

Resolutions to be Acted Upon

2023 NCARB Annual Business Meeting

This packet includes an overview of this year's resolutions, the resolution language with statements of support, and additional supporting documents in appendices as needed.



National Council of Architectural Registration Boards

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2023 NCARB Annual Business Meeting

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FY23 RESOLUTION OVERVIEW


At the April Board of Directors Meeting, the Board reviewed the proposed resolutions and determined which resolutions will be on the June Annual Business Meeting agenda. There will be two webinars prior to ABM to ask questions to the resolution advocates:

- Thursday, May 18, 2023, 3 p.m. ET | [Register](#)
- Thursday, June 1, 2023, 3 p.m. ET | [Register](#)

This packet includes five resolutions (plus related supporting documentation as appropriate).

Resolution 2023-01: NCARB Model Law and Regulations Amendment – Responsible Control

The Mississippi State Board of Architecture is recommending that the definition of responsible control be updated to address concerns of the Mississippi Board regarding clarity and specificity of responsible control language as amended in June 2022. Opinions from NCARB's Board of Directors and Legal Counsel are available in Appendices A and B.

Strategic Plan Objective:  Future-Focused Research and Development

Resolution 2023-02: Omnibus Sunset of Education Policy Resolutions

This resolution is part of a multi-year effort to review and sunset resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on education policies that were passed between 1960-1999. Appendix C includes the list of resolutions.

Strategic Plan Objectives:  Stakeholder Systems, Tools, and Resources

Resolution 2023-03: Omnibus Sunset of Resolutions in Conflict With Current Council Policies

This resolution is part of a multi-year effort to review and sunset resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on finance, the NCARB Certificate, processes, experience, continuing education, and records policies that were passed between 1960-1979. Appendix D includes the list of resolutions.

Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

Resolution 2023-04: NCARB Model Rules of Conduct Amendment – Ethics Updates

The FY22 Ethics Work Group is recommending that the *NCARB Model Rules of Conduct* be updated to reflect modern practice and expectations regarding ethical conduct. The resolution proposes language be added to the *Model Rules of Conduct* to address acceptance of payments or gifts that may impact judgement, as well as fraudulent or illegal conduct.


Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

Resolution 2023-05: Amendment and Restatement of the NCARB Bylaws - Governance

The FY23 Governance Work Group is recommending that the *NCARB Bylaws* be updated to adopt a new governance structure for the Council to be reflective of modern governance best practices and incorporate diversity, equity, and inclusion in the Council's access to leadership roles and leadership structure.

Strategic Plan Objective:  Future-Focused Research and Development



Strategic Plan Objective:  Future-Focused Research and Development

RESOLUTION 2023-01

This resolution is opposed by the NCARB Board of Directors 14-0.

TITLE: NCARB *Model Law and Regulations* Amendment – Responsible Control

SUBMITTED BY: Mississippi State Board of Architecture

WHEREAS, the definition of “Responsible Control” in Section 103 Definitions of the *NCARB Model Law and Regulations* was amended in June 2022 upon recommendation of the Responsible Charge Task Force; and

WHEREAS, the Mississippi State Board of Architecture, upon research and review, has concerns that the current definition lacks clarity and specificity, which could hinder enforcement efforts and create confusion for licensees; and

WHEREAS, the *NCARB Model Law and Regulations* may only be changed by an absolute majority vote of the Council Member Boards (28 votes), with such change becoming effective at the time specified in this resolution.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that Regulation R401.1 Architect Seal of the *NCARB Model Law and Regulations* be amended to read as follows:

- "1. An Architect may seal and sign Technical Submissions only if the Technical Submissions were:
 - a. Prepared by the Architect;
 - b. Prepared by individuals under the Architect’s Responsible Control;^[Footnote]
 - c. Prepared by another Architect if the sealing and signing Architect has reviewed the other Architect’s work and either has coordinated the preparation of the work or has integrated the work into their own Technical Submissions; or
 - d. Prepared by another Architect licensed in any Jurisdiction and holding a current and valid NCARB Certificate if the sealing and signing Architect has reviewed the other Architect’s work and has integrated the work into their own Technical Submissions.
2. An Architect may include in Technical Submissions and may seal and sign Prototypical Building documents prepared by an Architect licensed in any Jurisdiction. The Architect shall modify the Prototypical Building documents to comply with the requirements of (Jurisdiction).
3. An Architect may also seal and sign drawings, specifications, or other work that is not required to be sealed by this Act.
4. An Architect who has sealed and signed Technical Submissions integrating the work of another Architect into the Architect’s own work shall maintain and make available to the Board adequate and complete records demonstrating the nature and extent of the Architect’s review of and integration of the other Architect’s work into their own Technical Submissions. Following such sealing and signing, these records shall comply with the provisions of Section 403 of Law.



^[Footnote]R401.1 For enforcement purposes some Jurisdictions may wish to add clarifying language noting that Responsible Control shall require:

- Direct contact between the client and the Architect or the Architect's employee so long as the Architect has the right to control and direct the employee in the material details of how the work is to be performed; and
- Involvement in the preparation of Technical Submissions prior to their completion; and
- Review, or review and correction, of final Technical Submissions. Mere review of work prepared by others outside of the Architect's employ does not constitute the exercise of Responsible Control.
- Jurisdictions including the additional criteria above may choose to modify or delete the other provisions of this regulation accordingly."

FURTHER RESOLVED, that following the approval of the resolution by an absolute majority of the Council Member Boards, such resolution will become effective July 1, 2023.

FINANCIAL IMPACT:

- No financial impact.

SPONSOR'S STATEMENT OF SUPPORT:

The Mississippi State Board of Architecture (hereinafter "Board") has carefully considered the revised definition of "Responsible Control" proposed by the Responsible Charge Task Force and adopted by the Council Member Boards in FY22. Although the Board greatly appreciates the work of the Responsible Charge Task Force and has no intention of proposing a change to the definition of "Responsible Control" in the *NCARB Model Law*, the Board feels that it is appropriate to propose additional criteria to further define "Responsible Control" in the *NCARB Model Regulations*.

The Board has concerns that the current definition lacks clarity and specificity, which could hinder enforcement efforts and render licensees uncertain as to whether they are practicing in compliance with the laws and regulations. Terms such as "oversee," "delegate," and "integrate" are ambiguous and subject to a variety of interpretations. For this reason, the Board proposes the addition of optional clarifying language to Regulation R401.1 Architect Seal by reference as a footnote to confirm that Responsible Control shall require:

- Direct contact between the client and the Architect or the Architect's employee so long as the Architect has the right to control and direct the employee in the material details of how the work is to be performed; and
- Involvement in the preparation of Technical Submissions prior to their completion; and
- Review, or review and correction, of final Technical Submissions. Mere review of work prepared by others outside of the Architect's employ does not constitute the exercise of Responsible Control.

Several NCARB jurisdictions, including Louisiana, Mississippi, Missouri, and Tennessee, include some or all of these criteria in their regulations, and they are found in the *Model Rules* of the National Council of Examiners for Engineering and Surveying (Rule 240.20 Seal on Documents).

The Board believes that inclusion of these criteria will result in a more robust definition of what constitutes Responsible Control that will lead to better protection of the health, safety, and welfare of the public.



ADVOCATES

Mississippi State Board of Architecture

STATEMENT OF OPPOSITION:

The Board of Directors has carefully reviewed Resolution 2023-01, gathered feedback from NCARB membership, and consulted with NCARB legal counsel. On the basis of these discussions, the Board of Directors unanimously opposes the proposed changes to the *NCARB Model Law and Regulations*' definition of "Responsible Control."

Based on a review from NCARB's legal counsel, the proposed footnote would create several problems for users of *NCARB's Model Law and Regulations* and should be rejected. These items are outlined in full in Appendices A and B of this packet. Below is a summary of the key concerns:


- The current definition of "responsible control" was approved by NCARB's membership just last year and was the culmination of several years of effort from NCARB's Model Law and Responsible Charge Task Forces. These groups conducted in-depth research and analysis to put forward a standardized recommendation for use by licensing boards. Adjusting the definition at this point would be a disservice to their work and reduce the flexibility of the document.
- Additionally, the proposal only updates one reference to responsible control in the document, thus creating multiple concepts of responsible control within the document and creating contradictions and imbalances between the language within the *Model Law* and the *Model Regulations*.
- The proposed changes do not align with the practices of the majority of NCARB's membership, contradicting efforts to standardize best practices in regulatory language. It would also signal approval of varying requirements by jurisdiction, which contradicts NCARB's overarching objective of unifying licensure standards.

To ensure the continuity of NCARB's efforts to create modern, flexible resources for licensing boards, as well as efforts to encourage universal adoption of regulatory best practices, the NCARB Board of Directors recommends rejecting Resolution 2023-01.

RESOURCES:

- [Appendix A: Mississippi Board's Proposed 2023 Resolution: Memorandum from the NCARB Board of Directors](#)
- [Appendix B: Legal Analysis: Memorandum from Venable Law Firm](#)
- [NCARB Model Law and Regulations](#)



Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

RESOLUTION 2023-02

This resolution is supported by the NCARB Board of Directors 14-0.

TITLE: Omnibus Sunset of Education Policy Resolutions

SUBMITTED BY: Council Board of Directors

WHEREAS, the Board of Directors requested a review of resolutions passed by the membership to determine if there are any that no longer align to current NCARB policies and are appropriate to sunset; and

WHEREAS, the Policy Advisory Committee has reviewed a batch of resolutions dating from 1960 to 1999 related to NCARB's education policies and recommended rescinding several of these because they either conflict with current policies or are unnecessary based on existing official documents; and

WHEREAS, resolutions of substantive matters that NCARB's membership have passed by resolution may only be changed by an absolute majority vote of the Council Member Boards (28 votes), with such change becoming effective at the time specified in this Resolution.

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that all policies and resolutions related to the Council's education requirements that are not detailed in current official NCARB documents, including, without limitation, the *Education Guidelines* and *Certification Guidelines* hereby are rescinded and otherwise deemed inactive. Without limiting the generality of this resolution, this resolution expressly rescinds the following resolutions, the full texts of which are attached hereto as Appendix C:

- Resolution 1999-15: No Sunset for Broadly Experienced Architect Alternative
- Resolution 1996-07: Sunsetting Alternate Education Route
- Resolution 1994-02: Sunsetting EESA For All But Foreign-Educated and Broadly Experienced Applicants
- Resolution 1983-01: Certification For Applicants Without Degree Who Meet Existing Standards
- Resolution 1983-05: To Accept Alternate Education in Lieu of an Accredited Degree
- Resolution 1980-13: Preparation of State Versions of Appendices "A" and "B"
- Resolution 1980-14: Requirement of Bachelor's Degree for Certification
- Resolution 1979-03: All Conferences to Establish Meetings with their Educational Communities
- Resolution 1978-25: Task Force to Define the Areas of Study Fundamental to the Practice of Architecture
- Resolution 1969-7: Proposal to Grant the Title "Intern-Architect" or Other Title as May be Determined by the NCARB Board of Directors to Graduates of Accredited Architectural Schools and to Establish a Defined Internship Program and Record
- Resolution 1965: Foreign Education

FURTHERED RESOLVED, that upon the approval of the foregoing resolution by an absolute majority of the Council Member Boards, such resolution will become effective immediately.

**FINANCIAL IMPACT:**

- No financial impact.

SPONSORS' STATEMENT OF SUPPORT:

The Policy Advisory Committee is continuing a multi-year research project to identify historical policy or position-related resolutions that may no longer align with current Council practice or philosophy.

Today, the *NCARB Bylaws* specifically give the NCARB Board of Directors authority to issue rules and policies respecting education requirements, including requirements for certification and alternative paths.

NCARB currently has many active education-related policy resolutions, several of which are in conflict with each other. Additionally, NCARB's active education requirements as established by NCARB membership are detailed in the *Education Guidelines* and *Certification Guidelines*, and some of the above policy resolutions either conflict with NCARB's current active requirements or are redundant—putting NCARB at risk of being in conflict in the future if these policy resolutions remain active. To provide clear direction going forward, the Policy Advisory Committee recommends this resolution be passed so that it is clear that all active policies governing education are located in *Education Guidelines*, *Certification Guidelines*, and/or other currently applicable Board policies.

ADVOCATES:

- **Policy Advisory Committee**
 - Chair: Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Linda Alfson Schemmel, AIA, NCARB
 - Emily Cronbaugh, Wyoming Member Board Executive
 - James Devine, NCARB, AIA, LEED AP, North Dakota Member Board Member
 - Leslie Hanska, Oklahoma Member Board Executive
 - Miguel A. Rodriguez, FAIA, NCARB, NOMA, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Edward W. Tucker, FAIA, NCARB, West Virginia Member Board Member

RESOURCES:

- [Appendix C: NCARB Education Policy Resolutions to Sunset: 1960-1999](#)



Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

RESOLUTION 2023-03

This resolution is supported by the NCARB Board of Directors 14-0.

TITLE: Omnibus Sunset of Resolutions in Conflict with Current Council Policies

SUBMITTED BY: Council Board of Directors

WHEREAS, the Board of Directors requested a review of resolutions passed by the membership to determine if there are any that no longer align to current NCARB policies and are appropriate to sunset; and

WHEREAS, the Policy Advisory Committee has reviewed a batch of resolutions dating from 1960-1979 related to NCARB's financial, records/process, experience, certification, and continuing education policies; and recommended rescinding several of these because they either conflict with current policies or are unnecessary based on existing official documents; and

WHEREAS, resolutions of substantive matters that NCARB's membership have passed by resolution may only be changed by an absolute majority vote of the Council Member Boards (28 votes), with such change becoming effective at the time specified in this Resolution.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the National Council of Architectural Registration Boards sunsets the following resolutions, the full texts of which are attached hereto as Appendix D:

- Resolution 1979-01: Architect Development Verification Program (ADVP)
- Resolution 1979-04: Meeting Facilities Accessible to and Usable by the Handicapped
- Resolution 1978-07: IDP Resolution
- Resolution 1977-07: Continuing Professional Development
- Resolution 1977-08: Intern-Architect Development Program (IDP)
- Resolution 1976-09: Continuation of Inter-Architect Development Pilot Program
- Resolution 1975-06: Approval Procedures for NCARB Budget
- Resolution 1973-14: Continuing Education Program
- Resolution 1972-01: Blue Cover Certificate
- Resolution 1971-02: Board Resolution to Eliminate Issuance of Wallet Cards
- Resolution 1971-12: Resolution on Contents of Certificate Record
- Resolution 1971-16: Additional Registration and/or Certification Requirements
- Resolution 1970-01: Updating and Transmittal of Council Documents to Member Boards
- Resolution 1969-01: Continuing Improvements of NCARB Services
- Resolution 1969-04: Issuing Emeritus Certificates to Retired Past Presidents of NCARB
- Resolution 1967-02: Fee for Annual Review of Certificate Record
- Resolution 1964: Report and Recommendations of the Committee on U.S. Citizenship



- Resolution 1964: Review and Approval of Applications
- Resolution 1964: Report and Resolution to the Board of Directors of the NCARB
- Motion 1961: Violations in Council Records

FURTHERED RESOLVED, that upon the approval of the foregoing resolution by a majority of the Council Member Boards, such resolution will become effective immediately.

FINANCIAL IMPACTS:

- While there is no financial impact to sunset these resolutions, there may be a *negative* financial impact should certain resolutions (such as Resolution 1973-14) not be sunset.

SPONSORS' STATEMENT OF SUPPORT:

The Policy Advisory Committee is continuing a multi-year research project to identify historical policy or position-related resolutions that may no longer align with current Council practice or philosophy.

This year, the committee has reviewed resolutions dating from 1960 to 1979 that have been categorized as financial, records/process, experience, certification, or continuing education policies. Additional resolutions to clean up NCARB policies are expected over the next several years as the Council works to develop a more user-friendly resolution archive.

ADVOCATES:

- **Policy Advisory Committee**
 - Chair: Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Linda Alfson Schemmel, AIA, NCARB
 - Emily Cronbaugh, Wyoming Member Board Executive
 - James Devine, NCARB, AIA, LEED AP, North Dakota Member Board Member
 - Leslie Hanska, Oklahoma Member Board Executive
 - Miguel A. Rodriguez, FAIA, NCARB, NOMA, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Edward W. Tucker, FAIA, NCARB, West Virginia Member Board Member

RESOURCES:

- [Appendix D: NCARB Policy Resolutions to Sunset: 1960-1979, Part 1](#)



Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

RESOLUTION 2023-04

This resolution is supported by the NCARB Board of Directors 14-0.

TITLE: NCARB *Model Rules of Conduct* Amendment – Ethics Updates

SUBMITTED BY: Council Board of Directors

WHEREAS, the Board of Directors charged the FY22 Ethics Work Group to compare NCARB’s ethics-related policies to best practices demonstrated by other organizations and professions; and

WHEREAS, the FY22 Ethics Work Group, upon such evaluation, has recommended that certain clarifications and updates be made to the *Model Rules of Conduct* are appropriate based on the importance of ethical behavior, as expressed by NCARB Member Boards and the Board of Directors; and

WHEREAS, the *NCARB Model Rules of Conduct* may only be changed by an absolute majority vote of the Council Member Boards (28 votes), with such change becoming effective at the time specified in this resolution; and

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that Rule 2 of the *Model Rules of Conduct* be revised to insert the following language as a new subsection immediately following Rule 2.5:

“2.6 An architect serving in a public capacity, whether paid or voluntary, shall not accept payments or gifts that are intended to influence the architect’s professional judgment.”

FURTHER RESOLVED, that Rules 4.3, 4.4, and 4.5 of the *Model Rules of Conduct* be renumbered as Rules 4.4, 4.5, and 4.6, respectively;

FURTHER RESOLVED, that a new Rule 4.3 be added, which will provide the following:

“4.3 An architect shall not counsel or assist a client in conduct that the architect knows, or reasonably should know, is fraudulent or illegal.”

FURTHER RESOLVED, that a new Rule 6 comprising the following language be inserted into the *Model Rules of Conduct* immediately following Rule 5:

RULE 6 FURTHER OBLIGATIONS TO THE PROFESSION AND THE PUBLIC

6.1 An architect serving as an AXP Supervisor for a candidate for licensure shall reasonably assist the candidate in proper and timely documentation in accordance with that program.”

FURTHER RESOLVED, that upon the approval of the changes by an absolute majority vote of the Council Member Boards, such changes will become effective July 1, 2023.

FINANCIAL IMPACT:

- No financial impact.



SPONSORS' STATEMENT OF SUPPORT:

In FY22, President Alfred Vidaurri continued a multi-year emphasis on ethics in the profession of architecture and the Council's operations by assembling the Ethics Work Group. While the work group reviewed ethics in education, continuing education, and the practice of other professions, the changes recommended here are limited to the Council's *Model Rules of Conduct*.

Proposed Rule 2.6: "An architect serving in a public capacity, whether paid or voluntary, shall not accept payments or gifts that are intended to influence the architect's professional judgment."

While the existing sections of Rule 2 address a variety of situations that are conflicts of interest, they are primarily limited to relationships with the client or contractor. The existing rule does not explicitly address bribery, nor further interests of the public. The proposed addition of 2.6 clearly states that the architect will not accept payment to influence the architect's professional judgment. This provides an additional layer of protection to the public, for example when an architect is testifying in public hearings, serving on public boards, or in any role of advocacy regardless of client involvement.

Proposed Rule 4.3 "An architect shall not counsel or assist a client in conduct that the architect knows, or reasonably should know, is fraudulent or illegal."

The proposed addition of Rule 4.3 makes explicit the architect's moral obligation to the public and the rule of law. This aligns with the *AIA Code of Ethics and Professional Conduct* section 2.106. The Ethics Work Group found that this provision in the *AIA Code* was applicable to licensees broadly, and absent from the *Model Rules*.

The structure of the current rules is topical, and the proposed rules 6.1 did not fit within the existing headings, thus a new Rule 6 is proposed to include "Further Obligations to the Profession and the Public."

Proposed Rule 6.1: "An architect serving as an AXP Supervisor for a candidate for licensure shall reasonably assist the candidate in proper and timely documentation in accordance with that program."

While the guiding principles at the beginning of the *Model Rules* explicitly mention the inclusion of several rules for AXP supervisors to support AXP candidates, there is actually only one corresponding rule, which addresses only inappropriate relationships and the supervisor's objectivity (Rule 2.5). There are no rules related to the supervisor's active support of a licensure candidate in completing AXP or achieving licensure.

From the guiding principles, page 5:

"Architects who act as Architectural Experience Program (AXP) Supervisors of candidates for licensure play a critical role in the protection of the public and a central role in the training of future license holders. NCARB and the jurisdictional licensing boards rely on AXP Supervisors to both confirm that the expected experience has been gained and to serve as the primary "quality assurance" guarantor regarding the efficacy of the candidate's experience. Accordingly, these *Model Rules of Conduct* **include several provisions intended to protect the integrity of the experience verification process and other elements of the qualifications reporting system that jurisdictional licensing boards rely on when making licensure decisions.**" (emphasis added)

The text of proposed Rule 6.1 adds a corresponding Rule implied by this principle and mirrors the language of the *AIA Code* Rule 5.201.



These additions ensure the *Model Rules of Conduct* remain up-to-date and reflect many of the current ethical conflicts architects may face in their day-to-day work.

ADVOCATES:

- **FY22 Ethics Work Group**
 - Chair: Jorge Calderón López, AIA, Esq., Puerto Rico Member Board Member
 - Larry W. Bishop, NCARB, Mississippi Member Board Member
 - Ann M. Borys, Ph.D., AIA
 - Robert (Bob) A. Boynton, FAIA
 - Philip H. Cerrone III, AIA, NCARB, Connecticut Member Board Member
 - Paul D. Edmeades, RA, AIA, NCARB, Maryland Member Board Member
 - M. Bradley Gaskins, AIA, CASp, NCARB, Oklahoma Member Board Member
 - Elizabeth A. Glasgow, AIA, NCARB, Oklahoma Member Board Member
 - Mary McClenaghan, AIA, NCARB, Pennsylvania Member Board Member
 - Susan B. McClymonds, FAIA, CSI, CSS, SCIP, NCARB
 - David C. Schulz, AIA, PP, AUA, New Jersey Member Board Member
 - R. K. Stewart, FAIA, NCARB, Hon. FRAIC, Hon. JIA

RESOURCES:

- [NCARB Model Rules of Conduct](#)



Strategic Plan Objective:  Future-Focused Research and Development

RESOLUTION 2023-05

This resolution is supported by the NCARB Board of Directors 14-0.

TITLE: Amendment and Restatement of the *NCARB Bylaws* - Governance

SUBMITTED BY: Council Board of Directors

WHEREAS, the Council Board of Directors has charged the Governance Work Group with assessing the current NCARB governance structure and identifying opportunities to evolve in alignment with best governance practices and with an eye to diversity, equity, and inclusion; and

WHEREAS, the Governance Work Group has recommended after careful consideration that it is advisable to amend and restate the *NCARB Bylaws* to adopt a new governance structure for the Council; and

WHEREAS, the *NCARB Bylaws* may only be changed by a two-thirds majority (37) vote of the Council Member Boards,

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the *NCARB Bylaws* are hereby amended and restated in the form attached hereto in Appendix E; and

FURTHER RESOLVED, that the Council staff be authorized to correct article and section designations, punctuation, and cross-references and to make such other technical and conforming changes as may be necessary to reflect the intent of the delegates; and

FURTHER RESOLVED, that such amended and restated *Bylaws* will become effective as of the adjournment of the 2023 Annual Business Meeting.

FINANCIAL IMPACT:

- This resolution will have a minimal financial impact. An estimated \$80,000 over a two year period to account for an extra Board of Director member travel to Board, committee, and other major meetings of the Council.

SPONSORS' STATEMENT OF SUPPORT:

This year, the Board of Directors undertook a study to assess the current NCARB governance structure to identify opportunities to evolve in alignment with best governance practices and to encourage diversity, equity, and inclusion (DEI) on the Board and within the volunteer culture. The Board of Directors has taken all membership feedback under advisement to develop a final 2023 resolution proposal to amend and restate the *NCARB Bylaws*.

Resolution 2023-05: Amended and Restated Bylaws offers exciting opportunities to add new perspectives to the NCARB Board of Directors, reduce the timeline to Board leadership, and remove some of the qualification impediments from the current *Bylaws*. This resolution incorporates the original recommendations from the 2021 Diversity Collaborative (subsequently established as the DEI Committee) to reduce the number of officer positions from six to four and add two At-Large positions. The highlights from the resolution's proposed changes include:



- Opportunity to provide the Board with new perspectives by establishing At-Large Director positions.
- The addition of volunteer experience as a valid qualification for At-Large Director positions.
- The timeline to Board leadership is reduced by eliminating two officer positions.
- Removal of the requirement for Member Board service to have occurred within one year of nomination to the Board removes an impediment to individuals whose Member Boards mandate short tenures or to those who are no longer on their Member Boards, but aspire to serve on the Board.

Overview of Proposed Changes

All six Regional Director positions are retained with no adjustments to the regional map; two at-large director positions are added; two officer positions are eliminated (merge Secretary/Treasurer and eliminate Second Vice President). Member Board experience is required for all Board positions except At-Large Directors; At-Large Directors qualify either with experience as a Member Board Member or as an NCARB volunteer for at least two years. There will be no Nominating Committee; candidates will self-nominate for all positions, with volunteer leaders encouraged to recruit eligible individuals from various backgrounds. The Secretary/Treasurer candidate(s) must serve at least two years on the Board; and then the elected Secretary/Treasurer will automatically move up to Vice President, President, and Immediate Past President. A transition plan will calibrate moving to the new model over three years commencing with the 2024 Annual Business Meeting (ABM). These changes will increase the pool of qualified applicants, streamline the leadership timeline, and enable the opportunity for greater flexibility in paths to Bovard participation and greater diversity—from multiple perspectives—in Board composition.

Benefits:

- Increase the pool of qualified applicants by removing the one-year window for Member Board service and adding a path to the Board separate from regional nomination.
- Streamline the leadership timeline by removing two officer positions.
- Enable greater candidate flexibility and diversity.
- Timeline for Changes to Board Positions:
- Add two At-Large Director positions, elected at 2024 ABM.
- Merge Secretary and Treasurer positions, effective at the close of the 2024 ABM, with the incumbent Secretary to continue as new Secretary/Treasurer.
- Eliminate Second Vice President position, effective at the close of the 2026 ABM.
- All other existing positions would remain as-is (i.e., six Regional Directors, Public Director, MBE Director).
- You can review the complete transition plan in Appendix F.

At-Large Directors:

- Must have served two years on a Member Board or as an NCARB volunteer (at any time).
- Do not need to be architects.
- Would self-nominate.

Changes to Elections:

- Merged Secretary/Treasurer would automatically succeed to the Vice President position.
- Membership would elect two at-large directors from the available candidates.



- Election for at-large director positions will use plurality voting—meaning the person(s) with the most votes will win, even if they do not have 50 percent of the vote. This voting method will minimize the need for additional rounds of voting.
- All other elections remain as-is.

Other Changes:

- Clarification that all officers must have Member Board experience.
- Removal of requirement that Member Board service for Regional, MBE, and Public Directors must have been within one year of nomination. Now candidates must have at least two years of experience on a Member Board, but there is no time limit on when that service occurs.
- Secretary/Treasurer position will require two years of experience on the Board of Directors in the most recent five years, effective 2027.
- **NO** Nominating Committee—Credentials Committee will review qualifications for all available candidates; others within the organization will recruit multiple candidates for open At-Large Director positions; and all candidacies will self-declare.
- Changes would go into effect through a multi-year transition plan, detailed in the resolution appendices. The transition is expected to be completed at the 2026 Annual Business Meeting.

What's Staying the Same:

- Regional Directors
- Requirement for all architect Board members (Directors and Officers) to have an NCARB Certificate (will be reviewed in FY24)
- Regional (and At-Large) Directors will be eligible to serve a maximum of two consecutive one-year terms, with the option to return to the Board later.
- Candidates for Secretary/Treasurer, Public Director, and At-Large Directors will be able to declare at the Annual Business meeting by the deadline determined by the Credentials Committee (current practice is to file no later than the close of the first business session during ABM)

Based on feedback from the Board of Directors, First Vice President/President-elect Jon Baker indicated his commitment to continue discussion regarding the feasibility of more governance adjustments in the coming years.

Background

This resolution was informed by efforts begun in 2019 by the then-Diversity Collaborative (now DEI Committee), which identified member concerns about the Council's current governance model, including the structured regional governance path as the perceived only path to Board service, lengthy timelines from initial Board service through the Presidency/Past Presidency that disincentivized opportunities to serve, and under-representation by demographically diverse individuals in comparison to those diversities in communities served by NCARB.

The Diversity Collaborative submitted two resolutions for Board consideration in 2021. One resolution was passed by the membership reducing the timeline on the leadership path by one year by adjusting the maximum tenure of regional directors from three consecutive terms to two. The second resolution proposed eliminating the Second Vice President position, merging the Secretary and Treasurer positions, and adding two At-Large positions. The Board of Directors tabled this second proposed resolution, requesting time to engage consultants with expertise in governance and diversity/equity/inclusion and further engage the membership regarding possible new governance models.



NCARB consultants facilitated 10 listening sessions in summer 2021 with Member Board Members from underrepresented groups to seek additional insights regarding the path to NCARB leadership. These sessions identified perceived cultural and actual impediments to their interest in serving on the NCARB Board of Directors. Then-President Alfred Vidaurri Jr., NCARB, NOMA, FAIA, initiated Board and key volunteer training on pursuing a more diverse, equitable, and inclusive community of leaders and issued a mid-year status report titled [Discernment Regarding NCARB Culture, DEI, and Governance](#) in spring 2022.

In 2022, President Bayliss Ward, NCARB, AIA, appointed a Governance Work Group and a governance expert to develop and socialize with NCARB membership possible governance frameworks that would encourage DEI on the Board by eliminating unnecessary impediments or unconscious bias along the leadership path. Three frameworks were posited, and NCARB members provided feedback through numerous engagement sessions conducted from October 2022 through March 2023. Member feedback sessions included: six Zoom listening sessions; meetings with the Regional Leadership and DEI Committees; a breakout session with Member Board Chairs at the Member Board Chairs/Member Board Executives Leadership Summit; a Regional Summit plenary followed by visits from the Governance Work Group with each region; correspondence submitted by several Member Boards, Member Board Members, and regions; and robust participation by a large segment of Member Board Members in a governance survey in March 2023.

Resolution 2023-05 incorporates the original proposal from the DEI Collaborative and goes further by adding a new leadership path and removing some longstanding restrictions.

ADVOCATES:

- **FY23 Board of Directors**
 - Bayliss Ward, NCARB, AIA; President/Chair of the Board
 - Jon Alan Baker, FAIA, NCARB, LEED AP; First Vice President/President-elect
 - Kenneth R. Van Tine, AIA, NCARB, LEED AP; Second Vice President
 - Edward T. Marley, NCARB, AIA, LEED AP; Treasurer
 - John Patrick Rademacher, AIA, NCARB; Secretary
 - Alfred Vidaurri Jr., NCARB, NOMA, FAIA; Past President
 - Janet L. Hansen, NCARB, LEED AP; Director, Region 1
 - George H. Miller, FAIA; Director, Region 2
 - Richard H. McNeel, NCARB, AIA, LEED AP; Director, Region 3
 - Margaret (Meg) S. Parsons, FAIA, NCARB, LEED AP BD+C, ALEP; Director, Region 4
 - Lenora A. Isom, RA, NCARB; Director, Region 5
 - Sylvia Kwan, FAIA, LEED AP; Director, Region 6
 - Gary R. Ey, CDT; Public Director
 - Cathe M. Evans, Member Board Executive Director



- **FY23 Governance Work Group**
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP, Region 1 Chair, Former Chair – DEI Collaborative
 - Jon Alan Baker, FAIA, NCARB, LEED AP, NCARB First Vice President/President-elect
 - Cathy Morrison, AIA, LEED AP BD+C, NCARB, Region 3 Secretary/Treasurer
 - Coffee Polk, AIA, NCARB, FY23 Exam Committee Member, Former Re-Think Tank Member
 - Alfred Vidaurri Jr., NCARB, NOMA, FAIA, NCARB Immediate Past President

RESOURCES

- [Appendix E: Proposed NCARB Bylaws Updates](#)
- [Appendix F: Proposed Transition Model](#)

Appendix A:

Mississippi Board's Proposed 2023 Resolution:
Memorandum from the NCARB Board of Directors

MEMORANDUM

To: NCARB Membership

From: NCARB Board of Directors

Date: May 8, 2023

Re: Mississippi Board's Proposed Resolution

The Mississippi Board has proposed a resolution for the 2023 Annual Business Meeting to amend the *Model Regulations* to include a footnote recommending that jurisdictions consider, for enforcement purposes, additional criteria surrounding what it means for an architect to exercise "Responsible Control" over a project.

A comprehensive memorandum from our legal counsel, Venable LLP, is attached for your review. As explained below, the Venable opinion leads us to conclude that this proposed modification is misplaced within the Model Regulations and, if adopted, would cause confusion. Moreover, just last year, the Model Law Task Force suggested, and the membership adopted, the current definition of "Responsible Control" to replace the previous definition of "responsible charge." We are concerned that the current proposal is a disservice to those efforts and to NCARB's larger objectives of promoting standardization across our Member Boards' laws and regulations. Therefore, we request that the membership consider voting against the resolution.

Summary of the Resolution

The resolution would add a footnote to Regulation 401.1 suggesting that jurisdictions consider adopting certain additional criteria defining what it means to exercise "responsible control." The Mississippi Board believes this would improve oversight and enforcement when overseeing work under an architect's Responsible Control.

If technical submissions are prepared by non-architects or licensed architects, alike, then the amendment would suggest that jurisdictions consider work "prepared by individuals under the Architect's Responsible Control" to require all three of the following:

1. Direct contact between the client and the Architect or the Architect's employee so long as the Architect has the right to

control and direct the employee in the material details of how the work is to be performed; and

2. Involvement in the preparation of Technical Submissions prior to their completion; and
3. Review, or review and correction, of final Technical Submissions. Mere review of work prepared by others outside of the Architect's employ does not constitute control.

The *Model Law and Regulations* as adopted last year specified that an architect could sign and seal documents if the work was done under the Responsible Control of the signing architect. The proposal suggests significant limitations on the flexible concept of Responsible Control adopted last year with the inclusions of these the three new criteria.

Reasons to Recommend Against the Resolution

Based on the substantive changes, the Venable analysis along with the recent history of the Model Law Task Force work leads to five principal reasons why the resolution proposed by Mississippi should be rejected:

1. The Model Law Task Force spent several years updating the NCARB *Model Law and Regulations* to "modernize the document and provide a more relevant, useful tool for its members." As part of its review, the scope of the definition of "responsible control" (previously "responsible charge") was updated to provide greater flexibility to accommodate the continuously evolving practice of architecture. These changes would be a step backwards because they hamper, not embrace, flexibility.
2. The proposed changes appear to be out of step with what most jurisdictions do. Each jurisdiction makes its own rules, but the *Model Law and Regulations* are designed to provide legislators and regulators with what NCARB's membership believes to be best practices for regulation. The changes proposed would significantly alter what was approved just last year with no material benefits to show for the effort.
3. The proposal makes changes to the Architect Seal regulation without changing the statutory definition of responsible control. Dividing the concept of "responsible control" between NCARB's *Model Law* and its *Model Regulations* is unhelpful for users, be they fellow member boards, state legislatures, or policy makers.

4. Responsible control comes up in the *Model Law* both in the section on sealing and in the section on unauthorized practice. Specifically, if someone is under the responsible control of an architect they are not engaged in the practice of architecture (which would be unauthorized if done by a non-architect). By imposing these additional requirements in the signing section but not changing the definition of responsible control, there would be an imbalance in the statute that would allow non-architects to engage in certain activity if under the responsible control of an architect, but still produce work that could not be signed and sealed by an architect.
5. Because the additional language is framed as optional—to be adopted by jurisdictions at their choosing based on their own enforcement frameworks—its inclusion in NCARB’s model documents would amount to NCARB-sanctioned variation between jurisdictions. This directly conflicts with one of NCARB’s overarching objectives to promote unity and standardization of licensing frameworks among member boards.



Appendix B:

Legal Analysis: Memorandum from
Venable Law Firm

CONFIDENTIAL: SUBJECT TO ATTORNEY-CLIENT PRIVILEGE

memorandum

TO	<i>National Council of Architectural Registration Boards</i>	DATE	April 11, 2023
FROM	Ronald M. Jacobs Cristina I. Vessels Brian M. Melnyk	EMAIL	RMJacobs@Venable.com
		PHONE	202.344.8215
RE	Legal Analysis of the March 2023 Mississippi Member Board Resolution		

I. Introduction and Executive Summary

You asked for a legal analysis of the resolution the Mississippi Board of Architects plans to introduce at the 2023 Annual Business Meeting to further define “Responsible Control” in the NCARB *Model Law and Regulations* (the “Resolution”). The Resolution is the third iteration of the proposed amendment to this term and reverts to the Mississippi Board’s original proposal from December 2022.

In short, the Resolution proposes to add a footnote to Regulation 401.1 (Architect Seal) to specify additional criteria that member boards may *choose* to adopt regarding when an architect may sign and seal a document. The expanded explanation for the term would suggest that jurisdictions consider certain additional details “for enforcement purposes” when overseeing work under an Architect’s Responsible Control.

Although some jurisdictions may already have a similar augmented Responsible Control standard in their laws or rules, the amendment may result in several negative consequences. Specifically, the augmented Responsible Control standard would be contrary to the changes made to the *Model Law* in 2022 that broadened the scope of Responsible Control to add flexibility to how modern architects practice when working with others (both architects and non-architects). It would weaken the carefully thought-out definition of Responsible Control by placing material limitations on the scope of the term in the regulatory section related to sealing documents. In addition, the placement of the additional language in a regulatory footnote, as well as the vagueness of the “framing” language, may lead to unnecessary confusion among the member boards and harm NCARB’s efforts to standardize licensing requirements among all U.S. jurisdictions.

This memorandum provides background on the current Responsible Control definition, explains the scope and possible consequences of the Resolution if it is adopted, and presents suggestions to revise the Resolution to mitigate negative consequences.



II. Background on the Definition of Responsible Control

At NCARB's 2022 Annual Business Meeting, member boards voted 53 to 1 to replace the definition of "Responsible Charge" with a definition of Responsible Control in of the *Model Law and Regulations*.¹

Responsible Charge meant: "The control over and detailed professional knowledge of the development and execution of the project, including Technical Submissions, as is ordinarily exercised by an Architect applying the required professional standard of care."

Responsible Control now means: "Responsibility for exercising the ultimate authority over, and possessing the knowledge and ability to oversee, delegate, and integrate the design and technical decisions related to the preparation of the project's instruments of service and the project's implementation in conformance with the standard of care."²

The *Model Law* uses the term Responsible Control (and previously used Responsible Charge) in two distinct, yet related areas. Article V, Section 401(2) requires Technical Submissions to be stamped by an architect who has Responsible Control for the project. The implementing regulations specify that an architect may seal documents if "[p]repared by individuals under the Architect's Responsible Control." Model Regulation 401.1(1)(b). In addition, Article I, Section 104(5) of the *Model Law* excludes from the practice of architecture work done by an unlicensed individual that would otherwise constitute the practice of architecture as long as it is done under the supervision of a licensed architect such that the licensed architect exercises Responsible Control for the project. Thus, an architect can seal documents prepared by others under the architect's Responsible Control and such individuals are not engaged in the unauthorized practice of architecture if they are under the architect's Responsible Control.

III. Summary of the Mississippi Member Board's Proposed Resolution

In its current form,³ the Resolution would add a footnote to R401.1 (Architect Seal) in the *Model Regulations* to recommend additional criteria regarding Responsible Control. Specifically, the footnote would state that jurisdictions may consider a stricter definition of Responsible Control that requires:

¹ NCARB, *Press Release: Summary Report of Vote on Resolutions at NCARB's 2022 Annual Business Meeting* (June 4, 2022), <https://www.ncarb.org/press/summary-report-of-vote-resolutions-ncarb-s-2022-annual-business-meeting>.

² NCARB *Model Law and Regulations* § 103(16) (June 2022), <https://www.ncarb.org/sites/default/files/LegislativeGuidelines.pdf>.

³ Attached hereto as Exhibit A.



1. Direct contact between the client and the Architect or the Architect's employee so long as the Architect has the right to control and direct the employee in the material details of how the work is to be performed; and
2. Involvement in the preparation of Technical Submissions prior to their completion; and
3. Review, or review and correction, of final Technical Submissions. Mere review of work prepared by others outside of the Architect's employ does not constitute the exercise of Responsible Control.

The Mississippi Board posits that some jurisdictions may choose to adopt the footnote, or otherwise incorporate the recommendations into those jurisdictions' existing regulations, based on the enforcement standards of each such jurisdiction. The Mississippi Board states the definition of Responsible Control "lacks clarity and specificity," which could hinder enforcement efforts and render licensees uncertain as to whether they are practicing in compliance with the laws and regulations. The Mississippi Board expresses concern that the "[t]erms such as 'oversee,' 'delegate,' and 'integrate' are ambiguous and subject to a variety of interpretations."

IV. Legal Analysis and Effects of Adopting the Resolution

The Resolution, if adopted, would suggest states impose stricter requirements for overseeing the work of those under the "Architect's Responsible Control" in the jurisdictions that chose to adopt them. The three additional criteria were not found in the older definition of Responsible Charge and are not in the current definition of Responsible Control. These changes may or may not be in line with current practice in various jurisdictions. Whether these requirements should be set forth as the aspirational goal of the *Model Law* is a policy judgment for the Members and should not be included in NCARB's model documents.

In addition, member boards should consider:

1. **The placement of the additional Responsible Control criteria in a footnote to R.401.1 complicates how regulated parties understand the term.** The additional criteria surrounding Responsible Control is currently placed in a footnote to Model Regulation 401.1, which governs the use of an Architect Seal and lists requirements for Technical Submissions. This placement unnecessarily divides the concept of Responsible Control since other references to this term appear in other sections.
2. **The additional Responsible Control criteria would be inappropriate to include in a regulatory footnote.** Furthermore, the footnote's attachment to the Architect Seal regulation is not germane; if its text were to be included as a footnote, it would be more appropriate to attach the footnote to the statutory definition of



Responsible Control. The *Model Law and Regulations* should be a simple resource for member boards and state legislatures, not a confusing map that forces policy makers to search for piecemeal provisions in a lengthy document. The more difficult the *Model Law and Regulations* are to interpret, the less likely state policy makers will look to these paired documents for guidance.

3. **Because the additional Responsible Control language is framed as optional, the Resolution, if adopted, may encourage variation among the NCARB jurisdictions, which is counter to NCARB's overarching goal of standardization.** The primary purpose of publishing the *Model Law and Regulations* is to encourage jurisdictions to adopt standardized licensing laws and regulations. Standardization has numerous benefits, including, for example, protecting the public's health, safety, and welfare by ensuring architects satisfy rigorous educational, experience, and examination requirements that demonstrate an architect's competence to practice. Standardization also encourages reciprocal licensure to allow architects to move more freely from jurisdiction to jurisdiction, thereby reducing barriers to an individual's ability to pursue the right to make a living in their desired location.

Offering a buffet of options to various jurisdictions through the *Model Law and Regulations* generally runs counter to these goals and would inevitably lead to, effectively, NCARB-sanctioned variation among jurisdictions. Of course, variation already exists, and universal adoption of the exact same statutes and regulations is impractical. Moreover, some jurisdictions already apply concepts like the Responsible Control standards proposed in the Resolution, either formally in statutes or regulations, informally through guidance and practices, or in case law. Thus, adoption of the proposed language may be consistent with some jurisdictions' current procedures. Even so, the overarching principle for uniformity would be undermined by NCARB's adoption of this change.

4. **The new recommendations for sealing technical submissions do not change the exemptions from the unauthorized practice of architecture.** The Responsible Control definition is used primarily to define when an Architect may seal a document. But, as noted above, it also is used to exempt non-licensed individuals acting under the Responsible Control of an Architect from unlawfully engaging in the unauthorized practice of architecture. The optional new requirements for sealing are more restrictive than the current definition of Responsible Control. As such, the exemption is now broader than the sealing requirements, meaning someone could engage in activities that would otherwise be regulated as the practice of architecture, and an Architect could still not be allowed to use their work in a document to be sealed.



V. Proposed Revisions to the Resolution and Related Recommendations

Should NCARB choose not to formally oppose the Resolution, NCARB should consider proposing certain edits to the Resolution to mitigate the negative consequences identified above.

Specifically, to address the placement concerns addressed above, NCARB may propose attaching the footnote to the statutory definition of Responsible Control in section 103 of the *Model Law*. This alternative has the benefit of consolidating the Responsible Control concept into a single place in the *Model Law and Regulations*. Member boards and state legislatures would not need to reference multiple areas of the *Model Law and Regulations* when determining whether the adoption of the supplemental language is consistent with their respective regulatory practices.

Furthermore, to clarify the purpose of the proposed footnote and resolve inconsistencies while still accommodating minor nuances existing among the NCARB jurisdictions, we recommend that the Resolution be clear that, if a jurisdiction decides to adopt the supplemental language, it should incorporate the new language in a new supplemental *regulatory* definition in R103. Although the footnote explaining the language should be attached to the statutory definition for ease of reference, the statutory definition itself should not be modified if a jurisdiction decides to take this approach. Also, the footnote should not encourage jurisdictions to further modify or delete other provisions of the regulatory definition, which would lead to more unpredictable variation among the jurisdictions.

This approach is preferable because the *Model Law* is the bedrock of NCARB's standardization efforts. Once codified, statutes are harder to amend than regulations, so it should be a priority to encourage adoption of NCARB's most preferred language in the statutes, with as little (to no) variation as possible. Regulations, on the other hand, are a better vehicle to incorporate jurisdictional nuances and evolving architecture practices because they are more easily amended.

With these recommendations in mind, should NCARB decide to move ahead with this proposal, it would be advisable to change the text of the Resolution as follows:

RESOLVED, that the following footnote be added to the definition for "Responsible Charge" in paragraph 16 of Section 103 of the *NCARB Model Law and Regulations*:

[Footnote] ~~For enforcement purposes some Jurisdictions may wish to add clarifying language noting that Responsible Control shall require:~~ To reflect jurisdictional-specific enforcement practices and standards governing the preparation of technical plans, project development and implementation, and



the use of the Architect Seal, a Jurisdiction may add the following supplemental definition to R103 of the *NCARB Model Law and Regulations*:

X) **Responsible Control** – The definition of Responsible Control in Section 103(16) requires:

- a. Direct contact between the client and the Architect or the Architect’s employee so long as the Architect has the right to control and direct the employee in the material details of how the work is to be performed; and
- b. Involvement in the preparation of Technical Submissions prior to their completion; and
- c. Review, or review and correction, of final Technical Submissions. Mere review of work prepared by others outside of the Architect’s employ does not constitute the exercise of Responsible Control.

~~Jurisdictions including the additional criteria above may choose to modify or delete the other provisions of this regulation accordingly.~~

* * * * *

If you have any questions or would like further information on any of the issues raised here, please do not hesitate to let us know.



Appendix C:

NCARB Education Policy Resolutions to Sunset:
1960-1999

Appendix C

NCARB Education Policy Resolutions to Sunset: 1960-1999

Project Background

In FY19, Board discussions unveiled a resolution from 2000 that dictated an NCARB position on an issue/policy that, in 2020, no longer aligned with current practice or philosophy. Evaluation of the resolution was assigned to a task force for review and discussion, but led the Board to question the status of other resolutions that dictated official NCARB policy or position. Policies or positions implemented by membership vote remain active unless the membership takes a follow-up action to sunset it, provides a deadline, or includes information granting authority of future adjustments to another party in the resolution.

NCARB staff began a research project to evaluate the status of all historical NCARB resolutions, and the Policy Advisory Committee (PAC) has been asked to make recommendations to the NCARB Board of Directors on whether the resolutions should remain NCARB policy or sunset.

The resolutions are being reviewed by category, and the first set of policies were sunset in FY21. This year, the PAC conducted a holistic review of active education-related policy resolutions, including those from 1960-1999.

Additional resolutions from more categories and decades will be reviewed over the next several years as NCARB cleans up its resolution database.

Resolutions Recommended for Sunset as part of Resolution 2023-02:

Resolution 1999-15: No Sunset for Broadly Experienced Architect Alternative

“RESOLVED, that, notwithstanding Resolution 96-7 which, among other things, ended, effective July 1, 2000, the broadly experienced architect alternative to the degree requirement, a broadly experienced architect, without an accredited degree, whose qualifications are described in *NCARB Education Standard*, shall continue to be eligible for Council certification.”

Rationale: This resolution continues the alternative paths for architects without a NAAB-accredited degree. It also was intended to maintain the two-year window around NAAB accreditation when evaluating degrees (established in 1996-07, below). Sunsetting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. However, sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1996-07: Sunsetting Alternate Education Route

“RESOLVED, that, effective July 1, 2000, all applicants for Council certification, except applicants with a degree in the field of architecture granted by an academic institution outside the United States and Canada, must hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) not later than two years after graduation.”

Rationale: This resolution was intended to sunset the education alternative routes, while also establishing a two-year window for NAAB accreditation. However, this resolution seems to be in conflict with Resolution 1999-15, although both are still active. NCARB does offer alternative programs for individuals with backgrounds not included in this resolution. Sunsetting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. Sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1994-02: Sunsetting EESA For All But Foreign-Educated and Broadly Experienced Applicants

“RESOLVED, that effective July 1, 2000, all applicants for Council certification, except broadly experienced architects and foreign-educated applicants, must hold a professional degree in architecture where the degree program has been accredited by the National Architectural Accrediting Board not later than two years after the degree was received. The foregoing requirement shall not apply to persons seeking reinstatement of a certificate or to foreign-educated applicants who may continue to satisfy the education requirements through the Education Evaluation Services for Architects (EESA) process. Foreign-educated applicants shall mean persons holding a professional degree in architecture from an institution in a country (other than in the United States or Canada) whose regulating authority recognizes the degree. Broadly experienced architects are those applicants whose qualifications are described in Section II, Sub-section 5 of the NCARB Circular of Information No. 3.”

Rationale: NCARB does offer the alternative paths mentioned in this resolution. However, NCARB does still allow the EESA option. Sunsetting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. Sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1983-01: Certification For Applicants Without Degree Who Meet Existing Standards

“**RESOLVED**, that, notwithstanding Resolution 14 of the 1980 Annual Meeting and Resolution 3 of the 1981 Annual Meeting, applicants for Council certification who, on or before July 1, 1984, have at least 5 years of education credits in accordance with Appendix “A” to Circular of Information No. 1, released July 1983, shall be deemed to have met the educational requirements for certification.”

Rationale: This resolution updated the Circular of Information, and would have been modified by following resolutions in 1984. However, this resolution is still listed in the active resolutions index document from 2002; sunseting it would clarify that it is no longer active.

Resolution 1983-05: To Accept Alternate Education in Lieu of an Accredited Degree

“**RESOLVED**, that, notwithstanding Resolution 14 of the 1980 Annual Meeting and Resolution 3 of the 1981 Annual Meeting, applicants for Council certification, after July 1, 1984, without an accredited degree but meeting all other Council criteria, whose education is deemed by the Education Evaluation Committee to meet the Education Criteria adopted by the Council, shall be granted certification.”

Rationale: NCARB’s current Education Alternative pathways fulfill this requirement. Sunseting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. Sunseting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1980-13: Preparation of State Versions of Appendices “A” and “B”

“**RESOLVED**, That the Council Board of Directors be directed to prepare a modified version of Appendix “A” and Appendix “B” appropriate for adoption by Member Boards as their regulations describing requirements for registration, and that all Member Boards be encouraged to adopt such regulations as soon as feasible.”

Rationale: This resolution has two parts: 1) Updates to Appendix A and B, which were completed at the time, and those appendices were later incorporated into programmatic guidelines and/or retired. These appendices included suggested education, experience, and examination requirements. 2) Encouraging adoption of NCARB’s national standards. Sunseting this resolution has no impact on current NCARB requirements, but does ensure that Member Boards may maintain their current individual requirements for regulation of the profession within their jurisdiction.

Resolution 1980-14: Requirement of Bachelor's Degree for Certification

“RESOLVED, That every applicant for Council Certification who has not been registered for the practice of architecture by a Member Board by July 1, 1984, must hold a professional degree in architecture from an NAAB accredited program and that Appendices “A” and “B” be adjusted accordingly.”

Rationale: Adjustments were made by later resolutions to allow for additional options, but this policy did go into effect as the preferred education requirement for certification in 1984. Sunsetting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. Sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1979-03: All Conferences to Establish Meetings with their Educational Communities

“WHEREAS, The acceptance of a degree from an accredited school of architecture is a major consideration by Member Boards in the registration process, and thereby affects the health, safety and welfare of the public, and

WHEREAS, Through a lack of communication and understanding, a loss of confidence in the grading process had developed among the Member Boards, the Southern Conference initiated a continuing dialogue with Board members, ACSA and NAAB, and

WHEREAS, These meetings have restored confidence in the accrediting process, understanding of mutual problems and established closer ties among the Member Boards and the schools of architecture in the Southern Conference; now, therefore, be it

RESOLVED, That all Regions of NCARB make every effort to initiate similar meetings to improve communications with their educational community, to better understand the accrediting process, and to produce thereby the best possible architectural graduates to better serve the public.”

Rationale: Currently, about half of NCARB’s regions are not in compliance with this resolution (Regions 3, 4, 5, and 6 regularly hold a similar conference). Forcing regions to hold a similar conference could have a significant financial and administrative impact on regions that are not currently choosing to do so. Sunsetting this resolution ensures that regions can continue to engage with educators in their region in the way that suits their needs best.

Resolution 1978-25: Task Force to Define the Areas of Study Fundamental to the Practice of Architecture

“WHEREAS, The functional necessities of state registration boards require continual assurance that the national accreditation process includes among its principle concerns that satisfactory exposure and proficiency are required in areas of study fundamental to the practice of architecture, and

WHEREAS, Current NAAB accreditation processes do not provide such continual assurances, and

WHEREAS, There is sufficient reason to believe that such areas of study can be defined and that reasonable measures of satisfactory exposure and proficiency in such areas can be determined; now, therefore, be it

RESOLVED, That a task force of Member Board Members, educators, and representatives of NAAB be created by NCARB and charged with the responsibility of seeking a method of providing the assurance indicated above.”

Rationale: This resolution created a task force that no longer exists; the task force completed its work at the time and a recommendation was made that the 1979 Annual Meeting, resulting in future work. Now, NCARB is included in the accreditation process in a variety of ways, including with members on NAAB visiting teams. Sunsetting this resolution provides clarity that the work of the task force was completed at the time.

RESOLUTION 1969-7: Proposal to Grant the Title "Intern-Architect" or Other Title as May be Determined by the NCARB Board of Directors to Graduates of Accredited Architectural Schools and to Establish a Defined Internship Program and Record

This proposal includes:

- A. The granting (award) of a first-level professional recognition to the graduate of an accredited architectural school at the time of his receipt of his first professional degree. This recognition shall be called "Intern-Architect" and shall be awarded by the state registration board of his residency through the use of NCARB guidelines, the details of which are to be developed this coming year and presented at next year's Annual Convention for approval and implementation. It is not anticipated that this recognition will cause a statutory change in registration laws but can be accomplished by a change in each Member Board's rules and regulations. The procedures for award of this recognition should be according to a uniform NCARB procedure stated in its Circular of Information. This recognition in no way grants any degree of state registration but rather is a professional recognition of achievement in the ladder leading to professional registration.

- B. The establishment of an Internship Program of three years' duration that permits the flexibility of different kinds of experience for two years and requires one year of experience in a registered architect's office who is in private practice. This Internship Program would include the issuing, by the state registration board of his residency at the beginning of his internship and through the offices of NCARB, of an "Internship Architect Record" for the recording and verification of his experience by each of his employers. The details and structure of this procedure for implementation are to be studied this coming year by NCARB, the Member Boards and in cooperation with ALA. and reported to the next Annual Convention.

Rationale: This resolution has two parts: 1) Establishing the title "intern-architect" for graduates of NAAB-accredited programs (which NCARB is not in compliance with), and 2) Creating the experience program (which NCARB is in compliance with). Current jurisdictional requirements would not allow many of NCARB's members to enact part 1; NCARB's current policy is to encourage jurisdictions to determine their own titling per their laws and rules. Sunsetting this resolution has no impact on current requirements since those are embedded in official NCARB documents, which also require a resolution to update. Sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.

Resolution 1965: Foreign Education

"Proposal 1. That the Admissions Office of Accredited Schools of Architecture be requested to evaluate each applicant with a foreign school education in relation to its own standards.

- a. U. S. schools do this now for such candidates that want to continue or complete their education. A system of measurement is now in operation.
- b. The work to provide this evaluation would entail a cost to the school that should be borne by the applicant.
- c. A report direct from the Admissions Department to NCARB indicating full equality or partial credit in years of accomplishment will establish the individual applicants that will fit into the educational measurements in Circular of Information, No. 3-62.
- d. It is further recommended that one school in each of the same U. S. regions be enlisted to perform this service.

Proposal 2. That foreign practical training be recorded in the same manner required for applicants as indicated in Circular of Information, No. 3-62, including interpretations of 1964. That costs of translation of all records, references, etc., be borne by the applicant."

Rationale: Much of the purpose of this resolution is still in place through the EESA program. Sunsetting this resolution has no impact on current requirements since those are embedded in the NCARB Certification Requirements, which also require a resolution to update. Sunsetting this resolution ensures that NCARB will not be in conflict with past policy resolutions should membership ever desire to update the education requirements.



Appendix D:

NCARB Policy Resolutions to Sunset:
1960-1979, Part 1

Appendix D

NCARB Policy Resolutions to Sunset: 1960-1979, Part 1

Project Background

In FY19, Board discussions unveiled a resolution from 2000 that dictated an NCARB position on an issue/policy that, in 2020, no longer aligned with current practice or philosophy. Evaluation of the resolution was assigned to a task force for review and discussion, but led the Board to question the status of other resolutions that dictated official NCARB policy or position. Policies or positions implemented by membership vote remain active unless the membership takes a follow-up action to sunset it, provides a deadline, or includes information granting authority of future adjustments to another party in the resolution.

NCARB staff began a research project to evaluate the status of all historical NCARB resolutions, and the Policy Advisory Committee (PAC) has been asked to make recommendations to the NCARB Board of Directors on whether the resolutions should remain NCARB policy or sunset.

The resolutions are being reviewed by category, and the first set of policies were sunset in FY21. This year, the PAC reviewed additional resolutions from 1960-1979 in the following areas:

- Financial
- Records/Processes
- Experience
- Certification
- Continuing Education

Additional resolutions from more categories and decades will be reviewed over the next several years as NCARB cleans up its resolution database.

Resolutions Recommended for Sunset as part of Resolution 2023-03:

Resolution 1979-01: Architect Development Verification Program (ADVP)

“RESOLVED, That the ADVP Committee be charged to continue the study and development of an appropriate on-line system to be made available to Member Boards on their request. It is to be clearly understood that the ADVP is being developed in order to be prepared for those jurisdictions who adopt continuing education legislation and not as a mandatory license maintenance or NCARB maintenance program.”

Rationale: The ADVP Committee continued by this resolution has since evolved into the Continuing Education Subcommittee, which fulfills the role established by this resolution. The online system for continuing education was developed and still exists to this day. The Policy Advisory Committee

recommends revoking this policy resolution not to change NCARB's stance, but to give the organization freedom to update its services should the need arise in the future.

Resolution 1979-04: Meeting Facilities Accessible to and Usable by the Handicapped

“WHEREAS, The practice and profession of architecture is rapidly changing in today's society, and
WHEREAS, The dynamics of social relationships directly impact on the personal, social and vocational independence of all citizens, and

WHEREAS, The policies of such professional organizations as NCARB can have an impact on these relationships; now, therefore, be it

RESOLVED, That it be the policy of NCARB to hold future meetings and conferences wherever practicable only at those meeting facilities that are accessible and usable by all persons.”

Rationale: This resolution was passed prior to the Americans with Disabilities Act. While NCARB still supports accessibility in our choice of meeting locations, modern legislation and buildings codes mean this resolution can be retired. Additionally, NCARB's meeting planning staff's internal policy ensures that NCARB confirms hotel accessibility when establishing new contracts.

Resolution 1978-07: IDP Resolution

“WHEREAS, The 1977 Annual Meeting approved the development of the Intern-Architect Development Program (IDP) and instructed the Council Board to make IDP available to Member Boards requesting the same, and

WHEREAS, By Resolution Number 6, this meeting has adopted Appendix 'B' covering the specific training requirements of IDP, and NCARB has prepared model Member Board regulations based on Appendix 'B'; now, therefore, be it

RESOLVED, That all Member Boards are encouraged to adopt the IDP criteria for training by enacting the model IDP regulations recommended by NCARB, in forms appropriate to the Member Board's rules and regulations, and are further encouraged to begin the implementation of IDP as quickly as possible.”

Rationale: This resolution is a companion to Resolution 1978-06 (a resolution that updated NCARB's official documents), which laid out the requirements for the IDP. While Resolution 1978-06 was replaced by later resolutions that updated the requirements of the experience program, Resolution 1978-07 remained an active policy resolution. This resolution encourages all Member Boards to adopt NCARB's experience program. Today, most boards require, and all accept, NCARB's experience program to satisfy at least some part of their experience requirement. While the language “in forms appropriate to the Member Board's rules and regulations” leaves room for boards to maintain their own requirements, the general mandate regarding Member Board requirements is not in line with NCARB's current approach.

The Policy Advisory Committee recommends sunsetting this resolution to ensure that Member Boards remain in full control of the regulation of the profession within their jurisdiction.

Resolution 1977-07: Continuing Professional Development

“RESOLVED, That the concept of the Architect Development Verification Program be approved and that the NCARB Board of Directors be authorized to continue development of this program.”

Rationale: This resolution enabled NCARB to continue considering the development of a continuing education program, and was later modified by resolutions 1978-26 and 1979-01. While this resolution aligns with NCARB’s current stance regarding continuing education services, recommendations regarding continuing education are made by the Education Committee and Continuing Education Subcommittee, and sunsetting this resolution ensures that more modern policies and recommendations from those committees take precedence.

Resolution 1977-08: Intern-Architect Development Program (IDP)

“WHEREAS, The Intern-Architect Development Program will provide the Intern-Architect with a level of advice, guidance and resources that, heretofore, have been unavailable at any level; now, therefore, be it

RESOLVED, That the report of the IDP Committee including the Circular of Information No. XI, be approved; and be it further

RESOLVED, That this Annual Meeting recommend the adoption of the “Training Experience Requirements” by all NCARB Member Boards and that the NCARB Board of Directors be instructed to make available the Intern-Architect Development Program in the States of California, Iowa, New Jersey, Texas and Virginia as of January 1, 1978, and in other States when so requested.”

Rationale: Similar to Resolution 1978-07, this resolution encourages the adoption of a national experience program. It also requires NCARB to launch the Intern-Architect Development Program in four states and to make the program available to all Member Boards upon request. While NCARB has completed the action items listed in this resolution, which would typically indicate the resolution is completed, Resolution 1977-08 was included on the 2002 list of active resolutions. The Policy Advisory Committee recommends sunsetting the resolution for clarity.

Resolution 1976-09: Continuation of Inter-Architect Development Pilot Program

“RESOLVED, That the IDP Pilot Program be continued through May, 1977 for the purposes of studying all aspects of an internship program, to report the findings, and to evaluate the implications of implementing the IDP Program in all jurisdictions.”

Rationale: Similar to Resolution 1977-08, the items in this resolution have been carried out in the time frame specified, so the resolution could be considered completed. The IDP Pilot Program was continued through May 1977, and was formalized by Resolution 1977-08 at the 1977 Annual Business Meeting. However, this resolution was included on the 2002 list of active resolutions, so the most straightforward action is to sunset it for clarity.

Resolution 1975-06: Approval Procedures for NCARB Budget

“WHEREAS, Legislative bodies in a number of jurisdictions in the areas served by NCARB are requesting budget information from the Examining Boards; now, therefore, be it

RESOLVED, That the NCARB Board of Directors shall annually publish all examination costs.”

Rationale: NCARB’s current Treasurer’s report provides information on all examination costs, and the organization’s financial statements are included in the Pre-Annual Business Briefing and Annual Report every year. Additionally, the Treasurer is required by the *NCARB Bylaws* to provide a financial report to membership at the Annual Business Meeting. Together, these current requirements and operating procedures make this resolution unnecessary and redundant.

Resolution 1973-14: Continuing Education Program

“WHEREAS, an increasing number of States are requiring professional licensing boards to require proof of continuing professional development and,

WHEREAS, the most reasonable solution to this requirement appears to be through the vehicle of continuing education and,

WHEREAS, the problems of evaluating and coordinating all the various continuing education programs are nationwide,

THEREFORE, BE IT RESOLVED, that NCARB setup the necessary organization to study and evaluate continuing educational programs and make this information available to Member Boards.”

Rationale: The purpose of this resolution was for NCARB to work with AIA to create an organization to verify the quality of continuing education courses, an action NCARB never followed through on. Creating such an organization would require significant funds and bandwidth, and might impact NCARB’s other ongoing work. The Policy Advisory Committee recommends sunsetting this resolution to ensure that NCARB does not need to establish such an organization.

Resolution 1972-01: Blue Cover Certificate

“WHEREAS, The Blue Cover Certificate should be a basis for reciprocity between States,

BE IT RESOLVED, that the name of any Member Board which does not accept the Blue Cover Certificate for reciprocity shall be circulated to the Chairman of each NCARB Region.”

Rationale: All Member Boards accept the NCARB Certificate for reciprocity, although some do have additional requirements. NCARB shares reciprocal licensure requirements for all states through the Licensing Requirements Tool on the NCARB website. While NCARB is in compliance, this resolution is unnecessary and uses out-of-date language.

Note: NCARB still uses the “Blue Cover” terminology internally, but does not use this language externally. Some boards may have “Blue Cover” language embedded in their laws and/or rules.

Resolution 1971-02: Board Resolution to Eliminate Issuance of Wallet Cards

“WHEREAS, the current trend among professional societies, fraternal groups and other similar organizations, is to eliminate the issuance of a wallet card, and,

WHEREAS, the continued issuance of a wallet card will become more time-consuming and costly to furnish, and,

WHEREAS, the issuance of a renewal or wallet card was established at the 1961 Annual Meeting, and reference to same has been deleted in all subsequent editions of the Council By-laws, and,

WHEREAS, The Council office will have the facility to issue a wallet card to any individual member upon his specific request,

Now **THEREFORE, BE IT RESOLVED**, that the general annual issuance of a renewal, or wallet card be discontinued.”

Rationale: Per the resolution, NCARB stopped offering Certificate holders “wallet cards” with each annual renewal. While highly unlikely, if NCARB ever wanted to resume doing wallet cards, the organization would need to pass a resolution to allow it due to this policy. Sunsetting this resolution enables NCARB to make that decision without a resolution vote.

Resolution 1971-12: Resolution on Contents of Certificate Record

“WHEREAS, NCARB transmittal of Council Certifications is a major activity requiring considerable administrative effort and financial expense, and

WHEREAS, these transmittals consists of many pages of letters and other material, requiring reproduction, assembly, mailing expenses, review by the receiving boards and filing space,

THEREFORE, BE IT RESOLVED, that the Mid-Central States Conference recommends to the Board of the National Council of Architectural Registration Boards that it immediately review the contents of Council Certificate transmittals for the purpose of eliminating all unnecessary letters or reference material, said information being available to Member Boards on request, thereby effecting the saving of sizeable financial costs and administrative effort.”

Rationale: The main purpose of this resolution was to save on printing and paper costs when sharing transmittals with licensing boards, a process that is now completed electronically. NCARB does work to streamline the information that is included in transmittals for the ease of our Member Boards, while still providing additional information upon request as necessary. Recommendations for improving the transmittal process are made by the Member Board Executives Committee, and any documentation not included in a Record transmittal can be requested by the Member Board; sunseting this resolution ensures that their recommended policies are not in conflict with any past policies.

Resolution 1971-16: Additional Registration and/or Certification Requirements.

“**WHEREAS**, Certification by NCARB is the desirable vehicle for professional mobility throughout the United States, now

THEREFORE BE IT RESOLVED, that if any jurisdiction desires additional requirements for registration and/or Certification, and for continued registration and/or Certification beyond those currently required by the NCARB, those additional requirements be submitted to the NCARB Board for consideration and appropriate action and where legally possible the action of the NCARB be adopted by the various jurisdictions.”

Rationale: This resolution is not on the list of active resolutions published in 2002; however, no resolution explicitly replaced or retired it. The content is similar to Resolution 1974-01 regarding Member Board Requirements, which was retired by Resolution 1984-15. NCARB does, to the best of its ability, record jurisdictional licensure requirements, including those beyond NCARB’s recommended standard. However, those requirements are not submitted to the Board, and NCARB does not consider changes to its national requirements based on changes at the jurisdictional level. The policy outlined in this resolution is out of date and should be sunset.

Resolution 1970-01: Updating and Transmittal of Council Documents to Member Boards

“**WHEREAS**, the several State Boards take seriously their charge from the people to protect the public health, safety, and welfare; and

WHEREAS, these Boards vary slightly and properly attach a great deal of importance to Blue Cover transmittals; and

WHEREAS, the actual value of the Blue Cover as a useful tool for the Boards would be greatly increased if the record were truly current;

THEREFORE BE IT RESOLVED, that an annual report form be completed by each certificate holder and filed with the Council office every year; and further, that the Council office be instructed not to forward Blue Covers until the certificate holders have brought them up to date and the information contained in the current report form has been verified, and too, that the NCARB be instructed to develop the necessary implementation procedures within the coming year.”

Rationale: NCARB’s current renewal procedure meets the requirements of this resolution—architect Record holders complete an annual renewal form with the required information. However, if NCARB ever wanted to adjust our renewal process, the organization would require a resolution to do so because of this policy. Sunsetting this policy enables NCARB to update renewal processes as necessary in the future.

Resolution 1969-01: Continuing Improvements of NCARB Services

“**WHEREAS**, we recognize the continuing and ever-expanding need for interstate mobility by and for architects and realize that the founders of NCARB were advanced thinkers, who planned well and have created a well-functioning system to attain this mobility, and

WHEREAS, the success of this system is founded on voluntary cooperation between the states,

THEREFORE, BE IT RESOLVED that this convention does commend to its leadership and its Board of Directors that the energies of NCARB be directed toward the continuing improvement of our services to the end that they will become so desirable as to be universally accepted voluntarily by the several states.”

Rationale: This resolution does not establish any standards to measure success, making it difficult to tell if the organization is in compliance or not. However, NCARB continuously works to improve its programs and services, and works with its Member Boards to encourage universal adoption of national standards. The policy outlined in this resolution is unnecessary, and should be sunset.

Resolution 1969-04: Issuing Emeritus Certificates to Retired Past Presidents of NCARB

“**WHEREAS**, this convention recognizes the services rendered by the 30 past presidents of the National Council of Architectural Registration Boards; and

WHEREAS, several of these past presidents have reached the age of 70 years and have retired from active practice of architecture;

NOW, THEREFORE, BE IT RESOLVED that all living National past presidents identified as retired and having reached the age of 70 years shall be titled and recognized this date as National Council of Architectural Registration Boards Certificate Holders Emeritus. New Emeritus Certificates shall be presented to each of the living past presidents meeting the recited qualifications by the respective regional conference in which area the individual resides. Such presentation shall be made with appropriate ceremony. Names and Emeritus Certificate numbers of these past presidents shall be published in all future annual convention reports as long as each shall live.”

Rationale: NCARB doesn’t issue emeritus Certificates anymore. NCARB also does not publish the names and Certificate numbers of all its past presidents in the Annual Report. However, most of our living past presidents do hold the NCARB Certificate, and past presidents are not charged a renewal fee. It is unclear if this resolution only applies to past presidents existing at the time of the resolution and going back, or if it also applies to future past presidents. Regardless, the Policy Advisory Committee recommends sunsetting this resolution in compliance with current Council policies.

Resolution 1967-02: Fee for Annual Review of Certificate Record

"**WHEREAS**, the NCARB now conducts an annual review of each certificate holder's professional practice for which an annual fee of \$10 is charged, and

WHEREAS, this fee represents an expense to the certificate holder which is not commensurate with the service received and in fact constitutes a subsidy, and

WHEREAS, the expanding service of the NCARB does not presently justify this subsidy,

THEREFORE, BE IT RESOLVED that the Western Conference of Architectural Registration Boards recommends to the National Council that studies be instituted to break the charges more into line with the services rendered."

Rationale: This study was conducted, and the results were voted on as part of Resolution 1969-05B. This resolution seems complete; however, it was included on a 2002 list of active resolutions. The Policy Advisory Committee recommends sunsetting it for clarity.

Resolution 1964: Report and Recommendations of the Committee on U.S. Citizenship

“This committee recommends to the Council that the citizenship pre-requisite clause be stricken from the NCARB regulations and urges its resolution at this meeting and if approved, that the decision become effective immediately.

In addition, this committee also recommends that NCARB institute the mechanics for evaluating records of both citizen- and noncitizen-applicants with training and education abroad in order to add another dimension to the ways NCARB can be of service to the profession.”

Rationale: Citizenship is not a requirement for NCARB certification at present, and NCARB offers alternative paths to certification for foreign architects. The requirements for NCARB certification are outlined in the *NCARB Certification Guidelines*. Active policies outside of the *Guidelines* could cause future confusion and difficulty, which is why the Policy Advisory Committee recommend sunsetting this resolution.

Resolution 1964: Review and Approval of Applications

“WHEREAS, it is of utmost importance that the processing of applications for NCARB certificates be brought to a current status as rapidly as possible, and

WHEREAS, the number of applications to be procured is increasing and will continue to grow,

NOW THEREFORE, it is the consensus of this Convention that the processing of all applications must be accelerated in every reasonable manner. To achieve this end, the National Council and its administrative staff is requested to further simplify and streamline the mechanics of review and approval of all such applications wherever possible.”

Rationale: This resolution is vague in terms of how to document compliance. NCARB staff make every effort to review Record and Certificate applications as quickly as possible, while streamlining and expediting transmittals as much as is appropriate. While the Policy Advisory Committee supports the end goal of this resolution, its existence is unnecessary.

Resolution 1964: REPORT AND RESOLUTION TO THE BOARD OF DIRECTORS OF THE NCARB

“WHEREAS, The National Council of Architectural Registration Boards was established to facilitate the interstate registration of qualified professionals and;

WHEREAS, The varied and exacting laws and procedures of the several States, established by their Legislatures and their Boards for the regulation and registration of architects, have led the National Council to adopt policies which have proven themselves in recent years to be too cumbersome to accomplish expeditiously the intended objective and;

WHEREAS, The National Council Board of Directors has recognized a conflict of interest between maintaining high standards and expediting procedures, and its President has appointed a special committee to study this problem,

WHEREAS, This committee on Policies and Procedures has studied, corresponded and met in Washington, D. C. on 7 February, 1964, to consider solutions for these problems and;

WHEREAS, This committee concentrated on the policies which have created most delays, and on the question, "To whom NCARB Certificates are to be issued and continued in force";

NOW THEREFORE, The following recommendations are herewith respectfully submitted for the Council Board's consideration.

1. That all Member Boards be urged to avoid, and to eliminate, if now in effect, the practice of requiring a National Council Certificate, for registration from all out-of-State candidates, as the only basis of reciprocal registration.

NOTE: Such a requirement is probably illegal in most jurisdictions, and violates the voluntary character of NCARB. A Council Record may well be required as a presentation of fact, but a Certificate includes a Recommendation based on standards which may be higher than the State's and hence discriminatory.

2. That an Accelerated Procedure for Certification may be used by the Council Office if the applicant can establish the following qualifications:
 - a. Thirty-five (35) years of age or more
 - b. Citizenship in the United States.
 - c. Current registration in good standing
 - d. Ten or more consecutive years of registration and bona fide active practice, as a principal, prior to application; or four or more consecutive years of bona fide active practice as a principal, and registration based on the NCARB written examination. A principal is defined as an architect who, in fact, is legally, morally, and financially responsible, i.e. a general partner, an officer (of a corporation), or a sole proprietor of an organization concerned primarily with the practice of architecture.
 - e. Favorable recommendations for certification and verification of these facts from three or more architects, two of whom are (and we are leaving out "NCARB certified architects") currently serving as members of Member Boards, provided that no such sponsor is associated with the applicant in the practice of architecture.
3. That reciprocal application transmittal forms for this accelerated procedure be signaled by an appropriate label or other suitable device, conspicuously displayed on the front cover.
4. That qualified applicants for this Accelerated Procedure be guaranteed priority in processing and immediate attention by the Council Office and by Member Boards and;

5. That qualified applicants now in process be automatically processed under the Accelerated Procedure for Certification without additional fee.
6.
 - a. That required notarization of forms be deleted from Council procedures and;
 - b. That States requiring notarization be encouraged to conform to this policy.
7. That the Council Office in its Periodic Review of Council Certificates, henceforth, accept:
 - a. Statements from the Architect, covering the entire period subject to review, without further verification.
 - b. Confirmation of current registration, in good standing, from the Member Board, in the applicant's state of original registration and, where different, from the state in which applicant's main office is located. Nothing herein contained is intended to require an applicant to maintain registration, in his state of original certification provided the applicant can establish:
 - i. Positive residence in state where applicant's main office is located.
 - ii. An UNQUESTIONED record in the state of original registration.
8. That no reciprocal application be delayed by the Council Office because of an incomplete Periodic Review of a Council Certificate.

NOTE: The committee felt recommendations 7 & 8 were so important that it directed the Council Staff to implement this action immediately.

9. That a policy statement be adopted and added to future issues of the Circular of Information to read as follows: Pursuant to Article II of the Constitution, the object of the Council shall be:
 1. To promote high standards of architectural practice;
 2. To foster the enactment of Uniform laws pertaining to the practice of architecture;
 3. To equalize and improve the standards for examination of applicants for state registration;
 4. To compile, maintain and transmit professional records to Member Boards for registered architects desiring this service and;
 5. To certify records and recommend registration, for architects who meet the standards of this Council for interstate registration.
10. That the Council Office not duplicate the compilation of Information as to the education, training, and experience of an applicant, when this required Documentation for a Council Record is available, by facsimile copy, from the files of a Member Board.
11. That the Council Board, through appropriate and the most expeditious means, encourage all Member Boards to use forms with the same format and requesting the same basic information as the Council Record.

12. That the Council Board urge Member Boards to avoid inquires for confirmation of information already available to them in a Council Record.
13. That, henceforth, the signature of only one Council Secretary be required for Form No. 107-61 whether or not the previously involved Secretaries are still living and available for actual signatures.

NOTE: The Committee felt that this recommendation could have immediate effect to expedite transmittals of reciprocal applications that are presently, or would in the future be, delayed by requiring the actual signature of all living secretaries who had opined the various stages of certification of Periodic Reviews. The Committee, therefore, authorized the Council Offices to put this recommended change into effect immediately.

14.
 - a. That certificate holders who retire from active practice and request that their certificate be placed in an inactive status, be subsequently allowed to reinstate said certificates by paying a reinstatement fee, but without paying the annual renewal fees in arrears at the time of re-instatement and that such certificates be termed "Inactive."
 - b. That the certificates of those architects who do not complete the required renewals and who have not requested an inactive status shall be termed "Lapsed" and shall pay fees in arrears plus a reinstatement fee.

WHEREAS, These recommendations have been influenced and shaped by the recommendations of all members of this committee and by other members of the Board who made helpful and constructive suggestions and;

WHEREAS, It is this committee's desire to express its gratitude for these valued services and to implement these recommendations;

NOW THEREFORE BE IT RESOLVED; (a) That this report and resolution be accepted and adopted as a basis for policy; (b) That the Committee on Documents be instructed as to its purpose and timing for formal adoption and publication; and (c) That the Committee on Documents re-study and revise all Council Documents affected by this resolution."

Rationale: There are a lot of different policies set out in this resolution; NCARB is not in compliance with the majority of them. Many of these policies would have been updated by later resolutions or be changes to NCARB's official documents, such as the *Certification Guidelines*. While this resolution is not included on the list of active NCARB Resolutions from 2002, sunseting it would be the clearest course of action.

Motion 1961: Violations in Council Records

“I would like to propose a motion on this subject, that the Council offices be directed to furnish the fullest information on such cases* to the State Board where the application is being submitted. Then it would be up to that Board as to whether they want to receive this man who has either misrepresented himself or has violated the law in other states.”

* Per prior discussion, “such cases” refers to NCARB Records where the applicant has a noted violation/disciplinary action

Rationale: NCARB’s current procedures for documenting disciplinary actions and reciprocal licensure applications meet the requirements of this resolution. While it is unlikely that NCARB would ever stop providing this information, a resolution would be required in order to update these processes. Sunsetting this resolution ensures that modern processes and policies take precedence.

Appendix E:

Resolution 2023-05: Amended and Restated *NCARB Bylaws*

Note: Changes are noted in red, language to be struck is noted with a strike out, language to be inserted is underlined. The rationale for the proposed amendments are provided in the Supporting Statements column.

(Adopted June 23, 1979, Cambridge, MA. Amended June 27, 1981, Maui, HI; June 26, 1982, Minneapolis, MN; June 25, 1983, Philadelphia, PA; June 30, 1984, Portland, OR; June 29, 1985, San Antonio, TX; June 28, 1986, Atlanta, GA; June 27, 1987, Seattle, WA; June 29, 1988, Chicago, IL; June 28, 1989, Boston, MA; June 30, 1990, Washington, DC; June 29, 1991, Denver, CO; June 27, 1992, San Francisco, CA; June 26, 1993, Kansas City, MO; June 25, 1994, Dearborn, MI; June 24, 1995, New Orleans, LA; June 29, 1996, Baltimore, MD; June 28, 1997, Minneapolis, MN; June 27, 1998, San Diego, CA; June 26, 1999, Charleston, SC; June 17, 2000, Chicago, IL; June 23, 2001, Seattle, WA; June 29, 2002, Boston, MA; June 28, 2003, San Antonio, TX; June 26, 2004, Portland, OR; June 25, 2005, Miami, FL; June 24, 2006, Cincinnati, OH; June 23, 2007, Denver, CO; June 28, 2008, Pittsburgh, PA; June 26, 2010, San Francisco, CA; June 25, 2011, Washington, DC; June 23, 2012, Minneapolis, MN; June 22, 2013, San Diego, CA; June 21, 2014, Philadelphia, PA; June 20, 2015, New Orleans, LA; June 18, 2016, Seattle, WA.; June 30, 2018, Detroit, MI; May 14, 2021, Special Vote; June 26, 2021, Los Angeles, CA; June 4, 2022, Austin, TX; June 17, 2023, Tampa, FL.)

NCARB BYLAWS

Consideration of amendments based on discussions to date.

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
ARTICLE I— NAME	The name of this organization shall be the National Council of Architectural Registration Boards.	<i>(no changes to Article I)</i>
ARTICLE II— DEFINITIONS	<p>The following terms shall have the following meanings when used in these Bylaws:</p> <p>A. “Advisory Committee” shall mean any committee not having and exercising the authority of the Board of Directors;</p> <p><u>B.</u> <u>“At-Large Director” shall mean a Director who meets the qualifications of an At-Large Director and is not an Elected Officer, Regional Director, Member Board Executive Director, or Public Director;</u></p> <p><u>BC.</u> “Board Committee” shall mean a committee which is comprised solely of two or more Directors and shall have and exercise the authority of the Board of Directors, to the extent authorized by the Board of Directors and permitted by law;</p> <p><u>CD.</u> “Board of Directors” shall mean the Board of Directors of the National Council of Architectural Registration Boards;</p> <p><u>DE.</u> “Committee” shall mean a Board Committee or an Advisory Committee;</p> <p><u>EF.</u> “Council” shall mean the National Council of Architectural Registration Boards;</p>	<p>Article II, (New B): Adding a definition for the proposed position of “At-Large Director” for the Board of Directors.</p> <p>2023 Governance Survey:</p> <ul style="list-style-type: none"> 65.9% voted to retain Regional Director positions on the Board of Directors and add two At-Large positions.

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>FG. “Council Record” shall mean a record of the education, training, examination, practice, and character of an individual member of the architectural profession;</p> <p>GH. “Delegate” shall mean any member of a Member Board in attendance at an Annual Business Meeting or any special meeting of the Council as a representative of such Member Board;</p> <p>HJ. “Director” shall mean a member of the Board of Directors;</p> <p>IJ. “Elected Officer” shall mean any of the President/Chair of the Board, the First Vice-President/President-Elect, the Second Vice-President, the Treasurer, and the Secretary <u>those Elected Officers set forth in Article VIII, Section 1 of these Bylaws;</u></p> <p>JK. “Examination” shall mean the Architect Registration Examination® prepared by the Council;</p> <p>KL. “Executive Director” shall mean a person holding such title at a Member Board or having a comparable position as the primary administrator responsible for overseeing the activities of the Member Board;</p> <p>LM. “Jurisdiction” shall mean any political subdivision of the United States, including any State, commonwealth, territory, dependency, and the District of Columbia, which has a law regulating the practice of architecture;</p> <p>MN. “Member Board” is a member of the Council in good standing and shall mean the body legally authorized by a Jurisdiction to certify that an applicant for Registration as an architect is qualified;</p> <p>O. <u>“Member Board Executive Director” shall mean the individual serving as the Member Board Executive Director (as that term is described in Article VII of these Bylaws) on the Board of Directors;</u></p> <p>P. <u>“NCARB Volunteer” shall mean an individual serving in a voluntary capacity on an Advisory Committee or other group established and appointed by the Board as outlined in Article XII;</u></p>	<p>Article II, (New J, formerly I): The current version of the “Elected Officer” definition is duplicative to language that exists in Article VIII, Section 1. This proposed edit eliminates the duplicative reference, by substituting the definition with a cross-reference.</p> <p>Article II, (New O): The current version of the Bylaws is missing a definition for the Member Board Executive Director position on the Board of Directors. This edit corrects that oversight.</p> <p>Article II, (New P): Adds a definition of an NCARB Volunteer to make clear what type of volunteer service qualifies to be an At-Large Director.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>NQ. “Public Director” shall mean the individual serving as the Public Director (as that term is described in Article VII of these Bylaws) on the Board of Directors;</p> <p>OR. “Public Member” shall mean a member of a Member Board who does not hold or have a license in a discipline regulated by such Member Board or in a related design profession;</p> <p>PS. “Regional Chair” shall mean the chairperson of a Region, as such term is described in Article VI of these Bylaws;</p> <p>QT. “Regional Director” shall mean a Director who was nominated to serve on the Board of Directors by a Region;</p> <p>RU. “Registration” shall mean licensure as an architect by the body legally authorized by a Jurisdiction to grant such licensure;</p> <p>SV. “Remote Meeting” shall mean any Annual Business Meeting or any Special Meeting held by telephone or video conference technology or other electronic communications technology that allows all participants to hear and participate in the proceedings and to vote, pose questions, and make comments;</p> <p>FW. “Voting Delegate” shall mean a Delegate who is authorized to vote on behalf of a Member Board, as evidenced by a letter of credentials provided by the applicable Member Board.</p>	
<p>ARTICLE III - PURPOSE</p>	<p>The purpose of the Council shall be to work together as a council of Member Boards to safeguard the health, safety, and welfare of the public and to assist Member Boards in carrying out their duties. Pursuant thereto, the Council shall develop and recommend standards to be required of an applicant for architectural Registration; develop and recommend standards regulating the practice of architecture; provide a process for certifying to Member Boards the qualifications of an architect for Registration; and represent the interests of Member Boards before public and private agencies, provided that the Council shall not purport to represent the interest of a specific Member Board without that Member Board’s approval.</p>	<p><i>(no changes to Article III)</i></p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
<p>ARTICLE IV – MEMBERSHIP</p>	<p>SECTION 1. <u>Members</u>. The membership of the Council shall be the Member Boards. Membership in the Council shall be attained through acceptance by the Board of Directors. Application shall be made upon forms furnished by the Council. Every Member Board shall annually provide the Council with the names and addresses of its members, a copy of its law relating to the Registration and practice of architecture, a copy of its rules or regulations administering such law, and a roster of all persons registered by the Member Board, and shall pay the annual membership dues. All Member Boards shall have equal rights.</p> <p>SECTION 2. <u>Removal</u>. If, after written notification from the Board of Directors, a Member Board shall:</p> <ul style="list-style-type: none"> A. fail to pay its dues or other financial obligations to the Council or to its Region, or B. refuse Registration or otherwise fail to register architects holding the Council Certificate for the reason that such architects are not the residents of the Member Board’s jurisdiction, or C. fail to administer the Architect Registration Examination prepared by the Council to all its applicants (other than applicants of whom it does not require a written examination) for Registration, then the Board of Directors may recommend to the Council that such Member Board be removed from membership in the Council. Following such recommendation, the Council may determine by the affirmative vote of not less than two-thirds of all Member Boards to remove such Member Board or, with respect to non-payment of dues or other financial obligations, waive or modify the Member Board’s obligation to pay such amounts due to the Council. <p>SECTION 3. <u>Reinstatement</u>. A Jurisdiction that has been removed from membership in the Council for reasons of non-payment of dues or other financial obligations shall be automatically reinstated as a Member Board:</p> <ul style="list-style-type: none"> A. following payment of all financial obligations of membership had the Jurisdiction not been removed (or such lesser amount approved, by a vote of two-thirds of all Member Boards), 	<p><i>(no changes to Article IV)</i></p>

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	<p>B. upon being in compliance with all other membership requirements of Article IV, Sections 1 and 2; A Member Board that was removed from the Council for reasons other than failure to pay dues or other financial obligations shall only be reinstated upon the affirmative vote of two-thirds of all Member Boards.</p>	
<p>ARTICLE V - MEETINGS</p>	<p>SECTION 1. <u>Annual Business Meeting</u>. The Council shall hold an Annual Business Meeting at a time and place as determined by the Board of Directors. Notice of all Annual Business Meetings shall be sent to the chair or equivalent presiding officer and to the Member Board Executive of each Member Board not less than 90 days prior to each such meeting.</p> <p>SECTION 2. <u>Special Meetings</u>. Special business meetings of the Council may be called by the President/Chair of the Board, with the approval of the Board of Directors, or by a majority of the Member Boards. The Bylaws provisions which govern notice for, and the procedures and conduct of business of, the Annual Business Meeting shall apply to Special Meetings.</p> <p>SECTION 3. <u>Remote Meetings</u>. The Annual Business Meeting and any Special Meetings may be held as a Remote Meeting. The Bylaws provisions which govern calling and providing notice for, and the procedures and conduct of business of, the Annual Business Meeting or special meetings, as applicable, shall apply to Remote Meetings. Holding a Remote Meeting does not preclude allowing participants to gather in a designated location during such meeting.</p> <p>SECTION 4. <u>Delegates and Credentials</u>. Each Member Board shall be entitled to be represented at Annual Business Meetings and special meetings of the Council by one or more official dDelegates who shall be members of that Member Board.</p> <p>Notwithstanding a Member Board's total number of Delegates, each Member Board shall be represented at each Annual Business Meeting and special meeting of the Council by one Voting Delegate, who shall be entitled to cast the vote of its Member Board and who shall be identified as the Voting Delegate by a letter of credentials from the applicable Member Board. A Member Board may change its Voting</p>	<p>Article V, Section 2: Simplifying existing position titles.</p> <p>Article V, Section 4: Correcting capitalization.</p>

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	<p>Delegate from time to time by issuing a subsequent letter of credentials to the Council. Each Voting Delegate shall have an equal vote on all matters on which all Member Boards are entitled to vote.</p> <p>SECTION 5. <u>Quorum</u>. A quorum for the transaction of business at the Annual Business Meeting of the Council shall be Voting Delegates representing a majority of the Member Boards.</p> <p>SECTION 6. <u>Resolutions and Other Motions</u>. Resolutions are the substantive matters placed on the agenda for a meeting of the Council in accordance with this Section. All resolutions to be considered at any meeting of the Council, except those submitted by the Board of Directors, those submitted by Select Committees and those of the laudatory type, shall be submitted to the Regional Leadership Committee not later than 75 days prior to the day at the Annual Business Meeting at which the resolution is to be considered. The Regional Leadership Committee shall review each resolution submitted by Regions and Member Boards for conformity with the Council Bylaws and may recommend to the author of any resolution such changes as are deemed advisable for the purpose of clarity and to avoid duplication. All resolutions shall, insofar as practicable without altering or confusing the intent of the resolution, avoid invective or argument; but the proponent of a resolution may, when submitting the resolution to the Regional Leadership Committee, include a brief summary of the argument in support of the resolution, which summary shall be published with the publication of the resolution. The Council shall distribute all resolutions, except laudatory resolutions, to the Member Boards not less than 30 days prior to the meeting at which the resolution is to be considered. If the Board of Directors discloses its position to the Council, the vote of the Board of Directors shall be disclosed at the same time.</p> <p>Only Member Boards, Regions, Select Committees, and the 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 Director.</p>	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 7. <u>Voting</u>. The affirmative vote of two-thirds of all Member Boards is required to pass any amendment to these Bylaws, to remove any Member Board from membership in the Council, or as provided in Article IV, Section 3. The affirmative vote of a majority of all Member Boards is required to pass any other resolution. Except as otherwise specified in these Bylaws, voting upon all other issues shall require the quantum of vote set forth in Robert’s Rules of Order Newly Revised.</p> <p>Except as expressly permitted by these Bylaws, there shall be no voting by proxy.</p> <p>SECTION 8. <u>Order of Business</u>. An agenda outlining the order of business shall be prepared for all Council meetings. The agenda shall be prepared under the direction of the Board of Directors and sent by the Secretary/Treasurer to all Member Boards at least 30 days before the date set for a particular meeting.</p> <p>SECTION 9. <u>Rules of Order</u>. The Council shall be governed by Robert’s Rules of Order Newly Revised when not in conflict with: first, applicable laws, then, the Articles of Incorporation, and lastly the Bylaws of the Council.</p> <p>SECTION 10. <u>Advisory Votes by Letter or Electronic Ballot</u>. The Board of Directors may from time to time submit any issue or question to the Member Boards for an advisory vote by letter or electronic ballot, provided the subject matter and the ballot shall have been officially submitted in writing to the Member Boards at least 60 days prior to a date therein set for final receipt of ballots. Only ballots returned in the prescribed time will be counted.</p> <p>SECTION 11. <u>Other Participants</u>. Council Directors, Delegates, Member Board Executives or Attorneys when designated by their Member Boards, persons designated by the Board of Directors, and persons designated by the pPresiding 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 Directors, to or initiate action <u>(unless otherwise permitted by these Bylaws)</u>.</p> <p>SECTION 12. <u>International Agreements</u>. All written international and/or foreign agreements entered into by the Council shall be subject to ratification by majority vote of the members at an Annual Business Meeting.</p>	<p>Article V, Section 8: Merging secretary and treasurer positions.</p> <p>Article V, Section 11: Correct capitalization.</p> <p>The current Bylaws reference to Article V, Section 5 is erroneous. The reference should have been to Article V, Section 6. Further, this edit eliminates the need for the cross reference and simplifies the language.</p>

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<p>ARTICLE VI— REGIONS</p>	<p>SECTION 1. <u>Purpose</u>. In order to foster closer communication between Member Boards and the Council, as well as among Member Boards, and further to foster the development of future leaders and assist the Council in achieving its stated purpose, six geographical Regions comprising, in the aggregate, all the Member Boards are hereby established. Each Member Board shall be required to be a member of its Region.</p> <p>SECTION 2. <u>Membership</u>. The membership of the Regions is established as follows:</p> <p>REGION 1—New England Conference: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.</p> <p>REGION 2—Middle-Atlantic Conference: Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia.</p> <p>REGION 3—Southern Conference: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Texas, Virgin Islands.</p> <p>REGION 4—Mid-Central Conference: Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin.</p> <p>REGION 5—Central States Conference: Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Wyoming.</p> <p>REGION 6—Western Conference: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Nevada, New Mexico, Northern Mariana Islands, Oregon, Utah, Washington.</p>	<p>(no changes to Article VI)</p>

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<p>ARTICLE VII — THE BOARD OF DIRECTORS</p>	<p>SECTION 1. <u>Membership</u>. The Board of Directors shall be comprised of the Elected Officers of the Council, one Regional Director from each Region, <u>two At-Large Directors</u>, the immediate Past President, one Member Board Executive Director, and one Public Director.</p> <p>SECTION 2. <u>Qualifications and Limitations</u>. The qualifications for serving as a Director shall be as set forth in this Article VII, Section 2, and no entity responsible for nominating any Director shall impose any qualification not set forth herein.</p> <p>A. A candidate for election to any Director position shall, at the time such person is nominated:</p> <ul style="list-style-type: none"> (i) be a citizen of the United States; (ii) have served at least two (2) years as a member of a Member Board <u>(and in the case of a candidate for Public Director, this service must have been as a consumer or public member)</u>; or, in the case of a candidate for the position of Member Board Executive Director, have served at least two (2) years as an Executive Director; <u>or, in the case of a candidate for an At-Large Director position, have served at least two (2) years as a member of a Member Board or as an NCARB Volunteer; and</u> 	<p>Article VII, Section 1: The recommended governance structure is four Elected Officers (which includes the immediate Past President), six Regional Directors, a Member Board Executive Director, a Public Director, and two At-Large Directors. This structure recognizes best governance practices, is responsive to member concerns by eliminating impediments and reducing timelines to service on the Board of Directors and leaves existing regional governance intact.</p> <p>Article VII, Section 2(A)(ii): Relocated language from former item “D”, below, to this item A, part (ii).</p> <p>Retains Member Board experience requirement for officers, Regional, Public and MBE Directors.</p> <p>Proposed: At-Large Directors may have two-years of experience on a Member Board or as an NCARB volunteer.</p> <p>Allowing service on an NCARB Committee or other Board-appointed group, as a pathway for At-Large directors, broadens the candidate pool and opens opportunities for new perspectives.</p> <p>Note: The highest member survey results, below, support Member Board experience requirement for officers only.</p> <p>Governance Survey:</p> <ul style="list-style-type: none"> • 78.6% supported the survey option requiring every officer to have Member Board Experience. • 75% supported status quo—that all members must have Member Board experience.

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	<p>(iii) be a current member of a Member Board; be a past member of a Member Board whose service as a member ended no more than one year before nomination; be an officer of a Region; be an incumbent Director; or, in the case of a candidate for the Member Board Executive Director, be a current Executive Director; and,</p> <p>(iviii) in the case of candidates who are architects, hold an active NCARB Certificate.</p> <p>B. With respect to candidates for a Regional Director position, all qualifications relating to current or past membership in a Member Board or Region must be within the Region from which the candidate is nominated.</p> <p>C. If a Member Board regulates professions in addition to the profession of architecture, the candidate will qualify as a member or former member of a Member Board only if the candidate is or was an architect-member or a public member of the architect section of the Member Board.</p> <p>D.—A candidate for election as the Public Director shall be at the time of nomination a public or consumer member on a Member Board, or have served in such position no more than one (1) year prior to the time of nomination to the Board of Directors.</p> <p><u>D. A candidate for election as the Secretary/Treasurer shall have served at least two years on the Board of Directors during the five years prior to election as Secretary/Treasurer.</u></p>	<p>Article VII, Section 2(A)(former iii): Eliminating this provision removes current restrictions for service by members whose terms on a jurisdictional board or other qualifying service may have expired beyond this period. This also eliminates the need to list these other pathways to leadership.</p> <p>Article VII, Section 2(A)(iii): The Board of Directors would like to further study the impact the NCARB Certificate requirement before recommending a change to this sub-section. The governance survey did not suggest a clear consensus on this topic.</p> <p>2023 Governance Survey:</p> <ul style="list-style-type: none"> • 72.3% vote for no change—every architect Board member must hold a Certificate. • 71% voted for every officer, who is an architect, holds an NCARB Certificate. • 65.7% supported every officer holding a Certificate. <p>Article VII, Section 2(former D): First part of (former D) moved language pertaining to “public or consumer member” to Section 2(A)(ii), above. The final part of (former D) is also being deleted to remove reference to “no more than one year before nomination” as also deleted in Section 2(A) (former iii), above.</p> <p>Article VII, Section 2, (new D): Secretary/Treasurer required to serve on the Board of Directors for two of the past five years to be relatively current on issues.</p>

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	<p><u>E.</u> An individual shall qualify to serve as the Vice President during the one-year period immediately following their term as Secretary/Treasurer.</p> <p><u>F.E.</u> An individual shall qualify to serve as the President/Chair of the Board during the one-year period immediately following their term as First Vice President/President-Elect.</p> <p><u>G.F.</u> An individual shall qualify to serve as the Immediate Past President during the one-year period immediately following their term as President/Chair of the Board.</p> <p>SECTION 3. <u>Terms of Office and Election.</u> The term of office of a Director shall be one year (from the adjournment of the Annual Business Meeting at which they are elected to serve <u>or succeed to office</u> or, in the case of President/Chair of the Board and Immediate Past President, succeeds to office, until the adjournment of the next Annual Business Meeting or and until their successor is duly elected and <u>/or</u> succeeds to office). No person shall serve more than two terms in succession as a Regional Director or <u>At-Large Director</u> or three terms in succession as a Member Board Executive Director or Public Director; provided, however, that service as an Elected Officer and Immediate Past President <u>or service filling a mid-term vacancy</u> shall not count against such limits.</p> <p>No incumbent shall serve for more than one term in any Elected Officer position or as Immediate Past President; provided, however, that an Elected Officer shall be eligible <u>for reelection to serve</u> for the full term of office if, during the <u>period term</u> immediately prior thereto, such Elected Officer had succeeded to or been elected to the such office to fill a vacancy.</p>	<p>Article VII, Section 2, (new E): Proposed automatic ascension from the Secretary/Treasurer position ensures a four-year period of leadership continuity. This supports the Council’s multi-year initiatives.</p> <p>Governance Survey:</p> <ul style="list-style-type: none"> • 59.8% support automatic advancement from the Secretary/Treasurer (elected) position to the Vice President, President, and Past President positions. <p>Article VII, Section 2 (new F) & (new G): Simplifying existing position titles.</p> <p>Article VII, Section 3: This section has been updated to account for the addition of At-Large Directors, to conform to new terminology for the Elected Officers, and to make other clean-up edits.</p>

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	<p>SECTION 4. <u>Removal.</u></p> <p>A. A Director may be removed with cause by a majority vote of the Member Boards at a meeting where a quorum is present, with the meeting notice stating that the purpose, or one of the purposes, of the meeting is the removal of the director.</p> <p>B. <u>A</u> Director may be removed with cause by the affirmative vote of two-thirds (2/3) of the Board of Directors.</p> <p>SECTION 5. <u>Nomination and Election of Directors.</u></p> <p>A. Directors shall be nominated as set forth below in this Section 5 of this Article VII. Notwithstanding the various methods of nomination set forth below, all Directors must be elected by a majority vote of the Member Boards at a meeting at which a quorum is present; <u>except for (1) the At-Large Directors, who may be elected by a plurality vote, and (2) the Vice President, President, and Immediate Past President, who shall succeed to such roles as a result of qualifying for the applicable position in accordance with Article VII, Sections 2(E), (F), or (G).</u></p> <p>B. Each Region shall select its nominee for Regional Director at a Region meeting. The nominations will be announced by the several Regions prior to and/or at the Annual Business Meeting of the Council.</p> <p>C. Any person qualified to serve as an Elected Officer/Secretary/Treasurer or, in the event of an election for Vice President resulting from a qualifying vacancy, the Vice President (other than President/Chair of the Board) may be nominated by declaring their candidacy at the Annual Business Meeting by the time determined by the Credentials Committee.</p> <p>D. The candidate for Member Board Executive Director shall be nominated by majority vote of the Member Board Executive community comprised of the Executive Director of each Member Board. The nomination will be announced by the community prior to and/or at the Annual Business Meeting of the Council.</p>	<p>Article VII, Section 5(A): These edits conform with changes made to Article VII, Section 2(new E), (new F) & (new G). Additionally, these edits clarify that a plurality vote will be used for the election of At-Large Directors. In other words, if there are more than two candidates for a single seat, the candidate with the most votes will win, even if it's not a majority of the votes. This model minimizes the risk that multiple rounds of voting will be needed.</p> <p>Governance Survey:</p> <ul style="list-style-type: none"> • 79.4% support having a pool of candidates for member vote for open At-Large seats. <p>Article VII, Section 5(C): This language recognizes the proposed merged role of Secretary/Treasurer and that this is the only officer position that is to be elected on a regular basis. There may be situations where a Vice President must also be elected, and in such cases the same procedure would apply.</p>

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	<p>E. Any person qualified to serve as the Public Director may be nominated by declaring their candidacy at the Annual Business Meeting by the time determined by the Credentials Committee.</p> <p>F. <u>Any person qualified to serve as an At-Large Director may be nominated by declaring their candidacy at the Annual Business Meeting by the time determined by the Credentials Committee.</u></p> <p>SECTION 6. <u>Vacancies.</u></p> <p>A. Vacancies in the office of any Regional Director or Member Board Executive Director shall be filled by an appointee nominated by the Region or the Member Board Executive community respectively and appointed by the Board of Directors to hold office from the time of such appointment until the adjournment of the next Annual Business Meeting.</p> <p>B. <u>Vacancies in the office of the Public Director, and Elected Officers other than First Vice President/President-Elect and President/Chair of the Board the Secretary/Treasurer, or an At-Large Director</u> shall be filled by an appointee designated by the Board of Directors to hold office from the time of such appointment until the adjournment of the next Annual Business Meeting.</p> <p>C. <u>Any such appointee under Sections 6(A) or 6(B) of this Article VII</u> shall meet all qualifications applicable to the vacant Director position, as determined by the Credentials Committee.</p> <p>BD. A vacancy in the office of <u>President/Chair of the Board</u> shall be filled by the <u>First-Vice President/President-Elect</u>, who shall serve <u>as President for</u> the remainder of the term <u>as President/Chair of the Board</u> and the following term during which they would have succeeded to the office if not for the vacancy.</p>	<p>Article VII, Section 5(new F): Defines nominating and election processes for At-Large positions. Aligns to the process for Secretary/Treasurer and Public Director.</p> <p>Article VII, Section 6, (new B, formerly part of 6(A)): As previously written, this section pertained to the Public Director, Secretary, Treasurer, and the Second Vice President. (“<i>Elected Officers other than the First Vice President...and... President</i>” – now deleted.) New language adds the At-Large Director position and merges the Secretary/Treasurer positions for this section.</p> <p>Article VII, Section 6, (new C, formerly part of (A)): Referencing above sections due to splitting former Section 6 (A) into Sections 6 (A), (B), and (C).</p> <p>Article VII, Section 6, (new D, formerly (B)): Changes in this section simplify the existing position titles in addition to the following:</p>

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	<p>CE. A vacancy in the office of First-Vice President/President-Elect shall be filled by the Second-Vice President, Secretary/Treasurer. <u>If the vacancy was the result of the Vice President's departure from the Board, then the Secretary/Treasurer who shall hold such the office of First-Vice President/President-Elect until the adjournment of the next Annual Business Meeting, at which Annual Business Meeting the Member Boards shall elect both a First-Vice President/President-Elect and a Secretary/Treasurer/President/Chair of the Board, each of whom shall be subject to the qualifications applicable to candidates for Secretary/Treasurer/First-Vice President/President-Elect. If the vacancy in the office of Vice President is due to the departure of the President and the Vice President becoming President, then the Secretary/Treasurer shall serve as Vice President for the remainder of the term and the following term during which they would have succeeded to the office if not for the vacancy.</u></p> <p>DE. A vacancy in the office of Immediate Past President shall remain vacant.</p> <p>EG. Any Regional Director who moves their principal residence to a place outside the Region from which they were nominated shall be deemed to have vacated the office of Regional Director, and any Director who ceases to be eligible as provided in this Article VII, Section 2 shall be deemed to have vacated their directorship.</p> <p>SECTION 7. <u>Duties.</u> The affairs of the Council shall be managed under the authority and direction of the Board of Directors, who shall act by majority vote of the Directors present at a meeting at which there is a quorum, except as otherwise expressly required by these Bylaws or applicable law. It shall exercise all authority, right, and power granted to it by the laws of the State of Iowa and shall perform all duties required by the said laws and by these Bylaws, and, in accordance therewith, it shall not delegate any of the authority, rights, or power or any of the duties imposed on it by these Bylaws or otherwise, unless such delegation is specifically provided for in these Bylaws. All Directors shall serve without</p>	<p>Article VII, Section 6, (new E, formerly (C)): If the Vice President position becomes vacant because of the Vice President's death, resignation, or removal, then the Secretary/Treasurer becomes Vice President for the remainder of the term and then ascends to the presidency at the start of the next term. As a result, there would be openings in both the Vice President and the Secretary/Treasurer positions at the start of the next term, causing those positions to need to be filled.</p> <p>If the Vice President role becomes vacant because the Presidency has become vacant and the Vice President steps in to fill that vacancy and the Secretary/Treasurer fills the now vacated Vice President position, then the Secretary/Treasurer and Vice President will hold their new roles for the remainder of that term plus the full next term in which they would have ascended had there not been a vacancy in the Presidency.</p> <p>Article VII, Section 7: Simplifying existing position titles.</p>

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	<p>compensation; provided, however, that nothing herein shall prohibit the Board of Directors from providing reasonable allowances from time to time to the President/Chair of the Board and to the First Vice President/President-Elect. Any such allowances shall be included in budget reports furnished to the Member Boards.</p> <p>SECTION 8. <u>Meetings of the Board</u>. The Board of Directors may meet in any manner allowed by applicable law in regular or special meetings in order to transact business. Unless finances of the Council will not permit, the Board of Directors shall hold a regular meeting immediately prior to the opening of the Annual Business Meeting and a regular meeting immediately following the adjournment of the Annual Business Meeting of the Council. Special meetings may be held upon call of the President/Chair of the Board or the Executive Committee and shall be held upon written request of the majority of the Board of Directors. All Directors shall be given due notice in writing of the time and place of all meetings, although notice of any meeting may be waived in writing by any Director. A majority of the membership of the Board of Directors shall constitute a quorum for the transaction of business.</p>	<p>Article VII, Section 8: Simplifying existing position titles.</p>
<p>ARTICLE VIII— OFFICERS</p>	<p>SECTION 1. <u>Elected Officers</u>. The Elected Officers of the Council shall be the President/Chair of the Board, the First Vice President/President-Elect, the Immediate Past President, the Second Vice President, the Treasurer, and the Secretary/<u>Treasurer</u>.</p> <p>SECTION 2. <u>President/Chair of the Board</u>. The President/Chair of the Board shall be the senior Elected Officer of the Council and shall:</p> <p>A. preside at all meetings of the Board of Directors, the Executive Committee of the Board of Directors, and the Annual Business Meeting;</p>	<p>Article VIII, Section 1: Simplifying position titles, eliminating the Second Vice President position, merging the Secretary and Treasurer positions, adding the Immediate Past President position within the list of Elected Officers.</p> <p>2023 Governance Survey:</p> <ul style="list-style-type: none"> • 78.6% voted in favor of reducing officer positions from six to four, eliminating the second vice president position and combining the secretary/treasurer positions. <p>Article VIII, Section 2 (B through E): Simplifying existing position titles.</p>

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	<p>B. present to the Council at the Annual Business Meeting a report of activities during the President/Chair of the Board's term of office;</p> <p>C. develop charges for all committees that will serve during their term as President/Chair of the Board and, following approval of the charges by the Board of Directors, oversee the work of all Committees;</p> <p>D. select all members <u>and chairs</u> of Committees to serve during their term of office as President/Chair of the Board subject to the terms of Article XII, Section 5;</p> <p>E. have the power to make appointments to any unfilled or vacant Committee membership during their term as President/Chair of the Board, subject to the approval of the Board of Directors, <u>subject to the terms of Article XII</u>;</p> <p>F. represent the Board of Directors and its policies to all external and internal constituents including to the Chief Executive Officer; and</p> <p>G. perform such other duties and powers as the Board of Directors may from time to time decide.</p> <p>SECTION 3. First Vice President/President-Elect and Second Vice President. The First Vice President/President-Elect and the Second Vice President, in order, shall, in the absence of the President/Chair of the Board, exercise the duties of and possess all the powers of the President/Chair of the Board. In addition, the First Vice President/President-Elect shall:</p> <p>A. develop the Committee charges to be completed during their term of office as President/Chair of the Board, subject to the approval of the Board of Directors;</p> <p>B. select the Cchair of all Committees to serve during their term as President/Chair of the Board, subject to the approval of the Board of Directors, <u>subject to the terms of Article XII</u>; and</p> <p>C. select all members of Committees to serve during their term of office as President/Chair of the Board, subject to the approval of the Board of Directors, <u>subject to the terms of Article XII</u>.</p>	<p>“and chairs” added for consistency with Article XII</p> <p>Adds cross-reference.</p> <p>Article VIII, Section 3: Simplifying existing position titles and eliminating the Second Vice President position.</p> <p>Adds carveout for those Committee chairs who are designated in the Bylaws.</p> <p>Adds carveout for those Committee chairs who are designated in the Bylaws.</p>

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	<p>SECTION 4. <u>Secretary/Treasurer</u>. The <u>Secretary/Treasurer</u> shall:</p> <ul style="list-style-type: none"> A. oversee the financial affairs of the Council and be the primary liaison of the Board of Directors with the person designated by the Chief Executive Officer as the chief financial officer of the Council; B. report to the Board of Directors and at the Annual Business Meeting on financial matters of the Council; and B. report to the Board of Directors and at the Annual Business Meeting on financial matters of the Council; and <p>C. perform such duties and have such powers additional to the foregoing as the Board of Directors may designate.</p> <p>SECTION 5. <u>Secretary</u>. The <u>Secretary</u> shall:</p> <ul style="list-style-type: none"> AC. record or cause to be recorded all votes, consents, and the proceedings of all meetings of the Council and of the Board of Directors; and BD. perform such duties <u>and have such powers</u> as the Board of Directors may designate. <p>Records of the Council meetings shall be open at all reasonable times to the inspection of any Member Board.</p> <p>In the absence of the <u>Secretary/Treasurer</u> from any meeting of the Council or from any meeting of the Board of Directors, a temporary <u>Secretary/Treasurer</u> designated by the person presiding at the meeting shall perform the <u>secretarial</u> duties of the <u>Secretary/Treasurer</u>.</p> <p>SECTION 6<u>5</u>. <u>Chief Executive Officer</u>. The Chief Executive Officer shall be the senior appointed officer of the Council. Such person shall be appointed by and shall serve at the pleasure of the Board of Directors, and shall have such compensation and benefits as shall be established from time to time by the Board of Directors. The Chief Executive Officer shall have general charge of the management and administration of the Council's affairs, the implementation of policies established from time to time by the Board of Directors and such other duties and powers as the</p>	<p>Article VIII, Section 4: Merging the Secretary and Treasurer positions necessitates a merger of Sections 4 and 5 in this Article VIII.</p> <p>Article VIII, Section 4(former C): Eliminate duplicate language caused by the merger of Sections 4 and 5. Language now exists only in (new D), below.</p> <p>Article VIII, former Section 5: Merging the Secretary and Treasurer positions eliminates Section 5 heading.</p> <p>Article VIII, (former Section 5(B), now (new Section 4(D)): Edits to match the language from the original C in Section 4, above (now deleted.)</p> <p>Insertion of the word “secretarial” clarifies that the stand-in would fill the secretarial role at a meeting but would not take over treasurer duties.</p> <p>Article VIII, former Section 6, now Sections 5: Renumbered due to the merger of Sections 4 and 5, above.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>Board of Directors may from time to time determine, subject always to the ultimate authority of the Board of Directors under applicable law and these Bylaws.</p> <p>SECTION 76. <u>Bonding</u>. The Council’s Chief Executive Officer and those in general charge of the Council’s financial matters shall be bonded in an amount of not less than \$500,000. The Chief Executive Officer may decide to have others bonded in the Council. The cost of such bond shall be paid from funds of the Council.</p>	<p>Article VIII, former Section 7, now Section 6: Renumbered due to the merger of Sections 4 and 5, above.</p>
<p>ARTICLE IX— COUNCIL SERVICES TO MEMBERS OF THE ARCHITECTURAL PROFESSION</p>	<p>SECTION 1. <u>Council Record</u>. The Council shall, upon request of individual members of the architectural profession, secure, authenticate, and record factual data of an applicant’s education, training, examination, practice, and character for purposes of establishing a Council Record. Upon request of the applicant, this Council Record will be forwarded to any Member Board or to any foreign Registration authority with whom the Council has an agreement for mutual reciprocity.</p> <p>SECTION 2. <u>Council Certification</u>. Council Certification shall be given to an Architect holding a Council Record verifying that the Architect has complied with the Council standards of education, training, examination, Registration, and character. In addition to this verification, the Certification shall carry the recommendation of the Council that Registration be granted the Architect without further examination of credentials. For applicants registered as Architects in countries where formal agreements with the Council exist, the standards and procedures for Certification will be in accordance with such written agreements or as otherwise established by the Council. Architects certified by the Council shall have a Certificate incorporated in their Council Record.</p> <p>SECTION 3. <u>Annual Renewal</u>. Council Certification shall be in effect for a period of one year. Renewal of the Council Certification shall be predicated upon the submission of an annual fee and an annual report containing such information as the Council deems appropriate. The Council Certification shall lapse if the annual fee and report are not received by the Council within such grace period as the Board of Directors may establish. A lapsed Council Certification may be reactivated by paying delinquent renewal fees, furnishing delinquent annual reports, and paying such fee for reinstatement as the Board of Directors may establish from time to time.</p>	<p><i>(no changes to Article IX)</i></p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 4. <u>Revocation of Certification</u>. The Council shall revoke an Architect's Council Certification if:</p> <ul style="list-style-type: none"> A. a Member Board has revoked (without limitation as to time) the Architect's Registration for a cause other than nonpayment of renewal fees or failure to file information with the Member Board; or B. facts are subsequently revealed which show that the Architect was actually ineligible for Council Certification at the time of Council Certification. <p>In addition, the Council may revoke an Architect's Council Certification if:</p> <ul style="list-style-type: none"> C. a Member Board or a court makes a finding, not reversed on appeal, that the Architect has, in the conduct of their architectural practice, violated the law or has engaged in conduct involving wanton disregard for the rights of others; or D. the Architect has surrendered or allowed to their Registration to lapse with the Member Board in connection with disciplinary action pending or threatened; or E. a Member Board has denied the Architect registration for a cause other than the failure to comply with the educational, experience, age, citizenship, or other technical qualifications for registration in such jurisdiction; or F. the Architect has willfully misstated a material fact in a formal submission to the Council. <p>The Council may reinstate a Certification previously revoked, if the cause of the revocation has been removed, corrected, or otherwise remedied.</p> <p>In order to assist the Council in carrying out its responsibilities under this Section, each Member Board shall (unless prohibited by applicable law) report to the Council the occurrence of any event that qualifies an Architect for revocation of their Council Certification, as described herein.</p>	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
<p>ARTICLE X— COUNCIL SERVICES TO MEMBER BOARDS</p>	<p>SECTION 1. <u>Architect Registration Examination</u>. The Council shall prepare an Examination for use by Member Boards. The Board of Directors shall issue, from time to time, rules respecting the administration and grading of Examinations, which shall include, among other things, the schedule of charges for the use of the Examinations, the date or dates on which Examinations may be administered, safeguards to prevent improper disclosure of information respecting the Examinations, and such other matters respecting the administration and grading of Examinations as the Board of Directors deems appropriate. Every Member Board using the Examination shall comply strictly with the rules issued by the Board of Directors, unless the Board of Directors agrees to waive any of the rules in a particular case. If any Member Board refuses to comply with the rules applicable to its use of the Examination or, after so agreeing, fails to comply with such rules, the Board of Directors may withhold the Examinations from such Member Board until it is satisfied that such Member Board will comply with such rules thereafter. Any Member Board which refuses Registration to architects holding the Council Certification for the reason that the Member Board has requirements or procedures for grading the Examination which are different from the requirements or procedures established by the Council shall be denied the use of the Examinations until such policy of refusing Registration is revoked; but the Board of Directors may, with sufficient cause, waive the denial of the use of the Examinations.</p> <p>SECTION 2. <u>Architectural Experience Program</u>. The Council shall prepare a structured experience program for use by Member Boards. The Board of Directors shall issue, from time to time, updates to program rules and opportunities to remain relevant with experiences and competencies necessary for the current practice of architecture.</p> <p>SECTION 3. <u>Additional Services</u>. Additional services may be offered as determined by the Board of Directors from time to time.</p> <p>SECTION 4. <u>Forms and Documents</u>. In order to ensure uniformity in the reporting of an applicant's education, experience, Registration (if applicable), and other necessary supporting data for determining eligibility for the Examination, Council Certification, or reciprocal Registration, the Council shall study</p>	<p><i>(no changes to Article X)</i></p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>and prepare forms, documents, and/or systems appropriate for use by both the Council and Member Boards.</p> <p>SECTION 5. <u>Research</u>. The Council, through work of committees, shall engage in research pertinent to all matters relating to legal Registration of architects.</p> <p>SECTION 6. <u>International Relations</u>. The Council shall engage in the exploration and formulation of agreements with foreign countries to allow architects to practice in countries other than their own.</p>	
<p>ARTICLE XI— FINANCES, FUNDS, ACCOUNTING, INVESTMENTS AND RECORDS OF THE COUNCIL</p>	<p>SECTION 1. <u>Dues and Fees</u>.</p> <ul style="list-style-type: none"> A. Annual membership dues may be changed for any period, by resolution adopted at an Annual Business Meeting with implementation of any increase to take place not less than three years after such resolution is adopted. B. The fees to be charged for services to members of the architectural profession shall be established, from time to time, by an affirmative vote of not less than two-thirds of the Board of Directors present and voting. <p>SECTION 2. <u>Operating Fund</u>.</p> <ul style="list-style-type: none"> A. All membership dues and all fees and other revenues received from any of the activities of the Council shall be placed in the operating fund of the Council. The operating fund shall be administered by the Council's chief financial officer. B. As soon as feasible following the Annual Business Meeting, the Board of Directors shall adopt a general budget which shall show the anticipated income and expenditures for the current year. C. No, Director, Committee, or employee of the Council shall have the right, authority, or power to expend any money of the Council, to incur any liability for and in its behalf, or to make any commitment which will or may be deemed to bind the Council in any expense or financial liability, unless such expenditure, liability, or commitment has been properly incorporated into the budget, and the Board of Directors has made an appropriation to pay the same. D. The Fiscal Year of the Council shall be from July 1 of one year to June 30 of the next succeeding year. 	<p><i>(no changes to Article XI)</i></p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 3. <u>Securities and Investments</u>. In accordance with the Board of Directors’ policies and directions by the Board of Directors to the Chief Executive Officer, the Council’s chief financial officer shall have charge of the investment of all funds of the Council not held in its operating fund. In accordance with such policies and such directions, such chief financial officer may sell, purchase, transfer, and convey securities and exercise all rights, by proxy or by participation, of the Council with respect to such securities, or may authorize such purchases, sales, transfers, conveyances, and the exercise of any or all of said rights.</p> <p>SECTION 4. <u>Liabilities of Officers, Directors, and Employees</u>. No Director, officer, or employee of the Council shall be personally liable for any decrease of the capital, surplus, income, balance, or reserve of any fund or account resulting from their acts performed in good faith and within the scope of their authority.</p> <p>SECTION 5. <u>Disclosure of Records</u>. Upon written request made with reasonable specificity, a Member Board shall have the right to receive from the Council with reasonable promptness copies of any Council record it may reasonably request, but excluding:</p> <ul style="list-style-type: none"> A. information barred from disclosure by an applicable statute; B. trade secrets; C. information disclosed to the Council in reliance upon its continued non-disclosure; D. information that, if released, would give an inappropriate advantage to a competitor or bidder with respect to a request for proposals issued or about to be issued by the Council; E. personnel information, the disclosure of which would constitute an unwarranted invasion of personal privacy; F. attorney-client communications and attorney work-product materials; G. transcripts and personal information respecting Certificate applicants or holders without the permission of such applicant or holder; 	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>H. contents and results of examinations except to the extent disclosure is provided for in the contract between the Council and the Member Board together with data, methodologies, practices, plans, proposals, records of committee deliberations and other records relating to the content, administration, scoring or security of examinations; and</p> <p>I. information arising from investigatory cases.</p> <p>Any of the excluded records that the Council has already distributed publicly shall, notwithstanding the preceding sentence, be available to any Member Board.</p> <p>To the extent permitted by applicable law, Council records furnished to a Member Board shall not be distributed by the Member Board other than to members of such Member Board. The Council may charge the Member Board only reasonable costs to comply with the request. Such charges shall be itemized by the Council in an invoice to the Member Board.</p>	
<p>ARTICLE XII— COMMITTEES</p>	<p>SECTION 1. <u>Board Committees</u>. The Board of Directors may, by the affirmative vote of a majority of the Directors then in office or as otherwise set forth in these Bylaws, create one or more Board Committees. Board Committees, to the extent provided in the applicable authorizing action of the Board of Directors or these Bylaws, shall have and exercise the authority of the Board of Directors in the management of the Council. A Board Committee may not, however:</p> <ul style="list-style-type: none"> A. authorize distributions; B. approve or recommend to members dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Council’s assets; C. elect, appoint, or remove Directors or fill vacancies on the Board of Directors or on any Board Committees; or D. adopt, amend, or repeal the Council’s Articles of Incorporation or Bylaws. <p>The designation of, and the delegation of authority to, a Board Committee shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon them by law.</p>	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 2. <u>Executive Committee of the Board of Directors</u>. The Executive Committee of the Board of Directors shall be a Board Committee and shall comprise the President/Chair of the Board, the First Vice President/President-Elect, the Second Vice President, the <u>Secretary</u>/Treasurer, the Secretary, and the Immediate Past President. The Executive Committee shall:</p> <ul style="list-style-type: none"> A. act for the Board of Directors between meetings only as directed by the Board of Directors; B. prior to the start of the new fiscal year of the Council, review the budget for the next fiscal year for presentation to the Board of Directors; and C. periodically review the budget, investments, financial policies, and financial positions of the Council and make recommendations concerning the same to the Board of Directors for appropriate action. <p>SECTION 3. <u>Audit Committee</u>. The Audit Committee, appointed in the same manner and with the same term as all other Committees, shall be a Board Committee and shall consist of the <u>Secretary</u>/Treasurer, who shall serve as the chair of the Committee, up to one additional Executive Committee member, and from one to three additional members of the Board of Directors who are not members of the Executive Committee. The Audit Committee shall report to the Board of Directors and shall be responsible for overseeing the Council's financial controls and auditing, including receiving the annual audit and considering the items of internal accounting control that arise from the audit, from personnel changes, and from the implementation of changes in policies that affect internal financial controls. The Audit Committee shall annually select and engage an independent auditor of the Council's financial records.</p> <p>SECTION 4. <u>Advisory Committees</u>. Advisory Committees may be created by affirmative vote of a majority of the Directors present at a meeting at which there is a quorum or as set forth in these Bylaws. The Board of Directors may delegate to any of the Elected Officers or the Immediate Past President the authority to supervise the work of any of the Advisory Committees.</p>	<p>Article XII, Section 2: Simplifying existing position titles, eliminating the role of the Second Vice President, and merging the roles of Secretary and Treasurer.</p> <p>Article XII, Section 3: Merges the roles of Secretary and Treasurer.</p> <p>Article XII, Section 4: The Immediate Past President was incorporated into the definition of Elected Officers in Article VIII, Section 1, above.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 5. <u>Committee Membership</u>. In accordance with Article VIII, Section 2, the President/Chair of the Board shall select the members <u>and the chair</u> of all Committees subject to approval by the Board of Directors, <u>except as otherwise set forth in these Bylaws</u>. Except as otherwise specifically provided in these Bylaws, the President/Chair of the Board shall select the Chair of each Committee. The terms of all Committee appointments shall be for one year, during the President/Chair of the Board's term in such capacity, except as otherwise approved by the Board of Directors <u>or as set forth in these Bylaws</u>. Any unfilled or vacant Board Committee positions shall be filled in accordance with the regular procedures for appointment. The Board of Directors may at any time, by the affirmative vote of a majority of the Directors then in office, discontinue a Board Committee or Advisory Committee other than those established by these Bylaws (which may only be discontinued by amendment of these Bylaws), and make any changes in a Committee's membership without regard to the terms of appointment of the Committee members, <u>other than with respect to those Committees established by these Bylaws (which may only be discontinued or have its membership structure changed by amendment of these Bylaws)</u>.</p>	<p>Article XII, Section 5: Simplifying existing position titles. Also adds carveout for committees with special chair designations or membership structures and combines two sentences for clarity.</p> <p>Clarifying language</p> <p>Language moved below for clarity.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>SECTION 6. <u>Reports of Committees</u>. Each Committee shall report in writing annually to the Board of Directors, at least 60 days prior to the date of the Annual Business Meeting and shall make interim reports to the Board of Directors as directed.</p> <p>SECTION 7. <u>General Procedure of Committees</u>. Every Committee shall perform in accordance with these Bylaws and with the directions of the Board of Directors. The provisions of these Bylaws that govern Board of Directors' meetings, action without meetings, notice and waiver of notice, and quorum and voting requirements of the Board of Directors shall apply to meetings and action of the Committees and their members as well. With the approval of the Board of Directors, every Committee may call and hold meetings and meet with other organizations or their representatives; provided that an Advisory Committee may not take any action to bind the Board of Directors or otherwise exercise any powers or authority of the Board of Directors, and no Committee may take any actions prohibited under Article XII, Section 1 of these Bylaws.</p> <p>SECTION 8. <u>Advisory Committees</u>. The following Advisory Committees are hereby established and may from time to time make recommendations to the Board of Directors for consideration, subject to the terms of these Bylaws and applicable law:</p> <ul style="list-style-type: none"> A. Education Committee: The Education Committee shall assess and recommend updates to the Board of Directors with respect to the Council's education and continuing education policies for use by Member Boards and the Council's relationship with the National Architectural Accrediting Board. B. Experience Committee: The Experience Committee shall assess and recommend updates to the Board of Directors with respect to the Architectural Experience Program for use by Member Boards. C. Examination Committee: The Examination Committee shall assess and recommend updates to the Board of Directors with respect to the Examination for use by Member Boards. 	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>D. Policy Advisory Committee: The Policy Advisory Committee shall review proposed resolutions and special publications, as directed by the Board of Directors, for their impact on and consistency with Council policies and programs and make recommendations on such matters to the Board of Directors.</p> <p>E. Professional Conduct Committee: The Professional Conduct Committee shall oversee the development, application, assessment, and adjudication of Council policies and practices relating to the professional conduct of Council Record holders and others using Council services.</p> <p>F. Member Board Executives Committee: The Member Board Executives Committee shall consider issues of concern to the jurisdictions and Member Board Executives.</p> <p>G. Regional Leadership Committee: The Regional Leadership Committee shall discharge its responsibilities as described in Article V, Section 56, and consider issues of concern to the Regions. The membership of the Committee shall be the Regional Chairs of each of the Regions, any person designated by the Region as the chief administrative officer of the Region, and the First-Vice President/President-Elect who shall serve as chair of the Committee.</p> <p>H. Credentials Committee: The Credentials Committee shall oversee-be responsible for the nomination and election process for positions on the Board of Directors, verify candidate qualifications for office, examine and verify Voting Delegate credentials, report to the membership regarding quorum at the Annual Business Meeting, and tabulate and report election results to the President/Chair of the Board. Members of the Credentials Committee shall be sitting Member Board Members and/or Member Board Executives.</p>	<p>Article XII, Section 8(G): Correcting erroneous reference and conforming terminology to defined term.</p> <p>Simplifying existing position titles.</p> <p>Article XII, Section 8(H): Clarifies the role of the Credentials Committee to be responsible for the application process in addition to the election process and verification of qualifications. Nominations occur as specified in Article VII, Section 5.</p> <p>Simplifying existing position titles.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>I. Diversity, Equity, and Inclusion Committee: The Diversity, Equity, and Inclusion (DEI) Committee explores and recommends strategies to improve the diversity, equity, and inclusive culture of NCARB to ensure that the organization represents the population it serves.</p> <p>J. Other: Committees, task forces, and work groups may be established from time to time by the President/Chair of the Board with the approval of the Board of Directors.</p> <p>SECTION 9. <u>Select Committees</u>. Whenever the Council establishes by resolution a Committee, a majority of whose members are, in accordance with such resolution, to be selected by a procedure other than those set out in Section 5 of Article XII, such a Committee shall be deemed a Select Committee and shall have, in addition to the duties and powers set out in the resolution, the right, to offer resolutions to be voted on at the Annual Business Meeting on subjects germane to the work of such Select Committee, provided such resolutions are included in the annual report of such Select Committee submitted to the Board of Directors in accordance with Section 6 of this Article XII. Such annual report of a Select Committee shall be distributed to the membership not later than 30 days prior to the Annual Business Meeting without revision by the Board of Directors. A Select Committee may be a Board Committee or an Advisory Committee, provided that the procedures and authority applicable to such Select Committee are consistent with those of a Board Committee or Advisory Committee, as applicable.</p>	<p>Article XII, Section 8(J): Simplifying existing position titles.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
<p>ARTICLE XIII— INDEMNIFICATION</p>	<p>In addition to such further indemnification as may be authorized by the Board of Directors from time to time consistent with applicable law, to the fullest extent permitted by law, including without limitation Section 504 of the Iowa Code known as the Revised Iowa Nonprofit Council Act (“RINCA”) and after the Council’s Board of Directors makes the determination that the standards of Section 504.852 of RINCA (or successor provisions) have been met for the specific proceeding at issue, any present or former Director or employee determined by Board of Directors to be an executive employee, or member of a Committee, or the estate or personal representative of any such person, made a party to any action, suit or other proceeding, civil or criminal, by reason of the fact that such person is or was serving the Council as such, or serving at the Council’s request in any other entity or with respect to the Council’s employee benefit plan, shall be indemnified by the Council against thereasonable expenses, including without limitation amounts paid by way of judgment, fine or penalty and reasonable defense costs including attorney’s fees incurred in connection with the defense of such proceeding whether or not such defense shall be successful in whole or in part, or in connection with any appeal therein, or any settlement of any such proceeding on terms approved by the Board of Directors. Such indemnification shall not be deemed exclusive of any other rights to which such persons may be entitled. Any other present or former employee or agent of the Council may also be indemnified with the approval of the Board of Directors. Expenses incurred of the character described above may, with the approval of the Board of Directors, be advanced to any person entitled to indemnity upon satisfaction of the requirements of Section 504.854 (or successor provisions) of RINCA. The Council shall have the power to purchase and maintain insurance on behalf of any person described above, or any other employee, volunteer or agent of the Council, against liability asserted against or incurred by such person on account of their status as such, whether or not the Council would have the power to indemnify or advance expenses to such persons.</p>	<p><i>(no changes to Article XIII)</i></p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
ARTICLE XIV— AMENDMENTS	These Bylaws may be amended at any special meeting or Annual Business Meeting of the Council by resolution submitted to the Member Boards not less than 30 days prior to the meeting at which the resolution is to be considered. An affirmative vote by not less than two-thirds of the Member Boards shall be required to secure adoption of any amendment to these Bylaws.	<i>(no changes to Article XIV)</i>
<u>ARTICLE XV— TRANSITION</u>	<p><u>SECTION 1. Transition Plan. The following governance provisions shall apply for the respective time periods set forth below. Except as modified below, these Bylaws shall be in full effect during the transition periods identified below. For purposes of this Article XV, “ABM” shall refer to the Annual Business Meeting of the Council taking place in the corresponding year.</u></p> <p><u>SECTION 2. 2023-2024 Term.</u></p> <p><u>A. Elected Officers.</u></p> <p><u>(i) The Elected Officers shall include the following positions: Secretary; Treasurer; Second Vice President; First Vice President/President-Elect (to be known as Vice President); President/Chair of the Board (to be known as President); and Immediate Past President.</u></p> <p><u>(ii) The Elected Officers shall be those persons elected or succeeding to office as set forth in those Bylaws in effect during the 2023 ABM. The Second Vice President, Treasurer, and Secretary shall, respectively, exercise such duties and have such authority and responsibility as set forth in those Bylaws in effect during the 2023 ABM.</u></p> <p><u>B. Elected Officer Vacancies. In the event of a vacancy in:</u></p> <p><u>(i) The office of President, the Vice President shall fill such vacancy for the remainder of the term and the following term.</u></p> <p><u>(ii) The office of Vice President, the Second Vice President shall fill such vacancy for the remainder of the term and the following term.</u></p> <p><u>(iii) The office of Second Vice President, the Treasurer shall fill such vacancy for the remainder of the term and the following term.</u></p>	<p>Article XV: This section is the transition plan for shifting to the new proposed governance structure. The plan covers the period 2023 through 2027.</p> <p>No changes will apply to the 2023 elections process.</p>

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p><u>(iv) The office of Treasurer, the Secretary shall fill such vacancy for the remainder of the term (without vacating the office of Secretary). Such person shall be considered the Treasurer for purposes of Elected Officer succession for the following term.</u></p> <p><u>(v) The office of Secretary, the Board shall appoint an individual to fill such vacancy for the remainder of the term.</u></p> <p><u>(vi) The office of Immediate Past President, such office shall remain vacant for the remainder of the term.</u></p> <p><u>C. At-Large Directors. There will be no At-Large Directors.</u></p> <p><u>SECTION 3. 2024 ABM Election / 2024 – 2025 Term.</u></p> <p><u>A. Elected Officers.</u></p> <p><u>(i) The Elected Officers shall include the following positions: Secretary/Treasurer; Second Vice President; Vice President; President; and Immediate Past President.</u></p> <p><u>(ii) The Elected Officers shall be the following persons, except as may be modified by any vacancies arising during the previous term:</u></p> <ul style="list-style-type: none"> <u>• Secretary/Treasurer: That person who served as Secretary during the previous term (except in the event of a vacancy in the office of Secretary or Treasurer during the 2023-2024 term, in which case the Secretary/Treasurer shall be elected as set forth in Article VII, Section 5, of these Bylaws).</u> <u>• Second Vice President: That person who served as Treasurer during the previous term.</u> <u>• Vice President: That person who served as Second Vice President during the previous term.</u> <u>• President: That person who served as Vice President during the previous term.</u> <u>• Immediate Past President: That person who served as President during the previous term.</u> 	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p><u>(iii) The Second Vice President shall, in the absence of the President and Vice President, exercise the duties of and possess all the powers of the President.</u></p> <p><u>B. Elected Officer Vacancies. In the event of a vacancy in:</u></p> <p><u>(i) The office of President, the Vice President shall fill such vacancy for the remainder of the term and the following term.</u></p> <p><u>(ii) The office of Vice President, the Second Vice President shall fill such vacancy for the remainder of the term and the following term.</u></p> <p><u>(iii) The office of Second Vice President, the Secretary/Treasurer shall fill such vacancy for the remainder of the term and the following term.</u></p> <p><u>(iv) The office of Secretary/Treasurer, the Board shall appoint an individual to fill such vacancy for the remainder of the term.</u></p> <p><u>(v) The office of Immediate Past President, such office shall remain vacant for the remainder of the term.</u></p> <p><u>C. At-Large Directors. There shall be two At-Large Directors. The At-Large Directors shall be elected as set forth in Article VII, Section 5, of these Bylaws.</u></p> <p><u>SECTION 4. 2025 ABM Election / 2025-2026 Term.</u></p> <p><u>A. Elected Officers.</u></p> <p><u>(i) The Elected Officers shall include the following positions: Secretary/Treasurer; Second Vice President; Vice President; President; and Immediate Past President.</u></p>	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p>(ii) <u>In the event that a Secretary/Treasurer was elected for the 2024-2025 term due to a prior vacancy in the position of Secretary or Treasurer, then such person shall remain Secretary/Treasurer during this 2025-2026 term and there shall be no Second Vice President. Such person shall then become Vice President during the 2026-2027 term, and a new Secretary/Treasurer will be elected at the 2026 ABM in accordance with these Bylaws¹.</u></p> <p>(iii) <u>The Elected Officers shall be the following persons, except as may be modified by any vacancies arising during the previous term:</u></p> <ul style="list-style-type: none"> • <u>Secretary/Treasurer: That person elected as set forth in Article VII, Section 5, of these Bylaws.</u> • <u>Second Vice President: That person who served as Secretary/Treasurer during the previous term.</u> • <u>Vice President: That person who served as Second Vice President during the previous term.</u> • <u>President: That person who served as Vice President during the previous term.</u> • <u>Immediate Past President: That person who served as President during the previous term.</u> <p>(iv) <u>The Second Vice President shall, in the absence of the President and Vice President, exercise the duties of and possess all the powers of the President.</u></p>	

¹ A new Secretary/Treasurer is supposed to be elected at the 2025 ABM and serve two terms. However, if there is a vacancy in the Secretary or Treasurer position during the 2023-2024 term and a new Secretary/Treasurer is elected in 2024 for the 2024-2025 term, then that person could remain as Secretary/Treasurer during 2025-2026 and the Second Vice President position could disappear a year earlier than planned.

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<p><u>B. Elected Officer Vacancies. In the event of a vacancy in:</u></p> <p>(i) <u>The office of President, the Vice President shall fill such vacancy for the remainder of the term and the following term.</u></p> <p>(ii) <u>The office of Vice President, the Second Vice President (or if there is no Second Vice President, then the Secretary/Treasurer) shall fill such vacancy for the remainder of the term and the following term.</u></p> <p>(iii) <u>The office of Second Vice President, such office shall remain vacant for the remainder of the term.</u></p> <p>(iv) <u>The office of Secretary/Treasurer, the Board shall appoint an individual to fill such vacancy for the remainder of the term.</u></p> <p>(v) <u>The office of Immediate Past President, such office shall remain vacant for the remainder of the term.</u></p> <p><u>SECTION 5. 2026 ABM Election / 2026-2027 Term.</u></p> <p><u>A. Elected Officers.</u></p> <p>(i) <u>The Elected Officers shall include those positions as set forth in Article VIII, Section 1, of these Bylaws.</u></p> <p>(ii) <u>The Elected Officers shall be the following persons, except as may be modified by any vacancies arising during the previous term:</u></p> <ul style="list-style-type: none"> • <u>Secretary/Treasurer: That person who served as Secretary/Treasurer during the 2025-2026 term; except if there were (a) no election for Secretary/Treasurer at the 2025 ABM or (b) a vacancy in the position of Secretary/Treasurer during the 2025-2026 term, then the Secretary/Treasurer shall be elected as set forth in Article VII, Section 5, of these Bylaws.</u> • <u>Vice President: That person who served as Second Vice President during the previous term.</u> 	

BYLAWS SECTION	BYLAWS LANGUAGE	SUPPORTING STATEMENT
	<ul style="list-style-type: none"> • <u>President: That person who served as Vice President during the previous term.</u> • <u>Immediate Past President: That person who served as President during the previous term.</u> <p><u>B. Elected Officer Vacancies. In the event of a vacancy, the vacancy shall be filled as set forth in Article VII, Section 6, of these Bylaws.</u></p> <p><u>Section 6. 2027 ABM Election / 2027-2028 Term. The Elected Officer and all other Director positions shall be as set forth in Article VIII, Section 1, and Article VII, Section 1, respectively, of these Bylaws and shall be filled as set forth in Article VII, Section 5, of these Bylaws. All vacancies shall be filled as set forth in Article VII, Section 6, of these Bylaws.</u></p> <p><u>Section 7. Transition Termination. This Article XV shall be automatically removed from these Bylaws upon the adjournment of the 2027 ABM.</u></p>	



Appendix F:

Proposed Transition Model

2023-2024 BOARD OF DIRECTORS

(ELECTED AT THE 2023 NCARB ANNUAL BUSINESS MEETING)

There will be no changes for the Board of Directors for FY24. The elections at the 2023 Annual Business Meeting will proceed as normal. The current Board includes:

- 14 positions
- Six officers, six regional directors, MBE director, public director.
- Elections Notes:
 - First Vice President, Second Vice President, Treasurer, and Secretary will all be elected.
 - New regional directors will be elected to a first term in 2023 for Regions 1, 3, and 6 as Janet Hansen, Richard McNeel, and Sylvia Kwan complete their final terms as regional directors.
 - Directors for Regions 2, 4 and 5 (George Miller, Meg Parsons, and Lenora Isom) are eligible for election to a second term.
 - A new public director will be elected as current Public Director Gary Ey is completing his third and final term in FY23.
 - Cathe Evans is eligible for election to a third term as MBE director.

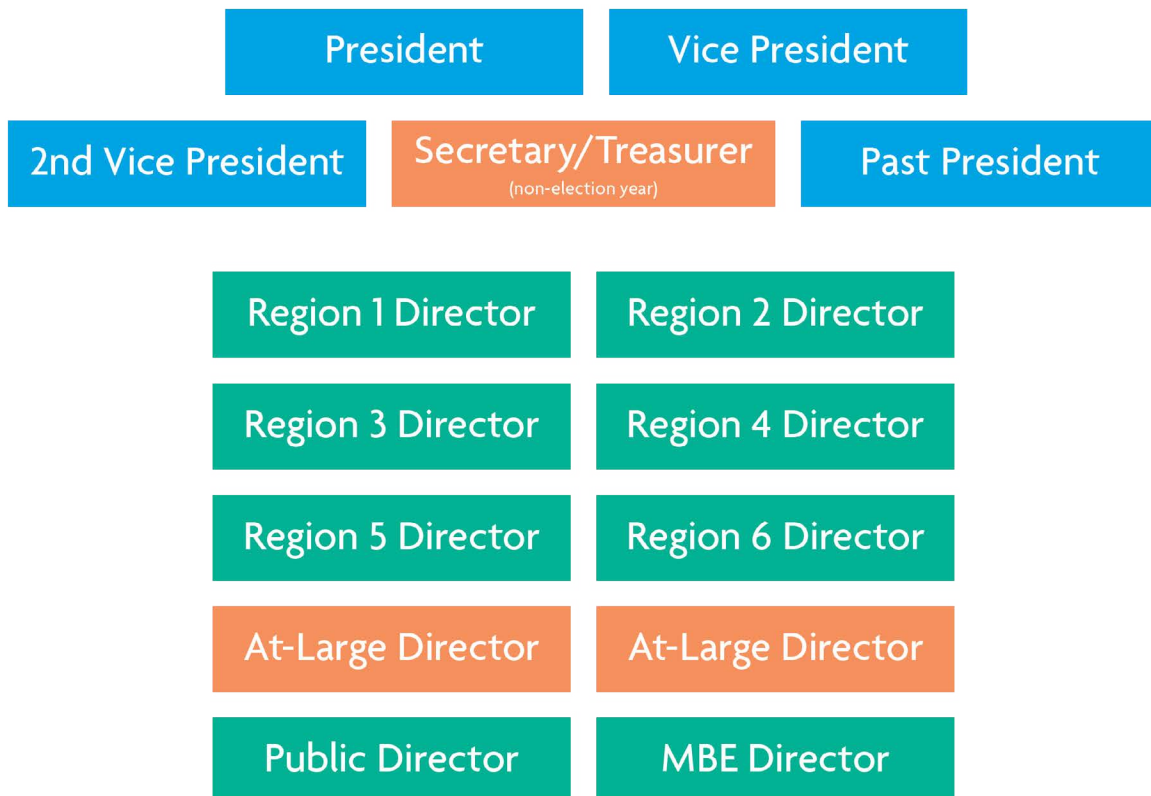


KEY: ■ Officer ■ Director Positions
■ New Bylaws ■ Position Removed

2024-2025 BOARD OF DIRECTORS

(ELECTED AT THE 2024 NCARB ANNUAL BUSINESS MEETING)

- The FY25 Board of Directors will be the first to reflect some of the changes in the resolution. To implement these, changes to the election process will start at the 2024 Annual Business Meeting.
- What's different?
 - One less officer position—the secretary/treasurer position merges in this year.
 - Two at-large director positions begin (the Board size increases temporarily to 15 people).
- 15 positions
 - Five officers, six regional directors, two at-large directors, MBE director, public director.
- Elections
 - There will be no officer elections in 2024.
 - ◇ The secretary elected in 2023 will serve in the newly merged secretary/treasurer role.
 - ◇ All other officer positions will automatically advance to the next role in 2024.
 - 2023 treasurer to second vice president.
 - 2023 second vice president to newly titled vice president position.
 - 2023 vice president to newly title president position.
 - 2023 president to immediate past president.
 - Two at-large directors will be elected to the first of two potential one-year terms.
 - ◇ The Credentials Committee will release a call for applications for these new positions.
 - A new MBE director will be elected as Cathe Evans completes her third term.

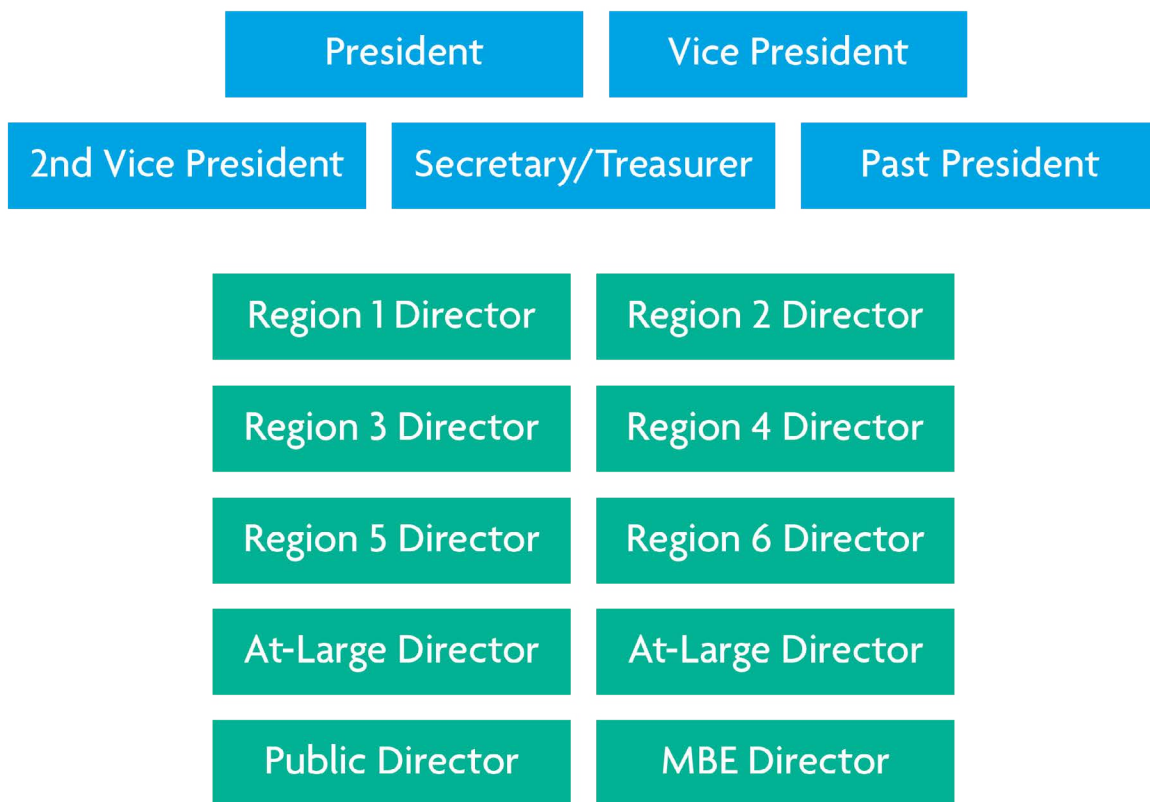


KEY: ■ Officer ■ Director Positions
■ New Bylaws ■ Position Removed

2025-2026 BOARD OF DIRECTORS

(ELECTED AT THE 2025 NCARB ANNUAL BUSINESS MEETING)

- What's different?
 - Election for the first secretary/treasurer in the merged role.
- 15 positions
 - Five officers, six regional directors, two at-large directors, MBE director, public director.
- Elections
 - An election for secretary/treasurer will be held.
 - Eligible regional, at-large, MBE, and public director positions will be elected to serve additional one-year terms, and new directors will be elected for any positions not eligible for re-election.



KEY:

■ Officer

■ Director Positions

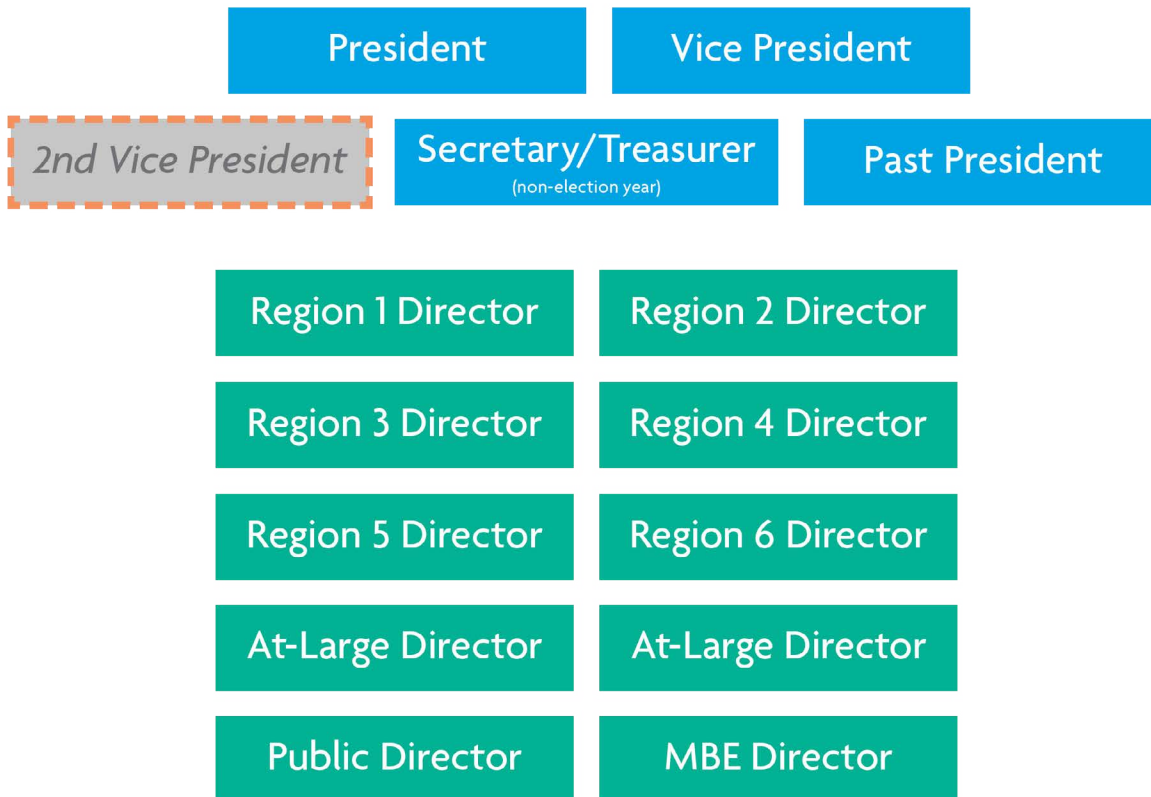
■ New Bylaws

■ Position Removed

2026-2027 BOARD OF DIRECTORS

(ELECTED AT THE 2026 NCARB ANNUAL BUSINESS MEETING)

- What's different?
 - The Board of Directors returns to 14 positions.
 - The second vice president position is eliminated.
 - No election for secretary/treasurer in this year.
 - ◇ The secretary/treasurer elected in 2025 will hold for one year rather than advancing to the eliminated second vice president position.
- 14 positions
 - Four officers, six regional directors, two at-large directors, MBE director, public director.
- Elections
 - Eligible regional, at-large, MBE, and public director positions will be elected to serve additional one-year terms, and new directors will be elected for any positions not eligible for re-election.



KEY: ■ Officer ■ Director Positions
■ New Bylaws ■ Position Removed

2027-2028 BOARD OF DIRECTORS

(ELECTED AT THE 2027 NCARB ANNUAL BUSINESS MEETING)

- What's different?
 - Full implementation of the new governance structure this year.
- 14 positions
 - Four officers, six regional directors, two at-large directors, MBE director, public director.
- Elections
 - An election for Secretary/Treasurer will be held.
 - Eligible regional, at-large, MBE, and public director positions will be elected to serve additional one-year terms, and new directors will be elected for any positions not eligible for re-election.
 - Transition is complete and Article XV of the *Bylaws* is sunset.



KEY:

■ Officer

■ Director Positions

■ New Bylaws

■ Position Removed