SUMMER 2000

California Architects

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public protection through examination, licensure and regulation

IDP Comes to California in 2005

The California Architects Board (CAB) has begun the process of developing regulations to require completion of the Intern Development Program (IDP) training requirement as a condition for licensure. The new requirement would cover all who apply for eligibility for the Architect Registration Examination (ARE) on or after January 1, 2005. Here are the highlights of the policies adopted:

- The effective date will be January 1, 2005. From that date on, all new and inactive candidates applying to the Board for eligibility evaluation for the ARE will be required to complete IDP or the Intern Architect Program of Canada (IAP) prior to licensure. (An inactive candidate is a candidate who has not taken any division of the ARE for five (5) or more years. The application files of inactive candidates are purged; however, ARE scores remain valid.)

- Candidates who have applied to the Board for eligibility evaluation **and** have been deemed eligible will continue under the existing rules. However, those candidates who apply after December 31, 2004, or who are not yet deemed eligible by December 31, 2004, will be subject to the new rules effective January 1, 2005, including mandatory completion of IDP/IAP.

- Reciprocity candidates with NCARB Certification will be exempt from the IDP/IAP requirement upon receipt in the Board office of the candidate's NCARB blue cover file transmitted by NCARB.

- Reciprocity candidates without NCARB Certification will be required to either complete IDP/IAP or submit verification of three (3) years of licensed practice in another state.

- In-state candidates who are licensed architects in qualifying foreign countries will be required to either complete IDP/IAP or submit proof of licensure in a qualifying foreign country and verification of five (5) years of licensed practice in that qualifying foreign country AND verification of one (1) year of work experience under a U.S. licensed architect.

This newsletter covers many of the issues, concerns, and questions of many who will be affected by the adoption of IDP. If you have further questions not addressed here, please contact the Board by email at cab@dca.ca.gov or call the office at (916) 445-3394.

IDP Questions & Answers

I don't have an accredited degree in architecture. Does that mean I can't participate in IDP?
No. An accredited degree is not required to participate in IDP.

When IDP is required, will I have to complete the whole program before I'm eligible to take the ARE?
No. In California, candidates will still be allowed to take the ARE upon verification of five (5) years of education or work experience credit, as evaluated by the Board.

I'm not currently eligible for the ARE, but I took some exams a few years ago. Will I have to complete IDP?
It depends on when you took your last exam. Candidates who have not taken an exam for five (5) or more years are inactive candidates. CAB purges the files of inactive candidates, but exam scores remain valid. An inactive candidate who wishes to reapply to the Board is required to submit an application, the appropriate fees, and other required documents (transcripts, Employment Verification Forms, etc.) to allow the Board to determine the candidate's current eligibility.

On the day that IDP becomes effective (tentatively, January 1, 2005), candidates who are applying to the Board for the first time and inactive candidates reapplying for eligibility

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CAB Desired Changes To IDP

The CAB has identified the following changes it would like to see implemented in IDP. The Board plans to work with the AIACC and NCARB to analyze these proposals and see if and how these changes might be made.

- Base IDP on competency, not just on "seat-time"
- Make training settings more flexible
- Eliminate the duration requirement (35 hours a week for 10 weeks)
- Develop more experience alternatives
- Eliminate or amend the entry point requirement
- Rewrite the IDP Guidelines
- Reassess IDP content areas
- Simplify the program to make it more cost effective

We'd Like to Know

Many California firms have already adopted some form of an IDP program within their practices. We'd like to hear about programs already in place and how the firms benefit from those programs.

A Selection of Thoughts from Across the Profession

"***The council has long supported*** a structured internship to prepare young architects for the challenges they will face when they enter practice. This program will help do that and will allow architects to transport their license out of state, something that has become increasingly difficult as more states have adopted mandatory IDP.

"We do have several issues we will address with NCARB before IDP requirements go into effect. The first is requiring a competency evaluation so that architects are evaluated on more than just 'seat-time.' We'd also like NCARB to look at alternative employment settings that do not currently meet the IDP model. And we're very interested in easing the record-keeping procedures on behalf of the firms. We're looking at using the Internet to reduce paperwork.

"Having the date set far in the future gives us plenty of time to work on these issues and to prepare schools and students for the future without affecting those already in the pipeline."

Paul W. Welch, Jr., Hon. AIA
Executive Vice President of AIACC

"***The period between formal education*** and licensure is too important to leave to chance, which is what California has done for future architectural professionals by not adopting a formal internship educational and practice program. The California Architects Board is now considering creating such a requirement and my hat is off to them. I do believe, however the current IDP Program is dysfunctional as a mechanism to provide the structure, supervision, and accountability to assure minimum competency standards for the next generation of architects. To adopt the current program only perpetuates a problem. It is my judgment that California in cooperation with NCARB, NAAB, ACSA, and AIAS has an opportunity to construct a program that could create collaboration between the schools of architecture and the practicing profession, i.e., the teaching hospital, not as a place, but a set of principles. These principles could guide formal education and practical experiences woven into a framework that would give future architects the experience needed to take a leadership position in the profession. The details will be difficult, but outcomes will be worth the effort."

W. Mike Martin, FAIA, Ph.D.
Undergraduate Dean and
Vice Chair, Architecture
University of California, Berkeley

"***If we can get the competency piece*** embedded into it, instead of people just signing off, then it will be valuable. In general, the idea of IDP is good, but I wonder if the profession is ready for it. And, since the Board is regulatory, who will get the firms up to speed to implement it? This program requires a great deal of work on a firm's part. I worry about the business environment of a firm—everything is so heated right now. Business is moving faster than ever and most firms can't afford to expend the manpower and organizational resources necessary to administer IDP."

David Meckel
Dean of Architectural Studies
California College of Arts and Crafts

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Thoughts *continued*

"***From what I've seen working with*** interns, IDP is a lot of work for the intern, rather than for the employer. The interns are responsible for the bookkeeping and expenses, so it doesn't have to create a big burden on the firm.

"Under the present IDP system, interns can take seminars in lieu of requirements. Large, forward-thinking firms may well use IDP incentives and programs as an employment benefit to attract architectural graduates. If so, IDP may create another challenge for small firms already challenged to find creative ways to compete with the larger firms for employees."

Cynthia Easton
Architect

"***This is a very big deal.*** We're standardizing training requirements across the country, which will give California architects who complete the educational requirements and IDP reciprocity and registration in the other 48 states. We're aware of the concerns California has about some of the requirements, and we can expect IDP to evolve within the next five to 10 years. Personally, I feel California has a much better chance to affect the changes it would like to see from within the organization—the constituency will gain more leverage from this position.

"There will be a major impact on architectural firms in California, as there has been on other states over the past 20 years. States are widely diverse, so there is no one-size-fits-all training approach. We've developed a kit of resources that allows us to tailor education programs to fit the needs of firms. But it will take time, which is one of the reasons the adoption date is several years in the future."

Robert Rosenfeld
NCARB Director of Council Record Services

"***The decision to adopt an IDP*** program demonstrates the Board's desire to ensure entry-level architects have completed their professional development. One of the things we're involved with is working with NCARB and the AIA to develop a competency-based pilot program—which is a big undertaking.

"We also have a huge educational and communications effort ahead of us. IDP requires each candidate work with a mentor, which will place a burden on the state's practitioners. We need to coordinate the educational effort and ensure that everyone is ready for the changes that are coming."

Ed Oremen
Oremen Associates
Chairman of the CAB Professional Qualifications Committee

"***I see IDP as a positive thing***, if done correctly. There are also problems with the current system that I hope will be worked out before it goes into full effect. On the positive side, IDP creates reciprocity, which will allow me to export myself to other states. It also forces offices to help mentor new architects and makes better-prepared architects. But it's a shame that we have to legislate something that used to be standard practice.

"I also wonder about the additional costs involved in becoming an architect—dues, study seminars, etc. You begin to wonder if it's worth it to become an architect. Could those talents be used better elsewhere?"

Edward Mojica
Candidate for Licensure
Associate Director of AIACC
Member of the CAB Professional Qualifications Committee

IDP Q&A *continued*

will be required to complete IDP prior to licensure. If a candidate becomes eligible before the effective date of IDP and remains active in the exam process (no lapse of five (5) or more years in taking exams), he or she will be exempt from the IDP requirement.

If I complete IDP, does that mean that I can get licensed in any other states and certified by NCARB?
It depends on your other qualifications, primarily education. Each state establishes its own licensing laws, as NCARB establishes its own certification requirements. You should contact the individual state directly to find out its licensing requirements. Currently, 37 states require candidates to earn an accredited degree in architecture to become licensed.

How much does it cost to participate in IDP?
CAB does not charge any fees for participation in IDP. NCARB currently charges interns $265 for compiling the Council Record for the first three (3) years and includes one transmittal of the IDP Council Record to a member board. Students and recent graduates (within six (6) months of graduation) may submit $50 with the application and pay the balance, plus any annual increases, before the Council Record is transmitted.

For more information regarding IDP see NCARB's website at www.ncarb.org or call NCARB at (202) 783-6500.

California Architect Proficiency Survey

In 1998 and 1999, the California Architects Board (CAB) held focus group meetings with various groups in the building design and construction industry, including architects, forensic specialists, contractors, developers, and building officials to gather information about the expected skills of architects and the areas of skills that may need improvement. At CAB's annual strategic planning session in 1999, the continued competency of California-licensed architects was identified as a key issue to be addressed in updating the Board's mission, goals, and action plan. Accordingly, the Board established the Task Force on Post-Licensure Competency to review the focus groups' input and make recommendations to the Board relating to the protection of the public health, safety, and welfare.

Over the last year and a half, the Task Force on Post-Licensure Competency has been studying the issue. To obtain complete information and to get feedback from architects and other related groups, the Board contracted with Professional Management and Evaluation Services, Inc. (PMES), evaluation and research specialists, to conduct a survey of six stakeholder groups directly involved in the practice of architecture. The groups include architects, allied professionals, contractors, regulatory agencies, client types, and forensic/insurance types.

According to PMES' Dr. Raymond Bradley, "We've set up a methodology that is as scientific and objective as possible to determine if there is a problem or problems. If so, we will then analyze the specific problems and a number of proposed solutions. We are going into this with no preconceived notions as to what the outcome might be."

The 22-person Survey Framework Committee, consisting of representatives of the six stakeholder groups, met in April 2000 in Sacramento. The group developed the basic framework for the survey and identified areas of architectural practice that were determined to be potential areas of concern and defined possible post-licensure competency and incompetency issues. At the conclusion of the meeting, several members of the Committee commended PMES and the Board and staff for the effective process utilized during the meeting to obtain the information.

The conceptual framework developed by the Survey Framework Committee was used by the Survey Development Committee, a sub-group of the Framework Committee, to create the survey document at a meeting held in May 2000 in Sacramento. The eight-person Survey Development Committee wrote the survey questions and developed other sections of the survey document, including the background information, rating scales, cause and solution scales, instructions, demographic questions, and professional development options.

The draft California Architect Proficiency Survey document was pilot tested by numerous representatives of the six stakeholder groups in June 2000 to ensure that the document is clear and complete. The Development Committee met again in July 2000 to finalize the survey document prior to its full-scale release to approximately 5,000 representatives of the six stakeholder groups in September 2000. A strong response rate to the survey is critical for establishing the validity of the data; therefore, if you receive the California Architect Proficiency Survey, please complete and return it as soon as possible so your responses can be included in the findings.

Responses are due back in mid-September. PMES will then analyze the data and present an initial report of the findings to the Board in approximately December 2000.

What Form of Business Organization Is Best for My Firm?

By: Robert L. Carter, AIA - Architect Consultant to the California Architects Board

In recent weeks, the Board staff has received many requests for information about the various forms of business organizations that are available to architects. Usually, the core question is "What form of business organization is best for my firm; sole proprietorship, partnership, corporation, professional corporation, or limited liability partnership?" This question requires a personal business decision by each licensee starting a firm. This decision should be made in concert with proposed partners or associates, and with the counsel of an attorney, an accountant, or both.

The Board can provide direction to information sources that can assist licensees in their decision-making process. The American Institute of Architects provides bibliographies to books and guidance manuals on business organization and management issues. There are professional publishing houses that also provide texts and advisory publications on the subject, as do some professional liability insurance carriers.

An excellent introduction to the various business organizational forms is provided on the AIACC website. In addition, the Secretary of State has a website that provides greatly detailed descriptions and the forms required to apply for corporate and/or limited liability partnership status.

- For a discussion of limited liability partnerships and a chart comparing the formation requirements for various organizational forms, go to www.aiacc.org, then click on subject "Legislative Affairs;" then click on title "New Law Provides for LLP Status."
- For Secretary of State information and requirements for corporations, professional corporations and limited liability partnerships, go to: www.ss.ca.gov, then click on Business Service Center; then go to the "Quick Search" screen and select the type of organization from the drop-down menus for each of several subject areas.

1999 ARE Results Released

Approximately 3,720 California candidates were eligible for the ARE during 1999. Overall results for examinations taken by California candidates in 1999 are listed below.

DIVISION	NUMBER OF CANDIDATES	TOTAL PASSED	TOTAL FAILED
Building Planning	454	292 (64%)	162 (36%)
Building Technology	430	286 (67%)	144 (33%)
Construction Documents & Services	442	318 (72%)	124 (28%)
General Structures	360	238 (66%)	122 (34%)
Lateral Forces	321	269 (84%)	52 (16%)
Materials & Methods	461	353 (77%)	108 (23%)
Mechanical & Electrical Systems	372	282 (76%)	90 (24%)
Pre-Design	492	295 (60%)	197 (40%)
Site Planning	388	245 (63%)	143 (37%)

Enforcement Actions

The CAB is responsible for receiving and screening complaints against licensees and performing some of the investigation into these complaints. The Board also retains the authority to make final decisions on all enforcement actions taken against its licensees.

Included below is a brief description of recent enforcement actions taken by the Board against its licensees and unlicensed persons who were found to be in violation of the Architects Practice Act.

Every effort is made to ensure that the following information is correct. Before making any decision based upon this information, you should contact the Board. Further information on specific violations may also be obtained by contacting the Board.

Administrative Actions

KENNETH L. BUTTS (Canoga Park)
In the winter 1999 edition of the California Architects Board newsletter, the Board reported that disciplinary action had been taken against Kenneth L. Butts' architect license #C-4071 for violations of Business and Professions Code section 5586 (Public Agency; Disciplinary Action).

Mr. Butts appealed the Board's decision and on December 1, 1999, the Court of Appeal ordered the Board to reconsider its decision in light of findings made by the Court of Appeal. Thereafter, on April 26, 2000, the Board dismissed the Accusation (disciplinary matter) against Mr. Butts.

JEFFREY STANTON SULKIN
(Santa Monica)
Effective August 1, 2000, Jeffrey Stanton Sulkin's architect license #C-20501 was revoked; however, the revocation was stayed, his license was suspended for 180 days and he was placed on probation for six years with specific terms and conditions, including reimbursing the Board $6,000 for its investigation and enforcement of the case. The action came after a stipulated settlement was negotiated and adopted by the Board. Mr. Sulkin admitted in the settlement that he was guilty of fraud or deceit in violation of Business and Professions Code section 5583.

On August 18, 1996, Mr. Sulkin entered into a contract to design a new single-family residence, as well as site improvements that were to be constructed on the site of a current residence in Brentwood, California. On March 21, 1997, the clients paid Mr. Sulkin $4,500 to cover plan-check fees after being informed by Mr. Sulkin that he would forthwith thereafter submit the plans to the building department for plan-check. Throughout April and May into June, 1997, Mr. Sulkin more than once told the clients that their plans were moving along, and they wrote and delivered to Mr. Sulkin another check for $1,400 for a street frontage survey for the city plan-check department. On July 22, 1997, the clients and others met with Mr. Sulkin. At the meeting, Mr. Sulkin admitted that he never submitted the plans to the building department for plan-check.

Citations

JULIA DAWN FIRESTINE (Merced)
The Board issued an administrative citation that included a $1,500 civil penalty to Julia Dawn Firestine, an unlicensed individual, for a violation of Business and Professions Code section 5536(a) (Practice Without a License or Holding Self Out as Architect). The action was taken as a result of an investigation that revealed that while working for an architectural firm as a draftsperson, Ms. Firestine prepared two sets of drawings for two separate projects without the architect's knowledge or authorization. The stamp bore the licensed architect's initials and handwritten renewal date of "12•31•97." Located below the stamp on the drawings were Ms. Firestine's handwritten name, "Julia D. Firestine" and a social security number. The drawings contained a title block stating, "Julia Firestine Architecture." As a result of the Board's investigation, the Merced District Attorney filed charges against Ms. Firestine. On March 24, 1999, Ms. Firestine pled nolo contendere to one count of Penal Code section 470 (Forgery). Ms. Firestine was placed on felony probation, ordered to serve 90 days in the county jail and pay $4,000 in restitution.

New Board Member Appointed

On June 13, 2000, the Senate Rules Committee appointed **CYNTHIA CHOY ONG** of Sausalito as a public Board member. During Ms. Ong's wide and varied career, she has been an English teacher, a staff attorney for the Legal Aid Foundation in Los Angeles, and a deputy public defender and deputy attorney general for the State of California. A graduate of the University of California, Los Angeles and the California State University, Northridge, she is now president and owner of Art Exchange. Her term expires on June 1, 2002.

Oremen New Chair of Region 6

ED OREMEN, FAIA, CAB member since 1994, was elected chair of the Western Conference Architectural Registration Boards (WCARB) also known as Region 6 of the National Council of Architectural Registration Boards (NCARB). Oremen was elected to his second two-year term on the WCARB Executive Committee by 13 jurisdictions of WCARB, at the March 30-31 WCARB annual meeting. At the June 14-17, 2000 NCARB annual meeting, he was elected chair of the region.

Landscape Architects Technical Committee Update

On January 1, 1998, as the result of legislation abolishing the former Board of Landscape Architects, the California Architects Board (CAB) assumed responsibility for regulating the profession of landscape architecture in this state. Under enabling legislation (AB 1546 – Chapter 475, Statutes of 1977), the California Legislature created a Landscape Architects Technical Committee (LATC), which acts in an advisory capacity to the CAB. The Committee, which consists of five professional members appointed to four-year terms, performs such duties and functions as are delegated to it by the CAB. It assists the CAB in the examination of licensure candidates, evaluates and makes recommendations regarding potential violations of the Landscape Architects Practice Act and is charged with the duty to investigate, assist, and make recommendations to the CAB regarding the regulation of landscape architects in California. Current LATC members are chair, David Tatsumi; vice-chair, Sandra Gonzalez; Linda Gates, and Dennis Otsuji. There is one vacancy pending appointment by the governor.

When the landscape architects moved under the auspices of the CAB, there was a natural concern within the profession that landscape architecture might lose some stature without its own board. Now that more than two years have passed, the move has been lauded as an overwhelming success.

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Peter Steffian Elected as NCARB President

PETER STEFFIAN, FAIA, was elected President of the National Council of Architectural Registration Boards (NCARB) at the 2000 NCARB Annual Conference held June 14-17 in Chicago. Steffian, who previously served as NCARB treasurer and first vice president, is chairman of the Boston, Massachusetts firm Steffian Bradley Associates, Inc., an 80-person architecture, interior, and urban design firm.

In the fall issue of this newsletter, Mr. Steffian will author an article on his view of what NCARB will be doing under his leadership. That issue will also summarize the other major actions that took place at the annual conference.

Members of the 2000-01 NCARB Board of Directors are:

Peter Steffian, FAIA, President, Boston, MA
C. William Bevins, AIA, First Vice President, Charleston, WV
C. Robert Campbell, AIA, Second Vice President, Albuquerque, NM
Frank Guillot, AIA, Treasurer, Burlington, VT
Robert A. Boynton, FAIA, Secretary, Richmond, VA
Joseph P. Giattina, Jr., FAIA, past President, Birmingham, AL
Douglas Engebretson, FAIA, Director, Region 1, W. Springfield, MA
Patrick W. Ryan, AIA, Director, Region 2, Georgetown, DE
Robert E. Luke, AIA, Director, Region 3, Meridian, MS
H. Carleton Godsey, AIA, Director, Region 4, Louisville, KY
Melinda E. Pearson, AIA, Director, Region 5, Lincoln, NE
Cornelius (Kin) DuBois, AIA, Director, Region 6, Denver, CO

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"It's been surprisingly smooth and beneficial," according to Marq Truscott, past president of Sierra Chapter, American Society of Landscape Architects. "Our technical committee is getting so much done that the profession feels is positive, compared to when we had our own board. And testing is better than it ever was since the CAB helped us streamline the process."

That sentiment was echoed by technical committee chair David Tatsumi, "I would say the landscape architecture program has in two years accomplished more than in the 10 years before that. There is a strong cooperative spirit with everyone working toward increasing professionalism and the safety of the public."

A list of accomplishments includes:

- Development of a dynamic strategic plan that identifies the LATC's priorities in regulation and enforcement, professional qualifications, public and professional awareness, and organizational effectiveness;
- Creation of three consumer guides on selecting a landscape architect for residential, private, and public sector projects that were distributed to all licensees, building officials, and other interested parties;
- Mailing of a publication by the East Bay Municipal Utility District, Firescape – *Landscaping to Reduce Fire Hazard* to all licensees;
- Creation of a new, take-home California Supplemental Examination that tests for knowledge of California laws critical to the practice of landscape architecture in this state; and
- Development of a candidate handbook that offers essential information to individuals as they prepare for the licensing examinations.

Marc Sandstrom, president of the CAB, said of the transition, "The integration has been very successful, combining the efficiency of a single staff with the autonomy of a technical committee to govern and regulate landscape architecture licensure. We've provided oversight and guidance when requested, but there has been in effect almost total independence because of the quality of work performed by the committee. It's been a very positive, efficient integration."

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