



MEETING MINUTES PROFESSIONAL QUALIFICATIONS COMMITTEE

January 23, 2020

Sacramento and Various Teleconference locations

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

Committee Chair Pasqual Gutierrez called the meeting to order at 11:04 a.m.

Vice Chair Tian Feng called the roll.

Six members of the Committee constitute a quorum; there being ten members present at the time of roll, a quorum was established.

Committee Members Present

Pasqual Gutierrez, Chair
Tian Feng, Vice Chair
Raymond Cheng
Betsey Dougherty
Glenn Gall
Malcolm "Brett" Gladstone (See the below explanation)
Kirk Miller
Steve Sands (Departed at 12:00 p.m.)
Stephanie Silkwood
Charles "Sonny" Ward III

Committee Members Absent

No member of the Committee was absent during the entirety of the meeting. Brett Gladstone experienced an unresolved technical issue that prevented further participation in the meeting.

Members of the Public Present

Mark Christian, Director of Government Relations, The American Institute of Architects, California (AIA California)
Ernest Stuart, Vice President Professional Practice, AIA California, Orange County Chapter

Staff Present

Laura Zuniga, Executive Officer (EO)

Marccus Reinhardt, Manager, Examination + Licensing + Continuing Education
Timothy Rodda, Manager, Administration + Enforcement
Rikki Parks, California Supplemental Examination Analyst
Susan Sirk, Continuing Education Analyst
Coleen Galvan, Communications Analyst
Kourtney Nation, Examination Analyst, Landscape Architects Technical Committee

B. CHAIR'S PROCEDURAL REMARKS AND COMMITTEE MEMBER INTRODUCTORY COMMENTS

Mr. Gutierrez asked each member to advise whether anyone from the public was in attendance from their respective location. He requested staff in attendance to provide introductions for the record.

Laura Zuniga advised the Committee Timothy Rodda was departing for a promotional opportunity at the Veterinary Medical Board.

Mr. Gutierrez advised members of the teleconference voting requirements.

C. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No public comments.

D. REVIEW AND POSSIBLE ACTION ON APRIL 18, 2019 MEETING MINUTES

- **Betsey Dougherty moved to approve the April 18, 2019 meeting minutes.**

Raymond Cheng seconded the motion.

Members Cheng, Dougherty, Feng, Gall, Gladstone, Miller, Sands, Silkwood, Ward, and Chair Gutierrez voted in favor of the motion.

The motion passed 10-0.

F. *UPDATE AND POSSIBLE ACTION ON 2019-2021 STRATEGIC PLAN OBJECTIVES TO:

2. PROVIDE LICENSEES THE OPPORTUNITY TO SUBMIT CONTINUING EDUCATION DOCUMENTATION ONLINE TO INCREASE EFFICIENCY IN LICENSURE RENEWAL

Marccus Reinhardt provided members with a brief background on the objective. Mr. Reinhardt advised the Committee that staff is coordinating with the Department of Consumer Affairs (DCA) Office of Information Services on the development of an online web application that would allow licensees the option to upload continuing education (CE) documentation. He also advised the members that testing was underway to determine compatibility with the DCA web systems. Mr. Reinhardt

provided a brief description of the process a licensee would follow to make use of the application. He said user acceptance testing was anticipated in the next several weeks depending upon the results of the compatibility tests. Mr. Reinhardt further advised members the system would not have any budgetary impact upon the Board and emphasized it would be an optional method for CE documentation submission.

- **Kirk Miller moved to accept the staff recommendation for the continued development of the web-based application for online document submission as another option for licensees to comply with audit-related documentation requests.**

Betsey Dougherty seconded the motion.

Members Cheng, Dougherty, Feng, Gall, Gladstone, Miller, Sands, Silkwood, Ward, and Chair Gutierrez voted in favor of the motion.

The motion passed 10-0.

3. CONDUCT OCCUPATIONAL ANALYSIS OF THE PROFESSION TO REFLECT CURRENT PRACTICE

Rikki Parks reminded the Committee that at its April 18, 2019 meeting it discussed this objective and staff explained to members the purpose and frequency of conducting an occupational analysis (OA). Ms. Parks said staff had previously advised members the National Council of Architectural Registration Boards (NCARB) would be conducting its practice analysis (PA) in late 2020 after the commencement of its fiscal year (FY). She also reminded members that based upon when NCARB would be conducting its PA, the Office of Professional Examination Services (OPES) recommended the Board's OA be conducted in the first half of FY 20/21. Ms. Parks advised the Committee staff is coordinating with OPES in the development of a contract for the OA that should be completed in the next few months.

Mr. Reinhardt provided a brief synopsis of the next action steps for the project. He and Mr. Rodda explained how NCARB and OPES will coordinate with each other throughout the various phases of the project.

There was no action requested of the Committee on this item.

4. REVIEW AND AMEND CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, DIVISION 2, ARTICLE 3, SECTION 117 (EXPERIENCE EVALUATION) AND RELATED REGULATIONS TO REFLECT CURRENT LICENSING REQUIREMENTS

Susan Sirk reminded members that at its April 18, 2019 meeting it discussed this objective and approved a motion for staff to coordinate with DCA Legal Affairs Division (Legal) in the development of regulatory language that would reduce or eliminate barriers to licensure. Ms. Sirk advised that staff recently met with Legal to

discuss the proposed changes to CCR 117 and additional proposed language for related CCR provisions. She also advised members that staff received direction from Legal that will be incorporated into a regulatory proposal that will be brought before the Board at a future meeting.

Mr. Rodda explained that some of the proposed changes address experience earned while enrolled in school, degrees related to the field of architecture, allowing candidates to earn more experience through the Architectural Experience Program, and elimination of prescriptive language used in some provisions of the relevant regulations. Mr. Reinhardt explained the proposed changes are part of an omnibus regulatory package meant to update the Board's regulations and align them with contemporary practices in the profession. He also explained how candidate evaluations are conducted by staff including how educational experience credit is granted for foreign education. Mr. Rodda advised members the regulatory process could take 18 months to complete because of the process stages added under direction from the Governor's Office and DCA.

There was no action requested of the Committee on this item.

G. *REVIEW, DISCUSS, AND POSSIBLE ACTION ON NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) DRAFT MODEL LAW

Mr. Gutierrez explained that NCARB *Model Law* is a best practice tool for use and reference by boards. He said the revised edition was a template modernized and updated with relevance to current practice and board governance. Mr. Gutierrez also explained that a vote for approval of the related NCARB resolution is an agreement to replace what currently exists. He emphasized that approval does not mean adoption. Mr. Gutierrez added that should a board choose to adopt the NCARB *Model Law*, then it would amend the best practices to conform with board-specific criteria.

Mr. Gutierrez opined there were four California-relevant updates (see below) in the revised NCARB *Model Law* and then explained the relevance of each.

1. Initial licensure requirements
2. License renewal
3. Mandatory continuing education (related to license renewal)
4. Firm registration

Mr. Reinhardt advised that at its December 11, 2019 meeting the Board directed this item be brought before the Committee for consideration. Mr. Gutierrez advised that concerns regarding the multiple paths to licensure were addressed in the latest iteration of the revised NCARB *Model Law*. He also opined that the *Architects Practice Act* is not too different in many respects from the revised NCARB *Model Law*.

- **Tian Feng moved to recommend the Board send NCARB a letter of support for the revised NCARB *Model Law*.**

Betsey Dougherty seconded the motion.

Members Cheng, Dougherty, Feng, Gall, Miller, Sands, Silkwood, Ward, and Chair Gutierrez voted in favor of the motion.

The motion passed 9-0. Brett Gladstone was absent for the vote.

E. *DISCUSS AND POSSIBLE ACTION ON ARCHITECT REGISTRATION EXAMINATION (ARE) PERFORMANCE

Mr. Reinhardt advised the Committee that the Board previously expressed its concern about candidate performance on the Architect Registration Examination (ARE) during its past several meetings. He explained that internally collected data and that provided by NCARB suggested California candidate performance is lower than the national average across multiple divisions. Mr. Reinhardt said Board members questioned whether one or more of the following factors may be a causal link for the apparent discrepancy in performance:

1. Multiple licensure paths
2. Candidate demographics
3. Architecture program curricula
4. Candidate preparedness
5. ARE difficulty

Mr. Reinhardt also advised that Board members were seeking a solution to the lower than expected performance, so they could proactively address a related concern – whether there were enough architects to meet consumer needs. The Committee reviewed the data and discussed the issue. Members concluded they had no concerns with ARE performance as the Board appeared to be on the correct path for licensing enough architects to meet consumer needs.

- **Tian Feng moved to direct staff report the Committee’s findings to the Board.**

Raymond Cheng seconded the motion.

Members Cheng, Dougherty, Feng, Gall, Miller, Sands, Silkwood, Ward, and Chair Gutierrez voted in favor of the motion.

The motion passed 9-0. Brett Gladstone was absent for the vote.

F. *UPDATE AND POSSIBLE ACTION ON 2019-2021 STRATEGIC PLAN OBJECTIVES TO:

1. AMEND EXISTING LAW REGARDING CONTINUING EDUCATION REQUIREMENTS FOR LICENSE RENEWAL TO REFLECT THE EVOLVING PRACTICE

Mr. Gutierrez asked the Committee to consider during its discussion on this objective whether it should recommend amending existing law and subsequently provide a rationale and framework for the Board to consider or wait until completion of the NCARB PA and the Board's OA before making any recommendation. He then asked each member to provide their respective comments or questions regarding the CE requirement. The Committee ultimately concluded, based upon the outcome of the discussion, it would be best to direct staff to conduct further research and wait until the results of the PA and OA are released before formulating a recommendation at a later meeting. In the interim, Kirk Miller recommended staff research prior Board reports for additional information that may be relevant to this objective.

- **Kirk Miller moved to recommend the Board increase the number of mandatory CE hours for each renewal period with an emphasis on health, safety and welfare units and code updates.**

Glenn Gall seconded the motion.

Members Dougherty and Miller voted in favor of the motion. Members Cheng, Feng, Silkwood, Ward, and Chair Gutierrez voted against the motion. Glenn Gall abstained.

The motion failed to pass 2-5-1. Brett Gladstone and Steve Sands were absent for the vote.

H. ADJOURNMENT

The meeting adjourned at 12:54 p.m.

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