

California Architects Board

Board Meeting

June 15, 2017

San Francisco, California





Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF BOARD MEETING

June 15, 2017

10:00 a.m. to 3:00 p.m.

(or until completion of business)

Port of San Francisco

Pier 1 The Embarcadero - Bayside Conference Room

San Francisco, CA 94111

(415) 274-0400 (Port of San Francisco) or (916) 574-7220 (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. 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. Webcast availability cannot, however, be guaranteed due to technical requirements. The meeting will not be canceled 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. 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 a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Public Comment on Items Not on the Agenda (*The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting [Government Code sections (GC) 11125 and 11125.7(a)].*)
- D. Review and Possible Action on March 2, 2017 Board Meeting Minutes
- E. Executive Officer's Report
 1. Update on Board's Administrative/Management, Examination, Licensing, and Enforcement Programs
 2. Update on Board's Budget

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

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

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

(Continued)

- F. Discuss and Possible Action on Proposed Legislation:
 - 1. Senate Bill (SB) 547 (Hill) [Business and Professions Code Section (BPC) 5810 (Interior Designers)]
 - 2. Assembly Bill (AB) 1005 (Calderon) [Orders of Abatement]
 - 3. AB 1489 (Brough) [Liability; Damages Caused by Subsequent, Unauthorized, or Unapproved Changes or Uses of Plans, Specifications, Reports or Documents; Construction Observation Services]

- G. National Council of Architectural Registration Boards (NCARB)
 - 1. Review of 2017 NCARB Annual Business Meeting Agenda
 - 2. Consider and Take Action on Candidates for 2017 NCARB Officers and Directors

- H. Review and Possible Action on 2017/18 Intra-Departmental Contract with Office of Professional Examination Services (OPES) for California Supplemental Examination (CSE) Development

- I. Communications Committee Report
 - 1. Update on May 25, 2017 Communications Committee Meeting
 - 2. Discuss and Possible Action on the Committee's Recommendation to the Board Regarding the 2017-2018 Strategic Plan Objective About Exploring the Possibility of the Board Participating in Consumer Events as a Means of Communicating Directly with the Public

- J. Landscape Architects Technical Committee (LATC) Report
 - 1. Update on LATC April 18, 2017 Meeting
 - 2. Discuss and Possible Action to Amend Reciprocity Requirements in Title 16, California Code of Regulations Section (CCR) 2615 (Form of Examinations)
 - 3. Review and Possible Action on LATC's Draft 2017-2018 Strategic Plan
 - 4. Discuss and Possible Action on SB 800 (Committee on Business, Professions and Economic Development [Expired Landscape Architect License])

- K. Review of Future Board Meeting Dates

- L. Closed Session
 - 1. Review and Possible Action on March 2, 2017 Closed Session Minutes
 - 2. Pursuant to GC 11126(c)(3), the Board will Deliberate on Disciplinary Matters
 - 3. Pursuant to GC 11126(a)(1), the Board will Conduct an Annual Evaluation of its Executive Officer

- M. Reconvene Open Session

- N. 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.

GC 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 [GC 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. (BPC 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

Robert C. Pearman, Jr.

Nilza Serrano

Barry Williams

PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

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

PUBLIC COMMENT ON ITEMS NOT ON THE 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.

(The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)

Agenda Item D

REVIEW AND POSSIBLE ACTION ON MARCH 2, 2017 BOARD MEETING MINUTES

The Board is asked to review and take possible action on the minutes of the March 2, 2017, Board meeting.

Attachment:

March 2, 2017 Board Meeting Minutes (Draft)

MINUTES

BOARD MEETING

CALIFORNIA ARCHITECTS BOARD

March 2, 2017

Los Angeles

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

Board President, Matthew McGuinness, called the meeting to order at 11:19 a.m. and Board Secretary, Tian Feng, called roll.

Board Members Present

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

Guests Present

Andrew Bowden, Member, Landscape Architects Technical Committee (LATC)
Mark Christian, Director of Legislative Affairs, The American Institute of Architects, California Council (AIACC)
Ida Clair, Principal Architect, Division of the State Architect, State of California Department of General Services
Michael Hricak, Lecturer, University of Southern California (USC) School of Architecture
Charles Lagreco, Associate Professor, USC School of Architecture
Doug Stead, Executive Director, California Council for Interior Design Certification (CCIDC)
Roze Wiebe, Administrative Director, CCIDC

Staff Present

Doug McCauley, Executive Officer (EO)
Vickie Mayer, Assistant Executive Officer (AEO)
Alicia Hegje, Program Manager Administration/Enforcement
Mel Knox, Administration Analyst
Marcus Reinhardt, Program Manager Examination/Licensing
Bob Carter, Architect Consultant
Rebecca Bon, Staff Counsel, Department of Consumer Affairs (DCA)

Six members of the Board present constitute a quorum. There being 10 present at the time of roll, a quorum was established.

B. PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

Mr. McGuinness 1) announced that LATC member, Andrew Bowden, is in attendance, 2) thanked Michael Hricak and Charles Lagreco for organizing a tour of the USC School of Architecture, and 3) reminded members that votes on all motions are to be taken by roll-call.

C. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Mr. Bowden, the immediate Past Chair of LATC, reiterated that he is present to represent the LATC.

D. REVIEW AND POSSIBLE ACTION ON DECEMBER 15-16, 2016 BOARD MEETING MINUTES

Mr. McGuinness asked for comments concerning the minutes of the December 15-16, 2016, Board meeting and Strategic Planning Session.

- **Tian Feng moved to approve the December 15-16, 2016, Board meeting minutes.**

Ebony Lewis seconded the motion.

Nilza Serrano noted that she was absent for the December 15, 2016, Board meeting, but present for the December 16, 2016, Strategic Planning session. There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley reminded the Board that it is currently part of Release 3 of the enforcement case management and licensing system known as BreZE. Mr. McCauley reported that the DCA intends for phase three boards to be rolled out in subgroups. He explained that the Board is likely assigned to the second or third subgroup. Mr. McCauley reported that DCA's BreZE cost-benefit analysis is not yet complete.

Mr. McCauley also reminded the Board that it developed new Strategic Plan objectives at the last meeting. He mentioned that sometime shortly after the March Board meeting, members will be surveyed by staff regarding their availability for upcoming committee meetings. Mr. McCauley informed that he currently serves on the National Council of Architectural Registration Boards (NCARB) Model Law Task Force; he shared that he is advocating for diverse and alternate pathways to licensure as well as a written contract requirement.

Sylvia Kwan reported that Oregon, surprisingly, is among the states that oppose diverse pathways to licensure. Ms. Kwan noted that Jon Alan Baker and Mr. McCauley recently defended the need for diverse pathways, and that a national accredited-degree-only approach to licensure does not work for a state like California. Denise Campos enquired who from the Board will attend the upcoming NCARB Regional Summit to present California's perspectives and positions on matters

of importance. Mr. McCauley replied that this year's NCARB delegation will be composed of himself, President McGuinness, Vice President Kwan, Secretary Feng, and Mr. Baker.

Mr. McCauley also reported on the Board's recent enforcement and examination metrics, noting that the number of pending caseloads have decreased dramatically in recent years.

Marccus Reinhardt shared that the Board processes licensing applications within 7 to 10 days of receipt. Mr. Baker opined it would be helpful for the Board to know how many enforcement complaints fall into exempt areas of practice versus areas regulated by the Architects Practice Act (Act). He suggested the information may help give the Board a greater sense of where and what it should be focusing on in the realm of communications and strategy. Bob Carter estimated that 90 percent of complaints come from first-time residential consumers of architectural services.

Mr. Feng observed that the second largest enforcement-related violations are related to continuing education (CE) requirements. He expressed a desire to discuss the Board's CE requirements within the context of its Strategic Plan. Mr. McGuinness noted that CE violations in fiscal year 2015/16 make up 52 percent of all violations; he enquired about why CE violations appear higher during that year compared to other years. Mr. McCauley explained that CE is a relatively new requirement, and that many CE audits become citations in part because licensees do not fully understand the requirement. Ms. Kwan asked if the Board has any power to change CE requirements in a way that covers subjects other than accessibility - a subject which, in practice, does not change. Mr. McCauley replied that, yes, the Board does have that power and may discuss CE requirements generally, and potential CE changes specifically, in greater detail when properly agendaized. He explained that, per an objective in the Strategic Plan, the Board will be preparing a report to the Legislature, which can address the potential for CE changes. Mr. Williams asked if the Board had collected data on the number of enforcement cases related to accessibility prior to the legislation being approved and after the law was passed. Mr. McCauley informed that the Board's Legislative Report due to the Legislature in January 2019 will include data on enforcement actions related to accessibility and issues concerning CE requirements that may be explored and addressed in the report. Mr. Feng requested that the issue of CE be included as an agendaized topic of discussion for the next Professional Qualifications Committee (PQC) meeting.

Pasqual Gutierrez observed that California's pass-rates in three divisions of the Architect Registration Examination (ARE) 4.0 have struggled to rise above 50 percent compared to the national average. Mr. Gutierrez enquired when ARE 5.0 test results will be available, to which Mr. Reinhardt replied that NCARB will release the results over the next several months. Mr. Gutierrez stated that ARE 4.0 is a content-based examination, while ARE 5.0 is a knowledge-based examination, and there may be performance differences between the two examinations.

F. DISCUSS AND POSSIBLE ACTION ON PROPOSED LEGISLATION

Mr. McCauley informed the Board that Assembly Bill (AB) 1489 (Brough) is AIACC-sponsored legislation that proposes the following two changes to the Architects Practice Act via Business and Professions Code section (BPC) 5536.25:

1. Clarification that an architect is not responsible for damage caused by "construction deviating from a permitted set of plans, specifications, reports, or documents" not authorized or approved in writing by the architect; and
2. An update to the definition of "construction observation services" to clarify that those services do not include inspection, or determining or defining means and methods (the day-to-day activities a contractor employs to complete construction).

Mark Christian added that “inspection” is not “construction observation.” Mr. Baker commented that, in his view, the proposed changes are sensible. He asked if there are any organizations opposed to this legislation, to which Mr. Christian indicated that he knows of none. Mr. McGuinness asked why AIACC believes there is a need for clarifying language. Mr. Christian explained the difference between “changes” to plans and “deviations” from plans; he provided an example of how an architect would not be liable for damages if caused by an unauthorized change or deviation. Robert Pearman enquired about the meaning of “inspection” as it relates to construction observation services, to which Mr. Hricak explained that, according to American Institute of Architects (AIA) contract, an architect may only “inspect” on two occasions. Mr. Christian clarified that, like “determining” or “defining means or methods,” “inspection” does not mean “construction observation services.” Mr. Carter noted that “inspection” is a higher degree of “observation.” Mr. Feng shared that, in many aspects of practice, particularly for large infrastructures (e.g., bridges, tunnels), contract specifies quite clearly the scope of architectural work; practitioners may not always use AIA-specific documentation. He expressed doubt about how effective the Board can be using regulatory means to define words in an attempt to resolve contract issues. Mr. Feng conveyed concern that creating more language, exclusions, terms, and definitions may invite enforcement complications. He opined that AB 1489 does not actually protect the public interest. Ms. Serrano enquired about the proposed legislation’s consumer protection elements, to which Mr. Gutierrez opined the proposed legislation is no threat to consumer protection.

- **Jon Alan Baker moved to support AB 1489 (Brough).**

Nilza Serrano seconded the motion.

There were no comments from the public.

Members Baker, Campos, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. Member Feng opposed the motion. The motion passed 9-1-0.

Mr. McCauley informed the Board that Senate Bill (SB) 247 (Moorlach) states the intent of the Legislature to enact legislation that would reduce occupational licensing requirements. He noted that the Bill is currently a “spot bill” and has no substantive content.

Mr. McCauley also informed the Board of a third legislative item on the meeting agenda; CCIDC’s proposed amendments to BPC 5800. He advised that one of the key issues for the interior design profession over the years has been the challenge of submitting construction documents to local building departments. He explained that the CCIDC proposal to address the problem of local acceptance of plans is to modify the current definition of “certified interior designer.” Mr. McCauley advised that the question of whether health, safety, and welfare concerns exist with the proposed additions to the definition should be considered. He also reminded the Board that CCIDC is not a state licensing board, but, instead, is an independent non-profit corporation recognized in state law with provisions codified into the same BPC as the Board’s provisions.

Doug Stead addressed the Board and noted that CCIDC should be considered a strategic partner. Mr. Stead explained the history of interior designer certification, which, he noted, came about via “exempt areas of practice.” Mr. Stead advised that those exemptions for many people, including building officials, are not very clear and varies across the state as to what an interior designer can or

cannot do under those exemptions. He informed that CCIDC certifies over 2,000 individuals in California; 124 of them are architects. Mr. Stead further informed that CCIDC is one of five certification boards currently operating under the State of California. He stated that CCIDC is subject to Sunset Review in the same way that the Board is subject. Mr. Stead explained that CCIDC's proposal should be accepted as an occupational standard, a clarification of what interior designers are allowed to do under the BPC 5537 and 5538 exemptions (nonstructural and nonseismic). He stated that some interior designers across the state have no problem doing horizontal exiting, reflected ceiling plans, and the kind of nonstructural, nonseismic interior design work in both commercial and residential settings. Mr. Stead explained that the final decision of whether their work is permitted rests with the building official; the problem exists when an interior designer's work gets turned down under the belief that the work is not exempt under the Act. Mr. Stead stated that, in the past, CCIDC raised the question to the Board of whether doing horizontal exiting and reflected ceiling plans are violations of law or are against the building code. The answer, he recalled, is no. Mr. Stead stated that the proposed definitions or occupational standards for interior designers are CCIDC's solution to this problem. He indicated that CCIDC has been asked by the Legislature to see whether the Board will support this effort or, perhaps, remain neutral.

Mr. McCauley shared with the Board his concerns about this issue from a consumer protection perspective. If interior designers are tested for content and demonstrate competence for specific skills, he explained, the Board would be in a difficult position to say interior designers should not be providing specific services. Mr. McCauley also shared his understanding that building officials and CALBO have concerns with CCIDC's definition and are going to oppose the definition.

Mr. Carter spoke about the reality of standard details at the building department. He stated that the controversy exists in the last statement in the exemption, which reads "it shall not affect the safety of the building." Mr. Carter stated that it is therefore up to each individual building department to determine what affects the safety. He opined that issues such as design of rated corridors, horizontal exits, or any fire-rated items are not something that an architect creates on his or her own. In the end, Mr. Carter stated, if a building official says a Certified Interior Designer (CID) may address an exit item, the Board will accept the CID's construction documents for that situation; it is within their purview, even with changes, to accept or deny.

The Board discussed interior design certification and the distinction between a CID and interior decorator, circumstances that lead to permit avoidance, and CCIDC examination. Mr. McCauley explained that there is an element of the interior design profession that wants to be regulated by a board and have a state license, but the Administration generally does not support new licensing requirements.

Mr. Baker commented that a CID's signature and stamp on plans must represent that the CID knows, for instance, what type of anchorage is necessary to hold up soffit, or how to do proper seismic restraints on a ceiling that was just erected. He argued that a CID's signature, license, and certification must mean something, and must not pass responsibility onto the building official who is there to identify problems. Mr. Stead stated that CID's boundary of work is limited by the BPC, and that interior designers are allowed to design space, exiting, and mechanical planning in historic buildings according to B-occupancy. Mr. Baker stated that he is looking to understand where the definition is because at a certain point, CIDs are practicing architecture (i.e., space planning of an entire building, all the vertical exiting, all the horizontal exiting, the fire sprinkler system, the mechanical the electrical system). Mr. Stead stated that the exemptions are the Board's own, were created in 1939, and have been tweaked at various places over time. He said they are vague and

that is the problem. Mr. Stead stated that CCIDC is seeking clarification, as well as the ability for building officials to understand where those limits are.

Mr. Feng asked for clarity about B-occupancy, to which Mr. Stead explained that BPC 5537 contains the provisions for exempt areas of practice. Mr. Stead asked the Board to consider identifying which activities are specifically allowed and not allowed under its own exemptions. He noted that the exemptions have not changed much and read as they did in 1939. Mr. Baker asked about the organizational structure of CCIDC, to which Mr. McCauley explained that CCIDC is a non-profit organization, but is recognized by California's BPC. He further explained that CCIDC is subject to a Written Contract provision, Rules of Professional Conduct and Sunset Review, and the Legislature has influence on CCIDC's compliance with the Bagley-Keene Open Meetings Act. Mr. Stead added that CCIDC's board is composed of members from different professional associations.

Mr. Baker enquired about CCIDC's process for disciplinary action. Mr. Stead explained that when CCIDC receives complaints that fall under the Act, they are referred to the Board. He stated that CCIDC has no jurisdiction over non-CIDs; therefore, CCIDC will simply counsel the consumer in those instances. However, although CCIDC does not have cite and fine authority, according to Mr. Stead, it can revoke one's CID certification and publish that action on the CCIDC website.

Mr. Christian stated that AIACC supports the extension of CCIDC's sunset date, but opposes certain expanded authorizations proposed by CCIDC. He shared AIACC's opinion that rated corridors and horizontal exiting should not be allowed for non-architects because these items affect the safety of the building and, therefore, would be in conflict with BPC 5538 of the Act.

Mr. Gutierrez asked which municipalities, as observed by CCIDC, reject CID submissions most often, to which Mr. Stead replied that Los Angeles, San Francisco, and San Jose are the three primary municipalities. Mr. Gutierrez asked if CCIDC has entered into a dialogue with CALBO specifically about the rejection of CID plans, to which Mr. Stead replied that CCIDC and CALBO have dialoged about these issues for 20 years. Mr. Stead shared that, unless CCIDC can see the CID drawings, it cannot render a judgement; therefore, CCIDC tries to educate the designer who submitted the plans about BCP 5537 and 5538, and what they are allowed to do under the exemptions. He stated that the CID will then review his/her plans according to the new information, and if their drawings fit within those exemptions, they are encouraged by CCIDC to speak with the Building Official. Mr. Gutierrez asked if Mr. Stead sees any risk in its attempt to modify the BPC, to which Mr. Stead replied that CCIDC is seeking only to modify statute concerning interior design professionals; Mr. Stead noted that CCIDC has been asked by the Legislature to do so. Mr. Stead reminded the Board of a 1977 letter on the subject of BPC 5537 and 5538 authored by DCA legal counsel at the Board's request. He shared that the letter states clearly that an unlicensed person may prepare plans that do not change or affect the structure or safety of the building, but that each situation must be judged within its specific context. Mr. Stead stated that CCIDC is asking for CID drawings to be judged within this specific context at the Building Department, and not be rejected simply because the CID happens not to be an architect. Mr. Baker suggested the PQC could look closely at the way the area of exemption is currently written, and could make recommendations for changes. He also suggested CCIDC should be involved in those discussions to identify changes that are sensible, defensible, definable, consistent, and does not in any way risk consumer safety.

Mr. McCauley recommended that the Board follow AIACC's support for the extension of CCIDC's sunset date. He also advised that, indeed, committees may consider questions concerning exemptions and definitions around areas of practice if that is the will of the Board.

- **Jon Alan Baker moved to support the extension of CCIDC's sunset date, to, for the time being, oppose any changes in BPC at this time, and to assign the issue to the PQC for review of potential changes to BPC exemptions.**

Ebony Lewis seconded the motion.

Roze Wiebe commented that CCIDC is advocating for clarification of exempt language in BPC, whereas others are advocating for registration and licensure. Ms. Wiebe stated that clarity is needed so that CIDs in key California regions (e.g., Los Angeles, San Francisco, San Jose) may submit plans to Building Departments, and not be denied because they are not architects. Mr. Baker opined that changing language at this time would not solve the problem, but would, instead, potentially create additional problems.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

G. REVIEW AND POSSIBLE ACTION ON DRAFT 2017-2018 STRATEGIC PLAN

Mr. McCauley presented the draft 2017-2018 Strategic Plan that the Board developed during its Strategic Planning Session in December 2016. He informed that the Strategic Plan reflects the objectives that were identified by the Board. Mr. McCauley noted a need for clarity for Goal Objective 1.1 under Professional Qualifications, and, with the assistance of Mr. Reinhardt, proposed that Goal 1.1 be modified to read: "Conduct an analysis to determine the effectiveness of the continuing education requirement (and identify alternatives as appropriate) and prepare a report for the Legislature."

- **Nilza Serrano moved to approve the 2017-2018 Strategic Plan with clarifying modifications to Goal Objective 1.1.**

Tian Feng seconded the motion.

There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

H. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. McCauley announced that NCARB will have its Regional Summit on March 10-11, 2017. He also outlined the details of Resolution 2017-A, the resolution that will be acted upon at the NCARB Annual Business Meeting on June 21-24, 2017. Mr. McCauley explained that the resolution provides clarifying details about membership requirements for those who do not pay their dues in a timely manner. Mr. Baker further explained that the resolution would suspend member voting rights and limit member involvement if dues are not paid within six months. He noted that the resolution also gives members up to two years to bring their dues current before they are considered for removal from the organization with a two-thirds vote.

- **Jon Alan Baker moved to support NCARB Resolution 2017-A (NCARB Bylaws Amendment – Membership Requirements).**

Barry Williams seconded the motion.

There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

The Board discussed the 2017 election of NCARB officers and directors. Ms. Serrano conveyed her desire for greater diversity and inclusion among the candidates who run for NCARB executive leadership positions. The Board agreed to first allow the NCARB delegation to hear speeches from candidates and report back to the Board before taking positions on those candidacies.

- **Nilza Serrano moved to table the selection of NCARB officer and director candidates to support until the next Board meeting.**

Tian Feng seconded the motion.

There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

The Board discussed the 2017 election of Region VI Western Council of Architectural Registration Boards (WCARB) Executive Committee officers. Mr. McCauley announced that Ms. Kwan is running for a position on the WCARB Executive Committee.

- **Tian Feng moved to support Jim Oswald for Regional Director, Region 6; Edward T. Marley for Vice Chair of Region 6 Executive Committee; and Sylvia Kwan for Member of Region 6 Executive Director.**

Denise Campos seconded the motion.

There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

I. REVIEW AND POSSIBLE ACTION ON ARCHITECT CONSULTANT CONTRACT FOR FEBRUARY 1, 2017 THROUGH JANUARY 31, 2020

Alicia Hegje reminded the Board that it employs two architect consultants, with one architect consultant contract having expired on January 31, 2017, and the other contract due to expire on June 30, 2019. Ms. Hegje explained the Request for Proposal (RFP) evaluation process and reported that the RFP Evaluation Committee selected Robert Lee Chase as the awardee of a new contract for architect consultant services for three years [February 1, 2017 (or upon approval), through January 31, 2020]. Ms. Serrano enquired about the process used to advertise this RFP

for architect consultant services, to which Ms. Hegie informed that the RFP was 1) advertised on the Internet under the Cal eProcure portal; 2) posted on the Board's website; 3) tweeted; 4) distributed to the Board's e-subscribers; and 5) shared with AIACC, Central Valley Chapter, the Asian American Architects and Engineers Association, the National Organization of Minority Architects, and the Board's subject matter experts.

- **Sylvia Kwan moved to approve the architect consultant contract with Robert Lee Chase for architect consultant services through January 31, 2020.**

Robert C. Pearman, Jr. seconded the motion.

There were no comments from the public.

Members Baker, Campos, Feng, Gutierrez, Kwan, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. The motion passed 10-0.

J. UPDATE ON LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE JANUARY 17-18, 2017 MEETING

Mr. McCauley updated the Board on the recent activities of the LATC. He informed that the Committee met in January 2017 to discuss two main issues. The first was the issue of reciprocity for licensure, which, he explained, the Committee took action to expand current standards and create a pathway for reciprocity for experience-only candidates. The second issue, Mr. McCauley explained, concerned initial licensure requirements, where the LATC considered the question of whether university degrees related to the profession of landscape architecture (e.g., Earth Sciences, Environmental Sciences, and Civil Engineering) should be accepted. He reported that the LATC will hold a special public forum on the related-degree issue on March 17, 2017, in Sacramento, and will next meet on April 5, 2017. Mr. Bowden explained that the LATC is attempting to mirror the Board's requirements on reciprocity. He also informed that the LATC is seeking guidance from stakeholders about which related degrees should be accepted in order to expand the pathway for entry into the profession.

K. REVIEW OF FUTURE BOARD MEETING DATES

Mr. McCauley reported the following Board meeting dates and locations for the remainder of 2017:

- June 15th in San Francisco;
- September 7th in Burbank; and
- December 7th in Sacramento.

E.* EXECUTIVE OFFICER'S REPORT - *Continued*

Board members and staff provided liaison reports on their assigned organizations and schools as follows:

Feng

University of California (UC), Berkeley
Chabot College, Hayward
Diablo Valley College, Pleasant Hill

Lewis

USC

Citrus College

East Los Angeles College

Los Angeles Valley College

Campos

UC, Los Angeles

Glendale Community College

Rio Hondo College, Whittier

Gutierrez

Association of Collegiate Schools of Architecture

California State Polytechnic University, Pomona

Woodbury University

Bakersfield College

Mt. San Antonio College, Walnut

San Bernardino Valley College

Serrano

Cerritos College, Norwalk

Los Angeles City College

Orange Coast College, Costa Mesa

Ventura College

Williams

California Polytechnic State University, San Luis Obispo

Southern California Institute of Architecture

College of the Desert, Palm Desert

College of the Sequoias, Visalia

Cuesta College, San Luis Obispo

Fresno City College

Mr. McGuinness opined the Board is struggling to present value to its stakeholders through the liaison program. He suggested that the Board consider changing the liaison program to make it more effective. Mr. McCauley agreed to consider changes and suggested contacting universities and organizations on an annual basis to share information about the Board.

H.* NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) -
Continued

Messrs. Hricak and Lagreco provided the Board with a presentation regarding the USC School of Architecture Integrated Path to Architectural Licensure (IPAL) program. The presentation covered: 1) how students register to participate in the IPAL program, 2) the process to take the ARE while enrolled in the program prior to graduation, 3) the benefit of the reduced time required to obtain licensure via IPAL, and 4) the supporting roles of the USC Architectural Guild as well as USC's Not Licensed Yet (NotLY) community to the IPAL program.

Mr. Baker enquired about USC's timeline and approach to allow its IPAL-participating students to begin taking the ARE. Mr. Hricak described how USC freshmen are encouraged to make

thoughtful decisions about when they are prepared to begin testing for ARE divisions. Mr. Baker expressed agreement with the view that one of the most significant threats to obtaining licensure for a would-be architect is the delay of one's decision to begin the ARE. Mr. Lagreco stated that USC's intention is not to encourage its students to rush through the examination process, but, instead, to counsel them in terms of what is available. He explained that when a student conveys a desire to begin taking the ARE, the student is counseled, referred to NotLY, and monitored so that the process is properly implemented. Mr. Baker enquired about whether NCARB is fully aware of USC's approach to IPAL implementation. Mr. Hricak commented that USC's approach to its IPAL program is less choreographed than when NCARB initially received its proposal. Mr. Lagreco acknowledged that USC is in the early stages of implementing its IPAL program, and informed the Board that IPAL-student workshop sessions are being organized.

E.* EXECUTIVE OFFICER'S REPORT - Continued

Board members and staff continued liaison reports on their assigned organizations and schools as follows:

Baker

AIACC
NewSchool of Architecture
San Diego Mesa College
Southwestern College, Chula Vista

Kwan

National Council of Examiners on Engineering and Surveying
Urban Land Institute
Academy of Art University
California College of the Arts
College of Marin, Kentfield
Cosumnes River College, Sacramento

McGuinness

College of San Mateo
City College of San Francisco
West Valley College, Saratoga
Associated General Contractors of California

McCauley

American Council of Engineering Companies
Board for Professional Engineers, Land Surveyors, and Geologists
CALBO
Contractors State License Board
Council of Landscape Architectural Registration Boards

L* CLOSED SESSION

The Board went into closed session to:

1. Consider action on the December 15, 2016, Closed Session Minutes; and

2. Deliberate on disciplinary matters.

M* RECONVENE OPEN SESSION

The Board reconvened open session.

N* ADJOURNMENT

The meeting adjourned at 4:20 p.m.

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

DRAFT

EXECUTIVE OFFICER'S REPORT

1. Update on Board's Administrative/Management, Examination, Licensing, and Enforcement Programs
2. Update on Board's Budget



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MEMORANDUM

DATE: June 7, 2017
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 May 31, 2017.

ADMINISTRATIVE/MANAGEMENT

Board The Board met on March 2, 2017, in Los Angeles at the University of Southern California. The next Board meeting is scheduled for June 15, 2017, in San Francisco.

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; Release 2 was implemented on January 19, 2016; and Release 3 is planned to begin development in 2016. The Board is currently part of Release 3.

The State Auditor recommended that DCA conduct a cost-benefit analysis for Release 3 boards and bureaus. Absent any contrary finding in that

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

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

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

analysis, DCA plans to bring the remaining boards and bureaus into BreZE, but likely will do so in smaller groups. DCA is developing a plan for the boards and bureaus that have not transitioned to the BreZE system. The path forward will include business process planning, during which existing business processes will be mapped (and potentially re-engineered), use cases developed, and solution requirements will be defined. Next, the Department of Technology's four-stage Project Approval Lifecycle will facilitate business analysis justification, alternatives and cost benefit analysis, solution development framework, and project approval. The final step of the process will be implementation, possibly following an agile or agile-hybrid development methodology. In June, staff is scheduled to meet with DCA Office of Information Services to discuss the status of Release 3.

Budget Governor Edmond G. Brown, Jr. released his proposed 2017-18 state budget on January 10, 2017. The proposed budget eliminates a projected \$2 billion deficit and bolsters the state's "Rainy Day Fund" while continuing to invest in education, health care expansion, and other core programs. The Governor released the "May Revise" on May 11, 2017. This is an updated state budget, based upon new revenue projections. Under the May revision, the \$5.8 billion revenue shortfall forecast in January is now a \$3.3 billion shortfall - based primarily on higher capital gains. There are currently no program-specific budget proposals that impact the Board. The Budget must be approved by the Legislature by June 15.

Communications Committee The Communications Committee met on May 25, 2017, and is scheduled to meet again on September 28, 2017. At the May meeting, the Committee commenced work on its assigned objectives from the 2017 - 2018 Strategic Plan.

Executive Committee The Executive Committee is scheduled to meet on November 15, 2017, to commence work on its assigned objectives from the 2017 - 2018 Strategic Plan.

Legislation Senate Bill (SB) 247 (Moorlach) states the intent of the Legislature to enact legislation that would reduce occupational licensing requirements. The bill failed passage in the Senate Business, Professions and Economic Development Committee (SBPEDC).

SB 547 (Hill) extends the sunset date of the California Council of Interior Design Certification (CCIDC) and its certification program until January 1, 2022. At the March 2, 2017, meeting, the Board voted to support the extension of CCIDC's sunset date; a subsequent letter of support for SB 547 was sent to the Legislature on May 23, 2017. The bill is on the Assembly floor.

Assembly Bill (AB) 1005 (Calderon) [Orders of Abatement] would amend BPC 125.9 to require a citation containing an order to pay an administrative fine to contain an order of abatement, fixing a period of no fewer than 30 days for abatement of the violation before the administrative fine becomes effective. The bill is currently with the Assembly Committee on Appropriations.

AB 1489 (Brough) is The American Institute of Architects, California Council's (AIACC) bill that proposes two changes to the Architects Practice Act via Business and Professions Code section (BPC) 5536.25: 1) a clarification that an architect is not responsible for damage caused by "construction deviating from a permitted set of plans, specifications, reports, or documents" not authorized or approved in writing by the architect; and 2) an update to the definition of "construction observation services" to clarify that those services do not include inspection, or

determining or defining means and methods (the day-to-day activities a contractor employs to complete construction). The bill is currently under consideration by the SBPEDC.

Liaison Program Board members provided their respective liaison reports at the March 2, 2017, Board meeting.

Newsletter The latest issue of the *California Architects* newsletter was published March 13, 2017. The next issue is scheduled for publication in June 2017.

Personnel Peter Merdinger, Staff Services Analyst of the Enforcement Unit and Lily Hudson of the Examination/Licensing Unit retired from State service effective May 4, 2017. Lauren James was selected to fill the Enforcement Analyst position effective May 24, 2017. Recruitment efforts are underway to fill the Examination/Licensing Office Technician position.

Social Media In expanding the Board's social media presence, a new Instagram account was launched on September 20, 2016; the Board currently has 142 followers. The Board currently has 1,074 Twitter followers (up from 911 this time one year ago).

Training The following employee(s) have been scheduled to participate in upcoming training:

- 6/28/17 Enforcement Actions and Disciplinary Process (Alicia, Cecilia, Kristin, and Lauren)
- 7/11/17 Learn to Lead (Kristin)
- 7/18/17 New Employee Orientation (Lauren)
- 7/27/17 Research, Analysis, and Problem Solving (Lauren)
- 9/14/17 Basics of Enforcement (Lauren)

Website In May, staff updated the Board's website with the latest state template that included enhancements for accessibility. Staff also included college scholarship information for candidates and logos for schools with National Architectural Accrediting Board and/or Integrated Path to Architectural Licensure (IPAL) programs.

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) The pass rates for ARE divisions taken by California candidates between April 1-30, 2017, are shown below.

April 2017 ARE 5.0

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Construction & Evaluation	6	3	50%	3	50%
Practice Management	28	12	43%	16	57%
Programming & Analysis	10	3	30%	7	70%
Project Development & Documentation	26	9	35%	17	65%
Project Management	22	10	45%	12	55%
Project Planning & Design	46	20	43%	26	57%

April 2017 ARE 4.0

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Building Design & Construction Systems	58	27	47%	31	53%
Building Systems	53	33	62%	20	38%
Construction Documents & Services	123	48	39%	75	61%
Programming, Planning, & Practice	132	62	47%	70	53%
Schematic Design	25	20	80%	5	20%
Site Planning & Design	90	56	62%	34	38%
Structural Systems	49	33	67%	16	33%

National pass rates for 2016 ARE 5.0 have not been released by the National Council of Architectural Registration Boards (NCARB) and are anticipated in early fall 2017. The results for ARE 4.0 divisions taken by California candidates compared to all NCARB candidates for 2016 are shown in the following table:

2016 ARE 4.0

DIVISION	CALIFORNIA		NATIONAL	Difference
	Total	Passed	Passed	
Building Design & Construction Systems	968	60%	64%	-4%
Building Systems	973	59%	64%	-5%
Construction Documents & Services	2,036	48%	54%	-6%
Programming, Planning, & Practice	1,746	52%	56%	-4%
Schematic Design	819	71%	78%	-7%
Site Planning & Design	1,468	60%	65%	-5%
Structural Systems	863	63%	65%	-2%

California Supplemental Examination (CSE) CSE development is an ongoing process. The Intra-Agency Contract Agreement (IAC) with the Office of Professional Examination Services (OPES) for examination development expires on June 30, 2017. Staff is coordinating with OPES in developing a new IAC for fiscal year (FY) 2017/18 that will be presented to the Board at its June 15, 2017, meeting. Development of the CSE based upon the new CSE Test Plan concluded with the launching on March 1, 2017, of the first corresponding examination administrations.

CSE Results: For the period May 1-31, 2017, the computer-delivered CSE was administered to 78 candidates, of which 48 (62%) passed and 30 (38%) failed. The CSE has been administered to 1,013 candidates during FY 2016/17 (as of April 30, 2017) of which 656 (65%) passed and 357 (35%) failed. During FY 2015/16, the computer-delivered CSE was administered to 976 candidates, of which 661 (68%) passed and 315 (32%) failed.

NCARB Integrated Path to Architectural Licensure (IPAL) Launched in fall 2015, IPAL is an initiative spearheaded by NCARB and designed to provide aspiring architects the opportunity to complete requirements for licensure in a more integrated manner while earning their accredited degree. Programs from three California schools were accepted by NCARB for participation in the inaugural year: NewSchool, University of Southern California, and Woodbury University; to-date there are 21 programs at 17 schools.

The Board sponsored legislation (which became operative on January 1, 2017) that authorizes it to grant students enrolled in an IPAL program early eligibility for the ARE.

During the Board’s March, June, and September 2016 and March 2017 meetings the California IPAL schools provided presentations on its respective program that included program details, status updates, and future plans. The Board will periodically invite accepted schools to its future meetings for updates.

Professional Qualifications Committee (PQC) The next PQC meeting is scheduled for October 18, 2017, in Sacramento. At the meeting, the PQC will commence work on its assigned objectives from the 2017-2018 Strategic Plan.

ENFORCEMENT PROGRAM

Architect Consultants Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In May, there were 37 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for 12 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.

Collection Agency Contract The 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. 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 (EO). The Board approved the REC's recommendation at its December 10, 2015, meeting. Following the meeting, staff identified outstanding accounts that could be referred to a collection agency and obtained quotes for full-service debt collection services, including "skip-tracing," credit reporting, and filing legal actions as appropriate. Staff is currently in the process of securing a contract with a collection agency through the informal solicitation method [Government Code section (GC) 14838.5] to allow the Board to refer unpaid accounts aged beyond 90 days to a collection agency. The collection agency contract is planned to be presented to the Board for review and possible action at its September 2017 meeting.

Enforcement Action(s) Samuel Aslanian (Tarzana) The Board issued a one-count citation that included a \$2,000 administrative fine to Aslanian, architect license number C-24043, for an alleged violation of California Code of Regulations section 160(c)(4) (Rules of Professional Conduct). The action alleged that in or around January 2011, the City of Santa Monica (City) issued an Invitation for Bids on a construction project at city hall. Aslanian was employed by the City and was responsible for reviewing the bids and recommending a contractor for the project. During this process, Aslanian approached a contractor with a proposition whereby he would be awarded the contract if he paid Aslanian \$5,000 per month in cash for the duration of the project to a maximum of \$40,000. In addition, the contractor would pay Aslanian 15% of the total amount of any change orders approved during the project. The contractor agreed to pay Aslanian and was awarded the contract by the City, based on Aslanian's recommendation. On and between April 1, 2011 and April 11, 2012, Aslanian unlawfully and knowingly asked for, received, and agreed to receive from the contractor a bribe for the purpose of his influence. The contractor paid a total of \$14,000 to Aslanian per their agreement. On or about October 9, 2012, a complaint was filed against Aslanian in the Superior Court of California, County of Los Angeles, charging Aslanian with five counts of having committed on or about April 1, 2011, the offense of California Penal Code section (PC) 68 (Felony Bribery). On or about May 22, 2013,

the Superior Court of California added to the complaint a violation of PC 641.3 (Felony Commercial Bribery) as count six. Aslanian pled guilty and was convicted of one count of PC 68 and one count of PC 641.3. While Aslanian was an employee of the City tasked with managing a City construction project, he engaged in an activity with the City's building contractor outside his capacity of his employment that created the perception of impropriety and compromised his ability to fulfill his role to control, inspect, review and audit the City's building contractor as required by his job description. Aslanian paid the fine, satisfying the citation. The citation became final on April 6, 2017.

Fred Fucheng Qin (Poway) The Board issued a one-count citation that included a \$1,500 administrative fine to Qin, dba QE Construction, Inc., an unlicensed individual, for an alleged violation of Business and Professions Code section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that Qin's advertisements in the March and April 2015 issues of We Chinese in America Magazine contained the words "加州建築師執照" ("California Architect License") in Chinese next to the words "California Contractor License" in English. On September 30, 2014, and December 30, 2014, the Board had previously advised Qin of the laws regulating the practice of architecture and cautioned him that any future complaints of a similar nature, if substantiated, will be pursued to the full extent of the law and can result in the issuance of a citation. Qin paid the fine, satisfying the citation. The citation became final on April 7, 2017.

<u>Enforcement Statistics</u>	<u>Current Month</u> May 2017	<u>Prior Month</u> April 2017	<u>FYTD</u> 2016/17	<u>5-FY Avg</u> 2011/12- 2015/16
Complaints				
Received/Opened (Reopened):	40 (0)	33 (0)	282 (1)	295 (3)
Closed:	32	22	258	303
Average Days to Close:	92 days	86 days	115 days	130 days
Pending:	106	98	79*	106
Average Age of Pending:	93 days	96 days	116 days*	164 days
Citations				
Issued:	4	0	24	40
Pending:	8	5	10*	11
Pending AG: †	3	3	6*	3
Final:	1	2	30	36
Disciplinary Actions				
Pending AG:	4	4	4*	3
Pending DA:	0	0	0*	2
Final:	0	0	4	2
Continuing Education (\$5600.05)**				
Received/Opened:	2	0	18	68
Closed:	2	1	17	68
Pending:	2	2	3*	26

<u>Enforcement Statistics</u>	<u>Current Month</u> May 2017	<u>Prior Month</u> April 2017	<u>FYTD</u> 2016/17	<u>5-FY Avg</u> 2011/12- 2015/16
Settlement Reports (§5588)**				
Received/Opened:	4	4	27	29
Closed:	3	0	30	35
Pending:	6	5	7*	11

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations."

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 2016/17 (as of May 31, 2017) 30 citations with administrative fines became final with 46 violations of the provisions of the Act and/or Board regulations. Below are the most common violations that have resulted in enforcement action during the current FY:

- BPC 5536(a) and/or (b) - Practice Without License or Holding Self Out as Architect [39.1%]
- BPC 5536.22(a) - Written Contract [15.3%]
- BPC 5579 - Fraud in Obtaining License [4.3%]
- BPC 5584 - Negligence or Willful Misconduct [2.2%]
- BPC 5586 - Disciplinary Action by a Public Agency [2.2%]
- BPC 5600.05(a)(1) and/or (b) - License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements [17.4%]
- Title 16, California Code of Regulations section (CCR) 160(b)(2) - Rules of Professional Conduct (Willful Misconduct) [6.5%]
- CCR 160(c)(4) - Rules of Professional Conduct (Conflict of Interest) [2.2%]
- CCR 160(f)(1) - Rules of Professional Conduct (Informed Consent) [4.3%]
- Other Violations [6.5%]

Regulatory Proposals *CCR 152.5 (Contest of Citations, Informal Conference)* - Staff developed proposed regulatory language to amend CCR 152.5 to allow the EO to delegate to a designee, such as the Assistant Executive Officer or the Enforcement Program Manager, the authority to hold an informal conference with a cited person and make a decision to affirm, modify, or dismiss a citation. The proposed regulatory language also contains additional revisions to CCR 152.5, including: changing the deadline for requesting an informal conference for consistency with the deadline for requesting a formal administrative hearing; authorizing the EO or a designee to extend the 60-day period for holding the informal conference for good cause; and clarifying that the decision to affirm, modify, or dismiss a citation is made following (rather than at the conclusion of) an informal conference, and a copy of the decision will be transmitted to the cited person within 30 days after the conference. The REC reviewed and discussed staff's draft proposed regulation to amend CCR 152.5 at its November 8, 2016, meeting, and voted to recommend to the Board that it approve the regulation and authorize staff to proceed with the regulatory change. At its December 15, 2016, meeting, the Board approved the proposed regulation to amend CCR 152.5, authorized staff to proceed with the required regulatory change

to amend CCR 152.5, and delegated 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 to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the Office of Administrative Law (OAL).

CCR 154 (Disciplinary Guidelines) - The Board's 2013 and 2014 Strategic Plans included an objective to review and update the Board's *Disciplinary Guidelines*. The 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 AIACC 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 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 154 at its June 10, 2015, meeting and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes, if needed.

At its August 6, 2015, meeting, the Landscape Architects Technical Committee (LATC) reviewed recommended updates to LATC's *Disciplinary Guidelines* based on the revisions made to the Board's *Guidelines*. Following the meeting, Legal Counsel advised LATC staff that additional research may be necessary regarding Optional Conditions 9 (CSE) and 10 (Written Examination) in LATC's *Guidelines*. LATC staff subsequently discussed the matter 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 re-approval by the Board.

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 *Disciplinary Guidelines*, as this method was previously approved by OAL for the 2000 edition of the *Guidelines*. At its December 10, 2015, meeting, the Board reviewed and approved the additional recommended revisions to the Board's *Disciplinary Guidelines* and the proposed regulation to amend CCR 154, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration

at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR 154. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR 154 were presented to the Board for consideration at its December 15, 2016, meeting. At the meeting, the Board approved the additional revisions to the *Disciplinary Guidelines* and the proposed regulation to amend CCR 154, authorized staff to proceed with the required regulatory change to amend CCR 154 in order to incorporate the revised *Guidelines* by reference, and delegated 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 to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with OAL.

Regulatory and Enforcement Committee (REC) The next REC meeting is planned for the summer in Sacramento. At the meeting, the REC will commence work on its assigned objectives from the 2017-2018 Strategic Plan.

Written Contract (BPC 5536.22) A proposal was previously submitted by the Board to the Senate Business, Professions and Economic Development Committee (BP&ED) for possible inclusion in an omnibus bill. The amendment to BPC 5536.22 sought to clarify that the following elements are needed in architects' written contracts with clients for professional services: 1) a description of the project; 2) the project address; and 3) a description of the procedure to accommodate contract changes. BP&ED staff determined that the proposal was substantive and, as such, would need to be included in another bill. At its April 28, 2016, meeting, the REC accepted staff's recommendation to also include a: 1) statement identifying the ownership and/or reuse of instruments of service prepared by the architect; and 2) notification to the client that the architect is licensed by the Board, in the amendment to BPC 5536.22. Staff developed proposed language for BPC 5536.22 to include these two additional elements, and presented it to the REC for consideration at its November 8, 2016, meeting. At the meeting, the REC supported adding the two additional provisions to the written contract requirement, but expressed concerns that the use of the word "complaints" in the proposed language for subsection (a)(9) could result in frivolous complaints to the Board against architects. The REC ultimately voted to recommend to the Board that it approve the proposed language to amend BPC 5536.22 with the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9). The Board considered the REC's recommendation at its December 15, 2016, meeting, and approved the proposed language to amend BPC 5536.22 with the exception of proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Committee The LATC met on April 18, 2017 in Pomona at the California Polytechnic University, Pomona. The next meeting is scheduled for July 13, 2017, in Sacramento.

Personnel Retired Annuitant, Gretchen Kjose's last day at the LATC was April 25, 2017. Stacy Townsend (former Licensing Coordinator) was selected to fill the Enforcement Analyst position effective April 10, 2017. Recruitment efforts are underway to backfill the Licensing Coordinator position.

Training The following employee(s) have been scheduled to participate in upcoming training:

6/5-6/17 Presentation Skills for Analysts (Stacy)
7/19/17 Leadership Fundamentals (Brianna)
8/22/17 Leader as Communicator (Brianna)
8/29/17 Labor Relations for Managers and Supervisors (Brianna)
8/30/17 Safety, Wellness, and Accommodation (Brianna)
8/31/17 Strategic Management (Brianna)

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

Social Media The LATC maintains a Twitter account that currently has 136 followers. This account largely permits the LATC to have active social media participation with the public and professionals.

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE) BPC 139 requires that an Occupational Analysis (OA) be conducted every five to seven years. An OA was completed by OPES for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. The current Intra-Departmental Contract with OPES for examination development expires on June 30, 2017. Staff recruits subject matter experts to participate in examination development workshops to focus on item writing and examination construction. Monthly examination development workshops began on August 25, 2016, and concluded on December 2, 2016. The questions developed have been added to the examination item bank and will be incorporated into the CSE beginning in September 2017. The new Intra-Departmental Contract with OPES for examination development for FY 2017/18 was approved by the Committee at the April 18, 2017, meeting.

CSE Results The CSE has been administered to 134 candidates during FY 2016/17 (as of June 1, 2017). Of these candidates, 69 (51%) passed and 65 (49%) failed. During FY 2015/16, the computer-delivered CSE was administered to 132 candidates, of which 94 (71%) passed and 38 (29%) failed.

Landscape Architect Registration Examination (LARE) The next LARE administration will be held from August 7 - 19, 2017. The candidate application deadline is June 23, 2017. Examination results are released five-six weeks following the last day of administration.

Legislation SB 800 (Hill) – BPC 5680.2 authorizes a license that has expired to be renewed within three years after its expiration. Existing law prohibits a license that is expired for more

than three years from being renewed, restored, reissued, or reinstated but authorizes the holder of the expired license to apply for and obtain a new license if the applicant for the new license meets certain criteria, pays certain fees, and passes an examination or otherwise establishes to the satisfaction of the Board that the applicant is qualified to practice landscape architecture. This bill would instead authorize a license to be renewed within five years of its expiration. The bill would prohibit a license that is expired for more than five years from being renewed, restored, reissued, or reinstated but would authorize the holder of the expired license to apply for a new license, as specified. SB 800 passed out of the Senate with a unanimous vote (37-0) on May 22, 2017, and is currently with the Assembly for consideration. Should these amendments take effect, the LATC will pursue repealing CCR 2624 and 2624.1.

Regulatory Proposals *CCR 2615 (Form of Examinations) – Reciprocity Requirements* - 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 10 years of practice experience, and have passed the CSE. At the LATC meeting on November 17, 2015, the Committee approved proposed amendments to CCR 2615(c)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. At its December 10, 2015, meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the corresponding regulations to amend CCR 2615 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

The LATC received extensive input during the public comment period expressing concern about the proposed length of post-licensure experience (at least 10 years, within the past 15 years) to be required of reciprocity candidates who do not meet California's educational requirements (specifically, a degree in landscape architecture). At its November 4, 2016, meeting, LATC reviewed and discussed the public comments, heard from several members of the audience, and directed staff to provide additional research and possible options for its next meeting in January 2017. At its January 17, 2017, meeting, the Committee directed staff to draft proposed regulatory language allowing reciprocity licensure to applicants licensed to practice landscape architecture by any US jurisdiction, Canadian province, or Puerto Rico, upon passing the CSE. Staff consulted with legal counsel to draft new, proposed regulatory language in accordance with the Committee's direction. Staff was also advised that it would be more timely to begin a new regulatory proposal for this new language in lieu of continuing with the existing proposal. Pursuant to Government Code section 11346.4, the one-year deadline to finalize the existing regulatory proposal is on August 12, 2017, which is not sufficient time to complete the required review/approval process through the control agencies.

At its April 18, 2017 meeting, the Committee approved the new proposed regulatory language to amend CCR 2615(c)(1) and recommended that the Board authorize LATC to proceed with the regulatory change. The LATC's recommendation will be considered by the Board at its June 15, 2017 meeting.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 2615:

November 17, 2015 Proposed regulatory language approved by the LATC

December 10, 2015	Proposed regulatory language approved by the Board
August 2, 2016	Notice of Proposed Changes in the Regulations submitted to OAL
August 12, 2016	Notice of Proposed Changes in the Regulations published by OAL
September 27, 2016	Public hearing, public comments received during 45-day period
April 18, 2017	LATC voted to withdraw regulatory proposal and approved new proposed regulatory language
June 15, 2017	Proposed regulatory language to be considered by Board

CCR 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 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. At the December 15-16, 2010, Board meeting, the Board approved the regulatory change and delegated authority to the EO to adopt the regulations to amend CCR 2620.5 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed. The regulatory proposal to amend CCR 2620.5 was published by the OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR 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 2620.5, with an additional edit. At the January 24-25, 2013, LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR 2620.5 at their March 7, 2013, meeting.

On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by OAL. The disapproval was based on OAL’s determination that the regulatory package did not meet the necessity standard of the GC section 11349.1, subdivision (a)(1). GC 11349(a) defines “necessity” as demonstrating the need for the regulatory change through evidence not limited to facts, studies, and expert opinion. Based on OAL’s disapproval, staff worked with DCA Legal Counsel and the Task Force Chair to refine the proposed language and identify appropriate justification that would meet OAL’s requirements.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR 2620.5 incorporating Legal Counsel’s recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipated adopting new standards

in early 2016. On December 30, 2014, staff met with the Task Force Chair to discuss proposed changes to CCR 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016. Staff also met with Legal Counsel on January 14, 2015, to discuss justifications to proposed changes and again on January 28, 2015, to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10-11, 2015, meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB confirmed 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 in the fall of 2014. LAAB met in the summer of 2015 to draft revisions to the Standards. In the fall of 2015, additional public input and comments were received.

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which included several suggested changes to curriculum requirements. LAAB implemented its new Accreditation Standards and Procedures in March 2016, making significant changes to the curriculum requirements beginning in 2017. Staff recommended that LATC review the LAAB Accreditation Standards and Procedures at its January 2017 meeting, and determine how to proceed. Prior to the meeting, Stephanie Landregan, Director of the University of California Los Angeles Extension Certificate program, requested that discussion be postponed until the April 18, 2017 LATC meeting. Her request was granted, and this topic was tabled, accordingly.

At the April 18, 2017 LATC meeting, the Committee heard comments from Ms. Landregan and Christine Anderson, president-elect of the Council of Landscape Architecture Registration Boards, that offered insight on how LATC could incorporate LAAB accreditation standards and continue to approve University of California Extension Certificate programs. In addition, the LATC was presented with several written public comments addressing the University of California Extension Certificate programs. After discussion, the Committee directed staff to form a subcommittee to prepare regulatory changes for LATC's consideration at a later meeting date.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 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 Task Force Chair to draft justifications for proposed changes
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015
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
March 2016	LAAB implemented its new Accreditation Standards and Procedures
April 18, 2017	LATC directed the formation of a subcommittee to prepare regulatory changes for LATC's consideration

CCR 2649 (Fees) – BPC 128.5 requires agencies within DCA to reduce license or other fees if the fund balance meets or exceeds 24 months in reserve at the end of any FY. The LATC had 24.7 months of funds in reserve at the end of FY 2012-13. To address the fund condition, the LATC initiated fiscal management measures consisting of a negative budget change proposal to reduce LATC's spending authority by \$200,000, and implemented a temporary license renewal fee reduction from \$400 to \$220 for one license renewal cycle, July 1, 2015 through June 30, 2017, with the intention of extending the license renewal fee reduction for an additional renewal cycle if the fund condition did not drop below the 24-month reserve level.

At the end of FY 2015/16, the LATC had 27.4 months of funds in reserve. Based on projections including the current temporary license renewal fee reduction of \$220, at the end of FY 2016/17, there will be approximately 20.6 months of funds in reserve. At the LATC meeting on May 24, 2016, the Committee approved the extension of the license renewal fee reduction through June 30, 2019. To extend the reduction of the license renewal fee, a regulatory change to amend CCR 2649 is necessary. Once the reduction completes its term, the LATC is projected to have 7.1 months of funds in reserve.

This regulatory proposal would amend CCR 2649 subsection (f), to reduce the fee for the biennial renewal of a license from \$400 to \$220 for licenses expiring on or after July 1, 2017, through June 30, 2019.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 2649:

May 24, 2016	Proposed regulatory language approved by LATC
June 9, 2016	Proposed regulatory language approved by Board
October 14, 2016	Notice of Proposed Changes in the Regulations published by OAL
November 30, 2016	Public hearing, no public comments received
December 14, 2016	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Regulatory Review
March 23, 2017	Final rulemaking file submitted to Business, Consumer Services and Housing Agency (Agency) for approval

May 17, 2017 Final rulemaking file approved by Agency
May 18, 2017 Final rulemaking file submitted to OAL for approval

2015- 2016 Strategic Plan Objectives LATC's Strategic Plan for 2015-2016 contained numerous objectives. Below is a summary of progress made toward the objectives:

Create and Disseminate Consumer's Guide - to educate the public on the differences between landscape architects, landscape contractors, and landscape designers. At its November 17, 2015, LATC meeting, staff presented to the Committee a draft of the *Consumer's Guide to Hiring a Landscape Architect*, which is based on the Board's *Consumer's Guide to Hiring an Architect*. The Committee reviewed the *Guide* and directed staff to continue revisions by adding information conveyed through the Department of Water Resources' Independent Technical Panel regarding water conservation measures and techniques; and a table illustrating the differences and requirements between landscape architects, designers, and contractors. Following discussion, the Committee agreed to create a subcommittee to complete revisions to the *Guide*. At its February 10, 2016, meeting, the Committee reviewed the *Guide* and recommended additional information regarding drought conditions and the Model Water Efficient Landscape Ordinance to be included in the guide. LATC agreed to review the revised draft at its next meeting in May to allow time for the subcommittee and staff to incorporate the recommended edits.

Staff presented the revised *Guide* to the Committee at its May 24, 2016, meeting. The Committee voted to approve the draft of the *Guide* for publication with minor edits to be made to the professional qualifications chart. Staff completed the edits and worked with DCA's Office of Publications, Design & Editing on the design of the *Guide*. Two LATC members reviewed the proposed graphics and design layout and provided images for replacement in the *Guide*. The LATC reviewed the revised design and layout at its November 4, 2016, meeting. At the meeting, a public comment was made expressing concern that the photographs and plant materials depicted in the *Guide* showed water features, high water use plant pallets and lawn dominated designs that do not support water conservation. The Committee agreed and asked staff to obtain and include graphics of compelling low water landscapes with California plant material for the LATC's consideration. Staff presented the updated *Guide* to the Committee at its April 18, 2017 meeting. At that time, a public comment was made expressing concern over the professional qualifications chart not referencing the multiple postsecondary education pathways to licensure. The Committee reiterated that the purpose of the *Guide* was for the consumer, and that one could consult the Landscape Architects Practice Act for additional information. The Committee approved the *Guide* with the addition of a footnote below the chart referencing CCR 2620 for other education and experience requirements. Completion of this *Guide* addresses the Strategic Plan objective to "create and disseminate printed document(s) to educate the public on the differences between landscape architects, landscape contractors, and landscape designers." Presently, the *Guide* is being finalized for distribution. Once this is achieved, staff will develop a distribution strategy to address the dissemination of the *Guide*.

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. At its meeting on February 10, 2016, the

Committee agreed to table the objective until its upcoming Strategic Planning session in January 2017. At its January 17, 2017, meeting, the Committee considered options of granting education credit for related, as well as unrelated, degrees in landscape architecture or architecture. After discussion and receiving public comments, the Committee directed staff to conduct a public forum to receive additional input from the public by the next scheduled meeting, on April 18, 2017. Accordingly, staff scheduled two public forums to take place in northern and southern California, respectively, to enhance accessibility for public participation.

The first public forum was held on March 17, 2017, in Sacramento. Twelve participants attended the forum, which was facilitated by the DCA SOLID office. Participants were advised that the forum was for the sole purpose of gathering public input for consideration by the Committee. Accordingly, the feedback collected ranged from comments of support, opposition, and general feedback toward the expansion of education requirements.

The second public forum was held on April 18, 2017, in Pomona during the LATC meeting. Seventeen participants attended the forum, which was opened with a PowerPoint presentation by Program Manager Brianna Miller. Chair Trauth called on members of the public for comment. Feedback collected during the forum addresses support and opposition to the expansion of education requirements. LATC staff also collected all submitted written comments and presented them to the Committee for consideration. The LATC will consider all comments provided and discuss the matter at its upcoming July 13, 2017, meeting in Sacramento.

Review Expired License Requirements (CCR 2624 and 2624.1) - to assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements. At the August 6, 2015, LATC meeting, the Committee reviewed the procedures and expired license requirements contained in BPC 5680.2 (License Renewal – Three Years After Expiration) and CCR 2624 and 2624.1, and directed staff to assess whether the Board's procedures and requirements should be considered for use by LATC. At the November 17, 2015, LATC meeting, the Committee reviewed re-licensure requirements of various state landscape architect licensing boards and three DCA licensing boards, and directed staff to research re-licensure procedures for additional state boards and agendaize this objective at its next meeting. At its meeting on February 10, 2016, the Committee directed staff to draft proposed language to amend the LATC's relicensure procedures to require an individual whose license has been expired for less than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. At its meeting on May 24, 2016, the Committee voted to amend BPC 5680.2 and repeal CCR 2624 and 2624.1. Prior to the meeting, staff discovered BPC 5680.1 included language that would also need to be amended. It was noted to the Committee that BPC 5680.1 would be included when presented to the Board for its consideration. At its June 9, 2016, meeting, the Board voted to amend BPC 5680.1 and 5680.2 and repeal CCR 2624 and 2624.1. Staff worked with DCA Legal Counsel to draft the amendment of BPC 5680.1 and 5680.2 which was introduced in SB 800. Once the amendments to BPC 5680.1 and 5680.2 are passed by the Legislature and signed by the Governor, staff will prepare the rulemaking file to repeal CCR 2624 and 2624.1.

2017 - 2018 Strategic Plan On January 18, 2017, the LATC participated in a session to update its Strategic Plan for two years (2017 - 2018). The session was facilitated by the DCA SOLID

team. The LATC developed objectives for four goal areas: Regulation and Enforcement, Professional Qualification, Public and Professional Outreach, and Organizational Effectiveness.

At the April 18, 2017, meeting, the Committee recommended for Board approval the 2017 - 2018 Strategic Plan. The Strategic Plan will be presented to the Board for approval at its meeting on June 15, 2017.

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. 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 were approved by LATC at its August 6, 2015, 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. Legal Counsel notified staff on November 12, 2015, that the edited portions were sufficient and substantive, and would require re-approval by the Board. 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 *Disciplinary Guidelines*. At its December 10, 2015, meeting, the Board approved the revised *Disciplinary Guidelines* and the proposed regulation to amend CCR 2680, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Board staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR 154 in order to incorporate the revised *Guidelines* by reference. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR 154 were approved by the Board at its December 15, 2016 meeting. Staff is updating its *Guidelines* to include the approved revisions that are appropriate to the LATC. Staff will present the recommended changes to the Committee at its meeting on July 13, 2017.

<u>Enforcement Statistics</u>	<u>Current Month</u> May 2017	<u>Prior Month</u> April 2017	<u>FYTD</u> 2016/17	<u>5-FY Avg</u> 2011/12 - 2015/16
Complaints				
Received/Opened (Reopened):	2 (0)	2 (1)	22 (1)	26 (0)
Closed:	3	0	16	36
Average Days to Close:	141 days	NA	158 days	360 days
Pending:	14	15	8*	21
Average Age (Pending):	91 days	82 days	111 days*	301 days
Citations				
Issued:	0	0	3***	3
Pending:	0	0	0*	2
Pending AG: †	0	0	0*	2
Final:	1	0	5	2
Disciplinary Actions				
Pending AG:	0	0	0*	1
Pending DA:	0	0	0*	0
Final:	0	0	0	1
Settlement Reports (\$5678)**				
Received/Opened:	0	1	4	1
Closed:	0	0	1	1
Pending:	0	0	1*	1

* Calculated as a monthly average of pending cases.

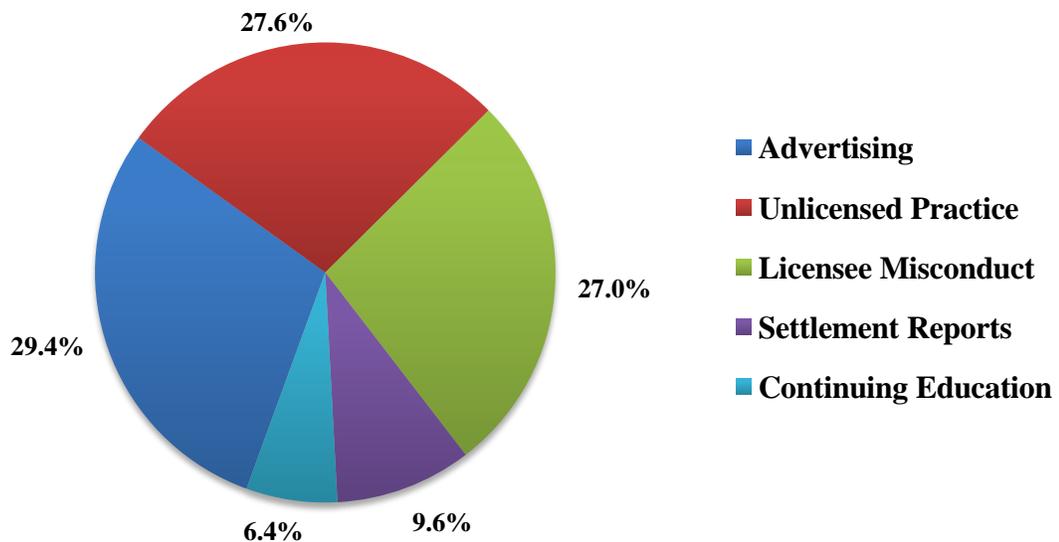
** Also included within "Complaints" information.

*** Data corrected from previous report.

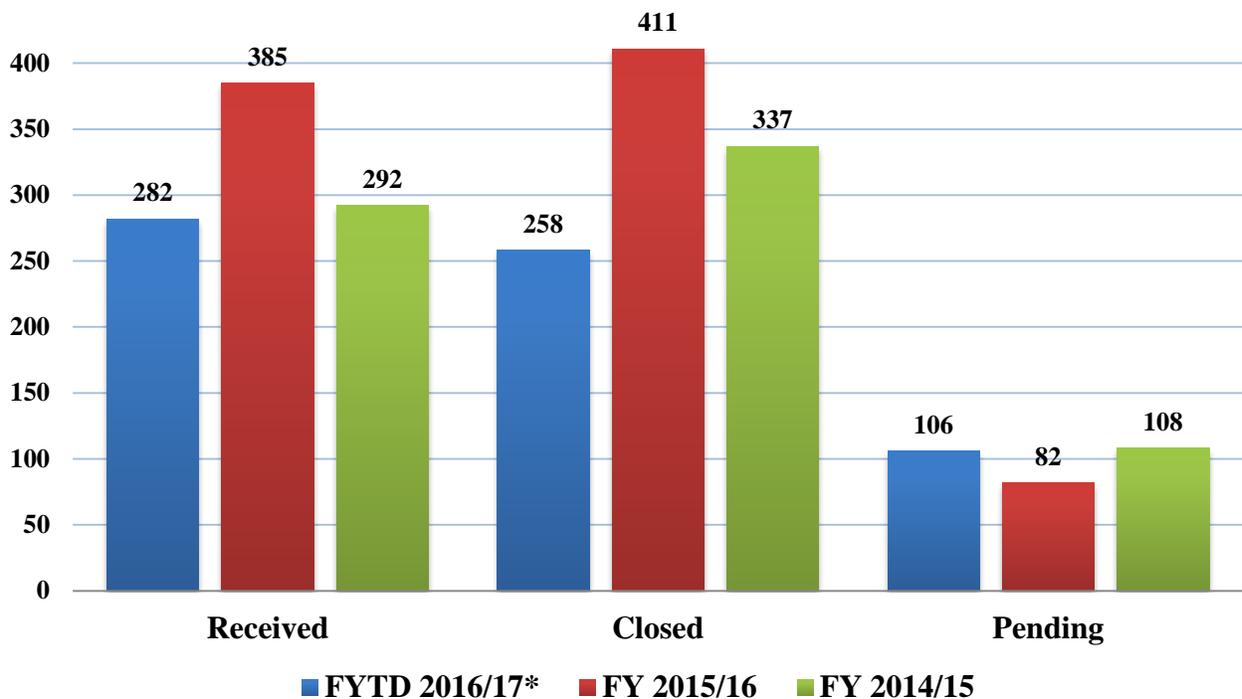
† Also included within "Pending Citations."

ENFORCEMENT PROGRAM REPORT

Types of Complaints Received FYTD 2016/17*

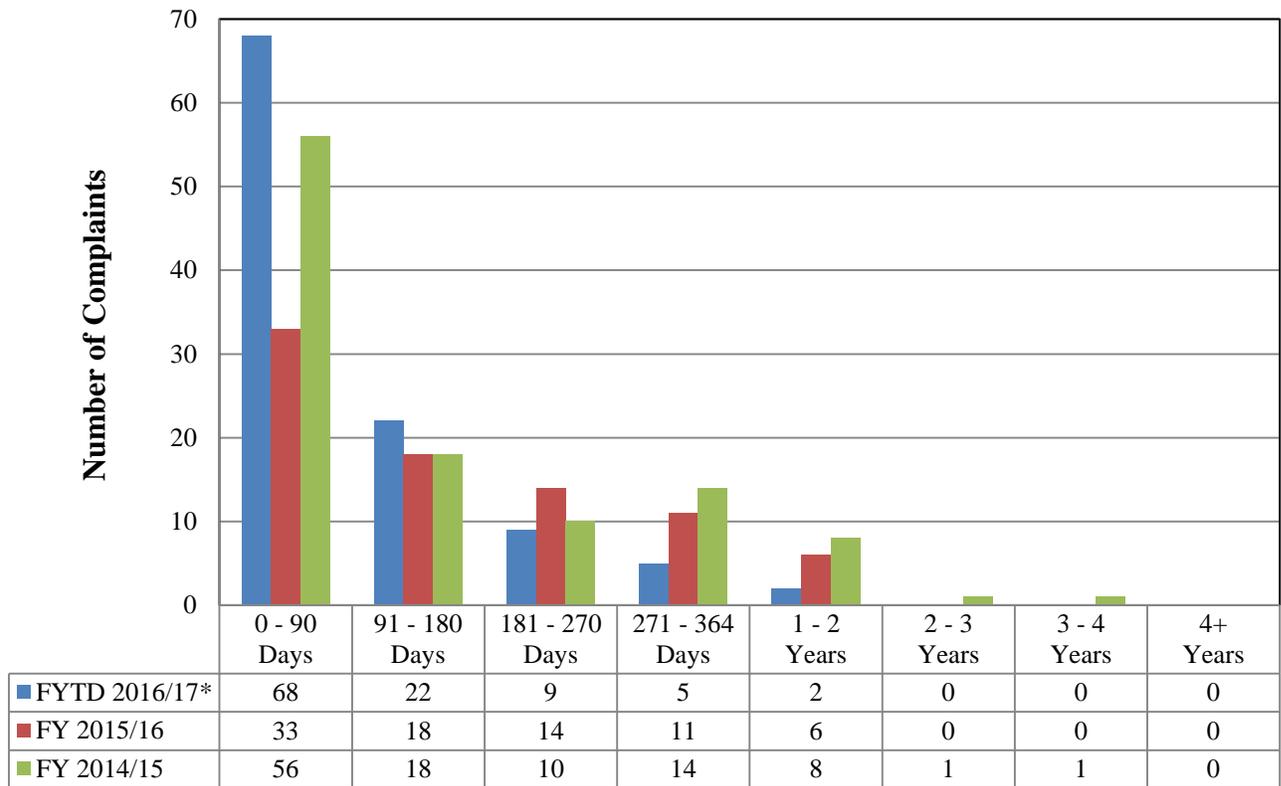


Complaints Received, Closed, and Pending by FY



* FYTD reflects data as of May 31, 2017.

Comparison of Age of Pending Complaints by FY



* FYTD reflects data as of May 31, 2017.

Closure of Complaints by FY

Type of Closure	FYTD 2016/17*	FY 2015/16	FY 2014/15
Cease/Desist Compliance	57	56	9
Citation Issued	29	77	62
Complaint Withdrawn	6	6	2
Insufficient Evidence	6	20	13
Letter of Advisement	87	158	185
No Jurisdiction	13	14	11
No Violation	47	62	40
Referred for Disciplinary Action	3	4	6
Other (i.e., Duplicate, Mediated, etc.)	10	14	9

* FYTD reflects data as of May 31, 2017.

Disciplinary and Enforcement Actions by FY

Action	FYTD 2016/17*	FY 2015/16	FY 2014/15
Disciplinary Cases Initiated	3	4	5
Pending Disciplinary Cases	4	6	6
Final Disciplinary Orders	4	4	1
Final Citations	30	65	47
Administrative Fines Assessed	\$43,750	\$79,750	\$78,000

* FYTD reflects data as of May 31, 2017.

Most Common Violations by FY

During FY 2016/17 (as of May 31, 2017), 30 citations with administrative fines became final with 46 violations of the provisions of the Architects Practice Act and/or Board regulations. The most common violations that resulted in enforcement action during the current and previous two fiscal years are listed below.

Business and Professions Code Section (BPC) or California Code of Regulations Section (CCR)	FYTD 2016/17*	FY 2015/16	FY 2014/15
BPC 5536(a) and/or (b) – Practice Without License or Holding Self Out as Architect	39.1%	24.5%	41.8%
BPC 5536.1(c) – Unauthorized Practice	0%	4.1%	5.1%
BPC 5536.22(a) – Written Contract	15.3%	3.1%	5.1%
BPC 5584 – Negligence or Willful Misconduct	2.2%	5.1%	2.5%
BPC 5600.05(a)(1) and/or (b) – License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements**	17.4%	52.0%	31.6%
CCR 160(b)(2) – Rules of Professional Conduct	6.5%	7.1%	5.1%

* FYTD reflects data as of May 31, 2017.

** Assembly Bill 1746 (Chapter 240, Statutes of 2010) became effective January 1, 2011 and amended the coursework 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.

Agenda Item E.2

UPDATE ON BOARD'S BUDGET

At this meeting, the Board will be updated on the Board's budget. Attached is a copy of the 1) Budget Report; 2) Analysis of Fund Condition; and 3) Budget, Expenditures, and Revenue. The Budget Report shows the prior year expenditures for fiscal year (FY) 2015/16 and expenditures (with encumbrances) and projections for current FY 2016/17. The Report also shows percentage of budget spent and expected unencumbered balance at the end of the FY. The Analysis of Fund Condition contains the Board's fund condition based on projected revenue and anticipated budget expenditure authority for FYs 2015/16 through 2019/20.

Attachments:

1. Budget Report
2. Analysis of Fund Condition
3. Budget, Expenditures, and Revenue (2009/10 - 2016/17)

**CALIFORNIA ARCHITECTS BOARD
BUDGET REPORT
FY 2016-17 EXPENDITURE PROJECTION
FISCAL MONTH 10**

OBJECT DESCRIPTION	FY 2015-16		FY 2016-17				
	ACTUAL	PRIOR YEAR	BUDGET	CURRENT YEAR	PERCENT	PROJECTIONS	UNENCUMBERED
	EXPENDITURES	EXPENDITURES	STONE	EXPENDITURES			
(MONTH 13)	4/30/2016	2016-17	4/30/2017	SPENT	TO YEAR END	BALANCE	
PERSONNEL SERVICES:							
Salary & Wages (Staff)	1,161,730	969,491	1,275,000	990,652	78%	1,251,775	23,226
Statutory Exempt (EO)	109,550	87,694	94,000	92,557	98%	111,711	(17,711)
Board Member Per Diem	5,900	4,200	10,000	7,100	71%	9,400	600
Overtime	749	116	0	74	0%	250	(250)
Staff Benefits	651,173	543,640	699,000	595,455	85%	753,735	(54,735)
TOTAL PERSONNEL SERVICES	1,929,102	1,605,141	2,078,000	1,685,838	81%	2,126,870	(48,870)
OPERATING EXPENSE AND EQUIPMENT:							
General Expense	28,796	27,136	32,000	29,016	91%	30,791	1,209
Fingerprint Reports	0	0	0	0	0%	0	0
Minor Equipment	18,178	17,356	6,000	5,008	0%	5,245	755
Printing	8,899	5,340	15,000	6,753	45%	11,254	3,746
Communication	10,691	7,366	13,000	6,988	54%	10,142	2,858
Postage	32,656	27,540	25,000	15,949	64%	18,912	6,088
Insurance	0	0	45	24	0%	24	21
Travel In State	53,989	38,417	60,000	29,933	50%	42,066	17,934
Travel, Out-of-State	0	0	0	0	0%	0	0
Training	690	690	5,000	500	10%	500	4,500
Facilities Operations	207,013	205,973	208,455	207,408	99%	208,455	0
C & P Services - Interdepartmental	0	0	0	0	0%	0	0
C & P Services - External*	0	0	0	0	0%	0	0
DEPARTMENTAL SERVICES:						0	0
Departmental Pro Rata	225,186	225,750	320,000	265,000	83%	320,000	0
Administration/Executive	303,680	228,000	310,000	247,500	80%	310,000	0
Interagency Services	0	0	0	0	0%	0	0
Intragency w/Office of Examination Resources**	0	0	0	0	0%	0	0
DOI-ProRata Internal	7,865	6,000	8,000	6,670	83%	8,000	0
Communications Division	20,000	15,000	39,000	32,500	83%	39,000	0
PPRD Pro Rata	0	0	3,000	2,500	0%	3,000	0
INTERAGENCY SERVICES:							
Consolidated Data Center	951	801	4,000	531	13%	630	3,370
DP Maintenance & Supply	11,558	7,905	15,000	9,562	64%	13,981	1,019
Central Administration Services-ProRata	189,350	142,013	0	0	0%	0	0
EXAM EXPENSES:							
Exam Contracts**	69,648	69,648	80,000	64,370	0%	64,370	15,630
C/P Svcs-External Expert Administrative (PSI)	46,569	46,069	59,000	47,266	0%	47,779	11,221
C/P Svcs-External Expert Examiners	58,739	48,963	60,000	36,763	61%	44,103	15,897
C/P Svcs-External Subject Matter	40,204	31,393	53,000	28,053	0%	35,927	17,073
ENFORCEMENT:							
Attorney General	68,735	59,138	73,000	59,908	82%	71,890	1,110
Office Administrative Hearings	23,313	22,613	25,000	20,008	80%	24,000	1,000
Architect Consultant Contracts*	193,580	193,748	198,000	186,727	94%	197,700	300
Court Reporters	1,014	682	2,000	940	0%	1,500	500
Evidence/Witness Fees	15,400	11,100	6,000	100	2%	700	5,300
DOI - Investigations	31,470	24,000	0	0	0%	0	0
Major Equipment	5,579	5,579	0	0	0%	0	0
Special Items of Expense	0	0	10,000	10,000	0%	10,000	0
Other (Vehicle Operations)	0	0	500	500	0%	500	0
TOTAL OPERATING EXPENSE & EQUIPMENT	1,673,753	1,468,220	1,630,000	1,320,477	81%	1,520,469	109,531
TOTAL EXPENSE	3,602,855	3,073,361	3,708,000	3,006,315	162%	3,647,340	60,661
Sched. Reimb. - External/Private	(235)	(235)	0	(705)			0
Sched. Reimb. - Fingerprints			0				0
Sched. Reimb. - Other			(5,000)			(5,000)	0
Sched Interdepartmental - Distributed	(26,000)		(26,000)			(26,000)	0
Unsched. Reimb. - Other	(60,608)	(50,198)	0	(34,758)			0
NET APPROPRIATION	3,516,012	3,022,928	3,677,000	2,970,852	81%	3,616,340	60,661

*Contracts with architect consultants normally displayed under C&P Services - External.

**Exam contracts normally displayed under Intragency w/OER.

SURPLUS/(DEFICIT): 1.6%

**California Architects Board
Analysis of Fund Condition**

Prepared 5/19/2017

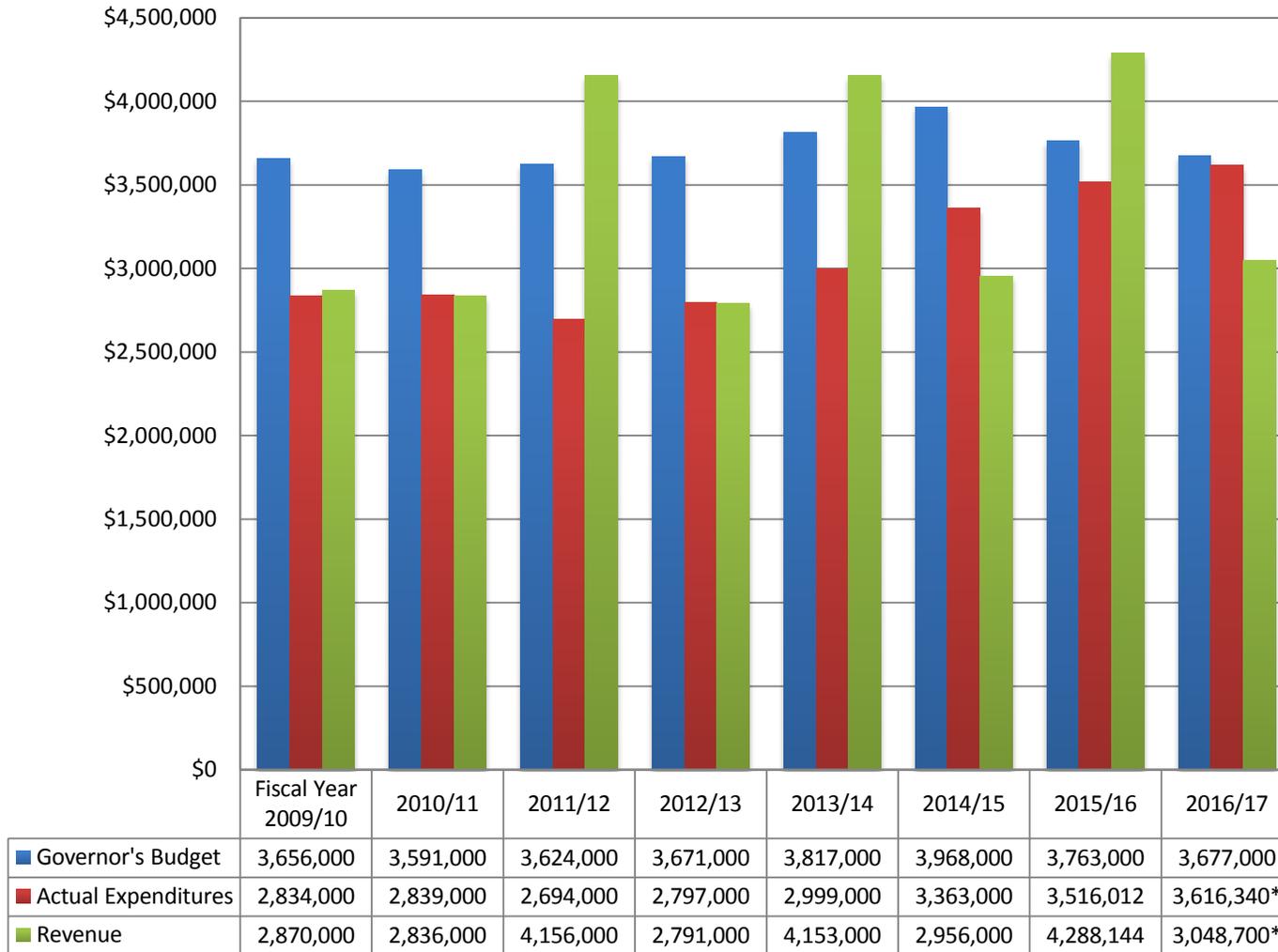
2017-18 Governor's Budget

	ACTUAL 2015-16	Budget Act CY 2016-17	BY 2017-18	BY + 1 2018-19	BY + 2 2019-20
BEGINNING BALANCE	\$ 4,869	\$ 5,651	\$ 4,881	\$ 5,222	\$ 4,249
Prior Year Adjustment	\$ 17	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 4,886	\$ 5,651	\$ 4,881	\$ 5,222	\$ 4,249
REVENUES AND TRANSFERS					
Revenues:					
125600 Other regulatory fees	\$ 4	\$ 1	\$ 4	\$ 1	\$ 4
125700 Other regulatory licenses and permits	\$ 458	\$ 441	\$ 460	\$ 441	\$ 460
125800 Renewal fees	\$ 3,727	\$ 2,550	\$ 3,720	\$ 2,550	\$ 3,720
125900 Delinquent fees	\$ 71	\$ 24	\$ 70	\$ 24	\$ 70
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 26	\$ 30	\$ 16	\$ 13	\$ 13
150500 Interest Income From Interfund Loans	\$ -	\$ -	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 1	\$ 2	\$ 1	\$ 2	\$ 1
161400 Miscellaneous revenues	\$ 1	\$ 1	\$ 1	\$ 1	\$ 1
Totals, Revenues	\$ 4,288	\$ 3,049	\$ 4,272	\$ 3,032	\$ 4,269
Transfers from Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers to Other Funds	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Revenues and Transfers	\$ 4,288	\$ 3,049	\$ 4,272	\$ 3,032	\$ 4,269
Totals, Resources	\$ 9,174	\$ 8,700	\$ 9,153	\$ 8,254	\$ 8,518
EXPENDITURES					
Disbursements:					
8880 Financial Information System for California (State Operations)	\$ 7	\$ 4	\$ 4	\$ 4	\$ 4
9900 Statewide General Administrative Expenditures (Pro Rata)	\$ -	\$ 199	\$ 212	\$ 212	\$ 212
1110 Program Expenditures (State Operations)	\$ 3,516	\$ 3,616	\$ 3,715	\$ 3,789	\$ 3,865
Total Disbursements	\$ 3,523	\$ 3,819	\$ 3,931	\$ 4,005	\$ 4,081
FUND BALANCE					
Reserve for economic uncertainties	\$ 5,651	\$ 4,881	\$ 5,222	\$ 4,249	\$ 4,437
Months in Reserve	17.8	14.9	15.6	12.5	12.8

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED THROUGH FISCAL MONTH 10
- B. ASSUMES 2% GROWTH IN EXPENDITURES IN FY 2014-15
- C. ASSUMES 0.3% GROWTH IN INCOME FROM SURPLUS MONEY

BUDGET, EXPENDITURES, AND REVENUE (2009/10 - 2016/17)



* Projections

DISCUSS AND POSSIBLE ACTION ON PROPOSED LEGISLATION:

1. Senate Bill (SB) 547 (Hill) [Business and Professions Code Section (BPC) 5810 (Interior Designers)]
2. Assembly Bill (AB)1005 (Calderon) [Orders of Abatement]
3. AB 1489 (Brough) [Liability; Damages Caused by Subsequent, Unauthorized, or Unapproved Changes or Uses of Plans, Specifications, Reports or Documents; Construction Observation Services]

SENATE BILL (SB) 547 (HILL) [BUSINESS AND PROFESSIONS CODE SECTION (BPC) 5810 (INTERIOR DESIGNERS)]

SB 547 (Hill) extends the sunset date of the California Council of Interior Design Certification (CCIDC) and its certification program until January 1, 2022. At the March 2, 2017, meeting, the Board voted to support the extension of CCIDC's sunset date; a subsequent letter of support for SB 547 was sent to the Legislature on May 23, 2017. The bill is on the Assembly floor.

Attachment:
SB 547 (Hill)

AMENDED IN SENATE APRIL 17, 2017

SENATE BILL

No. 547

Introduced by Senator Hill

February 16, 2017

An act to amend ~~Section 7332~~ of Sections 5063.3, 5096.9, 5810, 7332, 11302, 11321, 11323, 11324, 11345, 11345.6, 11422, 12241, 12304, 12305, 12310, and 12500 of, to add Sections 11345.5 and 11345.8 to, and to repeal and add Section 11345.3 of, the Business and Professions Code, relating to ~~barbering and cosmetology~~. professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 547, as amended, Hill. ~~Barbering, cosmetology, or electrolysis: apprentice supervision.~~ Professions and vocations: weights and measures.

(1) Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.

(A) Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy, which is within the Department of Consumer Affairs. Existing law prohibits confidential information obtained by a licensee concerning a client from being disclosed by the licensee without the written permission of the client, except when the disclosure is made by a licensee or a licensee's duly authorized representative to another licensee in connection with a proposed sale or merger of the licensee's professional practice.

This bill would additionally authorize that disclosure in that same connection to another person, provided the parties enter into a written nondisclosure agreement.

Existing law, until January 1, 2019, authorizes an individual otherwise meeting a condition for a practice privilege to perform certain audit and financial statement review services only through a firm of certified public accountants that is required to be registered with the board and authorizes such an individual qualified for the practice privilege to practice public accountancy in this state without the imposition of a notice, fee, or any other requirements. Existing law authorizes the board to adopt regulations to carry out the practice privilege provisions and regulations have been adopted, which become inoperative on January 1, 2019.

To ensure uninterrupted implementation of the practice privilege provisions, this bill would authorize the board to adopt or amend regulations to remove or extend the inoperative date of these regulations. The bill would require the Office of Administrative Law to consider the board's action to remove or extend the inoperative dates of these regulations as a change without regulatory effect and would exempt the board from complying with the Administrative Procedure Act with respect to that removal or extension.

(B) Existing law authorizes a certified interior designer, as defined, to obtain a stamp from an interior design organization, as defined, that uniquely identifies the designer and certifies that he or she meets certain qualifications and requires the use of that stamp on all drawings and documents submitted to any governmental agency by the designer. Existing law provides that these provisions are repealed on January 1, 2018.

This bill would instead repeal those provisions on January 1, 2022.

~~Existing~~

(C) Existing law, the Barbering and Cosmetology Act, provides for the licensing and regulation of persons engaging in the practice of barbering, cosmetology, or electrolysis, as specified. Existing law authorizes an apprentice, as defined, to perform services under the supervision of a licensee approved by the State Board of Barbering and Cosmetology, as specified. Practicing barbering, cosmetology, or electrolysis without being properly licensed is a crime.

This bill would define the term “under the supervision of a licensee” for these provisions to mean a person supervised at all times by a licensee while performing services in a licensed establishment. The bill would also prohibit an apprentice from being the only person working in an establishment and would deem an apprentice who is not being supervised by a licensee to be practicing under the act without a license.

Because this bill would expand the scope of a crime, it would impose a state-mandated local program.

~~*Because this bill would expand the scope of a crime, it would impose a state-mandated local program.*~~

(D) Existing state law, the Real Estate Appraisers' Licensing and Certification Law, provides for the licensure, certification, and regulation of real estate appraisers and appraisal management companies by the Bureau of Real Estate Appraisers within the Department of Consumer Affairs, which is headed by the Chief of the Bureau of Real Estate Appraisers. Existing state law prohibits a person from engaging in federally related real estate appraisal activity without an active license. Existing state law defines "federally related transaction" as any real estate-related financial transaction which a federal financial institutions regulatory agency engages in, contracts for, or regulates, and which requires the services of a state licensed real estate appraiser.

Existing state law prohibits a person or entity from acting in the capacity of an appraisal management company without first obtaining a certificate of registration from the bureau. Existing state law defines an "appraisal management company" as a person or entity that maintains an approved list or lists, containing 11 or more independent contractor licensed or certified appraisers, or employs 11 or more licensed or certified appraisers, receives requests for appraisals from one or more clients, and for a fee paid by one or more of its clients, delegates appraisal assignments for completion by its independent contractor or employee appraisers.

Existing federal law, the Dodd-Frank Wall Street Reform and Consumer Protection Act, requires the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Bureau of Consumer Financial Protection to jointly, by rule, establish minimum requirements to be applied by a state in the registration of appraisal management companies. These minimum requirements include a requirement that an appraisal management company (1) register with and be subject to supervision by a state appraiser certifying and licensing agency in each state in which that company operates, (2) verify that only licensed or certified appraisers are used for federally related transactions, (3) require that appraisals coordinated by an appraisal management company comply with the Uniform Standards

of Professional Appraisal Practice, and (4) require that appraisals are conducted independently and free from inappropriate influence and coercion, as provided. Existing federal law does not prohibit states from establishing additional requirements.

Existing federal law prohibits an appraisal management company from being registered by a state or included on the national registry if the company is owned by any person whose appraiser license or certificate was refused, denied, canceled, surrendered in lieu of revocation, or revoked in any state.

This bill would conform to federal law by, among other things, redefining an “appraisal management company” as a person that (1) provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates, (2) provides those services in connection with valuing a consumer’s principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations, and (3) within a given 12-month period, oversees an appraiser panel of more than 15 State-certified or State-licensed appraisers in a State or 25 or more State-certified or State-licensed appraisers in two or more States. The bill would define “appraiser panel” and prescribe the method for determining whether an appraiser is a part of the appraisal management company’s appraiser panel.

Existing state law prohibits a person other than a licensee from signing an appraisal and authorizes a specified trainee to sign an appraisal if it is also signed by the licensee. Existing law authorizes an individual who is not a licensee to assist in the preparation of an appraisal under certain conditions.

This bill would prohibit a person other than a licensee from signing an appraisal in a federally related transaction. The bill would authorize a trainee to sign an appraisal in such a transaction if it is also signed by a licensee. The bill would authorize an individual who is not a licensee to assist in the preparation of an appraisal in a federally related transaction under certain conditions.

Existing state law prohibits the chief from issuing a certificate of registration to an appraisal management company unless the appraisal management company confirms in its application for registration that all of its contracts with clients include specified standard business practices.

This bill would delete that provision and require all appraisal management companies to, among other things, direct the appraiser

to perform the assignment in accordance with the Uniform Standards of Professional Appraisal Activity and engage appraisal panel members with an engagement letter that shall include terms of payment.

Existing federal law requires a federally regulated appraisal management company to report to the State or States in which it operates the information required to be submitted by the State pursuant to the policies of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council regarding the determination of the fee imposed by the AMC National Registry, which is the registry of State-registered appraisal management companies and federally regulated appraisal management companies maintained by the Appraisal Subcommittee.

This bill would require a federally regulated appraisal management company operating in California to report to the bureau the information required to be submitted by the bureau to the Appraisal Subcommittee. The bill would authorize the bureau to charge the federally regulated appraisal management company a fee in an amount not exceed the reasonable regulatory cost to the board for processing the information.

This bill would also define various other terms for purposes of carrying out these provisions.

This bill would make various other nonsubstantive and technical changes.

(2) (A) Existing law provides for the regulation of commercial weighing and measuring devices by the Department of Food and Agriculture, and provides for the enforcement of those provisions by the State Sealer and by county sealers of weights and measures in each county. Existing law requires the department to keep the standards of the state for weights and measures in a suitable laboratory location or, if transportable, to maintain the standards under appropriate environmental conditions and requires the department to have the standards directly certified by the National Institute of Standards and Technology or by any measurement assurance procedures approved by that institute. Existing law requires the department to use the standards of the state to certify similar standards and any dissimilar standards which are dependent on the values represented by the state standards. Existing law requires the department, or a certified laboratory designated by the department, to certify standards of the county sealers at specified intervals.

Existing law, until January 1, 2019, requires the Secretary of Food and Agriculture to establish by regulation an annual administrative fee

to recover reasonable administrative and enforcement costs incurred by the Department of Food and Agriculture for exercising supervision over and performing investigations in connection with specified activities performed by sealers, and requires the administrative fee to be collected for every device registered with each county office of weights and measures and paid annually to the Department of Food and Agriculture Fund.

This bill would additionally require the annual administrative fee to be used to recover reasonable costs incurred by the department for the safekeeping and certification of the state standards, for using the state standards to certify other standards, and for certifying the standards of county sealers.

(B) Existing law defines various terms for purposes of regulating weighing and measuring devices, including the term “commercial purposes.”

This bill would provide that commercial purposes does not include the determination of the weight of any animal or human by a healing arts licensee for the purposes of determining the appropriate dosage of any medication or treatment of the volume, duration, or application of any medical procedure.

The

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

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

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

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

- 1 **SECTION 1.** *Section 5063.3 of the Business and Professions*
- 2 *Code is amended to read:*
- 3 5063.3. (a) No confidential information obtained by a licensee,
- 4 in his or her professional capacity, concerning a client or a
- 5 prospective client shall be disclosed by the licensee without the
- 6 written permission of the client or prospective client, except the
- 7 following:
- 8 (1) Disclosures made by a licensee in compliance with a
- 9 subpoena or a summons enforceable by order of a court.

1 (2) Disclosures made by a licensee regarding a client or
2 prospective client to the extent the licensee reasonably believes it
3 is necessary to maintain or defend himself or herself in a legal
4 proceeding initiated by the client or prospective client.

5 (3) Disclosures made by a licensee in response to an official
6 inquiry from a federal or state government regulatory agency.

7 (4) Disclosures made by a licensee or a licensee's duly
8 authorized representative to another licensee *or person* in
9 connection with a proposed sale or merger of the licensee's
10 professional ~~practice~~ *practice, provided the parties enter into a*
11 *written nondisclosure agreement with regard to all client*
12 *information shared between the parties.*

13 (5) Disclosures made by a licensee to either of the following:

14 (A) Another licensee to the extent necessary for purposes of
15 professional consultation.

16 (B) Organizations that provide professional standards review
17 and ethics or quality control peer review.

18 (6) Disclosures made when specifically required by law.

19 (7) Disclosures specified by the board in regulation.

20 (b) In the event that confidential client information may be
21 disclosed to persons or entities outside the United States of America
22 in connection with the services provided, the licensee shall inform
23 the client in writing and obtain the client's written permission for
24 the disclosure.

25 *SEC. 2. Section 5096.9 of the Business and Professions Code*
26 *is amended to read:*

27 5096.9. (a) The board is authorized to adopt regulations to
28 implement, interpret, or make specific the provisions of this article.

29 (b) The board shall adopt emergency regulations in accordance
30 with the Administrative Procedure Act (Chapter 3.5 (commencing
31 with Section 11340) of Part 1 of Division 3 of Title 2 of the
32 Government Code) to establish policies, guidelines, and procedures
33 to initially implement this article as it goes into effect on July 1,
34 2013. The adoption of the regulations shall be considered by the
35 Office of Administrative Law to be necessary for the immediate
36 preservation of the public peace, health and safety, or general
37 welfare. The emergency regulations shall be submitted to the Office
38 of Administrative Law for filing with the Secretary of State in
39 accordance with the Administrative Procedure Act.

1 (c) (1) Notwithstanding any other law, to ensure uninterrupted
 2 implementation of this article, the board may adopt or amend
 3 regulations consistent with Section 100 of Title 1 of the California
 4 Code of Regulations to remove or extend the inoperative date of
 5 its regulations in Article 3 (commencing with Section 18) of
 6 Division 1 of Title 16 of the California Code of Regulations, or to
 7 remove the inoperative dates for the regulations in Article 4
 8 (commencing with Section 26) of Division 1 of Title 16 of the
 9 California Code of Regulations.

10 (2) Notwithstanding any other law, the Office of Administrative
 11 Law shall consider the board's action to remove or extend the
 12 inoperative dates of these regulations as a change without
 13 regulatory effect as described in Section 100 of Title 1 of the
 14 California Code of Regulations that exempts the board from
 15 complying with the rulemaking procedure specified in the
 16 Administrative Procedure Act (Article 5 (commencing with Section
 17 11346) of Chapter 3.5 Part 1 of Division 3 of Title 2 of the
 18 Government Code).

19 SEC. 3. Section 5810 of the Business and Professions Code is
 20 amended to read:

21 5810. (a) This chapter shall be subject to review by the
 22 appropriate policy committees of the Legislature.

23 (b) This chapter shall remain in effect only until January 1,
 24 2018, 2022, and as of that date is ~~repealed, unless a later enacted~~
 25 ~~statute, that is enacted before January 1, 2018, deletes or extends~~
 26 ~~that date. repealed.~~

27 ~~SECTION 4.~~

28 SEC. 4. Section 7332 of the Business and Professions Code is
 29 amended to read:

30 7332. (a) An apprentice is any person who is licensed by the
 31 board to engage in learning or acquiring a knowledge of barbering,
 32 cosmetology, skin care, nail care, or electrology, in a licensed
 33 establishment under the supervision of a licensee approved by the
 34 board.

35 (b) For purposes of this section, "under the supervision of a
 36 licensee" means that the apprentice shall be supervised at all times
 37 by a licensee approved by the board while performing services in
 38 a licensed establishment. At no time shall an apprentice be the
 39 only individual working in the establishment. An apprentice that
 40 is not being supervised by a licensee, that has been approved by

1 the board to supervise an apprentice, shall be deemed to be
2 practicing unlicensed under this chapter.

3 *SEC. 5. Section 11302 of the Business and Professions Code*
4 *is amended to read:*

5 11302. For the purpose of applying this part, the following
6 terms, unless otherwise expressly indicated, shall mean and have
7 the following definitions:

8 ~~(a) “Department” means the Department of Consumer Affairs.~~

9 (a) “Affiliate” means any entity that controls, is controlled by,
10 or is under common control with another entity.

11 (b) ~~“Appraisal” means a written statement independently and~~
12 ~~impartially prepared by a qualified appraiser setting forth an~~
13 ~~opinion in a federally related transaction as to the market value of~~
14 ~~an adequately described property as of a specific date, supported~~
15 ~~by the presentation and analysis of relevant market information.~~
16 *the act or process of developing an opinion of value for real*
17 *property.*

18 The term “appraisal” does not include an opinion given by a real
19 estate licensee or engineer or land surveyor in the ordinary course
20 of his or her business in connection with a function for which a
21 license is required under Chapter 7 (commencing with Section
22 6700) or Chapter 15 (commencing with Section 8700) of Division
23 3, or Chapter 3 (commencing with Section 10130) or Chapter 7
24 (commencing with Section 10500) and the opinion shall not be
25 referred to as an appraisal. This part does not apply to a probate
26 referee acting pursuant to Sections 400 to 408, inclusive, of the
27 Probate Code unless the appraised transaction is federally related.

28 (c) “Appraisal Foundation” means the Appraisal Foundation
29 that was incorporated as an Illinois not-for-profit corporation on
30 November 30, 1987.

31 (d) (1) “Appraisal management company” means any person
32 or entity that satisfies all of the following conditions:

33 ~~(A) Maintains an approved list or lists, containing 11 or more~~
34 ~~independent contractor appraisers licensed or certified pursuant~~
35 ~~to this part, or employs 11 or more appraisers licensed or certified~~
36 ~~pursuant to this part.~~

37 ~~(B) Receives requests for appraisals from one or more clients.~~

38 ~~(C) For a fee paid by one or more of its clients, delegates~~
39 ~~appraisal assignments for completion by its independent contractor~~
40 ~~or employee appraisers.~~

1 ~~(2) “Appraisal management company” does not include any of~~
2 ~~the following, when that person or entity directly contracts with~~
3 ~~an independent appraiser:~~

4 ~~(A) Any bank, credit union, trust company, savings and loan~~
5 ~~association, or industrial loan company doing business under the~~
6 ~~authority of, or in accordance with, a license, certificate, or charter~~
7 ~~issued by the United States or any state, district, territory, or~~
8 ~~commonwealth of the United States that is authorized to transact~~
9 ~~business in this state.~~

10 ~~(B) Any finance lender or finance broker licensed pursuant to~~
11 ~~Division 9 (commencing with Section 22000) of the Financial~~
12 ~~Code, when acting under the authority of that license.~~

13 ~~(C) Any residential mortgage lender or residential mortgage~~
14 ~~servicer licensed pursuant to Division 20 (commencing with~~
15 ~~Section 50000) of the Financial Code, when acting under the~~
16 ~~authority of that license.~~

17 ~~(D) Any real estate broker licensed pursuant to Part 1~~
18 ~~(commencing with Section 10000) of Division 4 of the Business~~
19 ~~and Professions Code, when acting under the authority of that~~
20 ~~license.~~

21 ~~(3) “Appraisal management company” does not include any~~
22 ~~person licensed to practice law in this state who is working with~~
23 ~~or on behalf of a client of that person in connection with one or~~
24 ~~more appraisals for that client.~~

25 ~~(A) Provides appraisal management services to creditors or to~~
26 ~~secondary mortgage market participants, including affiliates.~~

27 ~~(B) Provides those services in connection with valuing a~~
28 ~~consumer’s principal dwelling as security for a consumer credit~~
29 ~~transaction or incorporating such transactions into securitizations.~~

30 ~~(C) Within a given 12 calendar month period oversees an~~
31 ~~appraiser panel of more than 15 State-certified or State-licensed~~
32 ~~appraisers in a state or 25 or more State-certified or State-licensed~~
33 ~~appraisers in two or more States, as described in Section 11345.5.~~

34 ~~(2) An appraisal management company does not include a~~
35 ~~department or division of an entity that provides appraisal~~
36 ~~management services only to that entity.~~

37 ~~(3) An appraisal management company that is a subsidiary of~~
38 ~~an insured depository institution and regulated by a federal~~
39 ~~financial institution is not required to register with the bureau.~~

1 (e) “Appraisal management services” means one or more of
2 the following:

3 (1) Recruiting, selecting, and retaining appraisers.

4 (2) Contracting with state-certified or state-licensed appraisers
5 to perform appraisal assignments.

6 (3) Managing the process of having an appraisal performed,
7 including providing administrative services such as receiving
8 appraisal orders and appraisal reports, submitting completed
9 appraisal reports to creditors and secondary market participants,
10 collecting fees from creditors and secondary market participants
11 for services provided, and paying appraisers for services
12 performed.

13 (4) Reviewing and verifying the work of appraisers.

14 (f) “Appraiser panel” means a network, list, or roster of licensed
15 or certified appraisers approved by an appraisal management
16 company to perform appraisals as independent contractors for the
17 appraisal management company. Appraisers on an appraisal
18 management company’s “appraiser panel” under this part include
19 both appraisers accepted by the appraisal management company
20 for consideration for future appraisal assignments in covered
21 transactions or for secondary mortgage market participants in
22 connection with covered transactions, and appraisers engaged by
23 the appraisal management company to perform one or more
24 appraisals in covered transactions or for secondary mortgage
25 market participants in connection with covered transactions. An
26 appraiser is an independent contractor for purposes of this part
27 if the appraiser is treated as an independent contractor by the
28 appraisal management company for purposes of federal income
29 taxation.

30 ~~(e)~~

31 (g) “Appraisal Subcommittee” means the Appraisal
32 Subcommittee of the Federal Financial Institutions Examination
33 Council.

34 (h) “Consumer credit” means credit offered or extended to a
35 consumer primarily for personal, family, or household purposes.

36 ~~(f)~~

37 (i) “Controlling person” means one or more of the following:

38 (1) An officer or director of an appraisal management company,
39 or an individual who holds a 10 percent or greater ownership
40 interest in an appraisal management company.

1 (2) An individual employed, appointed, or authorized by an
 2 appraisal management company that has the authority to enter into
 3 a contractual relationship with clients for the performance of
 4 appraisal services and that has the authority to enter into
 5 agreements with independent appraisers for the completion of
 6 appraisals.

7 (3) An individual who possesses the power to direct or cause
 8 the direction of the management or policies of an appraisal
 9 management company.

10 (j) *“Course provider” means a person or entity that provides*
 11 *educational courses related to professional appraisal practice.*

12 (k) *“Covered transaction” means any consumer credit*
 13 *transaction secured by the consumer's principal dwelling.*

14 (l) *“Creditor” means:*

15 (1) *A person who regularly extends consumer credit that is*
 16 *subject to a finance charge or is payable by written agreement in*
 17 *more than four installments, not including a down payment, and*
 18 *to whom the obligation is initially payable, either on the face of*
 19 *the note or contract, or by agreement when there is no note or*
 20 *contract.*

21 (2) *A person regularly extends consumer credit if, in any*
 22 *12-month period, the person originates more than one credit*
 23 *extension for transactions secured by a dwelling.*

24 (m) *“Department” means the Department of Consumer Affairs.*

25 ~~(g)~~

26 (n) *“Director” or “chief” means the Chief of the Bureau of Real*
 27 *Estate Appraisers.*

28 (o) *“Dwelling” means:*

29 (1) *A residential structure that contains one to four units,*
 30 *whether or not that structure is attached to real property. The term*
 31 *includes an individual condominium unit, cooperative unit, mobile*
 32 *home, and trailer, if it is used as a residence.*

33 (2) *A consumer can have only one “principal” dwelling at a*
 34 *time. Thus, a vacation or other second home is not a principal*
 35 *dwelling. However, if a consumer buys or builds a new dwelling*
 36 *that will become the consumer's principal dwelling within a year*
 37 *or upon the completion of construction, the new dwelling is*
 38 *considered the principal dwelling for purposes of this section.*

39 ~~(h)~~

1 (p) “Federal financial institutions regulatory agency” means the
2 Federal Reserve Board, Federal Deposit Insurance Corporation,
3 Office of the Comptroller of the Currency, Federal Home Loan
4 Bank System, National Credit Union Administration, and any other
5 agency determined by the director to have jurisdiction over
6 transactions subject to this part.

7 (q) “*Federally regulated appraisal management company*”
8 *means an appraisal management company that is owned and*
9 *controlled by an insured depository institution, as defined in*
10 *Section 1813 of Title 12 of the United States Code and regulated*
11 *by the Office of the Comptroller of the Currency, the Board of*
12 *Governors of the Federal Reserve System, or the Federal Deposit*
13 *Insurance Corporation.*

14 ~~(r)~~

15 (r) “Federally related real estate appraisal activity” means the
16 act or process of making or performing an appraisal on real estate
17 or real property in a federally related transaction and preparing an
18 appraisal as a result of that activity.

19 ~~(s)~~

20 (s) “Federally related transaction” means any real estate-related
21 financial transaction which a federal financial institutions
22 regulatory agency engages in, contracts for or regulates and which
23 requires the services of a state licensed real estate appraiser
24 regulated by this part. This term also includes any transaction
25 identified as such by a federal financial institutions regulatory
26 agency.

27 ~~(t)~~

28 (t) “License” means any license, certificate, permit, registration,
29 or other means issued by the bureau authorizing the person to
30 whom it is issued to act pursuant to this part within this state.

31 ~~(u)~~

32 (u) “Licensure” means the procedures and requirements a person
33 shall comply with in order to qualify for issuance of a license and
34 includes the issuance of the license.

35 ~~(v)~~

36 (v) “Office” or “bureau” means the Bureau of Real Estate
37 Appraisers.

38 ~~(w)~~

1 (w) “Registration” means the procedures and requirements with
 2 which a person or entity shall comply in order to qualify to conduct
 3 business as an appraisal management company.

4 (x) “*Secondary mortgage participant*” means a guarantor or
 5 insurer of mortgage-backed securities, or an underwriter or issuer
 6 of mortgage-backed securities. *Secondary mortgage market*
 7 *participant only includes an individual investor in a*
 8 *mortgage-backed security if that investor also serves in the*
 9 *capacity of a guarantor, insurer, underwriter, or issuer for the*
 10 *mortgage-backed security.*

11 ~~(y)~~
 12 (y) “State licensed real estate appraiser” is a person who is issued
 13 and holds a current valid license under this part.

14 ~~(z)~~
 15 (z) “Uniform Standards of Professional Appraisal Practice” are
 16 the standards of professional appraisal practice established by the
 17 Appraisal Foundation.

18 ~~(q) “Course provider” means a person or entity that provides~~
 19 ~~educational courses related to professional appraisal practice.~~

20 *SEC. 6. Section 11321 of the Business and Professions Code*
 21 *is amended to read:*

22 11321. (a) No person other than a state licensed real estate
 23 appraiser may assume or use that title or any title, designation, or
 24 abbreviation likely to create the impression of state licensure as a
 25 real estate appraiser in this state.

26 (b) No person other than a licensee may sign an ~~appraisal~~
 27 *appraisal in a federally related transaction*. A trainee licensed
 28 pursuant to Section 11327 may sign an appraisal *in a federally*
 29 *related transaction* if it is also signed by a licensee.

30 (c) No person other than a licensee holding a current valid
 31 license at the residential level issued under this part to perform,
 32 make, or approve and sign an appraisal may use the abbreviation
 33 SLREA in his or her real property appraisal business.

34 (d) No person other than a licensee holding a current valid
 35 license at a certified level issued under this part to perform, make,
 36 or approve and sign an appraisal may use the term “state certified
 37 real estate appraiser” or the abbreviation SCREA in his or her real
 38 property appraisal business.

39 *SEC. 7. Section 11323 of the Business and Professions Code*
 40 *is amended to read:*

1 11323. No licensee shall engage in any appraisal activity ~~in~~
2 ~~connection with the purchase, sale, transfer, financing, or~~
3 ~~development of real property~~ if his or her compensation is
4 dependent on or affected by the value conclusion generated by the
5 appraisal.

6 *SEC. 8. Section 11324 of the Business and Professions Code*
7 *is amended to read:*

8 11324. An individual who is not a licensee may assist in the
9 preparation of an appraisal *in a federally related transaction* under
10 the following conditions:

11 (a) The assistance is under the direct supervision of an individual
12 who is a licensed appraiser and the final conclusion as to value is
13 made by a licensed appraiser.

14 (b) The final appraisal document *in a federally related*
15 *transaction* is approved and signed, with acceptance of full
16 responsibility, by the supervising individual who is licensed by
17 the state pursuant to this part, identifies the assisting individual,
18 and identifies the scope of work performed by the individual who
19 assisted in preparation of the ~~appraisal~~. *appraisal in a federally*
20 *related transaction.*

21 *SEC. 9. Section 11345 of the Business and Professions Code*
22 *is amended to read:*

23 11345. The director shall adopt regulations governing the
24 process and procedure of applying for registration as an appraisal
25 management company. Applications for a certificate of registration
26 shall require, at a minimum, all of the following:

27 (a) The name of the person or entity seeking registration.

28 (b) The business address and telephone number of the person
29 or entity seeking registration.

30 (c) If the applicant is not a person or entity domiciled in this
31 state, the name and contact number of a person or entity acting as
32 agent for service of process in this state, along with an irrevocable
33 consent to service of process in favor of the office.

34 (d) The name, address, and contact information for each
35 controlling person ~~employed by~~ *associated with* the applicant who
36 has operational authority to direct the management of, and establish
37 policies for, the applicant. If the applicant employs more than 10
38 individuals meeting the criteria of this subdivision, the applicant
39 may list the names, addresses, and contact information for the 10

1 individuals meeting the criteria who hold the greatest level of
2 management responsibility within its organization.

3 *SEC. 10. Section 11345.3 of the Business and Professions Code*
4 *is repealed.*

5 ~~11345.3. The director may not issue a certificate of registration~~
6 ~~to an appraisal management company unless the appraisal~~
7 ~~management company confirms in its application for registration~~
8 ~~that all of its contracts with clients include provision of each of~~
9 ~~the following as standard business practices, as and where~~
10 ~~applicable:~~

11 ~~(a) Ensuring that employee appraisers and independent~~
12 ~~contractor appraisers contracted by the applicant possess all~~
13 ~~required licenses and certificates from the office.~~

14 ~~(b) Reviewing the work of all employee appraisers and~~
15 ~~independent contractor appraisers contracted by the applicant to~~
16 ~~ensure that appraisal services are performed in accordance with~~
17 ~~the Uniform Standards of Professional Appraisal Practice.~~

18 ~~(c) Maintaining records of each of the following for each service~~
19 ~~request:~~

20 ~~(1) Date of receipt of the request.~~

21 ~~(2) Name of the person from whom the request was received.~~

22 ~~(3) Name of the client for whom the request was made, if~~
23 ~~different from the name of the person from whom the request was~~
24 ~~received.~~

25 ~~(4) The appraiser or appraisers assigned to perform the requested~~
26 ~~service.~~

27 ~~(5) Date of delivery of the appraisal product to the client.~~

28 *SEC. 11. Section 11345.3 is added to the Business and*
29 *Professions Code, to read:*

30 *11345.3. All appraisal management companies shall do all of*
31 *the following:*

32 *(a) Ensure that all contracted appraisal panel members possess*
33 *all required licenses and certificates from the office.*

34 *(b) Establish and comply with processes and controls reasonably*
35 *designed to ensure that the appraisal management company, in*
36 *engaging an appraiser, selects an appraiser who is independent*
37 *of the transaction and who has the requisite license, education,*
38 *expertise, and experience necessary to competently complete the*
39 *appraisal assignment for the particular market and property type.*

1 (c) Direct the appraiser to perform the assignment in
2 accordance with the Uniform Standards of Professional Appraisal
3 Activity.

4 (d) Establish and comply with processes and controls reasonably
5 designed to ensure that the appraisal management company
6 conducts its appraisal management services in accordance with
7 the requirements of Section 129E(a) through (i) of the Truth in
8 Lending Act, 15 U.S.C. 1639e(a) through (i), and regulations
9 thereunder.

10 (e) Engage appraisal panel members with an engagement letter
11 that shall include terms of payment.

12 SEC. 12. Section 11345.5 is added to the Business and
13 Professions Code, to read:

14 11345.5. For purposes of subdivision (d) of Section 11302 and
15 determining whether, within a 12-month period, an appraisal
16 management company oversees an appraiser panel of more than
17 15 State-certified or State-licensed appraisers in a State or 25 or
18 more State certified or State licensed appraisers in two or more
19 States:

20 (a) An appraiser is deemed part of the appraisal management
21 company's appraiser panel as of the earliest date on which the
22 appraisal management company does either of the following:

23 (1) Accepts the appraiser for the appraisal management
24 company's consideration for future appraisal assignments in
25 covered transactions or for secondary mortgage market
26 participants in connection with covered transactions.

27 (2) Engages the appraiser to perform one or more appraisals
28 on behalf of a creditor for a covered transaction or secondary
29 mortgage market participant in connection with covered
30 transactions.

31 (b) An appraiser who is deemed part of the appraisal
32 management company's appraiser panel pursuant to subdivision
33 (a) is deemed to remain on the panel until the date on which the
34 appraisal management company does either of the following:

35 (1) Sends written notice to the appraiser removing the appraiser
36 from the appraiser panel, with an explanation of its action.

37 (2) Receives written notice from the appraiser asking to be
38 removed from the appraiser panel or notice of the death or
39 incapacity of the appraiser.

1 (c) If an appraiser is removed from an appraisal management
2 company's appraiser panel pursuant to subdivision (b), but the
3 appraisal management company subsequently accepts the
4 appraiser for consideration for future assignments or engages the
5 appraiser at any time during the 12 months after the appraisal
6 management company's removal, the removal will be deemed not
7 to have occurred, and the appraiser will be deemed to have been
8 part of the appraisal management company's appraiser panel
9 without interruption.

10 SEC. 13. Section 11345.6 of the Business and Professions Code
11 is amended to read:

12 11345.6. (a) ~~No registered appraisal management company~~
13 ~~may alter, modify, or otherwise change a completed appraisal~~
14 ~~report submitted by an employee appraiser or an independent~~
15 ~~contractor appraiser, including, without limitation, by doing either~~
16 ~~of the following: appraiser.~~

17 ~~(1) Permanently removing the appraiser's signature or seal.~~

18 ~~(2) Adding information to, or removing information from, the~~
19 ~~appraisal report with an intent to change the value conclusion.~~

20 (b) No registered appraisal management company may require
21 an employee or independent contractor appraiser to provide it with
22 the appraiser's digital signature or seal. However, nothing in this
23 subdivision shall be deemed to prohibit an appraiser from
24 voluntarily providing his or her digital signature or seal to another
25 person, to the extent permissible under the Uniform Standards of
26 Professional Appraiser Appraisal Practice.

27 SEC. 14. Section 11345.8 is added to the Business and
28 Professions Code, to read:

29 11345.8. A federally regulated appraisal management company
30 operating in California shall report to the bureau the information
31 the bureau is required to submit to the Appraisal Subcommittee,
32 pursuant to the Appraisal Subcommittee's policies regarding the
33 determination of the Appraisal Management Company Registry
34 fee. The bureau may charge the federally regulated appraisal
35 management company a state fee in an amount not exceed the
36 reasonable regulatory cost to the board for processing and
37 submitting the information. This fee shall be deposited in the Real
38 Estate Appraisers Regulation Fund.

39 SEC. 15. Section 11422 of the Business and Professions Code
40 is amended to read:

1 11422. The office shall, on or before February 1, 1994, and at
2 least annually thereafter, transmit to the appraisal subcommittee
3 specified in subdivision (e) (g) of Section 11302 a roster of persons
4 licensed pursuant to this part.

5 *SEC. 16. Section 12241 of the Business and Professions Code*
6 *is amended to read:*

7 ~~12241. On or before January 1, 2012, the~~ *The* secretary shall
8 establish by regulation an annual administrative fee to recover
9 reasonable administrative and enforcement costs incurred by the
10 department for exercising supervision over and performing
11 investigations in connection with the activities performed pursuant
12 to Sections 12210 and ~~12211~~. ~~12211~~ *and to recover reasonable*
13 *costs incurred by the department for the safekeeping and*
14 *certification of the state standards pursuant to Section 12304 and*
15 *for certification services provided pursuant to Sections 12305 and*
16 *12310. This administrative fee shall be collected for every device*
17 *registered with each county office of weights and measures, and*
18 *paid to the Department of Food and Agriculture Fund beginning*
19 ~~January 1, 2012, and annually thereafter.~~ *Fund.*

20 *SEC. 17. Section 12304 of the Business and Professions Code*
21 *is amended to read:*

22 12304. ~~The department shall keep the standards of the state~~
23 ~~shall be kept~~ in a suitable laboratory location or, if transportable,
24 ~~shall be maintained~~ *maintain the standards* under environmental
25 conditions appropriate for maintaining the integrity of the unit of
26 measure represented by the standard. ~~The department shall have~~
27 ~~the standards shall be~~ directly certified by the National ~~Bureau~~
28 ~~Institute~~ of Standards and Technology or by any measurement
29 assurance procedures approved by the National ~~Bureau~~ of
30 ~~Standards~~. *Institute of Standards and Technology.*

31 *SEC. 18. Section 12305 of the Business and Professions Code*
32 *is amended to read:*

33 12305. ~~The department shall use the standards of the state shall~~
34 ~~be used~~ to certify similar standards and any dissimilar standards
35 ~~which that~~ are dependent on the values represented by the state
36 standards. Copies of the standards ~~which that~~ have been compared
37 and certified against the state standards shall become working
38 standards ~~which that~~ shall be used in the certification, calibration,
39 and sealing of county field standards, and in the certification,

1 calibration, and sealing of measurement devices submitted by state
2 and local government agencies or by industry.

3 *SEC. 19. Section 12310 of the Business and Professions Code*
4 *is amended to read:*

5 12310. The department, or a laboratory designated by the
6 department—~~which~~ *that* has been certified pursuant to Section
7 ~~12500.7, 12314~~, shall certify the standards of the county sealers
8 as often as may be deemed by the—~~director~~ *secretary* to be
9 necessary, based upon a review of statistical data resulting from
10 previous certifications, but in no event shall the period of time
11 between certifications exceed 10 years. In the absence of statistical
12 data, standards shall be certified at least every two years. Sealers
13 shall, upon the request of the department, deliver for testing those
14 standards in their possession—~~which~~ *that* are used in the discharge
15 of their duties. Direct expenses incurred in the certification process
16 shall be borne by the—~~state~~, *state or recovered pursuant to Section*
17 *12241*, while any incidental expense, such as the cost of
18 transportation, shall be borne by the county whose standards have
19 been certified.

20 *SEC. 20. Section 12500 of the Business and Professions Code*
21 *is amended to read:*

22 12500. As used in this chapter the following terms mean:

23 (a) “Weighing instrument” means any device, contrivance,
24 apparatus, or instrument used, or designed to be used, for
25 ascertaining weight and includes any tool, appliance, or accessory
26 used or connected therewith.

27 (b) “Measuring instrument” means any device, contrivance,
28 apparatus, or instrument used, or designed to be used, for
29 ascertaining measure and includes any tool, appliance, or accessory
30 used or connected therewith.

31 (c) “Correct” means any weight or measure or weighing,
32 measuring, or counting instrument which meet all of the tolerance
33 and specification requirements established by the director pursuant
34 to Section 12107.

35 (d) “Incorrect” means any instrument which fails to meet all of
36 the requirements of Section 12107.

37 (e) “Commercial purposes” include the determination of the
38 weight, measure, or count of any commodity or thing which is
39 sold on the basis of weight, measure, or count; or the determination
40 of the weight, measure, or count of any commodity or thing upon

1 which determination a charge for service is based. Devices used
2 in a determination upon which a charge for service is based include,
3 but are not limited to, taximeters, odometers, timing devices, parcel
4 scales, shipping scales, and scales used in the payment of
5 agricultural workers.

6 “Commercial purposes” do not include the determination of the
7 weight, measure, or count of any commodity or thing which is
8 performed within a plant or business as a part of the manufacturing,
9 processing, or preparing for market of that commodity or thing,
10 or the determination of charges for the transmission of letters or
11 parcels of less than 150 pounds, except when that determination
12 is made in the presence of the customer charged for the ~~service.~~
13 *service, or the determination of the weight of any animal or human*
14 *by a healing arts licensee for the purposes of determining the*
15 *appropriate dosage of any medication or treatment of the volume,*
16 *duration, or application of any medical procedure.*

17 ~~SEC. 2.~~

18 *SEC. 21.* No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.

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ASSEMBLY BILL (AB) 1005 (CALDERON) [ORDERS OF ABATEMENT]

AB 1005 (Calderon) would amend Business and Professions Code section 125.9 to require a citation containing an order to pay an administrative fine to contain an order of abatement, fixing a period of no fewer than 30 days for abatement of the violation before the administrative fine becomes effective. The bill is currently with the Assembly Committee on Appropriations.

Attachment:

AB 1005 (Calderon)

AMENDED IN ASSEMBLY MAY 2, 2017

AMENDED IN ASSEMBLY APRIL 17, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1005

Introduced by Assembly Member Calderon

February 16, 2017

~~An act to amend Section 12.5 of the Business and Professions Code, relating to professions and vocations. An act to amend Section 125.9 of the Business and Professions Code, relating to professions and vocations.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1005, as amended, Calderon. Professions and vocations: fines: relief.

Under existing law, the Department of Consumer Affairs is under the control of the Director of Consumer Affairs and is comprised of various ~~boards, bureaus, commissions, committees, and similarly constituted agencies~~ *boards* that license and regulate the practice of various professions and vocations. A violation of a regulatory act by a licensee can subject a licensee to discipline, including administrative penalties or citations, suspension, or revocation of the license. Existing law specifies that whenever any provision of law governing businesses and professions grants authority to issue a citation for a violation of a code provision, that authority also includes the authority to issue a citation for the violation of any regulation adopted pursuant to code.

~~This bill would authorize boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate professions and vocations, when granted the authority to issue a citation, to instead~~

~~issue a fix-it ticket in lieu of a fine. The bill would specify that any person who is issued a fix-it ticket in lieu of a citation would have 30 days in which to correct the violation before being issued the fine.~~

Under existing law, any board within the Department of Consumer Affairs, the board created by the Chiropractic Initiative Act, and the Osteopathic Medical Board of California, is authorized to establish, by regulation, a system for the issuance to a licensee of a citation which may contain an order of abatement or an order to pay an administrative fine assessed by the board where the licensee is in violation of the applicable law. Existing law requires the system, whenever appropriate, to include a provision requiring the citation to contain an order of abatement fixing a reasonable time for abatement of the violation.

This bill, except with regard to healing arts licensees, would instead require a citation containing an order to pay an administrative fine to contain an order of abatement fixing a period of no less than 30 days for abatement of the violation before the administrative fine becomes effective, as provided.

Vote: majority. 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 125.9 of the Business and Professions
2 Code is amended to read:

3 125.9. (a) Except with respect to persons regulated under
4 Chapter 11 (commencing with Section 7500), any board, bureau,
5 or commission within the department, the board created by the
6 Chiropractic Initiative Act, and the Osteopathic Medical Board of
7 California, may establish, by regulation, a system for the issuance
8 to a licensee of a citation which may contain an order of abatement
9 or an order to pay an administrative fine assessed by the board,
10 bureau, or commission where the licensee is in violation of the
11 applicable licensing act or any regulation adopted pursuant thereto.

12 (b) The system shall contain the following provisions:

13 (1) Citations shall be in writing and shall describe with
14 particularity the nature of the violation, including specific reference
15 to the provision of law determined to have been violated.

16 (2) ~~Whenever~~ *Except as provided in paragraph (3), whenever*
17 appropriate, the citation shall contain an order of abatement fixing
18 a reasonable time for abatement of the violation.

1 (3) Notwithstanding paragraph (2), except with respect to
2 healing arts licensees licensed pursuant to Division 2 (commencing
3 with Section 500, the board created by the Chiropractic Initiative
4 Act, and the Osteopathic Medical Board of California, a citation
5 containing an order to pay an administrative fine shall contain
6 the following:

7 (A) An order of abatement fixing a period of no less than 30
8 days for abatement of the violation before the administrative fine
9 becomes effective.

10 (B) If the licensee successfully abates the violation within the
11 30-day period, the licensee shall not be responsible for payment
12 of the administrative fine.

13 (C) If the licensee fails to abate the violation within the 30-day
14 period, the licensee shall pay the administrative fine.

15 (3)

16 (4) In no event shall the administrative fine assessed by the
17 board, bureau, or commission exceed five thousand dollars (\$5,000)
18 for each inspection or each investigation made with respect to the
19 violation, or five thousand dollars (\$5,000) for each violation or
20 count if the violation involves fraudulent billing submitted to an
21 insurance company, the Medi-Cal program, or Medicare. In
22 assessing a fine, the board, bureau, or commission shall give due
23 consideration to the appropriateness of the amount of the fine with
24 respect to factors such as the gravity of the violation, the good
25 faith of the licensee, and the history of previous violations.

26 (4)

27 (5) A citation or fine assessment issued pursuant to a citation
28 shall inform the licensee that if he or she desires a hearing to
29 contest the finding of a violation, that hearing shall be requested
30 by written notice to the board, bureau, or commission within 30
31 days of the date of issuance of the citation or ~~assessment.~~
32 ~~assessment or the date the administrative fine becomes effective~~
33 ~~pursuant to paragraph (3).~~ If a hearing is not requested pursuant
34 to this section, payment of any fine shall not constitute an
35 admission of the violation charged. Hearings shall be held pursuant
36 to Chapter 5 (commencing with Section 11500) of Part 1 of
37 Division 3 of Title 2 of the Government Code.

38 (5)

39 (6) Failure of a licensee to pay a fine within 30 days of the date
40 of ~~assessment,~~ ~~assessment or the date the administrative fine~~

1 *becomes effective pursuant to paragraph (3) unless the citation is*
2 *being appealed, may result in disciplinary action being taken by*
3 *the board, bureau, or commission. Where a citation is not contested*
4 *and a fine is not paid, the full amount of the assessed fine shall be*
5 *added to the fee for renewal of the license. A license shall not be*
6 *renewed without payment of the renewal fee and fine.*

7 (c) The system may contain the following provisions:

8 (1) A citation may be issued without the assessment of an
9 administrative fine.

10 (2) Assessment of administrative fines may be limited to only
11 particular violations of the applicable licensing act.

12 (d) Notwithstanding any other ~~provision of law~~, if a fine is paid
13 to satisfy an assessment based on the finding of a violation,
14 payment of the fine shall be represented as satisfactory resolution
15 of the matter for purposes of public disclosure.

16 (e) Administrative fines collected pursuant to this section shall
17 be deposited in the special fund of the particular board, bureau, or
18 commission.

19 ~~SECTION 1. Section 12.5 of the Business and Professions~~
20 ~~Code is amended to read:~~

21 ~~12.5. (a) Whenever any provision of this code grants authority~~
22 ~~to issue a citation for a violation of any provision of this code, that~~
23 ~~authority also includes the authority to issue a citation for the~~
24 ~~violation of any regulation adopted pursuant to any provision of~~
25 ~~this code.~~

26 ~~(b) The authority to issue a citation for a violation of any~~
27 ~~provision of this code also includes the authority to issue a fix-it~~
28 ~~ticket, in lieu of a fine. Any person who is issued a fix-it ticket in~~
29 ~~lieu of a citation and fine shall have 30 days in which to correct~~
30 ~~the violation before being issued the fine.~~

AB 1489 (BROUGH) [LIABILITY; DAMAGES CAUSED BY SUBSEQUENT, UNAUTHORIZED, OR UNAPPROVED CHANGES OR USES OF PLANS, SPECIFICATIONS, REPORTS OR DOCUMENTS; CONSTRUCTION OBSERVATION SERVICES]

Assembly Bill (AB) 1489 (Brough) is The American Institute of Architects, California Council's bill that proposes two changes to the Architects Practice Act via Business and Professions Code section 5536.25: 1) a clarification that an architect is not responsible for damage caused by "construction deviating from a permitted set of plans, specifications, reports, or documents" not authorized or approved in writing by the architect; and 2) an update to the definition of "construction observation services" to clarify that those services do not include inspection, or determining or defining means and methods (the day-to-day activities a contractor employs to complete construction). The bill is currently under consideration by the Senate Business, Professions and Economic Development Committee.

Attachment:

AB 1489 (Brough)

ASSEMBLY BILL

No. 1489

Introduced by Assembly Member Brough

February 17, 2017

An act to amend Section 5536.25 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1489, as introduced, Brough. Architects Practice Act.

Existing law, the Architects Practice Act, establishes the California Architects Board and sets forth its powers and duties over the licensure and regulation of architecture. Under existing law, a licensed architect who signs and stamps plans, specifications, reports, or documents is not responsible for damage caused by subsequent changes to or uses of those plans, specifications, reports, or documents, where the subsequent changes or uses are not authorized or approved in writing by the licensed architect who originally signed the plans, specifications, reports, or documents, as provided.

This bill would additionally provide that a licensed architect is not responsible for damage caused by construction deviating from a permitted set of plans, specifications, reports, or documents.

The act explicitly states that a legal duty is not imposed upon an architect who signs and stamps plans, specifications, reports, or documents which relate to the design of fixed works to observe the construction of those fixed works. The law, however, permits the architect to agree with the client to provide construction observation services, which is defined to mean the periodic observation of completed work to determine general compliance with the plans, specifications, reports, or other contract documents. Under existing law, “construction

observation services” does not mean the superintendence of construction processes, site conditions, operations, equipment, or personnel, or the maintenance of a safe place to work or any safety in, on, or about the site.

This bill would provide that “construction observation services” also does not mean inspection, or determining or defining means or methods.

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

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

1 SECTION 1. Section 5536.25 of the Business and Professions
2 Code is amended to read:

3 5536.25. (a) A licensed architect who signs and stamps plans,
4 specifications, reports, or documents shall not be responsible for
5 damage caused by *construction deviating from a permitted set of*
6 *plans, specifications, reports, or documents or by subsequent*
7 changes to or uses of those plans, specifications, reports, or
8 documents, where the subsequent changes or uses, including
9 changes or uses made by state or local governmental agencies, are
10 not authorized or approved in writing by the licensed architect
11 who originally signed the plans, specifications, reports, or
12 documents, provided that the written authorization or approval
13 was not unreasonably withheld by the architect and the architectural
14 service rendered by the architect who signed and stamped the
15 plans, specifications, reports, or documents was not also a
16 proximate cause of the damage.

17 (b) The signing and stamping of plans, specifications, reports,
18 or documents which relate to the design of fixed works shall not
19 impose a legal duty or responsibility upon the person signing the
20 plans, specifications, reports, or documents to observe the
21 construction of the fixed works which are the subject of the plans,
22 specifications, reports, or documents. However, this section shall
23 not preclude an architect and a client from entering into a
24 contractual agreement which includes a mutually acceptable
25 arrangement for the provision of construction observation services.
26 This subdivision shall not modify the liability of an architect who
27 undertakes, contractually or otherwise, the provision of
28 construction observation services for rendering those services.

1 (c) “Construction observation services” means periodic
2 observation of completed work to determine general compliance
3 with the plans, specifications, reports, or other contract documents.
4 However, “construction observation services” does not mean
5 *inspection, determining or defining means or methods, or the*
6 *superintendence of construction processes, site conditions,*
7 *operations, equipment, or personnel, or the maintenance of a safe*
8 *place to work or any safety in, on, or about the site.*
9 For purposes of this subdivision, “periodic observation” means
10 visits by an architect, or his or her agent, to the site of a work of
11 improvement.

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Agenda Item G

NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

1. Review of 2017 NCARB Annual Business Meeting Agenda
2. Consider and Take Action on Candidates for 2017 NCARB Officers and Directors

Agenda Item G.1

REVIEW OF 2017 NCARB ANNUAL BUSINESS MEETING AGENDA

The 2017 NCARB Annual Business Meeting will be held in Boston, Massachusetts, on June 22-24, 2017. The Board is asked to review and discuss the relevant issues for the meeting.

Attachment:

2017 NCARB Annual Business Meeting Agenda



NCARB

2017 Annual Business Meeting

Pre-Meeting Briefing | June 22–24 | Boston, MA

Order of Business

Wednesday, June 21, 2017

- 8 a.m. – Noon Board of Directors Meeting
12:15 – 1 p.m. Lunch – Past Presidents, Board of Directors, Sr. Staff
1 – 7:30 p.m. Registration Open
1:30 – 3:30 p.m. Past Presidents Council Meeting
6:30 – 9:30 p.m. Icebreaker Reception

Thursday, June 22, 2017

Community Center will be open during breaks throughout the day.

- 7 a.m. – 5 p.m. Registration
7 – 8:15 a.m. Delegate/Guest Breakfast
7:45 – 8:15 a.m. Community Center Open
8:30 a.m. – Noon First Business Session
- *Massachusetts Board Welcome*
 - *Call to Order & Opening Remarks*
 - *President's Medalists*
 - *Introduction of Past Presidents*
 - *President's Remarks*
 - *Keynote Presentation*
 - *Election Procedures*
 - *Candidate Speeches*
 - *In Memoriam*
- Noon – 1:10 p.m. Lunch & Community Center Open
1:15 – 2:05 p.m. Workshop Session #1
- *Shaping NCARB's Strategy*
 - *Blue-sky Perspectives on Certification*
 - *Investigation Best Practices*
 - *Making Education Count*
 - *Opportunities in the New Regulatory Environment*
- 2:20 – 3:10 p.m. Workshop Session #2
- *Shaping NCARB's Strategy*
 - *Blue-sky Perspectives on Certification*
 - *Investigation Best Practices*
 - *Making Education Count*
 - *Opportunities in the New Regulatory Environment*

Thursday, June 22, 2017 (cont.)

- 3:40 – 4:30 p.m. **Workshop Session #3**
- *Shaping NCARB's Strategy*
 - *Blue-sky Perspectives on Certification*
 - *Investigation Best Practices*
 - *Making Education Count*
 - *Opportunities in the New Regulatory Environment*
- 4:30 – 5 p.m. **Community Center Open**

Friday, June 23, 2017

Community Center will be open during breaks throughout the day.

- 7 a.m. – 5 p.m. **Registration**
- 7 – 8:15 a.m. **Breakfast Workshop: Best Practices in Nonprofit Investing**
- 7 – 8:15 a.m. **Public Member Breakfast**
- 7 – 8:15 a.m. **Delegate/Guest Breakfast**
- 7:45 – 8:15 a.m. **Community Center Open**
- 8:30 – 9:20 a.m. **Workshop Session #1**
- *Shaping NCARB's Strategy*
 - *Blue-sky Perspectives on Certification*
 - *Investigation Best Practices*
 - *Making Education Count*
- 9:35 – 10:25 a.m. **Workshop Session #2**
- *Shaping NCARB's Strategy*
 - *Blue-sky Perspectives on Certification*
 - *Investigation Best Practices*
 - *Making Education Count*
- 11 a.m. – 12:15 p.m. **Second Business Session**
- *Treasurer's Report*
 - *Remarks of the CEO*
 - *AIAS Freedom by Design Presentation*
- 12:15 – 4:30 p.m. **Regional Meetings with Lunch**
- 6 – 7 p.m. **Regional Receptions**

Saturday, June 24, 2017

Community Center will be open during breaks throughout the day.

- 7 a.m. – 2 p.m. **Registration Open**
- 7:30 – 8:45 a.m. **Delegate/Guest Breakfast**
- 7:30 – 8:45 a.m. **Member Board Executives Breakfast**
- 8:15 – 8:30 a.m. **Voting Delegates Meeting**
- 8 – 8:50 a.m. **Community Center Open**
- 9 a.m. – Noon **Third Business Session**
- *Remarks of the President-elect*
 - *Integrated Path to Architectural Licensure*
 - *Think Tank*
 - *Report of Credentials Committee*
 - *Elections*
 - *Town Meeting*
 - *Closing Events*
 - *Invitation from the Michigan Board*
 - *Adjournment*
- 6 – 7 p.m. **President's Reception**
- 7 p.m. – Midnight **Annual Banquet**

Sunday, June 25, 2017

- 8:30 a.m. – Noon **Board of Directors Meeting**

Keynote Speakers

Keynote Speakers

Talking About Regulation

Professional regulation is a hot topic in today's political climate, raising tension between the role of licensing boards versus the role of the marketplace. Professor Malcolm K. Sparrow will discuss the importance of reasonable regulation and explore strategies for taking advantage of the opportunities offered in today's regulatory landscape. Professor David C. King will delve into techniques for building relationships with elected officials and compelling ways to explain the value of the public health, safety, and welfare work you do. Whether your board is facing challenges to the regulation of architecture or simply sees the value of raising awareness about your role, Professor Sparrow and Professor King will challenge you to continue to improve and will offer empowering insights and tools for communicating with and engaging stakeholders.



Malcolm K. Sparrow

Malcolm Sparrow is a professor of the practice of public management at Harvard's John F. Kennedy School of Government. He is faculty chair of the school's executive program "Strategic Management of Regulatory and Enforcement Agencies." Professor Sparrow's recent publications include *The Character of Harms: Operational Challenges in Control*, *The Regulatory Craft: Controlling Risks, Solving Problems, and Managing Compliance*, and *License to Steal: How Fraud Bleeds America's Health Care System*.

Dr. Sparrow served 10 years with the British Police Service, rising to the rank of Detective Chief Inspector. He has conducted internal affairs investigations, commanded a tactical firearms unit, and has extensive experience with criminal investigation. His research interests include regulatory and enforcement strategy, fraud control, corruption control, and operational risk management. He holds an M.A. in Mathematics from Cambridge University, an M.P.A. from the Kennedy School, and a Ph.D. in Applied Mathematics from Kent University at Canterbury.



David C. King

David King is senior lecturer in public policy at Harvard's John F. Kennedy School of Government and faculty chair of the Master in Public Administration program. Professor King chairs Harvard's Bi-Partisan Program for Newly Elected Members of the U.S. Congress, and he directs the Program for Senior Executives in State & Local Government. Since joining the Harvard faculty in 1992, Professor King's courses have focused on legislatures, political parties, and interest groups. He is also a core faculty member of the Carr Center for Human Rights Policy and serves as the Board Chair for the pro-democracy group, Initiatives for China.

In the wake of the 2000 presidential elections, Professor King directed the Task Force on Election Administration for the National Commission on Election Reform, which was chaired by former presidents Gerald Ford and Jimmy Carter and culminated in landmark voting rights legislation signed by President Bush in late 2002. Professor King is the author, co-author, and co-editor of three books, and he has been published in a range of journals, including *The American Political Science Review* and *The Journal of Politics*. Professor King's current research focuses on the history and consequences of transparency reforms in the U.S. Congress.

New NCARB Programs

New NCARB Programs

We've recently launched several new alternative paths to licensure and certification. Learn more about these programs and how they benefit your Member Board.

The Education Alternative

The successor to the Broadly Experienced Architect (BEA) Program approved at last year's Annual Business Meeting has fully launched. The education alternative for certification allows architects who do not hold a degree from a NAAB-accredited program to pursue NCARB certification by meeting the education requirement through one of two paths, depending on their educational background.

- **Two Times AXP**—This path is available to architects who have been licensed for three years in a U.S. jurisdiction and have a four-year, architecture-related degree. These individuals must demonstrate their ability to protect the public's health, safety, and welfare by completing two times the requirements of the AXP.
- **NCARB Certificate Portfolio**—This path is offered to architects who have been licensed for three years in a U.S. jurisdiction and have any education other than a four-year, architecture-related degree. These individuals must demonstrate their learning through experience by completing an online portfolio addressing any deficient areas of the *NCARB Education Standard*.

Together, these two paths ensure that reciprocity is available to architects who may not have followed the standard path to licensure, streamlining the process for our Member Boards while maintaining the rigor required to achieve our shared goal of protecting the public's health, safety, and welfare.

The Foreign Architect Path to Certification

The new foreign architect path to certification launched on July 1, 2016, replacing the previous Broadly Experience Foreign Architect (BEFA) Program. The new alternative simultaneously makes the application process more streamlined while increasing the rigor of the requirements.

To be eligible for this alternative path, foreign architects must meet two requirements:

- **Education:** Have a recognized education credential in an architecture program that leads to registration/credential in a foreign country.
- **Registration:** Hold a credential in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture.

To ensure that foreign architects seeking certification are fully able to protect the health, safety, and welfare of the public, applicants must complete the same key experience and examination requirements as U.S. licensure candidates.

New NCARB Programs (cont.)

The AXP Portfolio

The AXP Portfolio allows experienced designers to meet the experience requirement for licensure by completing an online portfolio. To complete the program, applicants must include examples for each of the key tasks identified by the AXP.

The experience involved must meet all the standards of the AXP aside from the five-year reporting requirement, including at least one year of experience earned while employed by a firm lawfully practicing architecture and under the supervision of a U.S.-licensed architect.

Along with NCARB's recently launched education alternative to certification, the AXP Portfolio is part of an ongoing initiative to offer advancement opportunities to licensure candidates and architects from all career paths.

Agenda Item G.2

CONSIDER AND TAKE ACTION ON CANDIDATES FOR 2017 NCARB OFFICERS AND DIRECTORS

The Board will discuss 2017 elections of officers and directors of the NCARB. Attached are the candidates' election materials.

FY18 Officer and Public Director Candidates

FY18 Candidates for National Office

First Vice President/President-elect

DAVID L. HOFFMAN, NCARB, FAIA, CDP, CRX

Candidate for First Vice President/President Elect
National Council of Architectural Registration Boards

PRACTICE: LK Architecture, Inc.
Senior Vice President and Principal (1978 – Present)
118 person Architecture, Engineering, Landscape
Architecture and Interiors firm founded in 1967 practicing
nationally, based in Wichita, KS

EDUCATION: Iowa State University: Bachelor of Arts in Architecture
Wichita State University: Graduate Studies in Business
Administration

CERTIFICATES/REGISTRATIONS:

National Council of Architectural Registration Boards: Certificate
Holder since 1980

State Registrations: Alaska, Arizona, California, Colorado,
Connecticut, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas,
Maryland, Massachusetts, Michigan, Minnesota, Montana,
Nebraska, Nevada, New Mexico, Ohio, Oregon, Pennsylvania,
Rhode Island, Texas, Utah, Virginia, Washington, Wyoming
and Washington D.C.

NCARB SERVICE:

Second Vice President: 2016 - 2017

Treasurer: 2015 - 2016

Region 5 Director: 2012 – 2014

Board Liaison:

Practice Analysis Task Force: 2012

Intern Development Program: 2013

BEA/BEFA Committee: 2014

Public Director Task Force: 2015

Member Board Exec. Comm.: 2016

Board Audit Committee: 2014-2016

ARE Item Writing: Site Planning & Design

Chair: 2012

Committee Member 2007 - 2012

NAAB ARC Regulatory Conference

Task Force: 2007

Region 5 Chair: 2011

Regional Leadership Committee: 2011

Region 5 Vice-Chair: 2008-2011

Member Board Member:

Kansas: 2006 – Present

NCARB representative on NAAB Accreditation

Teams:

Texas Tech: 2010

Norwich University: 2011

Southern California Institute of

Architecture (SCI-Arc): 2012

Rhode Island School of Design: 2013

Istanbul Technical University: 2014

Princeton University: 2015

CalPoly: 2017

Architect Licensing Advisor: 2013 – Present

IDP Mentor: On-going

KANSAS STATE BOARD OF TECHNICAL PROFESSIONS:

Appointed Architect Member: 2006 – Present

Board Chair: 2010 - 2011

Chair: Architects, Landscape Architects,
Geologists Committee: 2007

Chair & Member of Complaint Committee

Chair & Member: Statute Revision Committee:
2010 – Present

Chair: Legislative Committee: 2009

Chair: Code Officials Guide: 2014 - 2016

AMERICAN INSTITUTE OF ARCHITECTS:

Richard Upjohn Fellow, 1993

Elevated to Institute Fellowship: 1993

Central States Regional Director: 1990 - 1993

(Iowa, Nebraska, Missouri, Kansas, Oklahoma)

Computer Aided Practice Task Force: 1994

Practice Management Professional Interest Area
Committee: 1995 - 1996

Chair: 1998

Vice-Chair: 1997

Lifelong Learning Committee: 1992 – 1994

AIA/Continuing Education System Steering
Committee

Architectural Graphic Standards, Electronic
Edition Review Group and Beta Test:
1995 and 1997



First Vice President/President-elect

Architect's Handbook of Professional Practice,
Editorial Review Committees:
12th Edition: 1992 – 1994
13th Edition: 1997 – 2000
14th Edition: 2005 – 2007
Article Reviewer: 2000 – 2010
National Convention Program Selection
Committee: 1994 – 1995
Board Liaison: Society of Architectural
Administrators (SAA): 1992
AIA Liaison to American Consulting Engineers
Council:
Peer Review Committee: 1994 - 2010
Peer Review Trainer: 1999 – 2011
Gold Medal/Architecture Firm Award Advisory
Jury: 1999
College of Fellows Regional Representative –
Central States: 2006 – 2012
AIA representative on NAAB Accreditation
Teams:
Iowa State University: 1996
Kansas State University (Observer):
1997

AMERICAN INSTITUTE OF ARCHITECTS, KANSAS:

President: 1988
Vice-President: 1987
Secretary: 1986
Treasurer: 1985
Director: 1983-84
Blox Leadership Program Mentor: 2012 - 2015
Kansas Disaster Assessment Response Team –
2000 - Present
A.R.E. Preparation Lecturer: Contract
Documents: 1990 - 1998
Chair: Professional Development/Continuing
Education Committee: 1996 – 2000
Chair: Fellowship Committee: 2001 - 2011
AIA Wichita Section: President, Vice-President,
Secretary, Treasurer

UNIVERSITY ADVISORY ACTIVITIES:

Department of Architecture, School of Design,
University of Kansas: Advisory Board:
Board Member: 2011 – Present
Guest Lecturer: 2013 – Present
School of Architecture and Urban Planning,
University of Kansas: Advisory Board
Board Member: 1992 – 2010
Chair: 1995 – 1996
Department of Architecture, Kansas State
University: Advisory Board
Board Member: 1988 – 1992

Department of Architecture, Iowa State
University: Advisory Board
Board Member: 1997 – 2000
Secretary: 1998

OTHER PROFESSIONAL AND CIVIC SERVICE:

Nebraska Firm of the Year Award Jury: 1995
American Council of Engineering Companies:
Peer Review Program:
Peer Reviewer for six firms: 1995 - 2011
Liaison between AIA and ACEC
International Council of Shopping Centers:
Member: 1995 – Present
Certified Design, Development and
Construction Professional (CDP):
2009-Present
Certified Retail Property
Executive (CRX): 2009 - Present
Wichita/Sedgwick County Arts and Humanities
Council
Public Arts Advisory Board, City of Wichita
Central Branch YMCA:
Advisory Board: 1994 – 2000
Wichita Area Chamber of Commerce: 1987 -
Present

AWARDS:

AIA, Kansas Henry W. Schirmer Distinguished
Service Award - 1995



February 14, 2017

To: NCARB Member Board Members and Executives

Re: Candidacy for First Vice President/President Elect
National Council of Architectural Registration Boards

NCARB exists, first and foremost, to serve and assist you, the Member Boards in your efforts to assure our collective national constituents, the public, that our profession is competent and able to responsibly design safe and functional buildings. All NCARB activities and programs are subsidiary and supportive to this goal, touching each of us along our career paths. Beginning with the formulation of educational standards, then establishing and monitoring an individual's experience, then developing and administering the ARE and ultimately maintaining and facilitating our Certificate Holders records and CE needs, NCARB's role is central to all that we do. In my 12 NCARB years I've been privileged to have contributed in small measure to the evolution of these efforts; time that I feel has been well spent and worthwhile. NCARB is truly the regulatory hub, the glue, of our profession.

With the leadership of the Board of Directors, our Member Board's active participation and the great work of NCARB staff, significant progress has been realized on several fronts: Activation of the New Zealand, Australia, USA trilateral mutual recognition arrangement, streamlining and implementation of the education alternatives for the AXP, full roll out of the ARE 5.0, continued expansion of the IPAL program, expansion of the on-line continuing education monograph series, reduced fees for applications, ARE tests, AXP renewals and elimination of ARE international fee. This is not, by far, a comprehensive list of all that has been accomplished, just a few highlights.

Looking ahead, below are a few of the new and on-going challenges facing NCARB:

Expansion of the usefulness of the Certificate: Work must continue implementing the many quality, actionable ideas developed over the last two years to give the Certificate increased value beyond simplification of the reciprocity process.

Strategic Plan evaluation and re-assessment: Groundwork is being laid in preparation for the update to this 2010 document. The plan has served well and continues to keep us focused but it will be nearly a decade old when it is replaced. I anticipate significant redirections but also refinement of our existing operations.

Member Board interactive services and data base integration: A stated major category in the Strategic Plan, this is an on-going optimization effort that will continue to improve record and data base transmission and archiving.

Regulation and licensing questioned: With a new federal administration and the North Carolina Board of Dental Examiner's decision, there will be efforts to revisit professional licensing legislation in order to reduce perceived "over regulation". When requested, NCARB will continue to assist State Boards in this critical effort.

AXP continued improvement: With the recent implementation of major AXP program revisions, the Mentor validation and participation function needs to be studied, improved and perhaps specific Mentor credentialing should be examined.

Preparation for the next Practice Analysis: Expanding from the generally successful experience of the last Practice Analysis, planning will be starting for the next cycle: Evaluation and assessment of the previous Analysis will be needed and the new Analysis prepared.

Evaluation and re-assessment of the NAAB accreditation process: Requiring Architecture schools to be accredited is crucial to our Member Board's licensing processes. In the context of the operational and financial challenges Schools of Architecture are facing, the accreditation process needs to be examined to take advantage of the significant shifts to digital formats and communication methods now utilized in schools. This should also offer opportunities to improve NAAB's administrative functions.

Expansion and development of international cooperation and regulation: Parallel with emplacement of the Tri-lateral Agreement with Australia and New Zealand, opportunities exist for mutually recognized practice, founded on the Certificate, in Great Britain, the European Community and other international venues.

NCARB is probably the most germane of the Architecture related professional organizations. The Council's responsibilities and challenges are significant and form the foundation for the perpetuation of the Profession. I feel that it is critical we maintain momentum with our current efforts and while the Council is blessed with bright, motivated, intelligent staff and a great CEO, nothing can be accomplished without the thousands of hours of your volunteer time, your expertise and genuine professional interest. It's amazing to realize that 0.3% of practicing Architects are responsible for the entirety of this volunteer effort.

With these heartfelt concerns and motivations for the continued improvement of our profession, I announce my Candidacy for NCARB First Vice President/President Elect and hope that you will allow me to continue to serve. I welcome any questions or concerns and look forward to discussing these issues in more detail with all of you during the Regional Summit in March and the Annual Business Meeting in June.

Thank you for your time, interest and your support.



DAVE HOFFMAN, NCARB, FAIA, CDP, CRX
NCARB Second Vice President
316 304 4402 dhoffman@lk-architecture.com

Second Vice President



Terry L. Allers
NCARB, AIA

Candidate for
Second Vice President
National Council of
Architectural
Registration Boards

1913 North Seventh Street
Fort Dodge, Iowa 50501
515-573-2300
allerst@allersarchitects.com

NCARB Service

NCARB Treasurer of NCARB Board 2016
NCARB Secretary of NCARB Board 2015
NCARB Experience Advisory Committee 2016
NCARB P & D Committee 2015
NCARB BEA Sub-Committee 2015
NCARB Region 4 Director 2013,2014
NCARB Committee on Examination 2014
NCARB Audit Committee 2014, 2015
NCARB/NAAB 2015 Procedures Task Force
NCARB Awards Jury 2013
NCARB Region 4 Vice Chair 2012
NCARB Region 4 Treasurer 2011
BEA Committee 2006, 2007, 2008, 2009, 2010
NCARB Education Committee 2012
NAAB Accreditation Team Pool, having served
on Accreditation Visits in 2010, 2011, 2012 and
selected to Chair a Team in 2013
AXP Mentor

Iowa Architectural Examining Board

Board Member serving three 3-year terms
Chairperson 2007, 2012, 2013; Vice Chair 2010,
2011
Code Definition Task Force 2009

AIA Iowa Chapter

Board of Directors 1993, 1994, 1995
Professional Development Committee Chair
Architecture in the Schools Task Force
AIA Citizen Architect 2012 - 2015

Iowa Architectural Foundation

Board of Directors 1998 to 2004
President 2004
Community Design Committee 2002 to present
CDC Event Co-chair for four communities
Endowment Committee 2005

Community

Fort Dodge Municipal Housing Agency

Board of Directors for 26 years
Chairman 9 terms 1990 – 2012

Education Bachelor of Architecture, 1970
Iowa State University

Practice Allers Associates Architects, PC
President (1979 to present)
38 year-old, 5-person firm practicing in
health care facilities, educational institutions,
worship facilities, financial institutions, and
commercial office projects

Registration Iowa
Minnesota
NCARB Certification since 1974

Good Shepherd Lutheran Church

Chairman 6 terms, Elder 4 terms, and SS Teacher 9 years
Trinity Regional Health Foundation Board of Directors

Member 1998 - 2004
President 2003 & 2004

Fort Dodge Chamber of Commerce/Growth Alliance

Catalyst Award 2012 for Leadership in Service to Community
Member 1986 to present
Board Member 2000 to 2005
Chamber Ambassador 2001 to present
Vice President of Membership Services 2000 to 2004
'Small Business of the Year' Award to
Allers Associates Architects, PC 2000
Image Committee 2007 to 2010, 2012 to present
Fall Fest Committee for 10 years

Citizens Community Credit Union Board of Directors

2007 to present
Chair 2010, 2014, 2015

Historic Vincent House Advisory Committee

Board Member 1999 to present

National Council on Youth Leadership (NCYL)

North Central Iowa Chapter

Charter Board Member and Secretary 1993 to 2008

Fort Dodge YMCA

Board of Directors 1983 to 1989
President 1986 to 1987

Fort Dodge YMCA Foundation

Current Board Member 2000 to present

Main Street Fort Dodge

Board Member 1990 to 1999
Design Committee Chair 1990 to 1999
1992 Project of the Year State Award - Building Survey

Sertoma Service Club

Member since 1980
President 2004, 2005

Five terms on the Board of Directors
Donated Design for Veterans Memorial Park

Habitat for Humanity

Donated Design for Four Homes for Fort Dodge

Fort Dodge Development Corporation

Board Member 2012 to present

Awards

Iowa Chapter AIA Design Award 1993
Metal Architecture Renovation of the Year 1995
Chamber of Commerce Catalyst Award 2012





ALLERS ASSOCIATES ARCHITECTS, PC

822 Central Avenue | Suite 320 | Fort Dodge, IA 50501
Telephone 515.573.2377 | www.allersarchitects.com



Terry L. Allers
NCARB, AIA

Candidacy for
Second Vice President of the National Council of Architectural Registration Boards

1913 North Seventh Street
Fort Dodge, Iowa 50501
515-573-2300
allerst@allersarchitects.com
515-570-2825 (mobile)

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

Dear Friends:

Eleven years ago I began my service to the Council when I was appointed to the BEA Committee. Since then I have been on several other committees and had the privilege to be a part of several NAAB visiting teams. For the past year it has been my honor to serve as Treasurer on the NCARB Board of Directors and because of this position I have been on the Executive Committee. For the past three years I have been on the Audit Committee which has given me the opportunity to become more familiar with the financial aspects of the Council and has provided excellent preparation to become Second Vice President of the NCARB Board.

You may remember that one of the initiatives that I wanted NCARB to consider while campaigning for Secretary is a program to train IDP Supervisors. With your support, the support of the Board of Directors and NCARB staff, that initiative is about to become one of NCARB's new programs.

I am also excited about how the Council is moving forward with many initiatives resulting from your valuable efforts. Since NCARB has adopted the slogan "Let's Go Further" two of these initiatives are highlighted below:

- Since November 1st ARE 5.0 has been issued and candidates are beginning to take advantage of the incentives that NCARB has offered for them to take the exam early so that cut scores can be established. Thank you to the many volunteers on the various examination committees who worked tirelessly the past couple of years to see that we could have an ARE that closely resembles what we do in our offices every day.
- NCARB has accepted seventeen schools of architecture with accredited architecture programs to participate in the integrated path to architectural licensure. Thank you to the original task force and the current IPAL committee for all of their efforts on this program which makes it possible for a student in architecture to graduate with a license.

There are multiple programs that, due to the level of commitment and engagement of our volunteers, are now being implemented by your NCARB board. I am blessed to have been the Board Treasurer during this exciting time for our organization and I view my new role as Second Vice President as critical in continuing the important work that NCARB is doing. With your assistance there is more important work for us to do together. I would be extremely honored to represent each of you by continuing my service to NCARB as your Second Vice President.

Therefore after careful thought and consideration, and after discussing my intentions with many of you, my friends and colleagues in NCARB, it is with great anticipation and excitement that I announce my candidacy for Second Vice president of the NCARB Board of Directors. I am ready to hear from each of you and engage in a conversation of how together we can continue to make this a great organization of member board members. I look forward to our discussions in the coming weeks and I hope to see many of you at the Regional Summit in Jersey City in March.

With kindest personal regards,

Terry L. Allers, NCARB, AIA
NCARB Board Treasurer

allerst@allersarchitects.com
O. 515-573-2377
C. 515-570-2825

Treasurer



Robert Calvani
NCARB, AIA

Candidate for Treasurer
National Council of
Architectural
Registration Boards

1306 Rio Grande Blvd. NW
Albuquerque, NM 87104
505.280.3901
rcalvani@nca-architects.com

PRACTICE NCA Architects & Planners
Albuquerque, NM
Principal Architect (Founded 1976)

EDUCATION Master of Architecture, UCLA
Bachelors of Architecture, UNM

REGISTRATION New Mexico
Texas
Colorado
Arizona
Nevada

NCARB Service

NCARB BOD Executive Committee	2016-2017
NCARB Secretary	2016-2017
Board Liaison to Procedures & Documents	2016-2017
Audit Committee	2015-2017
Board Liaison to Continuing Education Committee	2015-2016
Board Liaison to Intern Committee & Intern Advisory Committee	2014-2015
Regional Director	2014-2016
NAAB Visiting Team Nomination	2010-2017
WCARB Region 6-Chair	2012-2014
WCARB Executive Committee	2011-2014
Regional Leadership Committee	FY13-14
Test Specification Task Force	FY12-13
Test Specification Steering Committee	FY12
Practice Analysis Task Force-Steering Committee	2011-2013
Practice Analysis Task Force-Team Leader	FY12
Practice Analysis Task Force	2011-2012
ARE Specification Task Force	2007-2008
Examination Committee (COE)	FY10-14
ARE Multiple Choice Subcommittee-Chair	FY12-13
ARE Multiple Choice Subcommittee-Assistant Chair	FY11
ARE Subcommittee Building Systems Coordinator	2007-2010
ARE Subcommittee Building Systems	2004-2008
NCARB Certificate Holder	1981-Pres.

NM Board of Examiners for Architects (since 2003)

Chair
Vice Chair
Rules & Regulations Committee
Enforcement Sub Committee

Professional & Community Service

A.I.A.
NM Construction Industry Division Board
Albuquerque Economic Development Board
Council of Facility Planners International
Ronald McDonald House Advisory
Executing Association of Greater Albuquerque
UNM Alumni President- Southern Chapter
Casa Esperanza Advisory
Del Norte Rotary Club- Charter
El Caballero Norte Community Board
Eastdale Little League Board
Junipero Serra Club Board
San Juan Diego Friary Advisory
Sigma Chi Housing Corporation Board
St. Edwards Church Advisory

Awards

2013 American Concrete Institute, NM Chapter
Excellence in Concrete Award
2013 National Association of Industrial & Office Properties (NAIOP)
Award of Excellence: Merit Award
2011 National Association of Industrial & Office Properties (NAIOP)
Award of Excellence: Merit Award
2011 AIA Albuquerque
General Design Citation Award



ARCHITECTS • PLANNERS • AIA

To: Officers
Member Board Members
Member Board Executives

Date: February 7, 2017

Re: Candidacy for NCARB Treasurer

Dear Friends,

As I complete my year as Secretary of NCARB, I want to thank the NCARB Board and the jurisdictions for your support. It has been an honor to serve NCARB and its members. As Secretary, I have had the pleasure of serving on the Executive Committee, which has enabled me to gain invaluable insight and experience. For the past two years I have also been on the Audit Committee which has given me the opportunity to become more familiar with the financial aspects of the Council, and has provided excellent preparation to become Treasurer of the NCARB Board.

NCARB has an annual budget of approximately 27 million with two significant reserve funds, long and short-term. I will perform the normal financial tasks of monitoring and reporting. I will strive to monitor the impacts, risks and funding sources for our goals. I will, with staff assistance, keep the Board thoroughly informed so corrections, if needed, can be timely.

Our long-range financial forecast shows planned deficits for the next two years due to the transition to ARE 5.0, which includes maintaining ARE 4.0 through mid-2018. I will make it my priority to limit these deficits.

We have continually looked at increasing our certificate holders by increasing the value of the certificate. We are also looking at creating new revenue streams. These efforts are not just to increase our coffers, but will enable us to maximize services to our members and certificate holders, and minimize our fees to emerging professionals. We must always keep our services to the jurisdictions foremost in our strategic planning. I assure you I will safeguard your interests regarding the finances of NCARB.

I have been involved with NCARB for over 12 years and have extensive experience on various committees. Within these committees I have had the pleasure of meeting and working with many of you. This year, I will be completing my third term on the NCARB Board of Directors. I am now asking for your support in my effort to continue to represent you on the NCARB Board as Treasurer.

I will see you at our Regional Summit in Jersey City, N.J. I look forward to the opportunity to discuss with each of you, how together, we can continue the important work of NCARB and its members. Please do not hesitate to contact me at the numbers or email listed below.

It is only with your encouragement and guidance that I will have the privilege to represent you on the NCARB Board of Directors.

Best regards,

Bob Calvani

Office (505) 255-6400/Cell (505) 280-3901/Email rcalvani@nca-architects.com

Secretary



Alfred Vidaurri, Jr., FAIA, NCARB, AICP

Alfred Vidaurri is an Owner/Vice President at Freese and Nichols, Inc., a 600- person firm headquartered in Texas. His experience is varied and includes work for higher education, government and healthcare clients in master planning, program management and architectural design. Most recently he has focused on corporate communications, marketing and corporate branding.

Education
M.A., Architecture,
University of Texas at
Arlington

B.S., Architecture,
University of Texas at
Arlington

Professional Training
Campus Master Planning,
Harvard University

Registrations
Registered Architect,
Texas, Oklahoma,
North Carolina,
Georgia
Registered Interior
Designer, Texas
National Council of
Architectural Registration
Board

LEED-Accredited
Professional BD+C
American Institute
of Certified Planners

Contact Information
4055 International Plaza,
Suite 200
Ft. Worth, TX 76109-4895
817-735-7300
817-735-7404 (direct)
AV@freese.com

National Council of Architectural Registration Boards (NCARB)

NCARB Board of Directors Region 3 Director (2015-Present)
NCARB Board of Directors Audit Committee (2016-Present)
NCARB Board Liaison Ethics Task Force (2016-Present)
NCARB Board Liaison Examination Committee (2015-2016)
NAAB/ACSA Path Forward Task Force (2015)
NCARB Regional Leadership Committee (2013-2015)
NCARB P&D Committee (2013-2014)
NCARB BEA Tri-National Representative to Mexico (2010, 2013)
NAAB ARC13 NCARB Representative (2013)
NCARB Education Committee (2011-2012)
NCARB Broadly Experienced Architect Committee Chairman (2011-2012)
NCARB Broadly Experienced Architect Committee (2007-2012)
NCARB Broadly Experienced Architect Task Force (2008)
NCARB Credentials Committee at Annual Meeting (2008)
NCARB ARE Structures Committee (2005-2006)

Southern Conference, Region 3, NCARB

NCARB Region 3 Regional Director (2015-Present)
NCARB Region 3 Chairman (2013-2015)
NCARB Region 3 Vice Chairman (2011-2013)
NCARB Region 3 Treasurer (2010-2011)
NCARB Region 3 Secretary (2009-2010)
Southern Conference Educators Conference (2007, 2011, 2014, 2016)

National Architectural Accrediting Board (NAAB)

Accreditation Teams:
2016 Massachusetts College of Art and Design, Boston, MA
2015 Portland State University, Portland, WA
2015 NCARB Rep to the NAAB/ACSA Path Forward Committee
2014 Southern Poly Technical University, Marietta, GA

Texas Board of Architectural Examiners

Texas Board of Architectural Examiners, Chairman (2009-2015)
Texas Board of Architectural Examiners, Vice Chairman (2008)
Texas Board of Architectural Examiners, Member (2004-2015)



Innovative approaches ... practical results ... outstanding service

Secretary

Civic

Fort Worth AIA – Design Award - Past Chairman
City of Fort Worth (Fairmount Historical District) - Past Chairman
City of Fort Worth (Mid-Southside Revitalization Plan) - Former Member
City of Fort Worth (Fairmount Association) - Former Vice President
Texas Health Research Institute - Leadership Council
United Way Tarrant County - Proposal Review Committee Past Member
University of Texas at Arlington - Distinguished Alumni Committee
University of Texas at Arlington - Judge, Student Excellence Program
University of Texas at Arlington Alumni Association - President
University of Texas at Arlington Alumni Association - Board of Director
University of Texas at Arlington Alumni Association (School of Architecture) - Past Vice President
University of Texas at Arlington (School of Architecture) - Advisory Committee
"Vision North Texas" Planning Workshop - Volunteer
Society for College and University Planning Annual Conference - Proposal Judge

Presentations

University of Texas at Arlington, "Path to Licensure" (2016)
Dallas Young Architects Forum, Dallas, TX (2015)
Texas Architects Convention, New Architects Ceremony, Houston, TX (2014, 2015)
City of Houston Mentor-Protégé Presentation (2013)
Texas Architecture Convention, New Architects Ceremony, Fort Worth, TX (2013)
Dallas Institute of Art, Sustainability Presentation (2011)
Fort Hood Department of Public Works, Sustainability Workshop (2010)
Texas College and University Facilities Conference (TCUF) (2010)
Texas Section - American Planning Association (2009)
Texas Higher Education Coordinating Board Conference (2005)
Southern Association of Colleges and Schools Annual Meeting (SACS) (2004, 2002)
American Association of Community Colleges (AACC) (2003)
Southern Association of Community College Business Officers Conference (2000)

Professional Organizations

American Institute of Architects
American Planning Association
American Institute of Certified Planners
National Council of Architectural Registration Boards
U.S. Green Building Council
Texas Society of Architects
Fort Worth American Institute of Architects

Service Awards/Honors

American Institute of Architects - College of Fellows (2015)
NCARB Presidents Medal (2014)
American Society of Interior Designers, Design Ovation (2008)
United Way Award of Excellence



Innovative approaches ... practical results ... outstanding service

Reference: Alfred Vidaurri Jr., FAIA, NCARB Candidacy for NCARB BOD Secretary

Thank you for the opportunity to share a few summary points that you might take into consideration as you discuss the experience, vision and leadership qualities of both candidates.

My Experience:

- 13 years of NCARB involvement. Committee involvement on ARE, Education, Examination, P&D, Regional Leadership, Ethics, and Broadly Experienced Architecture/Broadly Experienced Foreign Architecture.
- NCARB representative that met and worked directly with Mexico and Canada to gain approval of the Tri-National Mutual Recognition Agreement.
- Multiple NAAB Accreditation visits. One of five NCARB representatives to the Accreditation Review Conference.
- 20 years as an NCARB certificate holder.

My Vision:

I shared three specific areas of focus during my presentation at the Regional Meeting:

1. How can we expand and enhance the services we provide to our certificate holders?
2. How can we expand and enhance the services we provide to our Member Boards?
3. NCARB will celebrate it's 100- year anniversary in 2019. Let's focus today on the opportunities/issues/strategies that will prepare us for our "Second Century of Service."
 - a. New strategic plan
 - b. Our voice and place
 - c. Our brand
 - d. Future revenue streams
 - e. Diversity
 - f. Transparency
 - g. Increased communications

Why I Want to Serve:

Each of us is a leader with a volunteer spirit, who chose to lead, follow, and support the organization in various ways. I have been blessed over the years to be given the opportunity to participate in a wide variety of NCARB programs. I am very passionate about the work of the organization, and I have witnessed how the organization has changed for the better. I always consider it an honor to be asked to participate and do so with great excitement because I know that our individual contributions will collectively make a greater impact. Together we make NCARB a better organization, which is why I greatly value the diverse perspectives and opinions that everyone brings. We must always embrace our differences and work for the common good!

There are several very important opportunities in our immediate future that I would like to be involved in if elected:

- **Refresh our Strategic Plan for our 100th anniversary:** With my background in planning, this is one of my core interests. I provide this service to clients in my practice and understand the operational importance of a great plan.
- **Practice Analysis:** Every 6-7 years NCARB surveys the profession to measure the knowledge, skills, and tasks to provide the various services required in the practice of architecture. This is one of the tools NCARB uses to ensure that the ARE is a legally defensible and valid exam. It is time to take on this activity again.
- **Accreditation Review Conference:** Two years from now the NAAB will hold the next ARC. I was one of five NCARB representatives that attended the 2013 ARC. Voices from practice, the academy, and all the related architectural organizations come together to design the next version of NAAB's Conditions for Accreditation. This is a critical gathering of thought leaders that will impact not only NAAB accreditation but many of our NCARB programs.

These are just a few of the many exciting opportunities that are before us. Thank you for the opportunity to share my thoughts, and I ask for your support. I look forward to seeing everyone at the Annual meeting and continuing our conversations.

Alfred Vidaurri, Jr., FAIA, NCARB, AICP
817-235-2372 | AV@freese.com

Public Director



DARRYL R. HAMM

7023 Kendale Drive
Harrisburg, Pennsylvania 17111
Cell: (717) 580-9454

darrylhamm@comcast.net

Darryl Hamm has over 35 years in manpower analysis, general administration, training and logistics management, labor relations, and human resource management in military, federal civilian, state and corporate environments. He has served as a Hearing Examiner for certain federal civilian employment adverse action appeals. In addition, he has served as an Adjunct Professor at Pennsylvania State University - Harrisburg, Central Penn College and Eastern University teaching graduate and undergraduate level business management courses that range from labor management relations to Corporate Social Responsibility and Ethics to Strategic Leadership.

FORMAL EDUCATION

- MBA, Shippensburg University, **with honors**
- BA in Organizational Management, Eastern University, **with honors**. Most outstanding thesis and servant leader awards.
- Reserve Components National Security Course, National Defense University, Washington D.C.

HIGHLIGHTS OF EXPERIENCE

- Commonwealth of Pennsylvania, Dept of Corrections, Human Resource Analyst (Labor Relations)
- Leadership and Career Development Consultant for Highmark Blue Shield

MILITARY SERVICE – Retired August 31, 2006

- 36+ years of full-time military service in the Army National Guard with positions of increasing responsibility as an armor crewman, clerk, logistician, emergency preparedness liaison officer at Pennsylvania Emergency Management Agency and military personnel officer. **SECRET Security Clearance**.
- Most recent rank of **Chief Warrant Officer Five (CW5)** and assigned as the **first Command Chief Warrant Officer** for the Pennsylvania Army National Guard. Mentor and guide junior warrant officers. Served on the Warrant Officer Advisory Council as a regional chair for the National Guard Bureau, Washington DC.

PENNSYLVANIA STATE ARCHITECTS LICENSURE BOARD

Member (Public-at-large) and Secretary, nominated by Governor Tom Corbett
Oct 2011 – Present (*appointed in 2011 and reappointed in 2014*)

NCARB SERVICE:

- Procedures & Documents Committee – 2016-2017
- Professional Conduct Committee – 2016 – 2017
- Chairman Public Member Task Force – 2015-2016

PROFESSIONAL SERVICE:

- Member State Committee, U.S. Dept of Defense Employer Support of Guard and Reserve (ESGR), Trained and Certified as an OMBUDSMAN
- Chairman, Board of Directors, (and former Chair of Quality Committee and Member of Finance Committee) Keystone Service Systems, Inc (2011-present)
 - Member of Leadership Development Committee of Keystone Human Services.
<http://www.keystonehumanservices.org/keystone-service-systems/>

DARRYL R. HAMM

7023 Kendale Drive

Harrisburg PA 17111

Cell 717 580-9454

darrylhamm@comcast.net

=====
To: Member Board Members
Member Board Executives

Date: February 9, 2017

Subject: Declaration of Candidacy for Public Director

It is with great excitement that I declare my candidacy for the Public Director position on the FY18 NCARB Board of Directors. I have served as a public member on the Pennsylvania Architect Licensure Board for the past five plus years and share the same objective of protecting the public health, safety and welfare with my esteemed registered architect board members.

When I was first appointed to the Pennsylvania Board, I was encouraged to get involved with NCARB. At that time, opportunities for involvement in Council activities by public or consumer members were limited. Needless to say, I accepted the opportunity to serve on the Public Member Task Force as Chairman. I am proud of the work the Task Force did in availing opportunities for consumer and public members of state boards to serve on the Council's Board. This year I served on the Procedures and Documents Committee as well as the Professional Conduct Committee.

In today's political climate, there are a lot of opportunities that lay ahead for the Council and each of its Member Boards. I believe my service on the Pennsylvania Architect Licensure Board and as Chairman of the Board of Keystone Service Systems, a \$120M enterprise that administers a federal Head Start program in the greater Harrisburg area, providing services with mental health, intellectual disabilities and a service dog training program, position me to be a valuable addition as the public/consumer member of the NCARB board. I understand non-profit governance and oversight while upholding the three basic duties of care, loyalty and obedience as a board member. Further, I fully embrace the concepts of collaboration and consensus with the challenges and issues facing the NCARB board.

As reflected in my resume, most of my adult life has been about service to others in many similar ways of protecting the health, safety or welfare of the public. Regulating licensure of architect aspirants by the states, and being involved with NCARB in developing the standards, rigor and tools for the states to use in such licensure is a noble and worthwhile undertaking. What we all do is important and I want to continue my service to the greater good of the public in this regard.

I stand at the ready to serve all of you as the public director on your board and will not let you down. I respectfully and humbly solicit your support. Thank you for your consideration



DARRYL R. HAMM

Voting Guidelines

This notice is sent in advance of the Annual Business Meeting.

R.H. Cilio

Voting Guidelines

Each June, the National Council of Architectural Registration Boards (NCARB) hosts its Annual Business Meeting. This business meeting includes voting for NCARB Board of Directors candidates and for resolutions to propose changes to NCARB programs, *Model Law, Rules of Conduct* or the *NCARB Bylaws*. This guide is designed to provide basic information about voting rules, as well as the NCARB Board of Director's Policy for Election of Officers and Public Director.

Establishment of a Voting Delegate - Letter of Credentials

While you are welcome to send multiple attendees to represent your licensing board, each jurisdiction is allowed only one vote. This vote is submitted by the officially designated voting delegate. Your board can identify your voting delegate by completing a Letter of Credentials, which was issued by NCARB to your Member Board Chair and Member Board Executive. The Letter of Credentials documents all known attendees from your jurisdiction and grants authority to a single individual to vote on behalf of your jurisdiction.

Bylaws Governing the Process and Attendance at the Annual Business Meeting

QUORUM

A quorum for the transaction of business at the Annual Meeting of the Council shall be one or more delegates representing a majority of the Member Boards. (Article V, Section 4)

DELEGATES AND CREDENTIALS

Each Member Board shall be entitled to be represented at meetings of the Council by one or more official delegates who shall be members of that Member Board. A delegate ... shall be identified by a Letter of Credentials from the delegate's Member Board. (Article V, Section 3)

OTHER PARTICIPANTS

Council Officers and Directors, Member Board Executives or Attorneys when designated by their Member Boards, persons designated by the Board of Directors, and persons designated by the Presiding Officer shall have the privilege of the floor at Council meetings and may take part in the discussions and perform all functions of the delegates except to vote, or, except as provided in Article V, Section 5, with respect to Officers and Directors, to initiate action. (Article V, Section 10)

VOTING ON RESOLUTIONS, OFFICERS AND THE PUBLIC DIRECTOR

- a. One vote may be cast for each Member Board by its delegates. (Article V, Section 3) *[NCARB will assume that, absent any special instructions to the contrary contained in the Letter of Credentials, each delegate from a Member Board will have an equal voice in deciding the board's position on any issue coming before the Council; if the delegates are evenly split on the issue, then no vote may be cast on behalf of the board. If any Member Board wishes to have a different arrangement recognized at the Annual Business Meeting, that arrangement must be inserted as a special instruction in that board's letter of credentials.]*

Voting Guidelines (cont.)

- b. The affirmative vote of two-thirds of all Member Boards is required to pass any amendment to these *Bylaws* or to remove any Member Board from membership in the Council. (Article V, Section 6)
- c. The affirmative vote of a majority of all Member Boards is required to pass any other resolution. (Article V, Section 6)
- d. Except as specified in Article VIII, Section 4, with regard to the election of Officers, voting upon all other issues shall require the quantum of vote set forth in Robert's Rules of Order Newly Revised. (Article V, Section 6)
- e. All elections of Officers shall be by ballot at the Annual [Business] Meeting, unless the Council shall agree to waive the provision. A majority vote of the Member Boards present and voting shall elect an Officer. If more than two candidates have been nominated, ballots shall be taken until a candidate receives such a majority vote. If there has not been such a majority vote on a ballot, the candidate receiving the least number of votes shall be eliminated prior to the next ballot. (Article VIII, Section 4).
- f. There shall be no voting by proxy. (Article V, Section 6)

Preparation of Voting Delegates for the Annual Business Meeting

RESOLUTIONS

Resolutions for consideration at the Annual Business Meeting are formally adopted into the agenda after a final review and vote of the NCARB Board of Directors in April. Draft resolutions are issued for comment earlier in the year after initial committee and Board/legal review. The Board reviews comments and feedback regarding these draft resolutions to determine final language and whether a proposed resolution should move forward for a vote. All Member Boards should plan to develop a position on draft and final resolutions in a manner that provides clear guidance to their voting delegate.

A summary of the process governing development and introduction of resolutions, including *Bylaws* language, is as follows.

- *Resolutions are the substantive matters placed on the agenda for a meeting of the Council ... Only Member Boards, Regions, Select Committees, and the Council Board of Directors may offer resolutions to be presented at any meeting of the Council, or amendments to resolutions so presented. All other motions permitted under Robert's Rules of Order Newly Revised may be made by any delegate or Council Officer or Director. (Article V, Section 5)*
- *Resolutions will be introduced to Member Boards during the Regional Summit, at which time the Board of Directors will gather feedback for consideration prior to voting to ascertain their position on each resolution.*
- *Resolutions from regions or individual jurisdictions must be received by Regional Leadership Committee no less than 75 days prior to the Annual Business Meeting.*
- *The Board of Directors will vote on their position on resolutions to bring before the membership for vote at the Annual Business Meeting during their April Board meeting.*
- *Final resolutions to be voted on during the Annual Business Meeting will be distributed no less than 30 days prior to the meeting.*

Voting Guidelines (cont.)

AUTHORITY OF VOTING DELEGATES REGARDING AMENDED RESOLUTIONS

The voting delegate is empowered to cast votes on all actions which may come before the membership. These actions include voting on amendments to resolutions which change the language of what may have been debated and discussed at the Member Board level. Most votes either require an absolute majority (i.e., majority of all Member Boards whether present or not, and not majority of those present) or a two-thirds majority of all Member Boards. Thus it is essential that voting delegates be given authority to adapt to changing resolutions as they occur at the meeting through various amendments.

Member Boards should discuss amendment scenarios with their voting delegate before the Annual Business Meeting. If the language originally endorsed by the Member Board is no longer an option due to an amended resolution, the voting delegate must be able to discern whether such amended language still addresses the spirit of their Member Board's intent. Member Boards should make every effort to assure that their voting delegate has been granted authority to vote on amendments that may come from the floor. Shown below is a sample Voting Delegate Authorization Motion used by one of our Member Boards.

The board hereby recognizes and authorizes _____ to act as the official voting delegate to the National Council of the Architectural Registration Boards (NCARB) _____ Annual Business Meeting to be held in _____ on _____. The board has reviewed all proposed resolutions submitted by the Council for consideration and have deliberated the merits and impact of each on [NAME OF JURISDICTION] licensed architects and emerging professionals. The board further authorizes _____ as its recognized voting delegate to take into consideration all deliberations and amendments that may occur during the course of the Annual Business Meeting and cast the ballot on behalf of the [NAME OF BOARD].

Policy for Elections of Officers and Public Director

NCARB Bylaws (Article VIII, Sections 1-6) sets the policies for qualifications and limitations, nomination, election, terms of service, and vacancies of the Council officers, namely, a president/chair of the Board, a first vice president/president-elect, a second vice president, a secretary, and a treasurer. The qualifications for public director are established in Article VII, Section 2. The following rules apply to campaigning, nominations, and elections for officers and the public director.

CAMPAIGNING

- There may be no active campaigning prior to January 1.
- Candidates will make visits with each region at the Regional Summit and during regional meetings at the Annual Business Meeting (as requested by the region).
- No member of the Board of Directors may actively campaign for a candidate and neither directors nor credentials committee members may make nominating speeches.

NOMINATIONS

- Candidates must declare their candidacy by February 15 in order to have their resume shared with the membership prior to Regional Meetings and participate in visits with the regions.
- The candidate must declare their candidacy by May 15 in order to have their resume printed in the Annual Business Meeting Program.
- Nominations will be closed during the third business session of the Annual Business Meeting.

Voting Guidelines (cont.)

ELECTIONS

- Each Member Board sending a delegate to the Annual Business Meeting will furnish the Council office with the name of the delegate authorized to cast a ballot on behalf of the Member Board.
- The candidates will provide the president with the names of the nominators and seconding speakers.
- During the first business session of the Annual Business Meeting in an uncontested election of an officer or public director position, the president/chair of the Board will ask for nominations of the candidates who have declared his or her candidacy for office and ask for any additional nominations from the floor. Any nominator from the floor should state their name, jurisdiction, and place the name in nomination in one sentence. The president/chair of the Board will then ask for a second to the nomination. The seconder should state their name, jurisdiction, and second the nomination. There will be no nominating speeches for uncontested elections. Following the second to the nomination, after all nominations have been seconded, each candidate will be permitted a five (5) minute presentation to the body.
- During the first business session of the Annual Business Meeting in a contested election of an officer position or public director position, the president/chair of the Board will call upon the nominators to place in nomination the names of the candidates who have declared their candidacy for office and ask for additional nominations from the floor. The nominators should state their names, jurisdictions, and place the names of the candidates in nomination in one sentence. The president/chair of the Board will then call for a second to the nomination which would also be one sentence. The seconders should state their names, jurisdictions, and second the nomination. Then the president/chair of the Board will announce that for each candidate for a contested position the candidate's nominator or seconder will be allowed a three (3) minute nominating speech, which will be delivered in alphabetical order by candidate and alternate between all candidates for office. Following the nominating speeches, each candidate will be permitted a five (5) minute presentation to the body.
- If there are nominations from the floor, the president/chair of the Board will call upon the nominator to place in nomination the name of the candidate. The nominator should state their name, jurisdiction, and place the name in nomination in one sentence. The president/chair of the Board will call for a second to the nomination. The seconder should state their name, jurisdiction, and second the nomination in one sentence. Then the president/chair of the Board will announce that for each candidate nominated, the candidate's nominator or seconder will be allowed one three (3) minute nominating speech which will be delivered in alphabetical order by candidate and alternate between all candidates. Following the nominating speeches, each candidate will be permitted a five (5) minute presentation to the body.
- During the third business session of the Annual Business Meeting, the president/chair of the Board will inquire if there are any further nominations. At such time as there are no further nominations, the president/chair of the Board will close nominations for office. Should third business session nominations occur, speaking protocols for nominated candidates and their nominators, if applicable, will follow the same process as the first business session protocols outlined above. Elections will then take place. Ballot boxes will be located outside the meeting hall under the oversight of the Credentials Committee.
- Where there is a contested election, the president/chair of the Board will declare a recess while authorized delegates cast ballots. The Credentials Committee will supply one ballot to each identified authorized delegate. The Credentials Committee will check off the name of the Member Board voting when the authorized delegate casts their ballot in the ballot box.
 - The Credentials Committee will open the ballot boxes and count the votes. The chair of the Credentials Committee will report the tally to the president/chair of the Board.
 - In the event of a tie vote, each "tied" candidate will be provided two minutes to speak to the assembled delegates, after which the authorized delegates will be asked to cast a second ballot. Balloting will continue until a majority winner is determined.
 - The president/chair of the Board will announce the winner to the candidates prior to announcing results to the membership.

Policy for Elections of Regional and Member Board Executive Directors

NCARB Bylaws (Article VII, Sections 1-6) sets the policies for qualifications and limitations, nomination, election, terms of service, and vacancies of the Council Board of Directors, namely, regional directors and the Member Board Executive director. The following rules apply to campaigning, nominations, and elections for officers and the public director.

- A candidate for election as a Regional Director or Officer shall (i) be a citizen of the United States, and (ii) be a current member of a Member Board within the Region or a past member of such Member Board whose service as a member ended no more than one year before nomination, or the Chair of the Region, or the incumbent Regional Director (iii) have served at least two years as a member of a Member Board, and (iv) in the case of architect candidates, hold an active NCARB Certificate, in every case at the time he or she is nominated by the Region. In the case of a Member Board regulating professions in addition to the profession of architecture, the candidate will qualify as a member of a Member Board only if he or she is an architect or public member of the Member Board. (Article VII, Section 2)
- A candidate for election as the Member Board Executive Director shall be (i) a citizen of the United States, (ii) either an executive director or hold a comparable position as the primary administrator responsible for overseeing the activities of a Member Board at the time of election, (iii) nominated by vote of a majority of the members of the Member Board Executives Committee, and (iv) such person so nominated shall be elected at the Annual Meeting. (Article VII, Section 2)
- **Nomination of Regional Directors.** Each Region shall select its nominee for Director at a Region meeting. The nominations will be announced by the several Regions at the Annual Meeting of the Council. (Article VII, Section 5)
- Regional Directors shall be ... elected at the Annual Meeting of the Council to serve from the adjournment of said Annual Meeting until the adjournment of the next following Annual Meeting or until their successors are duly elected. No person shall serve more than three terms in succession as a Director. (Article VII, Section 3)

REVIEW AND POSSIBLE ACTION ON 2017/18 INTRA-DEPARTMENTAL CONTRACT WITH OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) FOR CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) DEVELOPMENT

The Department of Consumer Affairs' (DCA) OPES is charged with providing professional psychometric services to DCA boards and bureaus, which include all aspects of the examination validation process (i.e., occupational analyses, examination development, test scoring and statistical analyses, and national examination reviews).

The Board's current Intra-Departmental Contract with OPES for development of the CSE will expire on June 30, 2017. A new contract (attached) is needed for fiscal year (FY) 2017/18 for continued examination development.

The Board is asked to review and take action on the new contract with OPES for examination development for FY 2017/18.

Attachment:

Intra-Departmental Contract with OPES for FY 2017/18

INTRA-DEPARTMENTAL CONTRACT

#341

CONTRACT NUMBER IAC #70608	AMENDMENT NUMBER
--------------------------------------	------------------

- This Contract is entered into between the Board/Bureau/Divisions named below
REQUESTING BOARD/BUREAU/DIVISION'S NAME
California Architects Board (Board)
PROVIDING BOARD/BUREAU/DIVISION'S NAME
Office of Professional Examination Services (OPES)
- The term of this Contract is: **July 1, 2017 through June 30, 2018**
- The maximum amount of this Contract is: **\$75,004**
- The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Contract:

**California Supplemental Exam
Written Examination Development**

- | | |
|--|---------|
| Exhibit A – Scope of Work | 1 Page |
| • Attachment I - Project Plan | 2 Pages |
| • Attachment II - Roles and Responsibilities | 3 Pages |
| Exhibit B – Budget Detail and Payment Provisions | 1 Page |
| • Attachment I - Cost Sheets | 4 Pages |
| Exhibit C – General Terms and Conditions | 1 Page |
| Exhibit D – Special Terms and Conditions | 1 Page |

IN WITNESS WHEREOF, this Contract has been executed by the parties hereto.

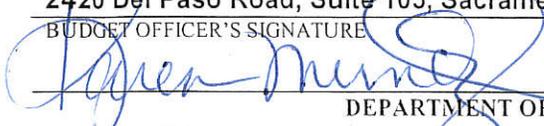
DEPARTMENT OF CONSUMER AFFAIRS		Department of Consumer Affairs Contracts Unit Use Only
<small>REQUESTING BOARD/BUREAU/DIVISION'S NAME</small> California Architects Board		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Douglas R. McCauley, Executive Officer		
<small>ADDRESS</small> 2420 Del Paso Road, Suite 105, Sacramento, CA 95834		
<small>BUDGET OFFICER'S SIGNATURE</small> 		4/13/17
DEPARTMENT OF CONSUMER AFFAIRS		
<small>PROVIDING BOARD/BUREAU/DIVISION'S NAME</small> Office of Professional Examination Services		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small> 4/13/17	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Heidi Lincer, Chief		
<small>ADDRESS</small> 2420 Del Paso Road, Suite 265 Sacramento, CA 95834		
<small>BUDGET OFFICER'S SIGNATURE</small> 		4/13/17

EXHIBIT A

SCOPE OF WORK

1. The Office of Professional Examination Services (OPES) agrees to provide the following services:

Develop new items for the California Architects Board California Supplemental Exam (CSE) and establish the passing scores for two new forms.

2. Board agrees to provide the following services:

See attached: I. Project Plan
II. Roles and Responsibilities

3. The project representatives during the term of this agreement will be:

Requesting Board:

Name Douglas R. McCauley
Phone: (916) 574-7220
Fax: (916) 575-7283

Office of Professional Examination Services:

Name: Heidi Lincer
Phone: (916) 575-7240
Fax: (916) 419-1697

Direct all agreement inquiries to:

Department of Consumer Affairs Contracts Unit:

Address: 1625 N. Market Street, Suite #S-103
Sacramento, CA 95834
Phone: (916) 574-7277
Fax: (916) 574-8658

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608
PROJECT PLAN
for
CALIFORNIA ARCHITECTS BOARD
CALIFORNIA SUPPLEMENTAL EXAM
WRITTEN EXAMINATION DEVELOPMENT
FISCAL YEAR 2017-18

Project Objectives: *Develop new items for the California Architects Board California Supplemental Exam (CSE) and establish the passing scores for two new forms.*

Proposed Completion Date: June 30, 2018

Board Contact: Marccus Reinhardt
(916) 575-7212

OPES Contact: Raul Villanueva
(916) 575-7240

MAJOR PROJECT EVENTS	TARGET DATE	RESPONSIBILITY
Spring 2017 Exam Development		
1. Item Writing Workshop - Project > Recruit for a 2-day workshop > Conduct workshop > Update item bank	June 2017 July 20-21, 2017 July/August 2017	Board OPES OPES
2. Item Writing Workshop - General > Recruit for a 2-day workshop > Conduct workshop > Develop item bank	July 2017 August 3-4, 2017 August 2017	Board OPES OPES
3. Item Review Workshop - Project/General > Recruit for a 2-day workshop > Conduct workshop > Update item bank	July 2017 August 18-19, 2017 August/September 2017	Board OPES OPES
4. Item Writing Workshop - Project/General > Recruit for a 2-day workshop > Conduct workshop > Develop item bank > Update item bank	August 2017 September 11-12, 2017 September 2017 September 2017	Board OPES OPES OPES
5. Item Review Workshop - Project/General > Recruit for a 2-day workshop > Conduct workshop > Update item bank	September 2017 September 29-30, 2017 October 2017	Board OPES OPES
6. Exam Construction > Recruit for a 2-day workshop > Conduct workshop > Develop examination	September 2017 October 13-14, 2017 October 2017	Board OPES OPES
7. Passing Score > Recruit for a 2-day workshop > Conduct workshop > Develop passing score	October 2017 November 3-4, 2017 November 2017	Board OPES OPES

MAJOR PROJECT EVENTS	TARGET DATE	RESPONSIBILITY
8. Exam Production: Convert Exam to PSI > Edit review of final CSE items > Finalize Candidate Information Bulletin (CIB) document > Finalize graphics for exam > Submit exam to PSI for launch > PSI launch of exam	January 2018 January 2018 January 2018 January 2018 March 2018	OPES OPES Board OPES OPES
Fall 2017 Exam Development		
9. Item Writing Workshop - Project > Recruit for a 2-day workshop > Conduct workshop > Develop item bank	January 2018 January 29-30, 2018 January/February 2018	Board OPES OPES
10. Item Writing Workshop - General > Recruit for a 2-day workshop > Conduct workshop > Update item bank	January 2018 February 8-9, 2018 February 2018	Board OPES OPES
11. Item Review Workshop -Project/General > Recruit for a 2-day workshop > Conduct workshop > Develop item bank > Update item bank	February 2018 February 22-23, 2018 February/March 2018 February/March 2018	Board OPES OPES OPES
12. Item Writing Workshop - Project/General > Recruit for a 2-day workshop > Conduct workshop > Update item bank	February 2018 March 9-10, 2018 March 2018	Board OPES OPES
13. Item Review Workshop - Project/General > Recruit for a 2-day workshop > Conduct workshop > Update item bank	March 2018 March 19-20, 2018 March 2018	Board OPES OPES
14. Exam Construction > Recruit for a 2-day workshop > Conduct workshop > Develop examination	March 2018 April 13-14, 2018 April 2018	Board OPES OPES
15. Passing Score > Recruit for a 2-day workshop > Conduct workshop > Analyze SME Feedback > Revise exam as necessary	April 2018 April 27-28, 2018 May 2018 May/June 2018	Board OPES OPES OPES
16. Exam Production: Convert Exam to PSI > Edit review of final CSE items > Finalize Candidate Information Bulletin (CIB) document > Finalize graphics for exam > Submit exam to PSI for launch > PSI launch of exam	June 2018 June 2018 June 2018 July 2018 September 2018	OPES OPES Board OPES OPES

**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608
ROLES AND RESPONSIBILITIES
for
CALIFORNIA ARCHITECTS BOARD
CALIFORNIA SUPPLEMENTAL EXAM
WRITTEN EXAMINATION DEVELOPMENT
FISCAL YEAR 2017-18**

INTRODUCTION

The purpose of licensing examinations is to identify persons who possess the minimum knowledge and experience necessary to perform tasks on the job safely and competently. The content of the examination should be based upon the results of an occupational analysis of practice so that the examination assesses the most critical competencies of the job.

The examination development process requires approximately 140 Architects to serve as expert consultants. In licensure examination development work, expert consultants are known as subject matter experts (SMEs). Eight to ten SMEs are needed for each workshop. The SMEs in each workshop should be unique to ensure objectivity in all aspects of examination development.

Graphics selection and modification, item writing, item review, examination construction, and passing score processes are included in examination development services to be provided.

ROLE OF THE BOARD

The primary role of the California Architects Board is to recruit a representative sample of SMEs for development of the examination.

The selection of SMEs critically affects the quality and defensibility of an examination program. The SMEs selected to participate in an examination development workshop panel should:

- Reflect the profession in terms of geographical location, practice specialty area, ethnicity, and gender
- Be currently working in the field and have up-to-date skills
- Maintain a current license in good standing that is not retired nor inactive

Additionally, roughly half of the SMEs in each workshop should have received their license within the past five years to ensure entry-level perspective is maintained.

In addition, the Board has the ultimate responsibility for acquiring any reference materials to be used by the SMEs to develop examination items.

Due to potential conflict of interest, undue influence, and/or security considerations, board members, committee members, and instructors shall not serve as SMEs for, nor participate in, any aspect of licensure exam development or administration, pursuant to DCA Policy OPES 11-01.

Following each workshop, OPES and Board staff will review the performance of each SME to determine those who should be invited back. Board agrees to recruit SMEs in such a manner as to build a competent pool of representative, productive participants

ROLE OF THE OFFICE OF PROFESSIONAL EXAMINATION SERVICES

The Office of Professional Examination Services (OPES) will use a content validation strategy to link the examination to the results of an occupational analysis of practice. During the workshops, OPES will work with California Architects Board (Board) and the SMEs to select graphics, develop items, review items, construct examinations, and establish passing scores.

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.

SMEs are required to provide valid identification, allow for personal belongings to be secured in the reception area 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, per Business and Professions Code section 123.

OPES will notify the Board if any subject matter expert during a workshop violates policy or whose presence is disruptive. OPES reserves the right to immediately dismiss any subject matter expert whose presence poses a security risk. OPES will take steps to manage disruptive behavior; however if said behavior persists and/or prevents other SMEs from completing their tasks, OPES may dismiss the person from the workshop.

SUMMARY OF EVENTS

- Board recruits panels of SMEs to serve as item writers.
- OPES works with SMEs to develop items.
- Board recruits panels of SMEs to serve as item reviewers. The reviewers should be different SMEs than the item writers.
- OPES works with SMEs to review items. Final revisions are made to the items and the bank of new items is submitted to Board.
- Board recruits panels of SMEs to participate in workshops for exam construction.
- OPES works with SMEs, all of whom are licensed five years or less, to select items from item bank of new and existing items and constructs the examination forms.
- Board recruits panels of SMEs, all of whom are licensed five years or less, to serve as judges in the passing score workshops. The passing score SMEs must be different SMEs than the item writers or item reviewers to ensure objectivity of the passing score ratings.
- OPES works with SMEs to establish the passing score. OPES analyzes the ratings and prepares reports of findings.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered and upon receipt and approval of the invoices, California Architects Board (Board) agrees to compensate the Office of Professional Examination Services (OPES) for services rendered and expenditures incurred.
- B. Invoices shall include the agreement number and shall be submitted on a quarterly basis for the cost of services completed as identified in Exhibit B, Attachment I; any related travel expenses will be billed as actuals. Signed/approved invoices from the Board will be due to OPES fifteen (15) working days from the date of invoice billings. OPES will then submit the approved invoices to the Department of Consumer Affairs for processing and payment. Invoices will be submitted to:

Douglas R. McCauley
California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
- C. The Board will reimburse OPES for the partial performance (e.g. workshop preparation, rescheduling) of any services provided by OPES if the board/bureau does not demonstrate in good faith their roles/responsibilities as defined by Attachment II – Roles and Responsibilities.

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to OPES or to furnish any other considerations under this Agreement and OPES shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to OPES to reflect the reduced amount.

3. Payment

- A. Costs for this Agreement shall be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.
- B. Nothing herein contained shall preclude advance payments pursuant to Article 1, Chapter 3, Part 1, Division 3, Title 2 of the Government Code of the State of California.

4. Cost

- A. Costs for this Agreement shall be subject to any collective bargaining agreements negotiated in Fiscal Year 2000/2001 or thereafter.

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608

CALIFORNIA ARCHITECTS BOARD

**CALIFORNIA SUPPLEMENTAL EXAMINATION
WRITTEN EXAMINATION DEVELOPMENT COSTS**

FISCAL YEAR 2017-18

Spring 2018 Development

1.	Item Writing Workshop (Project)	\$ 3,968
2.	Item Writing Workshop (General)	\$ 3,968
3.	Item Review Workshop (Project/General)	\$ 4,370
4.	Item Writing Workshop (Project/General)	\$ 4,610
5.	Item Review Workshop (Project/General)	\$ 4,370
6.	Exam Construction Workshop	\$ 4,610
7.	Passing Score Workshop	\$ 4,208
8.	Exam Production: Convert Exam to PSI	\$ 3,138

Administrative Costs \$ 4,260

Fall 2018 Development Subtotal \$37,502

IAC GRAND TOTAL \$75,004

Index/PCA/Object Code 0600/06000/427.10

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608
CALIFORNIA ARCHITECTS BOARD
CALIFORNIA SUPPLEMENTAL EXAM
EXAMINATION DEVELOPMENT COSTS
FISCAL YEAR 2017-18

	Test Validation Staff				Editor		Support Staff		Totals	GRAND TOTAL
	\$72		Overtime \$102		\$67		\$52			
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
Spring 2018 Development										
1. Item Writing Workshop (Project)										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	16	\$ 1,152	4	\$ 408			2	\$ 104	\$ 1,664	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 3,968
2. Item Writing Workshop (General)										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	16	\$ 1,152	4	\$ 408			2	\$ 104	\$ 1,664	
Develop item bank	16	\$ 1,152							\$ 1,152	
										\$ 3,968
3. Item Review Workshop (Project/General)										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	16	\$ 1,152	4	\$ 408	6	\$ 402	2	\$ 104	\$ 2,066	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,370
4. Item Writing Workshop (Project/General)										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	8	\$ 576	12	\$ 1,224	6	\$ 402	2	\$ 104	\$ 2,306	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,610
5. Item Review Workshop (Project/General)										
Prepare for 2-day item review workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop (IRW-3)	16	\$ 1,152	4	\$ 408	6	\$ 402	2	\$ 104	\$ 2,066	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,370
6. Exam Construction Workshop										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	8	\$ 576	12	\$ 1,224	6	\$ 402	2	\$ 104	\$ 2,306	
Develop examination	16	\$ 1,152							\$ 1,152	
										\$ 4,610
7. Passing Score Workshop										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	8	\$ 576	12	\$ 1,224			2	\$ 104	\$ 1,904	
Develop passing score	16	\$ 1,152							\$ 1,152	
										\$ 4,208
8. Exam Production: Convert Exams to PSI										
Edit/Review of final CSE Form	30	\$ 2,160			6	\$ 402			\$ 2,562	
Submit exam to PSI for launch	8	\$ 576							\$ 576	
										\$ 3,138
Administrative Support										
Technical oversight (40 hours @ \$76/hour)									\$ 3,040	
Cost oversight (20 hours @ \$61/hour)									\$ 1,220	
										\$ 4,260
Spring 2018 Development SUBTOTAL	350	\$25,200	52	\$ 5,304	30	\$2,010	14	\$ 728	\$37,502	\$37,502

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608

CALIFORNIA ARCHITECTS BOARD

**CALIFORNIA SUPPLEMENTAL EXAMINATION
WRITTEN EXAMINATION DEVELOPMENT COSTS**

FISCAL YEAR 2017-18

Fall 2018 Development

9.	Item Writing Workshop (Project)	\$ 3,968
10.	Item Writing Workshop (General)	\$ 3,968
11.	Item Review Workshop (Project/General)	\$ 4,610
12.	Item Review Workshop (Project/General)	\$ 4,370
13.	Item Review Workshop (Project/General)	\$ 4,370
14.	Exam Construction Workshop	\$ 4,610
15.	Passing Score Workshop	\$ 4,208
16.	Exam Production: Convert Exam to PSI	\$ 3,138
	Administrative Costs	\$ 4,260
	Fall 2018 Development Subtotal	\$37,502
	IAC GRAND TOTAL	\$75,004

Index/PCA/Object Code 0600/06000/427.10

**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #70608
 CALIFORNIA ARCHITECTS BOARD
 CALIFORNIA SUPPLEMENTAL EXAM
 EXAMINATION DEVELOPMENT COSTS
 FISCAL YEAR 2017-18**

	Test Validation Staff				Editor		Support Staff		Totals	GRAND TOTAL
	\$72		Overtime \$102		\$67		\$52			
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
Fall 2018 Development										
9. Item Writing Workshop (Project)										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
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Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,610
15. Passing Score Workshop										
Prepare for 2-day workshop	16	\$ 1,152							\$ 1,152	
Conduct workshop	8	\$ 576	12	\$ 1,224			2	\$ 104	\$ 1,904	
Revise exam as necessary	16	\$ 1,152							\$ 1,152	
										\$ 4,208
16. Exam Production: Convert Exams to PSI										
Edit/Review of final CSE Form	30	\$ 2,160			6	\$ 402			\$ 2,562	
Submit exam to PSI for launch	8	\$ 576							\$ 576	
										\$ 3,138
Administrative Support										
Technical oversight (40 hours @ \$76/hour)									\$ 3,040	
Cost oversight (20 hours @ \$61/hour)									\$ 1,220	
										\$ 4,260
Fall 2018 Development SUBTOTAL	350	\$ 25,200	52	\$ 5,304	30	\$ 2,010	14	\$ 728	\$ 37,502	\$ 37,502
TOTAL	700	\$50,400	104	\$10,608	60	\$4,020	28	\$ 1,456	\$ 75,004	\$ 75,004

EXHIBIT C

GENERAL TERMS AND CONDITIONS

1. **Approval:**

This Contract is not valid until signed by both parties.

2. **Payment:**

Costs for this Contract shall be computed in accordance with State Administrative Manual Section 8752 and 8752.1.

EXHIBIT D

SPECIAL TERMS AND CONDITIONS

1. Mutual Cooperation

The Office of Professional Examination Services (OPES) is entering into a partnership where mutual cooperation is the overriding principle.

2. Evaluation

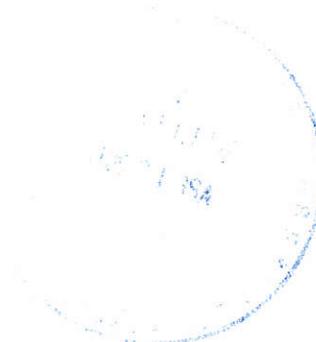
The OPES and the California Architects Board (Board) reserve the right to evaluate progress, make midcourse corrections as needed, and to negotiate changes to the agreement as necessary to ensure a high quality examination program. This may affect the cost of the analysis.

3. Examination Criteria

The primary responsibility of OPES is to develop examinations that are psychometrically sound, legally defensible and job related.

4. Good Faith Agreement

In good faith, OPES believes the project steps accurately describe the work to be performed and that the costs are reasonable. This agreement will remain in effect until the work is completed.



COMMUNICATIONS COMMITTEE REPORT

1. Update on May 25, 2017 Communications Committee Meeting
2. Discuss and Possible Action on the Committee's Recommendation to the Board Regarding the 2017-2018 Strategic Plan Objective About Exploring the Possibility of the Board Participating in Consumer Events as a Means of Communicating Directly with the Public

Agenda Item I.1

UPDATE ON MAY 25, 2017 COMMUNICATIONS COMMITTEE MEETING

The Communications Committee met on May 25, 2017, in Sacramento. Attached is the meeting notice. Administration/Enforcement Program Manager, Alicia Hegje, will provide an update on the meeting.

Attachment:

May 25, 2017 Notice of Meeting



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF MEETING

COMMUNICATIONS COMMITTEE

May 25, 2017

Noon to 3:00 p.m.

(or until completion of business)

California Architects Board

2420 Del Paso Road, Sequoia Room 109

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. For further information regarding this agenda, please see reverse or you may contact Coleen Galvan at (916) 575-7205.

AGENDA

- A. Call to Order/Roll Call/Establishment of a Quorum
- B. Public Comment on 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 refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).)
- C. Review and Possible Action on November 10, 2016, Communications Committee Meeting Summary Report
- D. Review and Possible Action on Potential *California Architects* Newsletter Articles
- E. Discussion and Possible Action on the Following 2017–2018 Strategic Plan Objectives:
 1. Collecting Data from Candidates Related to the Licensure Process and Assess the Need of Other Means (Focus Groups) to Better Foster Candidate Clarity

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

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

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

(Continued on Reverse)

2. Working with Department of Consumer Affairs (DCA) to Collaborate with the Contractors State License Board and the Board for Professional Engineers, Land Surveyors, and Geologists to assess the Feasibility of Developing a Consumer Website in Order to Educate Consumers about the Design and Construction Sector and Strengthen Consumer Protection
3. Promoting the Board's Revised *Consumer's Guide to Hiring an Architect, Candidate Handbook*, and *Building Official Information Guide* to Keep Stakeholders Better Informed
4. Exploring the Possibility of the Board Participating in Consumer Events as a Means of Communicating Directly with the Public

F. 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 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 Communications Committee, but the Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Communications 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 Coleen Galvan at (916) 575-7205, emailing 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 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 THE COMMITTEE'S RECOMMENDATION TO THE BOARD REGARDING THE 2017-2018 STRATEGIC PLAN OBJECTIVE ABOUT EXPLORING THE POSSIBILITY OF THE BOARD PARTICIPATING IN CONSUMER EVENTS AS A MEANS OF COMMUNICATING DIRECTLY WITH THE PUBLIC

The Board's 2017-2018 Strategic Plan contains an objective assigned to the Communications Committee to explore the possibility of the Board participating in consumer events as a means of communicating directly with the public.

In the past, the Board has made consumer materials (*Consumer's Guide to Hiring an Architect*, *Consumer Tips for Design Projects* card, etc.) available via an arrangement with the Contractors State License Board (CSLB). This is an efficient delivery system given the disparity in staff size (CSLB has over 400 staff, whereas the Board has 24).

At its May 25, 2017, meeting, the Communications Committee discussed and considered several potential actions for the Strategic Plan objective which included:

1. Collaborate with Department of Consumer Affairs' (DCA) Office of Public Affairs to determine methods used by other DCA boards to provide outreach to consumers;
2. Research the vendors that attend home shows to determine whether they are from the architecture/construction sector and whether it is productive to attend;
3. Verify the reasons the consumers are attending the home shows and whether they are considering hiring an architect or designer; and
4. Assess home show organizer(s) interest in developing means to provide consumer information to attendees.

"Home shows" are events held statewide at a variety of locations that showcase a wide range of products and services for consumers interested in enhancing their homes. There are dozens of shows, which are typically produced by private companies. Generally, consumers attend home shows to obtain ideas for home improvements and/or to collect the free give-aways. The Committee considered the viability of utilizing home shows as a means of educating consumers, but decided it is not an appropriate use of resources because the vast majority of attendees do not attend for purposes of hiring an architect or designer.

The Committee made a recommendation for the Board to create a basic newsletter with a link to the Board's website for consumers and send a simple email to every legislator which includes: 1) basic facts about the Board, 2) availability of the consumer publications (i.e., *Consumer's Guide to Hiring an Architect*, design tip card), and 3) a suggestion to forward to their respective building and planning departments in each of their cities. The Committee also made a recommendation to publish an article in DCA's *California Consumer Connection* magazine.

At this meeting, the Board is asked to discuss and take possible action on the Communication Committee's recommendations.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

1. Update on LATC April 18, 2017 Meeting
2. Discuss and Possible Action to Amend Reciprocity Requirements in Title 16, California Code of Regulations Section (CCR) 2615 (Form of Examinations)
3. Review and Possible Action on LATC's Draft 2017-2018 Strategic Plan
4. Discuss and Possible Action on SB 800 (Committee on Business, Professions and Economic Development) [Expired Landscape Architect License]

UPDATE ON LATC APRIL 18, 2017 MEETING

The LATC met on April 18, 2017, in Pomona. Attached is the meeting notice. LATC Program Manager, Brianna Miller, will provide an update on the meeting.

Attachment:

April 18, 2017 Notice of Meeting



NOTICE OF MEETING

April 18, 2017

**California State Polytechnic University, Pomona
College of Environmental Design
3801 West Temple Avenue, Building 7, Gallery
Pomona, CA 91768
(909) 869-2673 or (916) 575-7230 (LATC)**

The Landscape Architects 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. For further information regarding this agenda, please see below, or you may contact Tremaine Palmer at (916) 575-7230.

The LATC plans to webcast this meeting on its website at latc.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be canceled 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.

For meeting verification, call (916) 575-7230 or access the LATC website at latc.ca.gov.

Agenda

9:00 a.m. – 1:30 p.m.

(or until completion of business)

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Introductory Comments
- C. Public Comment on 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 refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on January 17-18, 2017 LATC Meeting Minutes
- E. Program Manager's Report on Administration, Examination, Licensing, and Enforcement
- F. Review and Possible Action to Approve 2017-18 Intra-Departmental Contract with Office of Professional Examination Services (OPES) for California Supplemental Examination (CSE) Development

(Continued)

- G. Update and Possible Action on Council of Landscape Architectural Registration Boards (CLARB) March 27, 2017 Webcast (Mid-Year Review and Draft Changes to Model Law) and Landscape Architect Registration Examination (LARE) Administration and Pass Rates
- H. Discussion and Possible Action on LATC's Draft *Consumer's Guide to Hiring a Landscape Architect*
- I. Discussion and Possible Action to Recommend to the Board to Amend LATC's *Disciplinary Guidelines* and Title 16, California Code of Regulations (CCR) Section 2680 (Disciplinary Guidelines)

10:30 a.m. – 11:30 a.m.

- J. [Public Forum Regarding Educational Requirements for Licensure and Related Areas of Study](#) Followed by Discussion and Possible Action on Strategic Plan Objective to Review Title 16, CCR Section 2620 (Education and Training Credits) to Expand Credit for Education Experience to Include Degrees in Related Areas of Study
- K. Discussion and Possible Action to Recommend to the Board to Amend Title 16, CCR Section 2615 (Form of Examinations) Regarding Reciprocity Requirements
- L. Discussion and Possible Action to Recommend to the Board to Amend Title 16, CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program)
- M. Review and Possible Action on Draft 2017-2018 Strategic Plan
- N. Review and Confirm Future LATC Meeting Dates
- O. 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 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 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 Tremaine Palmer at (916) 575-7230, emailing tremaine.palmer@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)

DISCUSS AND POSSIBLE ACTION TO AMEND RECIPROCITY REQUIREMENTS IN TITLE 16, CALIFORNIA CODE OF REGULATIONS SECTION (CCR) 2615 (FORM OF EXAMINATIONS)

The Landscape Architects Technical Committee (LATC) began discussing the issue of reciprocity with other jurisdictions at its May 2013 meeting and included objectives to review this matter in subsequent Strategic Plans.

The primary issue with reciprocity is that the Committee has received requests for reciprocal licensure from individuals licensed in jurisdictions where a degree in landscape architecture or architecture was not a requirement for initial licensure, as it is in California.

At the March 20, 2014, LATC meeting, Department of Consumer Affairs' legal counsel advised the Committee that a regulatory amendment would be necessary to allow reciprocity for applicants who have not met California's current education requirements.

Staff researched reciprocity requirements in other states and found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years); and 28 allow initial/reciprocal licensure on the basis of experience alone, with an average of 8 years required (see attachments J.2.1, J.2.2, and J.2.3).

At the February 10, 2015, LATC meeting, the Committee discussed the data presented and the LATC's current six-year education and training/experience requirements that candidates must complete for licensure. The Committee also noted that candidates can qualify for the examination with an associate degree in landscape architecture (one year of educational credit) and five years training/experience. Once a candidate has successfully passed the examinations (national and California Supplemental Examination [CSE]), he/she is deemed to be competent for entry level practice. During the discussion, LATC noted that licensed professionals continue to learn and gain expertise with each year of practice. Its determination was that a substantial number of years of post-licensure experience in another state would demonstrate an individual's competence to practice safely, even though they may not have met California's educational experience requirements. The Committee suggested a regulatory amendment to allow reciprocity to individuals who may not meet California's education requirement but are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. LATC directed staff to review the reciprocity requirements of Arizona and New York and draft proposed regulatory language for the Committee's consideration.

Based on the LATC's request, staff prepared proposed regulatory language to amend CCR 2615. The proposed amendment included 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 10 of the last 15 years.

At the November 17, 2015, LATC meeting, the Committee approved the proposed regulatory language for CCR 2615. Staff prepared and submitted the required rulemaking package to the Office of Administrative Law (OAL) and the Notice of Proposed Changes in the Regulations was published by OAL on August 12, 2016, thereby beginning the 45-day public comment period. On September 27, 2016, a public hearing was held and the public comment period officially ended.

During the public comment period, 296 comments were received; of which, 291 were substantially similar, expressing concern that relying upon precedent from Arizona and New York is inconsistent because these states have a multitude of paths to licensure not available in California, including varying degrees and combinations of experience. Specifically, the commenters contended that requiring reciprocity applicants to verify 10 years of post-licensure experience was excessive. They offered proposed language that would allow reciprocity if the “candidate possesses education and experience equivalent to that required of California applicants at the time of application; or, candidate holds a valid license or registration in good standing, possesses a bachelor’s degree from a recognized accredited institution, and has been practicing or offering professional services for at least 2 or the last 5 years; or, candidate holds a valid license or registration in good standing, and has been practicing or offering professional services for at least 6 of the last 10 years.” These comments were discussed and considered by the LATC at its November 4, 2016 meeting. As part of the formal rulemaking process under the Administrative Procedure Act, agencies are required to respond to any comments received during the public comment period as part of the rulemaking file.

The LATC also heard from several members of the public in attendance who expressed opposition to the amount (10 years) of post-licensure experience being proposed. After discussion, the LATC agreed to agendaize this topic for its next meeting with the intent of allowing additional time to consider the submitted comments, and determine whether changes to the proposed regulatory language are warranted.

After the November 4, 2016, LATC meeting, staff verified that both Arizona and New York accept any baccalaureate degree combined with additional years of experience for initial license and reciprocity candidates and also accept 10 years of licensed experience in lieu of meeting their examination requirements.

At its January 17, 2017, meeting, the LATC again discussed the public comments received on the originally proposed regulatory language to amend CCR 2615 and voted to amend the proposed language to allow licensees from any United States jurisdiction, Canadian Province, or Puerto Rico who have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board to be eligible for licensure upon passing the CSE. Based on the Committee’s request, staff prepared proposed regulatory language to amend CCR 2615 (see attachment J.2.4) to allow reciprocity licensure by meeting the practice and experience requirements provided by Business and Professions Code section 5651.

While consulting with legal counsel, staff confirmed that pursuant to Government Code section 11346.4, the one-year deadline to finalize the pending regulatory proposal is August 12, 2017, which is not sufficient time to complete the required review/approval process through the control agencies. If the adoption, amendment, or repeal of the regulation is not completed within one year of publication of the notice, a new notice of the proposed action must be issued. Therefore, legal counsel recommended initiation of a new rulemaking file after the LATC and Board have approved the proposed regulatory language.

At its April 18, 2017, meeting, the LATC voted to recommend to the Board newly proposed regulatory language to amend CCR 2615.

The Board is asked to review and approve the proposed regulatory language to amend CCR 2615; and delegate authority to the Executive Officer to adopt the proposed changes provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Attached for additional consideration are the draft Notice of Proposed Changes in the Regulations and Initial Statement of Reasons (attachments J.2.5 and J.2.6). Should the Board vote to approve this regulatory amendment, these documents will be provided to OAL. Additionally, attached are letters from LATC Chair Patricia Trauth dated June 2, 2017 (attachment J.2.7) and a letter from California Council of the American Society of Landscape Architects (CCASLA) dated June 8, 2017 (attachment J.2.8) regarding the regulatory proposal.

Attachments:

1. Requirements for Initial Licensure
2. Landscape Architects - Initial Licensure and State Specific Reciprocity Requirements
3. National Landscape Architects - Eligibility and Reciprocity Requirements
4. Proposed Regulatory Language to Amend CCR 2615 (Form of Examinations)
5. Draft Notice of Proposed Changes in the Regulations
6. Draft Initial Statement of Reasons
7. Letter from LATC Chair Patricia Trauth Dated June 2, 2017
8. Letter from CCASLA Dated June 8, 2017

Requirements for Initial Licensure

Education	Years of Training	States
LAAB-accredited degree	N/A (degree only)	ID, MS, UT
	1	AL, FL, LA, WV (MLA)
	2	AL, AR, CA, CO, CT, DE, GA (18 MO), HI (MLA), IL, KY, ME, MD, MA, MT, NV, NM, PA, RI, SC, SD, TX, WV (BLA), WI
	3	HI (BLA), IN, IA, KS (MLA), MN (MLA), MO, NH, OH, OK, OR, TN, VT, VA, WA, WY
	4	KS (BLA), MN (BLA), NJ, NY, NC
Non-accredited B.L.A. or M.L.A.	1	NE
	2	HI (MLA), LA, RI
	3	CA, CO, FL, HI (BLA), ME, MT
	4	AR, IA, MD, NM, OR, VA
	5	AZ, MS, NH, SC
	6	DE, NY
	9	AL
	board determined	CT, GA, ID, IL, NV, NJ, OK, PA, UT, WA
Related 4-year degree <i>*see reverse for related fields</i>	2	RI
	3	CO, FL, NE, NV
	4	AR, MD, MT, OR
	5	CA (NAAB), HI, ME, MS, NH, NM, SC
	6	DE, VA
	7	NY, WA
	board determined	AZ, CT, GA, ID, IA, OK, PA, UT
Any 4-year degree	3	NE
	4	LA, MT
	5	CO, FL, HI, ME, MS
	6	MD, OR, VA
	7	SC, WA
	board determined	AZ, AR, CT, GA, ID, IA, NV, NH, NM, NY, OK, PA, UT
Extension certificate in landscape architecture	4	CA
AA/AS in LA	4	NV
	5	CA
Any AA/AS	6	MT
N/A (training only)	Average = 8 years	AL, AZ, AR, CO, CT, FL, HI, ID, IA, LA, ME, MD, MA, MI, MS, MT, NV, NM, NY, OK, OR, PA, RI, UT, VY, VA, WA, WV

Requirements for CLARB Certification

Education	Years of Training
LAAB-accredited degree	3
Non-accredited B.L.A. or M.L.A.	4
NAAB-accredited B.Arch. or M. Arch.	4
ABET-accredited degree in Civil Engineering	4
Any Bachelor's degree	6

Related Degrees Accepted by CLARB Jurisdictions

Related Degree Field	States
Architecture (non-accredited)	AZ, NV, SC
Engineering (non-accredited)	NV, SC
Horticulture	NV
Horticultural Science	SC
Landscape Architectural Technology	WA
Landscape Design	AZ
Urban Planning	SC
Any design related degree	MD
NAAB accredited B. Arch. or M. Arch.	AZ, AR, CA, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA
ABET accredited engineering degree	AZ, AR, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA

Landscape Architects - Initial Licensure and State Specific Reciprocity Requirements

	Initial Licensure					Reciprocity
	Required Years Combined Training and Educational Experience	Credit for Years of Education	Credit for Years of Training	Allow Education Only	Allow Years of Training Only	State Specific Requirements for Reciprocity
AL	6	4 - 5	1 - 2	No	Yes, 8	Must offer reciprocity with AL
AK	8 - 12	1 - 6	2 - 12	No	No	Course in arctic engineering and accepts CLARB certification
AZ	8	4 - 5	3 - 4	No	Yes, 8	Accepts CLARB certification
AR	6 - 8	4	2 - 4	No	Yes, 7	Accepts CLARB certification
CA	6	1 - 4	2 - 5	No	No	
CO	6	1 - 4	2 - 6	No	Yes, 6	
CT	6 - 8	4	2 - 8	No	Yes, 8	CLARB certification required
DE	6	2 - 4	2 - 4	No	No	CLARB certification required
DC	N/A	N/A	N/A	N/A	N/A	
FL	5 - 6	4	1 - 6	No	Yes, 7	
GA	5.5	4	1.5	Yes, BA plus MA in LA	No	Must offer reciprocity with GA
HI	6 - 12	4	2 - 12	No	Yes, 12	
ID	4 - 8	4	8	LA degree	Yes, 8	Accepts CLARB certification
IL	6	4	2	No	No	Accepts CLARB certification
IN	7	4	3	No	Yes, 8 prior to 2003	Accepts CLARB certification
IA	7 - 8	4	3 - 4	No	Yes, 10	
KS	8	4 - 5	3 - 4	No	Yes, 8 prior to 1993	
KY	6	4	2	No	Yes, 7 prior to 1994	
LA	5 - 6	2 - 4	1 - 4	No	Yes, 6	No provision for reciprocity
ME	6 - 12	3 - 4	2 - 12	No	Yes, 12	Accepts CLARB certification
MD	6 - 8	2 - 4	2 - 8	No	Yes, 8	Must offer reciprocity with MD
MA	6	4	2 - 6	No	Yes, 6	Must offer reciprocity with MA
MI	7	1 - 5	6 - 7	No	Yes, 7	CLARB certification required
MN	8	4 - 5	3 - 4	No	No	CLARB certification required
MS	4 - 7	2 - 4	5 - 7	Yes, BA or MA	Yes, 7	Accepts CLARB certification
MO	7	4	3	No	No	
MT	2 - 8	2 - 5	2 - 8	No	Yes, 8	
NE	5 - 7	4	1 - 3	No	No	CLARB certification required
NV	6 - 8	2 - 4	2 - 4	No	Yes, 6	
NH	7 - 8	3 - 4	3 - 5	No	No	Accepts CLARB certification
NJ	8	4	4	No	No	
NM	6 - 10	4	2 - 10	No	Yes, 10	
NY	8	2 - 4	4 - 12	No	Yes, 12	
NC	8 - 10	4	4 - 10	No	No	
ND	N/A	N/A	N/A	N/A	N/A	
OH	7	4	3	No	No	Accepts CLARB certification
OK	7	4	3	No	Yes, at the board's discretion	Must offer reciprocity with OK
OR	7 - 10	4	3 - 6	No	Yes, 11	
PA	6 - 7	1 - 5	1 - 6	No	Yes, 8	
RI	6	4	2	No	Yes, 6	
SC	6 - 9	4	2 - 5	No	No	
SD	5	4	1	No	No	CLARB certification required
TN	7	4	3	No	No	CLARB certification required
TX	6	4	2	No	No	Accepts CLARB certification
UT	4 - 8	4 - 5	8	Yes, BA or MA	Yes, 8	
VT	7	3 - 4	3 - 9	No	Yes, 9	Accepts CLARB certification
VA	6 - 8	3 - 4	3 - 6	No	Yes, 8	Accepts CLARB certification
WA	7	2 - 4	3 - 8	No	Yes, 8	
WV	4 - 6	4 - 5	1 - 2	No	Yes, 10	Accepts CLARB certification
WI	6 - 7	2 - 4	2 - 5	No	No	
WY	7	4	3	No	No	Accepts CLARB certification

National Landscape Architects - Eligibility and Reciprocity Requirements

State - Acronym	Initial Education/Experience Requirements	Reciprocity Requirements	Education Experience Required 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, unless 8 years of practice 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.	Yes
Arizona - AZ	8 years of active education or experience or both (not more than 5 years credit for education).	Must meet the minimum experience requirements or have CLARB certification. In lieu of meeting education, training and examination requirements, applicants may submit proof of licensure for at least 10 of the last 15 years.	No
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.	No
California - CA	6 years combined education and experience. Minimum one year education and minimum one year experience under landscape architect post graduation. Multiple pathways.	Licensed in another jurisdiction and meets initial eligibility requirements for California candidates.	Yes
Colorado - CO	Accredited degree in LA plus 2 years experience or 6 years practical experience or a combination of education and experience to meet the 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.	No
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.	No
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.	Yes
District of Columbia - DC	N/A	N/A	N/A
Florida - FL	Accredited degree in LA plus 1 year of experience, or 7 years experience and/or education credit.	Licensure by Endorsement if the 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.	No
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.	Yes
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 L.A.R.E.	Current licensure in a jurisdiction where the requirements for licensure at the time the license was issued are satisfactory to the Board. Must pass the national licensing exam and the HI supplemental exam.	No
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	No

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/or CLARB certification.	Yes, unless 8 years of practice experience was gained 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.	No
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, unless 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.	Yes
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.	No
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 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.	No
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.	No
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.	No
Michigan - MI	7 years of education and/or work experience. BS/BA degree equals 4 years of the 7 year requirement; MA equals 5 years of the 7 year requirement.	Must meet the minimum experience requirements or have CLARB certification.	No
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.	Yes
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.	No
Missouri - MO	Accredited degree in LA plus 3 years experience.	Must meet the minimum education and experience requirements.	Yes
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.	No

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
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. A 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.	No
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.	Yes
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.	Yes
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 year experience toward the 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.	No
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.	No
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.	Yes
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.	Yes
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.	No
Oregon - OR	Accredited degree in LA plus 3 years experience or, non-accredited 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.	No

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.	No
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.	Yes
South Dakota - SD	Accredited degree in LA and completion of a council record from CLARB. Experience requirements are those required by CLARB.	Must meet the minimum education and experience requirements or have CLARB certification.	Yes
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.	Yes
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.	Yes
Utah - UT	Degree in LA or no less than 8 years experience. Each year of education counts as 1 year of experience.	No provisions for reciprocity cited in law or rules.	No
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.	No
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.	No
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.	No
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 W.VA., or CLARB certification.	No
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.	Yes
Wyoming - WY	Accredited degree plus 3 years experience.	Licensed in a jurisdiction with substantially equal requirements to those in WY or CLARB certification.	Yes

**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~~ For the purposes of this regulation, 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 deemed to have met the job experience requirements of Business and Professions Code section 5651, and shall be eligible for licensure upon passing the California Supplemental Examination.

(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: Sections 5650 and 5651, Business and Professions Code.

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

**California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, California 95834
TBD**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **TBD** or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the Board. Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific section 5650 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. **Informative Digest**

Amend Title 16 CCR Section 2615 – Form of Examinations

BPC section 5650 requires candidates for licensure to have a combination of six years training and educational experience in landscape architecture to qualify for the licensing examination. BPC section 5651 requires candidates to pass a written examination as a means of ascertaining their professional qualifications to practice, prior to receiving a license.

BPC section 5651 allows the Board to waive the written examination for candidates currently licensed in a United States jurisdiction, Canadian province, or Puerto Rico who have: 1) passed a written examination equivalent to that which is required in California at the time of application;

2) submitted proof of job experience equivalent to that required of Californian applicants at the time of application; and 3) passed the California Supplemental Examination (CSE) if, at the time of application, it is required of California applicants.

Currently, CCR section 2615(c)(1) allows candidates licensed in a United States jurisdiction, Canadian province, or Puerto Rico to be eligible for licensure upon passing the CSE if those candidates have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board.

This proposal would amend CCR section 2615(c)(1) by adding the provision that candidates applying for California licensure based on licensure in another jurisdiction shall be deemed to have met the job experience requirements of BPC section 5651(b)(1) and shall be eligible for licensure upon passing the CSE.

B. Policy Statement Overview/Anticipated Benefits of Proposal

This proposed regulation expands opportunities to become licensed in California while maintaining protection of the health, safety, and welfare of California consumers because it allows candidates who have met the licensure requirements and are licensed in another jurisdiction, but do not meet the education requirements of California candidates, to obtain California licensure.

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses as it only affects landscape architect applicants.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation:

As stated above under the Policy Statement Overview/Anticipated Benefits of Proposal, the benefit of the regulation is that it expands opportunities for licensure in California to applicants currently licensed in other jurisdictions who may have professional experience in landscape architecture but who do not meet the educational requirement of California's laws and regulations.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board, Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Kourtney Nation
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7237
Fax No.: (916) 575-7283
E-Mail Address: kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Brianna Miller
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7231
Fax No.: (916) 575-7283
E-Mail Address: brianna.miller@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS**

Hearing Date: **TBD**

Subject Matter of Proposed Regulation: **Form of Examinations**

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2615

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

1. PURPOSE

BPC section 5650 requires candidates for licensure to have a combination of six years training and educational experience in landscape architecture to qualify for the licensing examination. BPC section 5651 requires candidates to pass a written examination as a means of ascertaining their professional qualifications to practice, prior to receiving a license.

BPC section 5651 allows the Board to waive the written examination for candidates currently licensed in a United States jurisdiction, Canadian province, or Puerto Rico who have: 1) passed a written examination equivalent to that which is required in California at the time of application; 2) submitted proof of job experience equivalent to that required of Californian applicants at the time of application; and 3) passed the California Supplemental Examination (CSE) if, at the time of application, is required of California applicants.

Currently, CCR section 2615(c)(1) allows candidates licensed in a United States jurisdiction, Canadian province, or Puerto Rico to be eligible for licensure upon passing the CSE if candidates have a written examination substantially equivalent in scope and subject matter required in California as determined by the Board.

The LATC receives applications for reciprocal licensure from individuals licensed in jurisdictions that accept varying educational degrees and substitute years of experience to meet educational requirements for taking the licensing examination. Under current California laws and regulations, these individuals are precluded from licensure because they do not meet the education requirements of this state, even though they are licensed to practice in other jurisdictions. Accordingly, the LATC faces the problem of denying applications for reciprocal licensure for candidates who are otherwise licensed to practice landscape architecture in other jurisdictions only for the reason that they do not meet California's educational requirement.

This proposal would amend CCR section 2615(c)(1) to provide that candidates applying for California licensure based on licensure in another jurisdiction shall be deemed to have met the job experience requirements of BPC section 5651(b)(1) and shall be eligible for licensure upon passing the CSE.

FACTUAL BASIS/RATIONALE

The LATC has received and continues to receive reciprocal licensure requests from candidates licensed in other jurisdictions, many for several years, who do not meet the educational requirements of CCR section 2620. In 2013, LATC began discussing the issue of equitable reciprocal licensure and reviewed the education, training and examination requirements of other states.

Research revealed that all states require education and/or experience to qualify for the licensing examination. Staff also found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years); and 28 allow initial/reciprocal licensure on the basis of experience alone, with an average of 8 years required.

At its November 2015 meeting, LATC voted to approve an amendment to CCR section 2615(c)(1) to add provisions that candidates applying for California licensure based on licensure in another jurisdiction must submit verifiable documentation that they either possess both education and experience equivalent to that required of California applicants or, if they do not meet the education requirement, that they hold a current license in good standing in another jurisdiction where they have been actively engaged in the profession for at least 10 of the last 15 years. This experience designation was based on a reciprocity requirement for licensure in Arizona and New York, which were chosen due to their licensing population being similar to that of California.

A rulemaking package was submitted to the Office of Administrative Law (OAL) and the Notice of Proposed Changes in the Regulations was published by OAL on August 12, 2016, thereby beginning the 45-day public comment period. On September 27, 2016, a public hearing was held and the public comment period officially ended.

During the public comment period, 296 comments were received; of which, 291 were substantially similar, expressing concern that relying upon precedent from Arizona and New York is out of context because these states have a multitude of paths to licensure not available in California, including varying degrees and combinations of experience. Specifically, the commenters believed that requiring reciprocity applicants to verify 10 years of post-licensure experience was excessive. These comments were provided for the LATC's review and consideration.

At its November 2016 and January 2017 meetings, the LATC discussed the proposed regulation and heard from several members of the public in attendance who expressed opposition to the amount (10 years) of post-licensure experience being proposed. The LATC voted to withdraw the previous rulemaking file and amend the proposed language to allow licensees from any U.S. jurisdiction, Canadian Province, or Puerto Rico to be eligible for licensure upon passing the CSE

if the candidates have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board.

It should be noted that after the November 2016 LATC meeting, staff verified that both Arizona and New York accept any baccalaureate degree combined with additional years of experience for initial license and reciprocity candidates and also accept 10 years of licensed experience in lieu of meeting their examination requirements.

At its April 2017 meeting, LATC voted to approve an amendment to CCR section 2615(c)(1) to add provisions that candidates applying for California licensure based on licensure in another jurisdiction shall be deemed to have met the job experience requirements of BPC section 5651, and shall be eligible for licensure upon passing the CSE.

UNDERLYING DATA

1. Summary Report – LATC Meeting, April 18, 2017
2. Summary Report – LATC Meeting, January 17, 2017
3. Summary Report – LATC Meeting, November 4, 2016
4. Summary Report – LATC Meeting, November 17, 2015
5. Summary Report – LATC Meeting, May 13, 2015
6. Summary Report – LATC Meeting, February 10, 2015
7. Summary Report – LATC Meeting, March 20, 2014
8. Summary Report – LATC Meeting, November 7, 2013
9. Landscape Architects - Initial Licensure and State Specific Eligibility Requirements
10. National Landscape Architects – Eligibility and Reciprocity Requirements

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

ECONOMIC IMPACT ASSESSMENT

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.
- It will not create new business or eliminate existing businesses within the State of California because it only affects candidates for examination and licensure.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect the health and welfare of California residents because the proposed changes will not be of sufficient magnitude to have such an effect.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.



June 2, 2017

Mr. Matt McGuinness, President
California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834

RE: Reciprocity

Dear Mr. McGuinness:

I am writing concerning the Landscape Architects Technical Committee's (LATC) reciprocity regulations. The current reciprocity requirements for landscape architects licensed in another state have been discussed by the LATC since 2012. We believe the approach we have developed is reasonable and will foster mobility. The LATC recommends you approve the revised language for reciprocity.

In addition to passing the national Landscape Architects Registration Examination (LARE), LATC requires each reciprocity candidate to pass the California Supplemental Examination (CSE), a 100 question multiple-choice examination on the Landscape Architects Practice Act and other California laws deemed essential knowledge in this state. The purpose of the CSE is to assess candidates' knowledge of specific practice issues more prevalent or unique to California.

Previous discussions about reciprocity licensure focused on language that required a reciprocity candidate to meet California's education requirements or be eligible with a valid license in good standing and to have been practicing landscape architecture for at least 10 of the last 15 years. In the Committee's discussion, it was determined that mandating 10 years of experience seemed excessive. This is in addition to the individual state's requirements, where the reciprocity applicant is licensed, which is an average of six years.

As the Chair of the LATC, I recognize that the CSE is the mechanism by which candidates are assessed as part of the reciprocity process. I believe the reciprocity requirements as previously proposed were arbitrary and urge you to give favorable consideration to the modified standard.

Thank you for the opportunity to provide my perspective on reciprocity to the California Architects Board.

Sincerely,

Patricia Trauth, California PLA #3247
Chair of the Landscape Architects Technical Committee



AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

June 8, 2017 - Sent via email

Mr. Matthew McGuinness, Board President
California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834-9673

Dear Mr. McGuinness:

On behalf of the over 1,400 California members of the American Society of Landscape Architects (ASLA), we urge you and the California Architects Board (CAB) members to request further review and discussion of the Landscape Architects Technical Committee (LATC) recommended change in licensure reciprocity.

At the LATC's April 18 Board meeting, several representatives from the California Council of the American Society of Landscape Architects (CCASLA) and instructors from academic institutions testified regarding the need for minimum education, training and experience standards in order to be qualified to sit for the Landscape Architects Review Exam (LARE) and the California Supplemental Exam (CSE).

Prior to the April 18 LATC Board meeting, the LATC Directors held an Education Forum to discuss Licensure Education Standards, whether the LATC should evaluate and approve the continuation of Landscape Architecture Extension Programs, the use of CLARB standards to determine what standards to use to for the LARE examination requirements and the LATC also briefly discussed when to approve licensure reciprocity.

The LATC Education Subcommittee recommended that LATC continue to review the issue of establishing standards for the review of candidates for the LARE exam based upon a comparison of the rationale and commonality of subject matter used by various states to determine if degrees meet the standards set by the LAAB.

The LATC also recommended that the LATC Education Subcommittee seek additional input from two California Landscape Architecture Extension Programs so the subcommittee can work with the programs to make recommendations based upon the state's and LAAB key standards.

At the end of the meeting, the LATC Board asked for a vote to approve licensure reciprocity guidelines. CCASLA believes the April 18 LATC vote to approve licensure reciprocity for landscape architect applicants appears to be pre-mature.

We believe the LATC Education Subcommittee should review and come to a decision on what degrees, experience and other factors should be reviewed to approve candidates to sit for the LARE and CSE and then determine how those factors can be used to approve reciprocity.

CCASLA requests that the California Architects Board not adopt the motion made at the LATC April 18 board meeting on licensure reciprocity and return the issue to the LATC Board for further discussion with licensee stakeholders.

Thank you for the opportunity to provide CCASLA's input on licensure issues to the California Architects Board. We hope you will ask the LATC to continue to refine the licensure reciprocity requirements with consumer and licensee input.

All the best,

Jim Pickel, ASLA

Jim Pickel, ASLA
President, California Council of the American Society of Landscape Architects

CC: California Architects Board (CAB) Members
Doug McCauley, CAB Executive Officer

REVIEW AND POSSIBLE ACTION ON LATC'S DRAFT 2017-2018 STRATEGIC PLAN

On January 18, 2017, the Landscape Architects Technical Committee (LATC) participated in a Strategic Planning session to update its Strategic Plan for two years (2017-2018). The session was facilitated by the Department of Consumer Affairs' SOLID team. The LATC developed objectives for four goal areas: Regulation and Enforcement, Professional Qualifications, Public and Professional Outreach, and Organizational Effectiveness.

SOLID updated the Strategic Plan based on the LATC's session. At its April 18, 2017, meeting, the LATC approved the draft 2017-2018 Strategic Plan.

The Board is asked to review and approve the draft 2017-2018 LATC Strategic Plan. Attached is a copy of the updated plan.

Attachment:

2017-2018 LATC Strategic Plan (Draft)

Landscape Architects Technical Committee Strategic Plan

2017-2018

DRAFT

Approved: [Insert Date of Approval]

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DRAFT

Landscape Architects Technical Committee Members

Patricia Trauth Committee Chair

Marq Truscott Committee Vice Chair

Andrew Bowden

David A. Taylor, Jr.

DRAFT

Edmund G. Brown, Jr., Governor

Alexis Podesta, Secretary, Business, Consumer Services, and Housing Agency

Dean Grafilo, Director, Department of Consumer Affairs

Doug McCauley, Executive Officer, California Architects Board

Message from the Committee Chair



State licensure exists to protect consumers. For the design professions, that protection is critically important due to the nature of design projects and their impact on Californians. Our licensure requirements are comprehensive and help ensure that practitioners are prepared to practice in a manner that safeguards the public.

A number of recent reports and decisions shape what licensing boards do to validate competence. Reports from the White House and Little Hoover Commission ask key questions about whether standards for entering professions and trades are defensible. In addition, a recent US Supreme Court decision questions the checks and balances of regulatory enforcement actions.

The Landscape Architects Technical Committee (LATC) has a strong history of embracing diverse pathways into the profession. Both University of California extension certificates and associate degrees can count toward the credits required to test and become licensed. LATC is currently assessing whether there may be other pathways that strike the critical balance between protecting consumers without creating undue barriers.

Our enforcement efforts have always put consumers first. Nevertheless, LATC will continue to develop additional means to protect Californians. The risk to the public from unqualified practitioners is tremendous and it is crucial that LATC work closely with local agencies to prevent risks to the public.

LATC's work on these critical issues is enhanced by public participation. Through transparency and collaboration we seek to inform and strengthen our decisions so we can effectively fulfill our mandate to protect the public.

About the California Landscape Architects Technical Committee

The Landscape Architects Technical Committee (LATC) was created via Assembly Bill 1546, which became effective January 1, 1998. The Committee was statutorily established under the California Architects Board (Board). The Committee's purpose is to act in an advisory capacity to the Board on examination and other matters pertaining to the regulation of the practice of landscape architecture in California.

The activities of the LATC benefit consumers in two important ways. First, regulation protects the public at large. Second, regulation protects the consumer of services rendered by landscape architects. It is imperative to ensure those who hire landscape architects are protected from incompetent or dishonest landscape architects.

The LATC is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA) and is part of the Business, Consumer Services, and Housing Agency. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides administrative oversight and support services, the LATC further sets its own policies, procedures, and regulations.

The LATC is composed of five members who are licensed to practice landscape architecture in this state.

Mission

The LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect consumers, and the public health, safety, and welfare while safeguarding the environment.

Vision

The LATC will champion for consumer protection and a safer built environment for the people of California.

Values

Consumer Protection

Innovation

Communication

Integrity

Leadership

Strategic Goal Areas

1 REGULATION AND ENFORCEMENT

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

2 PROFESSIONAL QUALIFICATIONS

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

3 PUBLIC AND PROFESSIONAL OUTREACH

Increase public and professional awareness of LATC's mission, activities, and services.

4 ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality services to consumers and licensees.

Goal 1: Regulation and Enforcement

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

- 1.1 Collect and review data respective to unlicensed activity and licensee violations to identify if trends exist (in such areas as how unlicensed activity was identified, who reported the allegation, and the matters which lead to an investigation) in order to shape consumer education and enhance enforcement efforts.
- 1.2 Revisit development of the annual enforcement report using the Board as a model to assess the effectiveness of consumer protection efforts.
- 1.3 Amend regulations to incorporate the updated *Disciplinary Guidelines* to maintain consistent decisions in disciplinary cases.
- 1.4 Research the possibility of enhancing the statutory written contract requirement to include a consumer notification to enhance consumer education.
- 1.5 Follow the Board's determination regarding the necessity for a licensure fingerprint requirement and the alternatives for implementation as a means of protecting consumers.
- 1.6 Contract with collection agencies to pursue and recover unpaid citations from unlicensed individuals.
- 1.7 Amend current citation regulations to allow delegation authority and to clarify the timeline so that the LATC is consistent with the Board's best practices.

Goal 2: Professional Qualifications

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience and examinations.

- 2.1 Explore entry to initial licensure for applicants who have experience only to expand pathways to licensure.
- 2.2 Continue to explore and make a determination with regard to licensure for individuals who have related degrees to expand pathways to licensure.
- 2.3 Consider advocating for the Council of Landscape Architectural Registration Boards (CLARB) to institute an internship/experience-based program to allow applicants' participation in the licensure process early and provide a more comprehensive experience component.
- 2.4 Promulgate regulations for reciprocal licensure to expand qualification pathways in California.
- 2.5 Research and modify the current regulations, where necessary, to clarify LATC's role in University of California extension certification to stay current with Landscape Architectural Accreditation Board standards.

Goal 3: Public and Professional Outreach

Increase public and professional awareness of LATC's mission, activities, and services.

- 3.1 Incorporate a quick link on the website that will enable consumers to search enforcement actions and more easily identify licensee violations.
- 3.2 Consult with DCA's Public Affairs Office to optimize the LATC website on search engines for individuals searching for a landscape architect to enhance the LATC's ability to reach more consumers interested in using a landscape architect.
- 3.3 Revamp the website (using the Board's website as a possible template) to be more user-friendly for consumers.
- 3.4 Explore and adopt DCA's best practices for using social media with a goal of developing a social media strategy to increase awareness to the public.
- 3.5 Continue to maintain a positive relationship with the American Society of Landscape Architects (ASLA), CLARB, and educational institutions to enhance lines of communication and inform best practices for the protection of Californians.
- 3.6 Expand communication to licensees utilizing an "opt in" email component on the website to increase stakeholder awareness of LATC.

Goal 4: Organizational Effectiveness

Provide accessible and responsive quality services to consumers and licensees.

- 4.1 Prepare for the Sunset Review process to demonstrate the LATC's effectiveness.
- 4.2 Determine current business process needs for conversion to BreEZe to facilitate a smoother transition to the program.

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Strategic Planning Process

To understand the environment in which the LATC operates and identify factors that could impact its success, the California DCA's SOLID Unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews conducted with three Committee members completed during November 2016.
- Interviews conducted with three staff members completed during November and December 2016.
- Interviews conducted with the LATC leadership that included the California Architects Board (Board) Executive Officer (EO) and Assistant Executive Officer (AEO) as well as the LATC Program Manager during December 2016.
- Online survey sent to the LATC stakeholders, which remained open November 3 - 14, 2016 to identify the strengths and weaknesses of the LATC from an external perspective. Seventy eight stakeholders took the survey.

The most significant themes and trends identified from the environmental scan were discussed by Committee members and the Board's EO and AEO during a public strategic planning session facilitated by SOLID on January 18, 2017. This information guided the LATC in the development of its strategic objectives outlined in this 2017 – 2018 Strategic Plan.

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

www.latc.ca.gov

Prepared by:



Department of Consumer Affairs
1747 N. Market Blvd., Suite 270
Sacramento, CA 95834

This Strategic Plan is based on stakeholder information and discussions facilitated by SOLID for the Landscape Architects Technical Committee during early 2017. Subsequent amendments may have been made after adoption of this plan.



DISCUSS AND POSSIBLE ACTION ON SB 800 (COMMITTEE ON BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT) [EXPIRED LANDSCAPE ARCHITECT LICENSE]

The Landscape Architects Technical Committee's (LATC) 2015 - 2016 Strategic Plan contained an objective to "assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements." At the August 6, 2015 LATC meeting, the Committee reviewed the procedures and expired license requirements contained in Business and Professions Code section (BPC) 5680.2 and California Code of Regulations section (CCR) 2624. The Committee directed staff to assess whether the California Architects Board's (Board) procedures and requirements should be considered for use by LATC.

Under LATC's current provisions, an individual who has let his/her landscape architect license lapse for more than three years, but less than five years, may submit a request for re-licensure without retaking the Landscape Architect Registration Examination (LARE). The re-licensure applicant must submit a portfolio for the LATC's review that demonstrates his/her knowledge and skills in landscape architecture. If this review demonstrates to the LATC's satisfaction that the applicant is qualified to practice landscape architecture, the licensing examination, or portions thereof, may be waived. Next, following the LATC's review, the applicant for re-licensure must take and pass any required sections of the LARE and the California Supplemental Examination (CSE) prior to becoming eligible for a new license.

The Board's current re-licensure requirements allow the holder of a license that has been expired more than five years to pay all of the required application fees and meet all of the requirements for obtaining an original license. An applicant who has submitted all required documentation is provided an application for the CSE. Upon passing the CSE, the applicant is eligible for re-licensure. Re-licensure applicants are not required to retake the Architect Registration Examination.

At the November 17, 2015 LATC meeting, staff presented a summary of the re-licensure procedures and requirements of the LATC, Board, and six other landscape architecture licensing boards. The Committee discussed the LATC's portfolio review process available to its re-licensure applicants. The Committee determined that the portfolio review can be subjective and may not be the best method to determine an individual's knowledge and skill level. The Committee concluded that additional information and further discussion was necessary in order to revise the LATC's re-licensure procedures. The Committee directed staff to expand the research of re-licensure procedures used by licensing boards and present the findings at the next meeting.

At the February 10, 2016 LATC meeting, re-licensure procedures of 10 additional landscape architecture licensing boards were presented to the Committee. Upon review, the Committee directed staff to draft proposed language that would amend the LATC's re-licensure procedures, similar to the Board's, to: 1) require an individual whose license is expired for less than five years to pay any accrued fees, and 2) to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. Staff prepared proposed language to amend BPC 5680.2, and repeal CCR 2624 and 2624.1 in consultation with Department of Consumer Affairs (DCA) legal counsel.

At the May 24, 2016 LATC meeting, the Committee voted to approve proposed language that would amend BPC 5680.2 and repeal CCR 2624 and 2624.1. Prior to the meeting, staff discovered BPC 5680.1 included language which would also need to be amended. It was noted to the Committee that amendments to BPC 5680.1 would be included when presented to the Board for its consideration.

At its June 9, 2016, meeting, the Board was presented with proposed language to amend BPC 5680.1 and 5680.2 and was advised that the intent behind these proposed amendments is to better align the LATC's re-licensure procedures with those of the Board. The Board voted to amend BPC 5680.1 and 5680.2 and repeal CCR 2624 and 2624.1.

Following the Board's June 9, 2016 meeting, staff consulted with Senate Business, Professions, and Economic Development Committee staff to begin the process of amending BPC 5680.1 and 5680.2. These amendments have subsequently been included in SB 800 (Committee on Business, Professions and Economic Development) (see attachment).

SB 800 passed out of the Senate with a unanimous vote (37-0) on May 22, 2017, and is currently with the Assembly for consideration. Should these amendments take effect, the LATC will pursue repealing CCR 2624 and 2624.1.

At today's meeting, the Board is asked to review and take possible action on SB 800.

Attachment:

SB 800 (Committee on Business, Professions and Economic Development) [Expired Landscape Architect License] (excerpt showing only BPC 5680.1 and 5680.2)

AMENDED IN ASSEMBLY JUNE 5, 2017

AMENDED IN SENATE APRIL 20, 2017

AMENDED IN SENATE APRIL 18, 2017

SENATE BILL

No. 800

Introduced by Committee on Business, Professions and Economic Development (Senators Hill (Chair), Bates (Vice Chair), Dodd, Galgiani, Glazer, Hernandez, Newman, Pan, and Wilk)

February 17, 2017

An act to amend Sections 4013, 4316, 4980.09, 4980.44, 4980.72, 4984.4, 4984.7, 4984.9, 4989.46, 4992.8, 4996.3, 4996.6, 4996.17, 4999.12.5, 4999.32, 4999.33, 4999.42, 4999.53, 4999.60, 4999.61, 4999.62, 4999.63, 4999.118, 4999.120, 5094, 5680.1, 5680.2, 7075.1, 7145.5, 7558, 7583.20, 7586, 7593.11, 7598.17, 7599.54, 7713, 8567, 12003, 12014, 12022, 12103.5, 12204, 12206, 12303, 12304, 12310, 12310.5, 12313, 12500, 12500.8, 12501.1, 12511, 12537, 12602 12603, 12701, 12707, 12716, 12717, 12722, 12734, 12737, 13432, 13433, 13434, and 22352 of, and to repeal Section 4001.5 of, the Business and Professions Code, *to amend Sections 42639.1 and 85239.1 of the Education Code*, to amend Section 1010 of the Evidence Code, *to amend Section 424 of the Government Code*, and to amend Section 11165.7 of the Penal Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 800, as amended, Committee on Business, Professions and Economic Development. Professions and vocations.

(1) The Pharmacy Law provides for the licensure and regulation of pharmacies, pharmacists, and other associated persons and entities by the California State Board of Pharmacy. This law requires the Joint

1 under the requirements of the Higher Education Act of 1965 as
2 amended (20 U.S.C. Sec. 1001 et seq.).

3 (c) Education from a college, university, or other institution of
4 learning located outside the United States may be qualifying
5 provided it is deemed by the board to be equivalent to education
6 obtained under subdivision (b). The board may require an applicant
7 to submit documentation of his or her education to a credential
8 evaluation service approved by the board for evaluation and to
9 cause the results of this evaluation to be reported to the board in
10 order to assess educational equivalency.

11 (d) The board shall adopt regulations specifying the criteria and
12 procedures for approval of credential evaluation services. These
13 regulations shall, at a minimum, require that the credential
14 evaluation service (1) furnish evaluations directly to the board, (2)
15 furnish evaluations written in English, (3) be a member of the
16 American Association of Collegiate Registrars and Admissions
17 Officers, NAFSA: Association of International Educators, or the
18 National Association of Credential Evaluation Services, (4) be
19 used by accredited colleges and universities, (5) be reevaluated by
20 the board every five years, (6) maintain a complete set of reference
21 materials as specified by the board, (7) base evaluations only upon
22 authentic, original transcripts and degrees and have a written
23 procedure for identifying fraudulent transcripts, (8) include in the
24 evaluation report, for each degree held by the applicant, the
25 equivalent degree offered in the United States, the date the degree
26 was granted, the institution granting the degree, an English
27 translation of the course titles, and the semester unit equivalence
28 for each of the courses, (9) have an appeal procedure for applicants,
29 and (10) furnish the board with information concerning the
30 credential evaluation service that includes biographical information
31 on evaluators and translators, three letters of references from public
32 or private agencies, statistical information on the number of
33 applications processed annually for the past five years, and any
34 additional information the board may require in order to ascertain
35 that the credential evaluation service meets the standards set forth
36 in this subdivision and in any regulations adopted by the board.

37 SEC. 27. Section 5680.1 of the Business and Professions Code
38 is amended to read:

39 5680.1. Except as otherwise provided in this chapter, a license
40 that has expired may be renewed at any time within five years after

1 its expiration on filing of an application for renewal on a form
2 prescribed by the board, and payment of all accrued and unpaid
3 renewal fees. If the license is renewed more than 30 days after its
4 expiration, the licenseholder, as a condition precedent to renewal,
5 shall also pay the delinquency fee prescribed by this chapter.
6 Renewal under this section shall be effective on the date on which
7 the application is filed, on the date on which all renewal fees are
8 paid, or on the date on which the delinquency fee, if any, is paid,
9 whichever last occurs. If so renewed, the license shall continue in
10 effect through the date provided in Section 5680 that next occurs
11 after the effective date of the renewal, when it shall expire if it is
12 not again renewed.

13 SEC. 28. Section 5680.2 of the Business and Professions Code
14 is amended to read:

15 5680.2. A license that is not renewed within five years after
16 its expiration may not be renewed, restored, reissued, or reinstated
17 thereafter, but the holder of the expired license may apply for and
18 obtain a new license if:

19 (a) No fact, circumstance, or condition exists which, if the
20 license were issued, would justify its revocation or suspension.

21 (b) The holder of the expired license pays the fees required of
22 new applicants.

23 (c) The holder of the expired license takes and passes the current
24 California Supplemental Examination.

25 SEC. 29. Section 7075.1 of the Business and Professions Code
26 is amended to read:

27 7075.1. (a) No license, regardless of type or classification,
28 shall be transferable to any other person or entity under any
29 circumstances.

30 (b) A license number may be reissued after cancellation,
31 revocation, suspension, or expiration beyond the renewal period
32 specified in Section 7141, only under the following circumstances:

33 (1) To an individual upon application.

34 (2) To a partnership upon application if there is no change in
35 the partners or partnership structure.

36 (3) To a corporation upon application if there is no change in
37 the status of the corporation as registered with the Secretary of
38 State.

Agenda Item K

REVIEW OF FUTURE BOARD MEETING DATES

June

15	Board Meeting	San Francisco
22-24	National Council of Architectural Registration Boards Annual Meeting	Boston, MA

July

4	<i>Independence Day</i>	<i>Office Closed</i>
13	Landscape Architects Technical Committee (LATC) Meeting	Sacramento

September

4	<i>Labor Day</i>	<i>Office Closed</i>
7	Board Meeting	Los Angeles
13-16	Council of Landscape Architectural Registration Boards Annual Meeting	Boise, ID
28	Communications Committee Meeting	Sacramento

October

18	Professional Qualifications Committee Meeting	Sacramento
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November

1	LATC Meeting	San Diego
10	<i>Veterans Day Observed</i>	<i>Office Closed</i>
15	Executive Committee Meeting	Teleconference
23-24	<i>Thanksgiving Holiday</i>	<i>Office Closed</i>

December

7	Board Meeting	Sacramento
25	<i>Christmas Day</i>	<i>Office Closed</i>

CLOSED SESSION

1. Review and Possible Action on March 2, 2017 Closed Session Minutes
2. Pursuant to GC 11126(c)(3), the Board will Deliberate on Disciplinary Matters
3. Pursuant to GC 11126(a)(1), the Board will Conduct an Annual Evaluation of its Executive Officer

RECONVENE OPEN SESSION

The Board will reconvene open session following closed session.

ADJOURNMENT

Time: _____