural Sciences   | N/A                                 | D. Natural Sciences                                | N/A                                 |
| E. Social Sciences  | N/A                                 | E. Social Sciences                                 | N/A                                 |
| History and Theory, Human Behavior, and Environment                 | 16 Hours                            | History and Theory, and Human Behavior             | 12 Hours                            |
| A. History and Theory   | 6 Hours min.                        | A. History and Theory                              | 6 Hours min.                        |
| B. Human Behavior   | 3 Hours min.                        | B. Human Behavior                                  | 3 Hours min.                        |
| C. Environment  | 3 Hours min.                        |  |                                     |
| Technical Systems   | 24 Hours                            | Building Practices                                 | 27 Hours                            |
| A. Structural Systems   | 6 Hours min.                        | A. Structural Systems                              | 6 Hours min.                        |
| B. Environmental Control Systems                                    | 6 Hours min.                        | B. Environmental Control Systems                   | 6 Hours min.                        |
| C. Construction Materials and Assemblies                            | 6 Hours min.                        | C. Construction Materials and Assemblies           | 6 Hours min.                        |
| D. Building Service Systems and Building Envelope/Enclosure Systems | 3 Hours min.                        | D. Building Service and Building Enclosure Systems | 3 Hours min.                        |
|   |                                     | E. Technical Documentation                         | 3 Hours min.                        |
|   |                                     | F. Financial Considerations                        | 3 Hours min.                        |
| Practice  | 9 Hours                             | Professional Practice                              | 12 Hours                            |
| A. Project Process  | 3 Hours max.                        | A. Stakeholder Roles in Architecture               | 3 Hours max.                        |
| B. Project Economics  | 3 Hours max.                        | B. Project Management                              | 3 Hours max.                        |
| C. Business Management  | 3 Hours max.                        | C. Business Management                             | 3 Hours max.                        |
| D. Laws and Regulations   | 3 Hours min.                        | D. Laws and Regulations                            | 3 Hours min.                        |
| E. Technical Documentation  | 3 Hours max.                        | E. Ethics and Professional Conduct                 | 3 Hours min.                        |
| F. Ethics and Social Responsibility                                 | 3 Hours max.                        |  |                                     |
| Design  | 50 Hours                            | Design   | 42 Hours                            |
| A. Level I  | 8 Hours min. / 12 Hours max.        | A. Fundamental Design                              | 8 Hours min.                        |
| B. Level II   | 8 Hours min. / 12 Hours max.        | B. Programming and Site Design                     | 8 Hours min.                        |
| C. Level III  | 8 Hours min. / 12 Hours max.        | C. Research and Investigative Based Design         | 8 Hours min.                        |
| D. Level IV   | 8 Hours min. / 12 Hours max.        | D. Integrated Design                               | 8 Hours min.                        |
| E. Level V  | 8 Hours min. / 12 Hours max.        |  |                                     |
| Electives   | 16 Hours                            | Optional Studies                                   | 12 Hours                            |
| Total   | 160 Hours                           | Total  | 150 Hours                           |

### **DISCUSS AND POSSIBLE ACTION ON NCARB RESOLUTION 2015-02 REGARDING BROADLY EXPERIENCED FOREIGN ARCHITECT PROGRAM**

At its June 18-20, 2015 Annual Business Meeting, the National Council of Architectural Registration Boards (NCARB) presented the attached resolution (2015-02) that replaces the current Broadly Experienced Foreign Architect (BEFA) Program in favor of a simplified alternative for receiving an NCARB Certificate. Member Boards approved the resolution by a 49-4 vote.

The new alternative, which takes effect on July 1, 2016, replaces the current BEFA requirements, eliminating the committee dossier review and the need to document seven years of credentialed practice in a foreign country. Instead, foreign architects will be required to document completion of the Intern Development Program (IDP) experience requirements and successfully complete the Architect Registration Examination (ARE) to obtain an NCARB Certificate. According to NCARB, the new alternative will be more automated, increasing objectivity and helping reduce fees associated with the dossier and interview requirements. NCARB stated the sole purpose of the resolution was to remove some of the unnecessary financial and administrative impediments for foreign architects by refocusing on the nationally accepted standards for licensure.

This item was presented to the Professional Qualifications (PQC) Committee at its July 14, 2015, meeting where members raised concerns regarding the apparent complexity of the new process and the impact upon foreign licensees obtaining projects in the U.S. The PQC approved a recommendation requesting the Board consider providing a means for review of, and amendment to NCARB Resolution 2015-02, removing the encumbrance of mandatory IDP and allowing for education equivalents and practice knowledge for foreign architects, and suggesting the Board request the implementation date to be postponed.

The Board, at its September 10, 2015 meeting, discussed the resolution and PQC's recommendation and requested that staff contact NCARB for clarification regarding the application of the IDP requirement for foreign architects. NCARB clarified that under the resolution, foreign licensees will be required to complete IDP in accordance with the latest edition of the IDP Guidelines. However, NCARB will not require foreign licensees to comply with the IDP Reporting Requirement (formerly referred to as the "Six Month Rule"), which pertains to the frequency of experience reporting and duration of previous experience. Foreign architects will not be permitted to self-certify work experience for IDP credit and at least 1,860 hours of IDP work experience must be under the direct supervision of an architect legally permitted to practice architecture in a U.S. or Canadian jurisdiction; a limited amount (up to approximately one year) of foreign experience may also receive IDP credit. The IDP supervisor does not need to hold an NCARB Certificate in order to approve IDP hours for credit.

The Board is asked to consider PQC's recommendation requesting the Board provide a means for review of, and amendment to NCARB Resolution 2015-02, remove the encumbrance of mandatory IDP and allow for education equivalents and practice knowledge for foreign architects, and suggest the Board request the implementation date to be postponed.

Attachment:

NCARB Resolution 2015-02

**Resolution 2015-2**  
**Supported by the Council Board of Directors (14-0)**

**Title: Revision of the Requirements for Certification of Foreign Architects**

**Submitted By:** Council Board of Directors

**WHEREAS**, the Board of Directors of the Council has determined upon careful consideration that it is advisable and in the best interests of the Council to modify the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority as set forth in the *Certification Guidelines*, as well as corresponding provisions in other sections of the *Certification Guidelines*; and

WHEREAS, requirements for Council Certification may only be changed by an absolute majority vote of the Council Member Boards, with such change becoming effective July 1 following the close of the Council Annual Business Meeting, or such later date identified in the change, with such changes applicable to applicants for certification in process and new applicants;

WHEREAS, prior to implementing the changes to the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority and corresponding sections, the Council Board of Directors must adopt a resolution recommending such changes and submit the proposed changes to the Council Member Boards for approval.

NOW, THEREFORE, IT IS HEREBY:

**RESOLVED**, that the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority, included in Section 4 of the *Certification Guidelines* be revised as indicated below,

*4.2 Education Requirement*

~~You must hold a professional degree in architecture from an accredited/validated/officially recognized architecture program. You are required to describe such program or submit information describing the program from the accreditation/validation/recognition authority.~~ **You must hold a recognized education credential in an architecture program that leads to a license/credential for the unlimited practice of architecture in the foreign country.** You are required to have an official transcript of your educational record sent directly to NCARB from the school. Where there is doubt about the nature of the professional degree, an Educational Evaluation Services for Architects (EESA) evaluation may be required.

*4.3 Registration Requirement*

You must be credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture. You are required to describe the process by which you were credentialed or submit information describing the credentialing process from the credentialing authority that granted the credential, and to arrange for independent verification by the credentialing authority directly to NCARB showing that your credential has been granted and

is currently in good standing. You are also required to describe the process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded, or to submit information provided by the disciplinary authority in this regard. You shall secure a written statement from your credentialing authority stating that you either have no record of a disciplinary action or if such record exists, describing such action and its current status. This statement must be sent directly to NCARB from the credentialing authority.

#### *4.4 Experience Requirement*

~~You must have completed a minimum of seven (7) years of comprehensive practice as a credentialed architect over which you exercised responsible control in the foreign country in which you are credentialed.~~

- ~~• “Comprehensive practice” means the application of the knowledge and skills of those aspects of the profession assessed by the Architect Registration Examination.~~
- ~~• “Responsible control” means that amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by U.S. registered architects applying the required professional standard of care.~~

You must document completion of the *Intern Development Program (IDP)*.

#### *4.5 Examination Requirement*

You must pass the Architect Registration Examination® (ARE®)

**FURTHER RESOLVED**, that the introduction paragraph entitled “Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority be deleted from Section 4 of the *Certification Guidelines*:

#### ~~**BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM**~~

~~Foreign architects may apply for NCARB certification through the Broadly Experienced Foreign Architect (BEFA) Program set forth in this section. All information provided in the eligibility and application forms must be in English. English translations must be provided for all transcripts, credentials, and dossier documents. The interview will be conducted in English, without the assistance of a translator.~~

**FURTHER RESOLVED**, that “Appendix A: The Broadly Experienced Foreign Architect Process” be deleted in its entirety from the *Certification Guidelines*, including its reference in the Table of Contents.

**FURTHER RESOLVED**, that Section 1, “Requirements for Certification of an Architect registered in a U.S. Jurisdiction,” Subsection 1.3 “Experience Requirement” paragraph four be revised as follows:

The Reporting Requirements identified in the *IDP Guidelines* do not apply to architects registered in the United States or Canada or to foreign architects **credentialed by a foreign registration authority** pursuing NCARB certification ~~through the Broadly Experienced Foreign Architect (BEFA) Program.~~

**FURTHER RESOLVED**, except as explicitly modified by these Resolutions, all of the provisions of Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority, and the corresponding sections referenced herein, remain unchanged and in full force and effect; and

**FURTHER RESOLVED**, that these changes shall be submitted to the Council Member Boards for review and approval; and

**FURTHER RESOLVED**, that upon the approval of the changes by an absolute majority of the Council Member Boards, such changes will become effective July 1, 2016 and will apply both to applications for certification in process and new applications; if applicants whose applications were in process met all certification requirements that existed prior to the changes referenced herein, they will be eligible for certification.

### **Sponsors' Statement of Support:**

The intent of the current Broadly Experienced Foreign Architect (BEFA) program is to allow a path to licensure for a foreign architect so that he/she may obtain the ability to practice independently in the U.S. while protecting the public health, safety, and welfare.

This resolution to modify the requirements for certification of an architect credentialed by a foreign registration authority maintains two existing requirements of the BEFA program:

- *Education Requirement:* Hold a recognized education credential in an architecture program that leads to licensure/credential in a foreign country
- *Registration Requirement:* Credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture

This proposal requires a foreign architect to complete the requirements of the *Intern Development Program (IDP)* and to pass the *Architect Registration Examination*<sup>®</sup> (ARE<sup>®</sup>). Utilization of the IDP enables the Council to standardize expected levels of competence through experience of the foreign architect. Application of these requirements for foreign architects will ensure equality among expectations of foreign and U.S. architects. Requiring compliance with these two recognized Council programs also provides a better assessment of an applicant's competence in understanding and applying U.S. building codes and laws, accessibility requirements, and U.S. practice requirements.

This proposal:

- ensures that each applicant *documents the pertinent experience necessary for competence to practice in the U.S.* in each of the categories and areas of the *Intern Development Program*;
- ensures that the foreign architect clearly *demonstrates his/her understanding and ability to practice independently in the U.S.*;
- recognizes the importance of *applying similar standards for licensure for all who wish to practice in the U.S.*;
- meets the Council's effort to streamline the requirements for certification for foreign architect through the *elimination of the Broadly Experienced Foreign Architect (BEFA)*

*Program requirements* to complete seven years of practice in the country where credentialed as an architect, evaluation of their experience through submittal of an experience dossier for review by committee, and formal interview.

NCARB must have a certification model that acknowledges a foreign architect's competence to practice in their country of licensure. Currently, NCARB Member Boards do not allow experience to be substituted for completion of the ARE for any U.S. applicant for initial or reciprocal licensure. However, NCARB and its Member Boards hold a higher value of a candidate's demonstration of competence earned through completion of the IDP and the ARE. Application of these requirements for foreign architects will ensure equality among expectations of foreign architects and U.S. architects. Every Member Board expects competence at the point of initial licensure. Demonstrating acquisition of knowledge and skills through examination to practice in a U.S. jurisdiction is a basic element of our licensure requirements.

**Financial Impact:**

FY16 – No Financial Impact

FY17 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.

FY18 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.

FY19 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.

**COMMUNICATIONS COMMITTEE REPORT**

1. Update on Communications Committee October 21, 2015 Meeting
2. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Partner with Contractors State License Board to Identify and Implement Best Practices for Educating Consumers About California Architects Board in Order to Improve Consumer Education Efforts
3. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Collaborate with Professional Organizations and Universities to Raise Awareness at Community Colleges and High Schools About Profession and Paths to Licensure
4. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Survey Recipients of Board's Educational Materials to Determine Effectiveness of Outreach Efforts
5. Discuss and Possible Action on Recommendation Regarding 2015-2016 Strategic Plan Objective to Enhance Relationships with Veterans Administration Counseling Centers to Provide Information Regarding Architecture Profession and Paths to Licensure

**UPDATE ON COMMUNICATIONS COMMITTEE MEETING**

The Communications Committee met on October 21, 2015 in Sacramento. Attached is the notice of the meeting. Committee Chair, Sylvia Kwan, will provide an update on the meeting.

Attachment:

October 21, 2015 Notice of Meeting



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## NOTICE OF MEETING

### COMMUNICATIONS COMMITTEE

**October 21, 2015**  
**1:00 p.m. to 4:00 p.m.**  
**(or until completion of business)**  
**California Architects Board**  
**2420 Del Paso Road, Suite 105**  
**Sacramento, CA 95834**  
**(916) 574-7220**

The California Architects Board (Board) will hold a Communications Committee meeting, as noted above. The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see reverse or you may contact Coleen Galvan at (916) 575-7205.

### AGENDA

- A. Call to Order
- B. Public Comment on Items Not on the Agenda  
*(The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code Sections 11125 and 11125.7(a)].*
- C. Review and Approve May 6, 2014 Communications Committee Meeting Summary Report
- D. Review and Approve Potential Articles for *California Architects* Newsletter
- E. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Partner with Contractors State License Board to Identify and Implement Best Practices for Educating Consumers About the California Architects Board in Order to Improve Consumer Education Efforts

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

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

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

*(Continued on Reverse)*

- F. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Collaborate with Professional Organizations and Universities to Raise Awareness at Community Colleges and High Schools About the Profession and the Paths to Licensure
- G. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Survey Recipients of the Board's Educational Materials to Determine the Effectiveness of Outreach Efforts
- H. Discuss and Possible Action on 2015-2016 Strategic Plan Objective to Enhance Relationships with Veterans Administration Counseling Centers to Provide Information Regarding the Architecture Profession and Paths to Licensure
- I. Adjournment

*Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Communications Committee are open to the public.*

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Communications Committee prior to the committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the committee, but the committee chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the committee to discuss items not on the agenda; however, the committee can neither discuss nor take official action on these items at the time of the same meeting [Government Code §§ 11125 and 1125.7(a)].*

*The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Ms. Galvan at (916) 575-7205, emailing [coleen.galvan@dca.ca.gov](mailto:coleen.galvan@dca.ca.gov), or sending a written request to the Board. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.*

*Protection of the public shall be the highest priority for the CAB 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. (Business and Professions Code section 5510.15)*

**DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO PARTNER WITH CONTRACTORS STATE LICENSE BOARD TO IDENTIFY AND IMPLEMENT BEST PRACTICES FOR EDUCATING CONSUMERS ABOUT CALIFORNIA ARCHITECTS BOARD IN ORDER TO IMPROVE CONSUMER EDUCATION EFFORTS**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Communications Committee to partner with the Contractors State License Board (CSLB) to identify and implement best practices for educating consumers about the Board in order to improve consumer education efforts.

Staff researched CSLB materials and resources and met with key staff from CSLB's Public Affairs Office (PAO) to identify potential areas for collaboration and best practices the Board could adopt in order to improve its consumer education efforts. It should be noted that CSLB has over 400 staff and a budget in excess of \$60 million. PAO is responsible for public, industry, and media relations. The PAO provides a wide range of services, including proactive media and advertising campaigns; responses to media inquiries; publication and newsletter development and distribution; and contractor education and outreach. More specifically, PAO offers outreach programs, such as:

1. Social media presence – social media is one of CSLB's most important and effective outreach tools. Social media expansion allowed CSLB to better interact with consumers, licensees, and news media. While Facebook is CSLB's primary social media outreach tool, CSLB also utilizes Twitter, YouTube and Flickr. One full-time staff person is dedicated to maintaining posts. Additionally, success has been achieved by scheduling automatic social media posts and utilizing hashtags, which increases engagement with followers and allows users to find information on specific content.
2. Senior Scam Stopper program seminars, which are conducted in conjunction with legislators and provide information to senior citizens from a variety of state and local government agencies. From September 30, 2015 through December 2015, CSLB will have conducted 66 seminars. These sessions focus on construction-related scams (mostly home improvement) and how to hire a contractor.
3. CSLB plays an important role in protecting consumers affected by natural disasters. For years, CSLB has served as a member of the Governor's Office of Emergency Services' disaster recovery team. As such, CSLB plays a vital role as one of the first agencies to respond during the recovery process when structures are destroyed from wildfires, floods, earthquakes or any other natural disaster. CSLB staffs tables at Local Assistance Centers set-up for affected communities.

During the most recent wildfires, Board staff provided the *Consumer's Guide to Hiring an Architect* and Consumer Tips for Design Projects handout to CSLB for distribution at the Local Assistance Centers. In addition, the Board communicated with Building Officials to offer further consumer protection tips and Board resources to assist with recovery efforts.

At its October 21, 2015 meeting, the Communications Committee discussed the objective and recommended that the Board continue to collaborate and leverage resources with CSLB.

The Board is asked to consider the Committee's recommendation.

**DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO COLLABORATE WITH PROFESSIONAL ORGANIZATIONS AND UNIVERSITIES TO RAISE AWARENESS AT COMMUNITY COLLEGES AND HIGH SCHOOLS ABOUT PROFESSION AND PATHS TO LICENSURE**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Communications Committee to collaborate with professional organizations and universities to raise awareness at community colleges and high schools about the profession and the paths to licensure.

The Board's liaison program, which facilitates the exchange of information between the Board, universities, and community colleges, enables the Board to raise awareness about the profession and the paths to licensure.

There are a variety of professional organizations with missions addressing careers and education. A number of them are regional partnerships, such as:

1. Alliance for Education (San Bernardino County Superintendent of Schools): a partnership among business, labor, government, community and education in San Bernardino County in Southern California whose mission is to produce an educated and skilled community that provides a qualified workforce for the continued economic well-being and improved quality of life for all residents.
2. The Bay Area Industry Education Council: a community-based alliance of business, labor, and education whose purpose is to bring industry and education together around future workforce preparation, and incumbent worker skills upgrade and training.
3. Marin County School to Career Partnership: a project of the Marin County Office of Education to create educational opportunities that allow students to explore potential careers, think about their future educational goals, and develop skills necessary for success in the workplace.
4. NextEd: a Sacramento area employer-education partnership dedicated to advancing programs and policies that prepare students for success in the Agribusiness, Healthcare, Biosciences, Information Technology, Advanced Manufacturing and Clean Energy Technology industry clusters.

In addition, the Linked Learning Alliance is a statewide coalition of education, industry, and community organizations dedicated to improving California's high schools and preparing students for postsecondary education and career.

At its October 21, 2015 meeting, the Communications Committee was informed that staff had initiated contact with Northern California organizations in an effort to work towards this objective; additionally, assistance was offered in order to expand the Board's list of contacts to include organizations in other California regions, including Southern California. The Committee was also informed about the Board's efforts to develop a poster for community colleges, designed to convey pathways to licensure. The Committee further discussed this objective and recommended that the Board continue to collaborate with professional organizations and universities to raise awareness at

community colleges and high schools, and to connect entities with local AIA components in these efforts, and to continue the production of a poster initially targeted at community colleges, with a design mock-up to be provided to the Committee.

The Board is asked to consider the Committee's recommendation.

**DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO SURVEY RECIPIENTS OF BOARD'S EDUCATIONAL MATERIALS TO DETERMINE THE EFFECTIVENESS OF OUTREACH EFFORTS**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Communications Committee to survey recipients of the Board's educational materials to determine the effectiveness of outreach efforts.

To support its strategic priorities, the Board has historically provided outreach and education 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); and the architectural education community.

Examples of the Board's outreach materials include:

- *Consumer's Guide to Hiring an Architect* (print and website)
- Consumer Tips for Design Projects
- *California Architects Quarterly Newsletter*
- Board website ([cab.ca.gov](http://cab.ca.gov))
- Architectural Careers website and Bookmark ([architect.ca.gov](http://architect.ca.gov))
- Twitter Card
- California Supplemental Examination Handbook (print and website)
- Architects Practice Act (laws and regulations)
- *Disciplinary Guidelines*
- Press releases

Other outreach programs or efforts that the Board utilizes on a regular basis include:

- Building Official Contact Program: The Board's Architect Consultants are always available on-call to respond to telephone calls, emails, and/or personal contacts. These types of contacts generally include discussions regarding the Board's policies and interpretations of the Architects Practice Act, stamp and signature requirements, and scope of architectural practice.
- Architect Consultant Education/Information Program: The Board's Architect Consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees.
- Liaison Program: Board member liaisons are assigned to organizations and schools and provide updates to the Board biannually.
- School and Association Presentations (including joint presentations with National Council of Architectural Registration Board staff)

To work toward this Strategic Plan objective, Board staff had consulted with the Department of Consumer Affairs' SOLID Training and Planning Solutions office about developing a customized survey(s) to assess the effectiveness of the Board's outreach efforts. SOLID indicated that they can provide assistance to the Board and that such surveys could assess various aspects of the Board's outreach materials and efforts.

At its October 21, 2015 meeting, the Communications Committee discussed this objective and recommended that the Board develop a printed survey to be inserted into the *Consumer's Guide to Hiring an Architect* and an additional survey for distribution to California building officials (as part of the Building Official Contact Program).

The Board is asked to consider the Committee's recommendation.

## **Agenda Item K.5**

### **DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2015-2016 STRATEGIC PLAN OBJECTIVE TO ENHANCE RELATIONSHIPS WITH VETERANS ADMINISTRATION COUNSELING CENTERS TO PROVIDE INFORMATION REGARDING ARCHITECTURE PROFESSION AND PATHS TO LICENSURE**

The California Architects Board's 2015-2016 Strategic Plan contains an objective assigned to the Communications Committee to enhance relationships with Veterans Administration (VA) counseling centers to provide information regarding the architecture profession and paths to licensure. This directive is consistent with First Lady Michelle Obama and Dr. Jill Biden's *Joining Forces* initiative, a nationwide effort to mobilize all sectors of society to raise awareness of military families' unique needs as it pertains to employment, education and wellness.

In response to a 2014 strategic plan objective, outreach letters were sent to 31 VA counseling centers in California that introduced the Board, the profession, and California's paths to licensure. Staff has further researched the VA and California Department of Veterans Affairs' (CalVet) structure, and has expanded the Board's contact list with appropriate points of contact. Staff sent a similar letter of introduction to these CalVet agencies, as well as follow-up correspondence to the 31 VA counseling centers that were previously contacted.

At its October 21, 2015 meeting, the Communications Committee discussed this objective and recommended that the Board expand and enhance its relationship with VA counseling centers throughout California and that November be recognized as the month of outreach to these entities and veterans.

The Board is asked to consider the Committee's recommendation.

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

The California Architects Board's 2013 and 2014 Strategic Plans included an objective to review and update the Board's *Disciplinary Guidelines*. At its December 2014 meeting, the Board approved recommended revisions to the Board's *Disciplinary Guidelines* based on input provided by staff, the Board's legal counsel, Deputy Attorney General (DAG) liaisons, and the Regulatory and Enforcement Committee. Additionally, the Board authorized staff to proceed with the required regulatory change to CCR section 154 in order to incorporate the revised *Guidelines* by reference.

Based on the Board's action taken at its December meeting, Board staff prepared the required regulatory documents for the Board's review and approval at its June 10, 2015 meeting, where the Board approved the proposed regulatory language and delegated the authority to the Executive Officer (EO) to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

The LATC's current Strategic Plan tasked the LATC to collaborate with the Board to review and update its *Disciplinary Guidelines*. LATC staff worked in conjunction with Board staff on the LATC's *Disciplinary Guidelines* and incorporated edits approved by the Board that were applicable to the LATC and additional edits recommended by its DAG liaison. At its August 6, 2015 meeting, the LATC approved the recommended revisions to its *Disciplinary Guidelines* and the proposed regulations to amend CCR section 2680 to incorporate the revised *Guidelines* by reference, and directed LATC staff to present the *Guidelines* and regulatory documents to the Board for approval.

Following the August 6, 2015 LATC meeting, legal counsel advised staff that additional research may be necessary regarding Optional Conditions 9 [California Supplemental Examination (CSE)] and 10 [Written Examination]. Absent any additional recommended edits by legal counsel, LATC's amended *Disciplinary Guidelines* and proposed regulatory language were approved by the Board at its September 10, 2015 meeting.

LATC staff subsequently discussed the issues regarding Optional Conditions 9 and 10 with legal counsel on September 30, 2015. Legal counsel recommended that the language of those two conditions be amended to: 1) refine the timelines for the probationer to take and pass the CSE; and 2) clarify that tolling provisions apply during any period of non-practice due to failure to take and pass the required examinations. Board staff reviewed legal counsel's comments as they relate to the Board's *Disciplinary Guidelines*, and determined that since the Board's Optional Conditions 9 and 10 contain the same language as LATC's *Guidelines*, the Board's *Guidelines* would also need to be amended.

On October 21, 2015, Board and LATC staff sent proposed edits to Optional Conditions 9 and 10 of the Board's and LATC's *Disciplinary Guidelines* to legal counsel for review. Legal counsel notified Board and LATC staff on November 12, 2015 that the proposed edits to these conditions were acceptable, but substantive, and would require re-approval by the Board. The proposed edits to these conditions are highlighted in yellow on page 11 of the Board's and LATC's *Disciplinary Guidelines* (Attachments 1 and 3).

On November 25, 2015, legal counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the Board's and LATC's *Disciplinary Guidelines*, as this method was previously approved by the Office of Administrative Law for the 2000 edition of the Board's *Guidelines*.

Based on legal counsel's recommendations, staff is proposing additional edits to the *Guidelines* to: 1) retain the reference to the Quarterly Report of Compliance form as "Attachment A" under Standard Condition 2 (Submit Quarterly Reports) on page nine of the Board's and add the reference to the LATC's; and 2) include the updated Quarterly Report of Compliance form (1/11) under "Attachment A" rather than deleting the form in the Board's and add the current version to the LATC's.

Legal counsel also recommended that staff update the authority and reference citations within the proposed regulatory language, if necessary. Board staff reviewed the proposed regulatory language for CCR section 154 (Attachment 2) that was presented to the Board at its June 10, 2015 meeting and determined that no revisions were necessary. LATC staff added Business and Professions Code section 5653 (highlighted in yellow) to the reference section of the proposed regulatory language for CCR section 2680 (Attachment 4). The proposed regulatory language for CCR sections 154 and 2680 was approved by legal counsel on December 2, 2015.

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

Attachments:

1. Board's Revised *Disciplinary Guidelines*
2. Board's Proposed Regulatory Language CCR Section 154
3. LATC's Revised *Disciplinary Guidelines*
4. LATC's Proposed Regulatory Language CCR Section 2680

PENDING REGULATORY CHANGE

California Architects Board  
*Public Protection Through  
Examination, Licensure, and Regulation*



DISCIPLINARY GUIDELINES

# CALIFORNIA ARCHITECTS BOARD

*Public Protection Through Examination,  
Licensure, and Regulation*

2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
(916) 574-7220 *phone*  
(916) 575-7283 *fax*  
cab@dca.ca.gov *email*  
www.cab.ca.gov *website*

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## Introduction

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board (~~CAB hereinafter referred to as the~~ Board) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, Board licensees, others involved in the Board's disciplinary process, and ultimately the Board, shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories: (1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and (2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the ~~CAB~~ [Board](#) at its office in Sacramento, California. There may be a charge assessed sufficient to cover the cost of production and distribution of copies.

## General Considerations

The Board requests that proposed decisions following administrative hearings include the following:

- a. Specific code sections violated with their definitions.
- b. Clear description of the violation.
- c. Respondent's explanation of the violation if he/she is present at the hearing.
- d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.
- e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

## Factors to be Considered:

In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Actual or potential harm to any consumer, client or the general public.
3. Prior disciplinary record.
4. ~~Number and/or variety of current violations.~~ Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
5. Mitigation evidence.
6. ~~Rehabilitation evidence.~~ Evidence, if any, of rehabilitation submitted by the applicant.
7. ~~In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.~~
8. ~~Overall criminal record.~~
9. ~~Time passed since the act(s) or offense(s) occurred.~~ The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
10. Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.
11. Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

## Disciplinary Guidelines

The offenses are listed by section number in the Business and Professions Code or California Code of Regulations. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein, are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages \_\_\_\_\_.

### Business and Professions Code Sections

#### Section 5577

#### Conviction of a Crime Substantially Related to the Qualifications, Duties and Functions of an Architect

**MAXIMUM:** Revocation or denial of license application

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Cost reimbursement [#12]
- c. Criminal probation reports [#14]

**Section 5578**  
**Acts in Violation of the Architects Practice Act**

The appropriate penalty depends on the nature of the offense.

**Section 5579**  
**Fraud or Misrepresentation in Obtaining License**

**MAXIMUM/MINIMUM:** Revocation

**Section 5580**  
**Impersonation or Use of Assumed or Corporate Name**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

**Section 5582**  
**Aiding and Abetting the Unlicensed Practice of Architecture**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

## **Section 5582.1**

### **Signing Others Instruments of Service or Permitting Misuse of Name**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

## **Section 5583**

### **Fraud or Deceit**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

## **Section 5584**

### **Negligence**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. California Supplemental Examination [#9]
- c. Continuing education courses [#11]
- d. Cost reimbursement [#12]
- e. Restitution [#13]

**Section 5584**  
**Willful Misconduct**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

**Section 5585**  
**Incompetency or Recklessness**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. California Supplemental Examination [#9]
- c. Continuing education courses [#11]
- d. Cost reimbursement [#12]
- e. Restitution [#13]

**Section 5586**  
**Disciplinary Action by a Public Agency**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. California Supplemental Examination [#9]
- c. Continuing education courses [#11]
- d. Cost reimbursement [#12]
- e. Restitution [#13]

## General Provisions of Business and Professions Code

### Section 125.6

#### Discrimination by Licensee

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 60 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Cost reimbursement [#12]

### Section 480 (a)

#### Denial of Licenses

An applicant's application may be denied for (1) conviction of a crime [substantially related to the qualifications, functions, or duties of the practice of architecture](#); (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

**RECOMMENDED DISCIPLINE:** Denial of license

### Section 496

#### Subversion of Licensing Examinations or Administration of Examinations

**RECOMMENDED DISCIPLINE:** Denial or revocation of license

**California Code of Regulations  
Article 9. Professional Conduct**

**Section 160  
Rules of Professional Conduct**

**a. Competence**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. California Supplemental Examination [#9]
- c. Continuing education courses [#11]
- d. Cost reimbursement [#12]
- e. Restitution [#13]

**b. Willful Misconduct**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. California Supplemental Examination [#9]
- c. Continuing education courses [#11]
- d. Cost reimbursement [#12]
- e. Restitution [#13]

**c. Conflict of Interest**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

**d. Full Disclosure**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

**e. Copyright Infringement**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

**f. Informed Consent**

**MAXIMUM:** Revocation

**MINIMUM:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-7]
- b. Continuing education courses [#11]
- c. Cost reimbursement [#12]
- d. Restitution [#13]

## **Violation of Probation**

### **Maximum Penalty**

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

### **Minimum Penalty**

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.

## **Conditions of Probation**

### **Standard Conditions**

**(To be included in all Cases of Probation)**

#### **1. Obey All Laws**

Respondent shall obey all federal, state and local laws and regulations ~~governing the practice of architecture in California~~ and comply with all conditions of probation.

#### **2. Submit Quarterly Reports**

Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's a-Quarterly Report of Compliance form (1/001/11) obtained from the Board (Attachment A).

#### **3. Personal Appearances**

Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.

#### **4. Cooperate During Probation**

Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.

#### **5. Tolling for Out-of-State Practice, Residence or In-State Non-Practice**

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as an architect or held any architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the Board if he or she applies for or obtains an architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5500.1 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the Board. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years.

All provisions of probation other than the quarterly report requirements, examination requirements, costs reimbursement, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California. ~~Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period.~~

## 6. Violation of Probation

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the Board shall have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

## 7. Completion of Probation

Upon successful completion of probation, respondent's license will be fully restored.

## Optional Conditions

### 8. Suspension

Respondent is suspended from the practice of architecture for \_\_\_\_\_ days beginning on the effective date of the Decision.

**9. California Supplemental Examination**

Within ~~\_\_\_\_\_~~ six ~~days~~ months of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within ~~6~~ six months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Tolling provisions apply. The term of probation shall be extended by the period of time during which respondent ceased practice. Failure to pass the required examination no later than ~~100 days~~ one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

**10. Written Examination**

Respondent shall take and pass (specified) sections of the Architect Registration Examination (ARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Tolling provisions apply. The term of probation shall be extended by the period of time during which respondent ceased practice. Failure to pass the required examination no later than ~~100 days~~ one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

**11. Continuing Education Courses**

Respondent shall successfully complete and pass professional education courses approved in advance by the Board or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than ~~100 days~~ one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition, and for paying all costs of such courses.

**12. Cost Reimbursement**

Respondent shall reimburse the Board \$ \_\_\_\_\_ for its investigative and prosecution costs. The payment shall be made within \_\_\_\_\_ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: \_\_\_\_\_ (specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

**13. Restitution**

Within \_\_\_\_\_ days of the effective date of this Decision, respondent shall make restitution to \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ and shall provide the Board with proof from \_\_\_\_\_ attesting the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

**14. Criminal Probation Reports**

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

**15. Relinquish License and Wall Certificate**

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

**16. Notification to Clients/Cessation of Practice**

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

## **Rehabilitation Criteria**

**California Code of Regulations**, Title 16, Division 2, Section 110.1, Criteria for Rehabilitation states:

- (a) When considering the denial of an architect's license under Section 480 of the Business and Professions Code, the Board, in evaluating the rehabilitation of the applicant and his/her present eligibility for a license will consider the following criteria:
  - (1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.
  - (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
  - (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).
  - (4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
  - (5) Evidence, if any, of rehabilitation submitted by the applicant.
- (b) When considering the suspension or revocation of the license of an architect on the grounds that the person licensed has been convicted of a crime, the Board, in evaluating the rehabilitation of such person and his/her present eligibility for licensure will consider the following criteria:
  - (1) Nature and severity of the act(s) or offense(s).
  - (2) Total criminal record.
  - (3) The time that has elapsed since commission of the act(s) or offense(s).
  - (4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.
  - (5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
  - (6) Evidence, if any, of rehabilitation submitted by the licensee.
- (c) When considering the petition for reinstatement of the license of an architect, the Board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).



CALIFORNIA ARCHITECTS BOARD



400 R STREET, SUITE 4000, SACRAMENTO, CALIFORNIA 95814-6238

Telephone: (916) 445-3393

Fax: (916) 445-8524

E-mail: cab@dca.ca.gov

Web: cab.ca.gov

Attachment A

Header banner for California Architects Board with seal, address, and contact info.

QUARTERLY REPORT OF COMPLIANCE

1. NAME: (Last/First/Middle) TELEPHONE #: ( ) (Residence)

RESIDENCE ADDRESS:

CITY: STATE: ZIP CODE:

2. NAME OF FIRM: YOUR TITLE:

FIRM ADDRESS:

CITY: STATE: ZIP CODE:

TELEPHONE #: ( )

3. On the back of this form detail your architectural activities for the probation period

beginning Mo. Day Year and ending Mo. Day Year

4. Site any other activities related to the practice of architecture:

ACTIVITY DATE

Table with 2 columns: ACTIVITY, DATE. Multiple empty rows for data entry.

5. I declare under penalty of perjury under the laws of the State of California that the information contained in this quarterly report regarding my professional practice is true and correct.

Signature:

Date:

DATE: \_\_\_\_\_ QUARTER: \_\_\_\_\_ YEAR: \_\_\_\_\_

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( )  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| PROJECT TITLE/ADDRESS | PROJECT DESCRIPTION | DATE<br>START-COMPLETE | YOUR<br>INVOLVEMENT |
|-----------------------|---------------------|------------------------|---------------------|
|                       |                     |                        |                     |
|                       |                     |                        |                     |
|                       |                     |                        |                     |

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( )  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| PROJECT TITLE/ADDRESS | PROJECT DESCRIPTION | DATE<br>START-COMPLETE | YOUR<br>INVOLVEMENT |
|-----------------------|---------------------|------------------------|---------------------|
|                       |                     |                        |                     |
|                       |                     |                        |                     |
|                       |                     |                        |                     |

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( )  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| PROJECT TITLE/ADDRESS | PROJECT DESCRIPTION | DATE<br>START-COMPLETE | YOUR<br>INVOLVEMENT |
|-----------------------|---------------------|------------------------|---------------------|
|                       |                     |                        |                     |
|                       |                     |                        |                     |
|                       |                     |                        |                     |

**CALIFORNIA ARCHITECTS BOARD**  
**PROPOSED REGULATORY LANGUAGE**

**Article 8. Disciplinary Proceedings**

Amend Section 154 as follows:

**Section 154. Disciplinary Guidelines.**

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board shall consider the disciplinary guidelines entitled “Disciplinary Guidelines” [200015] which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board in its sole discretion determines that the facts of the particular case warrant such a deviation - for example: the presence of mitigating factors; the age of the case; evidentiary problems.

**Note: Authority cited: Sections 5510.1 and 5526, Business and Professions Code; and Section 11425.50(e), Government Code. Reference: Sections 125.3, 125.6, 480(a), 496, 5553, 5560, 5561.5, 5565, 5577, 5578, 5579, 5580, 5582, 5582.1, 5583, 5584, ~~and 5585~~ and 5586, Business and Professions Code; and Section 11425.50(e), Government Code.**

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# ***DISCIPLINARY GUIDELINES***

## ***I. INTRODUCTION***

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board ([BoardCAB](#)), Landscape Architects Technical Committee (LATC) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, landscape architects, others involved in the disciplinary process, and ultimately the [BoardCAB](#), shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories:

- (1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and
- (2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the [LATCBoard](#) at its office in Sacramento, California. [There may be a charge assessed sufficient to cover the cost of production and distribution of copies.](#)

## ***II. GENERAL CONSIDERATIONS***

The Board requests that Proposed Decisions following administrative hearings include the following:

- a. Specific code sections violated with their definitions.
- b. Clear description of the violation.
- c. Respondent's explanation of the violation if he/she is present at the hearing.
- d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.
- e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

**Factors to be Considered** - In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Total criminal record. ~~Actual or potential harm to any consumer, client or the general public.~~
3. The time that has elapsed since commission of the act(s) of offense(s). ~~Prior disciplinary record.~~
4. The extent to which the respondent ~~Whether the licensee~~ has complied with any terms or parole, probation, restitution or any other sanctions lawfully imposed against the respondent ~~licensee.~~ Number and/or variety of current violations.
5. ~~Mitigation evidence.~~ If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
6. ~~Rehabilitation~~ Evidence, if any, of rehabilitation submitted by the respondent ~~licensee.~~
7. ~~In the case of a criminal conviction, compliance with terms of sentence and/or court ordered probation.~~
8. ~~Overall criminal record.~~
9. ~~Time passed since the act(s) or offense(s) occurred.~~
- 7.10. ~~Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.~~
- 8.11. ~~Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.~~

### ***III. DEFINITION OF PENALTIES***

***Revocation:*** Loss of a license as the result of any one or more violations of the Landscape Architects Practice Act. Revocation of a license is permanent, unless the respondent takes affirmative action to petition the Board for reinstatement of his/her license and demonstrates to the Board's satisfaction that he/she is rehabilitated.

***Suspension:*** Invalidation of a license for a fixed period of time, not to exceed a period of one year.

***Stayed Revocation:*** Revocation of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Stayed Suspension:*** Suspension of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Probation:*** A period during which a respondent's sentence is suspended in return for respondent's agreement to comply with specified conditions relating to improving his/her conduct or preventing the likelihood of a reoccurrence of the violation.

***Public Reproval:*** A condition of probation whereby the respondent is required to appear before the Board to review in public the violation which he/she was determined to have committed and the penalties imposed.

***Such other matters as justice may require.***

#### **IV. DISCIPLINARY GUIDELINES**

The offenses are listed by statute number in the Business and Professions Code. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages XX - XX.

##### **Business and Professions Code**

##### **Section 5640: Unlicensed Person Engaging in Practice - Sanctions**

~~Applicant~~**Maximum:** Denial of application for a license  
~~Applicant~~**Minimum:** ~~Ninety (90)~~ days actual suspension and 5 years probation on the following conditions:  
a. All standard conditions of probation [#1-#7]

##### **Section 5642: Partnership, Corporation – Unlicensed Person**

**Maximum:** Revocation and public reproof  
**Minimum:** Stayed revocation, 90 days actual suspension and [5 years](#) probation ~~for 5 years~~ on the following conditions:  
a. All standard conditions of probation [#1-#7]  
b. Cost reimbursement [[#12-11](#)]

##### **Section 5666: Practice in Violation of Chapter Provisions**

The appropriate penalty depends on the nature of the offense.

##### **Section 5667: Fraud, Misrepresentation - Obtaining License**

**Maximum/Minimum:** Revocation

##### **Section 5668: Impersonating Landscape Architect – Practice Under Assumed Name**

~~Licensee~~**Maximum:** Revocation  
~~Licensee~~**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:  
a. All standard conditions of probation [#1-#7]  
b. Continuing education courses [[#11-10](#)]  
c. Cost reimbursement [[#12-11](#)]  
d. Restitution [[#13-12](#)]

##### **Section 5669: Aiding, Abetting - Unlicensed Practice**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]
- b. Continuing education courses [#11~~10~~]
- c. Cost reimbursement [#12~~11~~]
- d. Restitution [#13~~12~~]

**Section 5670: Fraud, Deceit in Practice**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. Continuing education courses [#11~~10~~]
  - c. Cost reimbursement [#12~~11~~]
  - d. Restitution [#13~~12~~]

**Section 5671: Negligence, Willful Misconduct in Practice**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. California Supplemental Examination [#9]
  - c. Written Examination [#10]
  - ~~b.~~ Continuing education courses [#11~~10~~]
  - ~~e.~~ Cost reimbursement [#12~~11~~]
  - ~~f.~~ Restitution [#13~~12~~]

**Section 5672: Gross Incompetence in Practice**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, ~~120-90~~ days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. California Supplemental Examination [#9]
  - ~~c.~~ Written examination [#~~10~~9]
  - ~~d.~~ Continuing education courses [#11~~10~~]
  - ~~e.~~ Cost reimbursement [#12~~11~~]
  - ~~f.~~ Restitution [#13~~12~~]

**Section 5673: False Use of Signature**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. Continuing education courses [#11~~10~~]
  - c. Cost reimbursement [#12~~11~~]
  - d. Restitution [#13~~12~~]

**Section 5675: Felony Conviction - Sanctions**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. Continuing education courses [#11+0]
  - c. Cost reimbursement [#12+1]
  - d. Restitution [#13+2]
  - e. Criminal Probation Reports [#14+3]

**Section 5675.5: Disciplinary Action by a Public Agency –~~Disciplinary Action~~**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. California Supplemental Examination [#9+0]
  - c. Written Examination [#10]
  - ~~b.~~ Continuing education courses [#11+0]
  - ~~e.~~ Cost reimbursement [#12+1]
  - ~~d.~~ Restitution [#13+2]

**Section 5676: Plea of Nolo Contendere – Criminal Conviction - Sanctions**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-7]
  - ~~b. Continuing education courses [#10]~~
  - b. Cost reimbursement [#12+1]
  - ~~d. Restitution. [#12]~~
  - ce. Criminal Probation Reports [#14+3]

**General Provisions of Business and Professions Code**

**Section 125.6: Discrimination by Licensee**

- Maximum:** Revocation  
**Minimum:** Stayed revocation, ~~60~~90 days actual suspension and 5 years probation on the following conditions:
- a. All standard conditions of probation [#1-#7]
  - b. Cost reimbursement [#12+1]

**Section 480 (a): Denial of Licenses**

An applicant's application may be denied for (1) conviction of a crime [substantially related to the qualification, functions, or duties in the practice of landscape architecture](#); (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

**Maximum/Minimum:** Denial of license

**Section 490: Conviction of Crime; Suspension, Revocation – Grounds**

**Maximum:** [Revocation](#)  
**Minimum:** [Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:](#)  
[a. All standard conditions of probation \[#1-#7\]](#)  
[b. Continuing education courses \[#11\]](#)  
[c. Cost reimbursement \[#12\]](#)  
[d. Restitution \[#13\]](#)  
[e. Criminal Probation Reports \[#14\]](#)

**Section 496: Subversion of Licensing Examinations or Administration of Examinations**

**Maximum/Minimum:** Denial or revocation of license

**California Code of Regulations  
Division 2, Title 16, Chapter 26**

**Section 2670:  
Rules of Professional Conduct**

**(a) Competence**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension and ~~five (5)~~ years probation on the following conditions:  
[a. All standard conditions of probation \[#1-#7\]](#)  
[b. California Supplemental Examination \[#9\]](#)  
[c. Written Examination \[#10\]](#)  
~~b.~~ [Continuing education courses \[#11+10\]](#)  
~~e.~~ [Cost reimbursement \[#12+11\]](#)  
~~d.~~ [Restitution \[#13+12\]](#)

**(b) Willful Misconduct**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]
- b. California Supplemental Examination [#9]
- c. Written Examination [#10]
- d. Continuing education courses [#11 [#10]
- e. Cost reimbursement [#12 [#11]
- f. Restitution [#13 [#12]

**(cb) Full Disclosure**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]
- b. Continuing education courses [~~#11~~10]
- c. Cost reimbursement [~~#12~~11]
- d. Restitution [~~#13~~12]

**(de) Informed Consent**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]
- b. Continuing education courses [~~#11~~10]
- c. Cost reimbursement [~~#12~~11]
- d. Restitution [~~#13~~12]

**(ed) Conflict of Interest**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]
- b. Continuing education courses [~~#11~~10]
- c. Cost reimbursement [~~#12~~11]
- d. Restitution [~~#13~~12]

**(fe) Copyright Infringement**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

- a. All standard conditions of probation [#1-#7]

- b. Continuing education courses [#11+0]
- c. Cost reimbursement [#12+1]
- d. Restitution [#13+2]

## Violation of Probation

### Maximum Penalty -

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

### Minimum Penalty

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.~~offense(s)~~.

## VI.—~~STANDARD~~ *CONDITIONS OF PROBATION*

### Standard Conditions

(to be included in all cases of probation)

1. **Obey All Laws**  
Respondent shall obey all federal, state and local laws and regulations ~~governing the practice of landscape architecture in California~~ and comply with all conditions of probation.
2. **Submit Quarterly Reports**  
Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's a Quarterly Report of Compliance form (1/11+0/98) obtained from the Board (Attachment A).
3. **Personal Appearances**  
Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.
4. **Cooperate During Probation**  
Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees, with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.
5. **Tolling for Out-of-State Practice, Residence or In-State Non-Practice**

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as a landscape architect or held any landscape architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the Board if he or she applies for or obtains a landscape architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing landscape architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the LATC. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years. ~~Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code.~~

All provisions of probation other than the quarterly report requirements, examination requirements, cost reimbursements, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California. ~~Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period.~~

## **6. Violation of Probation**

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the Board shall

have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

**7. Completion of Probation**

Upon successful completion of probation, respondent's license will be fully restored.

**~~VI.~~ ~~OPTIONAL CONDITIONS OF PROBATION~~**

**Optional Conditions**

**8. Suspension**

Respondent is suspended from the practice of landscape architecture for \_\_\_\_\_ days beginning on the effective date of the Decision.

**9. California Supplemental Examination**

Within six months of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within six months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Tolling provisions apply. The term of probation shall be extended by the period of time during which responded ceased practice. Failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

**109. Written Examination**

Respondent shall take and pass (specified) sections of the Landscape Architect Registration Examination (LARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Tolling provisions apply. The term of probation shall be extended by the period of time during which responded ceased practice. Failure to pass the required examination no later than ~~100 days~~ one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

**1110. Continuing Education Courses**

Respondent shall successfully complete and pass professional education courses approved in advance by the Board or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition and for paying all costs of such courses.

**1211. Cost Reimbursement**

Respondent shall reimburse the Board \$ \_\_\_\_\_ for its investigative and prosecution costs. The payment shall be made within \_\_\_\_\_ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: \_\_\_\_\_ (specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

**1312. Restitution**

Within \_\_\_\_\_ days of the effective date of this Decision, respondent shall make restitution to \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ and shall provide the Board with proof from \_\_\_\_\_ attesting that the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

**1413. Criminal Probation Reports**

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

**1514. Relinquish License and Wall Certificate**

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

**1615. Notification to Clients/Cessation of Practice**

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

**VII. REHABILITATION CRITERIA**

**California Code of Regulations, Title 16, Division 26, Section 2656, Criteria for Rehabilitation states:**

- (a) When considering the denial of a landscape architect's license under Section 480 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his present eligibility for a license will consider the following criteria:
  - (1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.
  - (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
  - (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).
  - (4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
  - (5) Evidence, if any, of rehabilitation submitted by the applicant.
- (b) When considering the suspension or revocation of the license of a landscape architect on the grounds that the person licensed has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his present eligibility for a license, will consider the following criteria:
  - (1) Nature and severity of the act(s) or offense(s).
  - (2) Total criminal record.

- (3) The time that has elapsed since commission of the act(s) or offense(s).
  - (4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.
  - (5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
  - (6) Evidence, if any, of rehabilitation submitted by the licensee.
- (c) When considering a petition for reinstatement of the license of a landscape architect, the board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).



# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION  
2420 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834  
MAIN (916) 574-7220 FAX (916) 575-7283  
WWW.CAB.CA.GOV  
CAB@DCA.CA.GOV

Edmund G. Brown Jr.  
GOVERNOR

## QUARTERLY REPORT OF COMPLIANCE

1. NAME: \_\_\_\_\_ TELEPHONE #: ( ) \_\_\_\_\_  
(Last/First/Middle) (Residence)

RESIDENCE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

2. NAME OF FIRM: \_\_\_\_\_ YOUR TITLE: \_\_\_\_\_  
\_\_\_\_\_  
FIRM ADDRESS: \_\_\_\_\_  
\_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_  
\_\_\_\_\_  
TELEPHONE #: ( ) \_\_\_\_\_

3. On the back of this form detail your architectural activities for the probation period  
beginning \_\_\_\_\_ and ending \_\_\_\_\_  
Mo. Day Year Mo. Day Year

4. Site any other activities related to the practice of architecture:

| <u>ACTIVITY</u> | <u>DATE</u> |
|-----------------|-------------|
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5. I declare under penalty of perjury under the laws of the State of California that the information contained in this quarterly report regarding my professional practice is true and correct.

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

DATE: \_\_\_\_\_

QUARTER: \_\_\_\_\_ YEAR: \_\_\_\_\_

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: (\_\_\_\_) \_\_\_\_\_  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| <u>PROJECT TITLE/ADDRESS</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE<br/>START-COMPLETE</u> | <u>YOUR<br/>INVOLVEMENT</u> |
|------------------------------|----------------------------|--------------------------------|-----------------------------|
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CLIENT NAME: \_\_\_\_\_ TELEPHONE #: (\_\_\_\_) \_\_\_\_\_  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| <u>PROJECT TITLE/ADDRESS</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE<br/>START-COMPLETE</u> | <u>YOUR<br/>INVOLVEMENT</u> |
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CLIENT NAME: \_\_\_\_\_ TELEPHONE #: (\_\_\_\_) \_\_\_\_\_  
(Last/First/Middle)

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

| <u>PROJECT TITLE/ADDRESS</u> | <u>PROJECT DESCRIPTION</u> | <u>DATE<br/>START-COMPLETE</u> | <u>YOUR<br/>INVOLVEMENT</u> |
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# LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

## PROPOSED REGULATORY LANGUAGE

### Article 1. General Provisions

Amend Section 2680 as follows:

#### **Section 2680. Disciplinary Guidelines.**

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board shall consider the disciplinary guidelines entitled “Disciplinary Guidelines” [Rev. ~~2015~~2000] which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board in its sole discretion determines that the facts of the particular case warrant such a deviation - for example: the presence of mitigating factors; the age of the case; evidentiary problems.

**Note: Authority cited: Sections 5622, 5630 and 5662, Business and Professions Code; and Section 11425.50(e), Government Code. Reference: Sections 125.3, 125.6, 480(a), 496, 5640, 5642, 5653, 5660, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5 and 5676, Business and Professions Code; and Sections 11400.20, ~~11400.21~~, ~~11425~~, 11425.50 and 11425.50(e), Government Code.**

**LATC REPORT**

1. Update on LATC November 17, 2015 Meeting
2. Review and Approve Proposed Regulations to Amend CCR, Section 2615 (Form of Examinations) as it Relates to Reciprocity Requirements

**UPDATE ON LATC NOVEMBER 17, 2015 MEETING**

The Landscape Architects Technical Committee (LATC) met on November 17, 2015 in Davis. Attached is the notice of the meeting. LATC Program Manager, Trish Rodriguez, will provide an update on the meeting.

Attachment:

November 17, 2015 Notice of Meeting

## NOTICE OF MEETING

**November 17, 2015**  
**11:00 a.m. – 3:00 p.m.**  
**(or until completion of business)**  
**University of California, Davis (142 Hunt Hall)**  
**One Shields Avenue**  
**Davis, California 95616**  
**(530) 754-5983**

The Landscape Architect Technical Committee (LATC) will hold a meeting, as noted above. The notice and agenda for this meeting and other meetings of the LATC can be found on the LATC's website: [latc.ca.gov](http://latc.ca.gov). For further information regarding this agenda, please see reverse or you may contact Rodney Garcia at (916) 575-7236.

The LATC plans to webcast this meeting on its website. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

### AGENDA

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Remarks and LATC Member Comments
- C. Public Comment for Items Not on Agenda  
*(The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)*
- D. Review and Approve August 6, 2015, LATC Meeting Minutes
- E. Program Manager's Report
- F. Presentation on the University of California, Davis Landscape Architecture Program
- G. Report on Council of Landscape Architectural Registration Boards (CLARB)
- H. Review and Approve Intra-Agency Contract Agreement with Department of Consumer Affairs Office of Professional Examination Services for California Supplemental Examination Development

*(Continued on Reverse)*

- I. Discuss and Possible Action on Strategic Plan Objective to Establish Equitable Reciprocity Guidelines, Without Altering Entry Standards of the Profession, to Widen Path to Licensure
- J. Discuss and Possible Action on Strategic Plan Objective to Review California Code of Regulations, Sections 2624 and 2624.1 and Assess Whether any Revisions are Needed to Regulations, Procedures, and Instructions for Expired License Requirements
- K. Discuss and Possible Action on Strategic Plan Objective to Create and Disseminate Printed Document(s) to Educate Public on Differences Between Landscape Architects, Landscape Contractors, and Landscape Designers
- L. Review Tentative Schedule and Confirm Future LATC Meeting Dates
- M. Adjourn

*Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the LATC are open to the public.*

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the LATC prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting [Government Code §§ 11125 and 1125.7(a)].*

*The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mr. Garcia at (916) 575-7236, emailing [rodney.garcia@dca.ca.gov](mailto:rodney.garcia@dca.ca.gov), or sending a written request to the LATC. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.*

*Protection of the public shall be the highest priority for the LATC 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. (Business and Professions Code section 5620.1)*

## Agenda Item M.2

### **REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 2615 (FORM OF EXAMINATIONS) AS IT RELATES TO RECIPROCITY REQUIREMENTS**

Business and Professions Code section (BPC) 5650 requires candidates for licensure in California to have completed a combination of six years education and training in landscape architecture as a prerequisite to taking the licensing examination. Over the past several years, the Landscape Architects Technical Committee (LATC) has received requests for reciprocal licensure from candidates licensed in other jurisdictions where education was not a requirement for licensure.

In 2013, the LATC began discussing the issue of license reciprocity with other jurisdictions and subsequent Strategic Plans have included objectives to review reciprocity requirements. At its May 22, 2013 meeting, the LATC directed staff to compile the education, training and examination requirements of other states offering reciprocity and report the findings back to the Committee.

A summary of each states' requirements for initial and reciprocal licensure was presented at the November 7, 2013 LATC meeting. After review, the Committee asked staff to compile the data in summary form, identifying the specific number of years required by each state for education and whether a degree is mandatory and the number of years of experience required for initial licensure. The Committee also requested state specific requirements for reciprocity.

At the November 7, 2013 LATC meeting, the Committee also discussed the fact that BPC 5650 requires a combination of six years training and educational experience and CCR section 2620 specifies the type and amount of credit allowed for each. The Committee requested legal counsel to further research CCR section 2620 and determine if there is a way to make reciprocity requirements less prescriptive and allow more flexibility without the necessity of a regulatory change.

At the March 20, 2014 LATC meeting, Department of Consumer Affairs legal counsel advised the Committee that regulatory change would be necessary in order to allow reciprocity to applicants who have not met the current education requirement. The Committee was also advised that if a regulatory amendment was pursued to allow educational credit for work experience, the Committee would have to equate licensed experience with education credit. The factual basis for making such a determination would need to clearly demonstrate how licensed experience is equivalent to academic training.

Charts reflecting other states' requirements for initial and reciprocal licensure, as well as state specific requirements were reviewed by the Committee (Attachment 1). To summarize:

- Four states allow candidates to take the licensing examination upon completion of an undergraduate or graduate degree in landscape architecture.
- Thirty-one states allow candidates to take the examination on the basis of experience alone, with an average of eight years required.
- Seventeen states, including California, require both education and experience for initial licensure.

- Five states have specific provisions that allow reciprocity only if their licensees are granted reciprocity in return.
- Six states grant reciprocity on the basis of Council of Landscape Architectural Registration Boards certification.

At its meeting on February 10, 2015, the LATC addressed this issue again and discussed the fact that, in states where education is not required, ten years of experience is the standard required to take the licensing examination. The Committee directed staff to review the reciprocity requirements for Arizona and New York and draft proposed regulatory language for the Committee's consideration.

Staff's research revealed that New York allows reciprocity to an applicant who holds a current license, has passed the written exam given in the jurisdiction in which they are licensed, and met New York's requirements at the time their license was issued in the other jurisdiction. Arizona allows reciprocity if the applicant's education, experience and examination were "substantially identical" to the requirements that existed in Arizona at the time they were originally licensed. Both New York and Arizona accept ten years of licensed experience in lieu of meeting their degree and experience requirements.

Currently, CCR section 2615 provides that a candidate who is licensed as a landscape architect in a U.S. jurisdiction, Canadian province, or Puerto Rico by having passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board shall be eligible for licensure upon passing the California Supplemental Examination. Based on the LATC's request, staff prepared the attached proposed regulatory amendment to CCR section 2615 with advice of legal counsel.

The proposed amendment includes provisions that require a candidate for reciprocal licensure to either submit verifiable documentation of education and experience equivalent to that required of California applicants at the time of application or submit verifiable documentation that the candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least ten years. At its November 17, 2015 meeting, the LATC approved the proposed regulations to amend CCR section 2615 (Form of Examinations) and directed staff to continue with the rulemaking process.

Attached is a draft of the Proposed Regulatory Language to amend CCR section 2615 (Attachment 2). The Board is asked to review and approve the proposed regulation to amend CCR section 2615, 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 or non-substantive changes to the language, if needed.

Attachments:

1. National Landscape Architects – Eligibility and Reciprocity Requirements
2. Proposed Language to Amend CCR Section 2615 (Form of Examinations)

## National Landscape Architects - Eligibility and Reciprocity Requirements

| State - Acronym           | Initial Education/Experience Requirements   | Reciprocity Requirements   | Licensed Experience Allowed in Lieu of Education for Purposes of Reciprocity |
|---------------------------|---|--|--|
| Alabama - AL              | 6 years combined education and experience which may include up to 5 years credit for education. In lieu of education, 8 years experience if that experience began prior to August 1, 2012.                        | Passed a test prepared by CLARB and is from a state with similar qualifications for licensure that also offers reciprocity with AL.                        | Yes, if experience was gained or began prior to August 1, 2012.              |
| Alaska - AK               | 8 to 12 years combined education and experience, plus a course in arctic engineering.   | Licensed in a state that the board determines meets the requirements of law or, have a CLARB certificate. Must also complete an arctic engineering course. | No   |
| Arizona - AZ              | 8 years of active education or experience or both (not more than 5 years credit for education).   | Licensed in another jurisdiction with similar requirements but must submit proof of education, training and examination or CLARB certification.            | Yes  |
| Arkansas - AR             | Accredited degree in LA plus 2 years experience; or a degree in a field related to LA plus 4 years experience; or 7 years experience satisfactory to the board.   | Holds a current, valid license issued under standards equivalent to AR at the time of original licensure. May submit a valid CLARB certificate.            | Yes  |
| California - CA           | 6 years combined education and experience. Minimum one year education and minimum one year experience under landscape architect after graduation.   | Licensed in another jurisdiction and meets initial eligibility requirements for CA candidates.   | No   |
| Colorado - CO             | Accredited degree in LA plus 2 years experience or 6 years practical experience or a combination of education and experience to meet 6 year requirement. Educational credit is given for non-accredited programs. | Holds a current, valid license in another jurisdiction with eligibility requirements substantially equivalent to CO.                                       | Yes  |
| Connecticut - CT          | Accredited degree in LA plus 2 years of experience or 8 years experience.   | CLARB certification or licensure in another state with standards substantially similar or higher than CT.  | Yes  |
| Delaware - DE             | Accredited degree in LA plus 2 years experience or 2 years coursework in LA from an accredited school plus 4 years experience.  | Proof of licensure in good standing in another state or territory and passage of a uniform national licensing exam for landscape architecture.             | No   |
| District of Columbia - DC | N/A   | N/A  | N/A  |

|                |   |  |  |
|----------------|---|--|--|
| Florida - FL   | Accredited degree in LA or 6 years experience.  | Licensure by Endorsement if applicant has passed a licensing exam substantially equivalent to that used by FL or who holds a valid LA license in a state or territory with substantially identical criteria to the requirements in FL at the time of issuance.   | Yes  |
| Georgia - GA   | BA/BS degree in LA plus 18 months of training or post graduate degree in LA.  | Legally registered/licensed by another jurisdiction where licensure requirements are substantially equivalent to GA and where the same privilege is extended to GA licensees.  | No   |
| Hawaii - HI    | MA in LA plus 2 years experience or undergraduate degree in LA plus 3 years experience or undergraduate degree in pre-LA or Arts and Sciences plus 5 years experience, or 12 years experience. Applicants with 15 years experience do not have to pass the LARE.  | Current licensure in a jurisdiction where the requirements for licensure at the time the license was issued are satisfactory to the board. If in doubt that the requirements for licensure are satisfactory or that the applicant successfully completed them, must pass the national licensing exam and HI supplemental exam. | Yes  |
| Idaho - ID     | Graduation from a college or school of LA approved by the board or 8 years experience.  | Licensure in another jurisdiction whose requirements are substantially equivalent to ID or CLARB certification.  | Yes  |
| Illinois - IL  | Approved professional degree in LA plus 2 years experience.   | Licensure in another state which has substantially equivalent requirements and/or CLARB certification.   | Yes  |
| Indiana - IN   | Accredited degree in LA plus 3 years of experience or, before January 2003, at least 8 years experience.  | Licensed in another jurisdiction with substantially equivalent requirements as IN and CLARB certification.   | Yes, if obtained before January 2003.  |
| Iowa - IA      | 4 year accredited degree in LA plus 3 years experience, 4 year non-accredited degree in LA plus 4 years experience, or 10 years experience.   | Licensure in another jurisdiction whose requirements are substantially equivalent to IA.   | Yes  |
| Kansas - KS    | Accredited 5 year degree in LA plus 3 years experience or accredited 4 year degree in LA plus 4 years experience.   | Licensure in another jurisdiction whose requirements are substantially equivalent to KS.   | Yes, if licensed in their home state before January 1993, may use 8 years experience in lieu of education. |
| Kentucky - KY  | Accredited degree in LA plus 2 years experience.  | Licensed in a jurisdiction where the requirements at the time of licensing were equal to those required in KY at the time of application.  | No   |
| Louisiana - LA | Professional degree from an accredited school or a degree which the commission has declared to be substantially equivalent plus at least 1 year experience, or 6 years experience.  | No provision for reciprocity.  | N/A  |
| Maine - ME     | Accredited degree in LA plus 2 years experience other than as a principal or 5 years as a principal, or non-accredited degree plus 3 years experience other than as a principal or 5 years experience as a principal, or bachelors degree in a non-related field plus 5 years experience, or 3 years experience under the supervision of a licensed LA plus 5 years experience as a principal, or 12 years experience other than as a principal at least 6 of which was under the supervision of a licensed LA. | Current and valid license from another jurisdiction where the requirements for licensure are equivalent to the requirements in ME or CLARB certification issued after examination.   | Yes  |

|                    |   |   |   |
|--------------------|---|---|---|
| Maryland - MD      | Accredited degree plus 2 years experience, or design-related degree plus 4 years experience, or non-related degree plus 6 years experience, or 8 years experience.  | Licensed in another jurisdiction with substantially equivalent requirements as MD and which offers reciprocity to MD licensees.   | Yes   |
| Massachusetts - MA | Accredited degree and 2 years experience or, 6 years experience.  | Licensed in another jurisdiction whose requirements are at least substantially equivalent to MA provided the jurisdiction extends the same privilege to MA licensees.   | Yes   |
| Michigan - MI      | 7 years of education and/or work experience. Degree is not required but the applicant must have taken university level courses in the subjects included in a degree program accredited by ASLA. BS/BA degree equals 4 years of the 7 year requirement; MA equals 5 years of the 7 year requirement.   | At least 7 years of training and experience. Satisfactory completion of each year (up to 5 years) of an accredited course in LA shall be considered equivalent to 1 year experience.  | Yes   |
| Minnesota - MN     | 5 year accredited degree in LA plus 3 years experience or, 4 year accredited degree in LA plus 4 years experience or, related degree plus MA/Ph.d. in LA plus 3 years experience.   | CLARB certification.  | No  |
| Mississippi - MS   | Accredited degree in LA or one that is accepted by a CLARB recognized accreditation body. In lieu of education, 7 years experience in LA suitable to the board. A degree in a curriculum other than LA qualifies for 2 years credit toward the 7 year requirement.  | Licensed by another jurisdiction recognized by CLARB and/or CLARB certification. An applicant without CLARB certification must meet the education and/or experience requirements.   | Yes   |
| Missouri - MO      | Accredited degree in LA plus 3 years experience.  | Must meet the minimum education and experience requirements.  | No  |
| Montana - MT       | Accredited MA degree in LA plus 2 years experience or, non-accredited MA degree in LA and 3 years experience or, BA/BS degree plus 4 years experience or AA degree plus 6 years experience, or 8 years experience.  | Verification of licensure in another jurisdiction disclosing the laws and regulations in effect at the time of licensure, verification from CLARB of having passed all sections of the LARE. The board determines whether the education and experience requirements for original licensure are substantially equivalent to those in MT. | Yes   |
| Nebraska - NE      | Accredited degree in LA or, non-accredited degree plus 1 year experience or, any bachelors degree plus 3 years experience.  | Licensure in another jurisdiction and has CLARB certification.  | Yes, to the extent that the applicant holds CLARB certification that was issued based on licensure in a state that did not have education requirements. |
| Nevada - NV        | Accredited or approved BA/MA degree in LA plus 2 years experience or, an AA in LA or BA in a related field plus 4 years experience or, an accredited BA in architecture or civil engineering plus 3 years experience or, any combination of education and experience the board deems acceptable. MA degree in a related field counts as 1 year of experience. | Licensure in another jurisdiction and actively engaged in the practice of LA for 2 or more years or fulfilled the education and experience requirements of NV.  | Yes, 6 years full time professional practice in LA under the direct supervision of a licensed LA.   |

|                     |  |   |     |
|---------------------|--|---|-----|
| New Hampshire - NH  | Accredited degree in LA and 3 years experience or, non-accredited degree in LA or related field and 5 years experience.  | Licensure in another jurisdiction whose requirements are substantially equivalent to those in NH or, CLARB certification accompanied by verification of licensure in the other jurisdiction.    | No  |
| New Jersey - NJ     | Accredited or approved degree in LA plus 4 years experience of which at least 2 years must have been full time.  | Licensure in another jurisdiction where the standards for licensing met the standards in NJ at the time of initial licensure, and passed the national examination or holds CLARB certification. | No  |
| New Mexico - NM     | Accredited degree in LA plus 2 years experience or, non-accredited degree in LA plus 4 years experience or, BA or MA in a related field plus 5 years experience, or 10 years practical experience in LA at least 1 of which must have been under the direct supervision of a licensed LA (each year of completed study in an accredited LA program counts as 1 year experience and a baccalaureate degree in any field counts as 2 years experience toward 10 year requirement). | Licensure in another jurisdiction with standards as stringent or higher than NM and meet the qualifications of a licensed LA in NM.   | Yes |
| New York - NY       | Accredited or approved degree in LA plus experience to equal at least 8 years total or, 12 years experience in LA. Each complete year of study satisfactory to the board counts as 2 years toward the 12 year requirement, not to exceed 8 years of credit.  | Licensure in another jurisdiction provided the applicant's qualification met the requirements in NY at the time of initial licensure.   | Yes |
| North Carolina - NC | Accredited degree in LA plus 4 years experience or, 10 years education and experience in any combination in LA.  | Licensure in a jurisdiction whose requirements are deemed equal or equivalent to NC. Applicant must provide proof of education, experience and examination.                                     | No  |
| North Dakota - ND   | N/A  | N/A   | N/A |
| Ohio - OH           | Accredited degree in LA plus 3 years experience.   | Licensure in another jurisdiction whose qualifications at the time of licensure were substantially equal to the requirements in OH and CLARB certification.                                     | No  |
| Oklahoma - OK       | Accredited or approved degree in LA plus 3 years experience. The board may accept "broad experience" in LA as meeting the educational requirements.  | Licensure in another jurisdiction with requirements substantially equivalent to OK and where reciprocity is granted for OK licensees.   | Yes |
| Oregon - OR         | Accredited degree in LA plus 3 years experience or, non-accredited degree in LA or related field plus 4 years experience or, degree in any field plus 6 years experience or, 11 years experience.  | Must meet the same requirements as OR applicants.   | No  |

|                     |  |   |     |
|---------------------|--|---|-----|
| Pennsylvania - PA   | Accredited or approved degree in LA plus 2 years experience or, accredited or approved degree in LA plus 1 year of graduate school in LA plus 1 year experience or, 1 year of study in an approved program in LA plus 6 years of combined education and experience or, 8 years experience actual experience in LA. The board waives the examination requirements for individuals with a degree in LA and 10 years experience and for individuals with 15 years experience in LA. | Must meet the education and experience requirements and hold a current license in LA in another jurisdiction.   | Yes |
| Rhode Island - RI   | Accredited BS/MA degree in LA or, at the discretion of the board, a BS/MA degree in a field related to LA or completion of a non-accredited program, plus 2 years experience in LA or 1 year experience in LA plus 1 year experience in a related field. In lieu of a degree, 6 years experience.  | Licensure in another jurisdiction with equal standards to those in RI and that grants equal rights to RI licensees, provided that the applicant passed a comparable examination and demonstrates comparable education and experience.   | Yes |
| South Carolina - SC | Accredited degree in LA plus 2 years experience or, non-accredited degree in LA or a related field plus 5 years experience.  | Licensure in another jurisdiction with substantially equivalent requirements to those in SC at the time of initial licensure.   | No  |
| South Dakota - SD   | Accredited degree in LA and completion of a council record from CLARB. Experience requirements are those required by CLARB.  | CLARB certification.  | No  |
| Tennessee - TN      | Accredited degree in LA plus 3 years experience.   | Comity - must have accredited degree in LA plus 3 years experience, current CLARB certification and be licensed in another jurisdiction.  | No  |
| Texas - TX          | Professional degree from a program accredited by the LAAB plus 2 years experience.   | Licensed in another jurisdiction with requirements substantially equivalent to those in TX, or where the jurisdiction has entered into an agreement with the board that has been approved by the Governor of TX. Applicants must have passed the LARE or an equivalent exam approved by CLARB as conforming to CLARB's standards or as being acceptable in lieu of the LARE, and have 2 years of post licensure experience or have CLARB certification. | No  |
| Utah - UT           | Degree in LA or no less than 8 years experience. Each year of education counts as 1 year of experience.  | Must meet the same requirements as UT applicants.   | Yes |
| Vermont - VT        | Accredited degree in LA plus 3 years experience or 9 years experience under a licensed LA. Up to 1 year of that experience may be under the supervision of an architect, professional engineer or land surveyor. Credits from an accredited degree program may be substituted for no more than 3 of the 9 year requirement.  | Licensure in another jurisdiction with substantially equal requirements as VT or CLARB certification.   | Yes |
| Virginia - VA       | Accredited degree in LA plus 3 years experience or, non-accredited degree in LA plus 4 years experience or, any bachelors degree plus 6 years experience or, 8 years experience.   | Licensed in a jurisdiction whose requirements were at least as rigorous as those in VA at the time of original licensure (must have passed an examination) or CLARB certification.  | Yes |

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|--------------------|---|--|-----|
| Washington - WA    | Accredited degree in LA or an equivalent degree in LA as determined by the board plus 3 years experience, or 8 years LA experience, 6 of which must have been under the supervision of a licensed LA. Up to 2 years of experience may be granted for postsecondary education courses in LA if the courses are equivalent to those offered in accredited degree programs.  | Licensure in another jurisdiction if the applicant's qualifications and experience are equivalent to the requirements of WA. | Yes |
| West Virginia - WV | Accredited degree in LA plus 2 years experience, or accredited graduate degree in LA plus 1 year experience, or, prior to December 31, 2006, 10 years experience in LA, 6 of which must have been under the supervision of a licensed LA or a person having similar qualifications as a LA. After January 1, 2007, 10 years of experience under the supervision of a licensed LA or a person having similar qualifications. | Licensure in another jurisdiction with substantially equivalent requirements to those in WV or CLARB certification.          | Yes |
| Wisconsin - WI     | Accredited degree in LA or an equivalent degree plus 2 years experience, or 7 years training and experience in LA including at least 2 years of coursework in LA or an area related to LA and 4 years practical experience.   | Licensed in another jurisdiction with similar requirements to those in WI.   | No  |
| Wyoming – WY       | Accredited degree plus 3 years experience.  | Licensed in a jurisdiction with substantially equal requirements to those in WY or CLARB certification.                      | No  |

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED REGULATORY LANGUAGE**

Proposed language to amend California Code of Regulations section 2615 as follows:

**§ 2615 Form of Examinations**

(a)(1) A candidate who has a combination of six years of education and training experience as specified in section 2620 shall be eligible and may apply for the Landscape Architect Registration Examination.

(2) Notwithstanding subdivision (a)(1), a candidate who has a Board-approved degree in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from a Board-approved school in accordance with section 2620(a)(3) shall be eligible and may apply for Sections 1 and 2 of the Landscape Architect Registration Examination (LARE). Such candidates shall not be eligible for Sections 3 and 4 of the LARE until the candidate has a combination of six years of education and training experience as specified in section 2620.

A candidate's score on the LARE shall not be recognized in this State if at the time the candidate took the LARE, the candidate was not eligible in accordance with California laws and regulations for the examination or sections thereof.

(b) A candidate shall be deemed eligible and may apply for the California Supplemental Examination upon passing all sections of the Landscape Architect Registration Examination.

(c) All candidates applying for licensure as a landscape architect shall pass all sections of the Landscape Architect Registration Examination or a written examination substantially equivalent in scope and subject matter required in California, as determined by the Board, and the California Supplemental Examination subject to the following provisions:

(1) A candidate who is licensed as a landscape architect in a U.S. jurisdiction, Canadian province, or Puerto Rico by having passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board shall be eligible for licensure upon passing the California Supplemental Examination provided that the candidate submits verifiable documentation to the Board indicating:

(A) Candidate possesses education and experience equivalent to that required of California applicants at the time of application; or

(B) Candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least 10 years. For purposes of this subsection, "actively engaged as a licensed landscape architect" means that the applicant holds a valid license in good standing, and has been practicing or offering professional services for at least 10 of the last 15 years.

(2) A candidate who is not a licensed landscape architect and who has received credit from a U.S. jurisdiction, Canadian province, or Puerto Rico for a written examination substantially equivalent in scope and subject matter required in California shall be entitled to receive credit for the corresponding sections of the Landscape Architect Registration Examination, as determined by the Board, and shall be eligible for licensure upon passing any remaining sections of the Landscape Architect Registration Examination and the California Supplemental Examination.

Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

## Agenda Item N

### REVIEW OF SCHEDULE

2015

December

10

Board Meeting

Sacramento

25

*Christmas*

*Office Closed*

2016

January

1

*New Year's Day*

*Office Closed*

18

*Martin Luther King, Jr. Day*

*Office Closed*

February

15

*Presidents Day*

*Office Closed*

March

4 (tentative)

Board Meeting

TBD

11-12

National Council of Architectural Registration Boards (NCARB)

Savannah, GA

Regional Summit

31

*Cesar Chavez Day*

*Office Closed*

May

30

*Memorial Day*

*Office Closed*

June

TBD

Board Meeting

TBD

15-18

NCARB Annual Meeting

Seattle, WA

July

4

*Independence Day*

*Office Closed*

September

5

*Labor Day*

*Office Closed*

TBD

Board Meeting

TBD

November

11

*Veterans Day*

*Office Closed*

24-25

*Thanksgiving Holiday*

*Office Closed*

December

TBD

Board Meeting

TBD

26

*Christmas Observed*

*Office Closed*

**CLOSED SESSION**

1. Pursuant to Government Code Section 11126(e), the Board will Meet in Closed Session to Receive Advice from Counsel on Litigation
2. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters

**RECONVENE OPEN SESSION**

The Board will reconvene open session following closed session.

**ADJOURNMENT**

Time: \_\_\_\_\_