

MEETING MINUTES

PROFESSIONAL QUALIFICATIONS COMMITTEE

November 20, 2024

Teleconference and Sacramento

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

Chair Charles Ward, III called the meeting to order at 10 a.m. and called the roll.

Committee Members Present

Charles Ward, III, Chair

Victoria Brash

Tian Feng (joined at approximately 10:55 a.m.)

Eric Lum

Mitra Kanaani (joined at approximately 10:10 a.m.)

Four members of the Committee constitutes a quorum. At the time of roll call there was not a quorum of members for the transaction of business. However, at 10:10 a.m. there were four members present, and a quorum was established.

Committee Members Absent

Malcolm Gladstone, Vice Chair

Barry Williams

LATC Members Present

Pamela Brief, Chair, Landscape Architects Technical Committee (LATC)

Members of the Public Present

No members of the public were present.

Staff Present

Laura Zuniga, Executive Officer (EO)

Marccus Reinhardt, Licensing Manager

Timothy Rodda, Regulations Manager

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

Mr. Ward announced the meeting was being webcast with a physical location at the board headquarters in Sacramento. He also advised members present at roll call of the teleconference voting requirements.

PUBLIC COMMENT: There was no public comment.

C. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Mr. Ward asked for public comments related to items not on the agenda. Ms. Brief advised members that she was present for the meeting and thanked members for the opportunity to potentially coordinate on the discussion related to Artificial Intelligence (AI).

D. REVIEW AND POSSIBLE ACTION ON MARCH 30, 2022, COMMITTEE MEETING MINUTES

No action was taken on the March 30, 2022, meeting minutes.

PUBLIC COMMENT: There was no public comment.

E. DISCUSS AND POSSIBLE ACTION ON THE USE OF GENERATIVE DESIGN TOOLS IN ARCHITECTURE

Mr. Ward introduced this item and advised members that he was assisted in writing his introduction by AI. He said that AI is already here, it's already useful and it's already raising important questions about accountability, ethics, and professional standards. Mr. Ward added that generative design tools and other AI systems are starting to shape the way architects work, including helping architects explore design options, optimize processes, and solving problems that could not previously be addressed.

Mr. Ward queried members whether the Board and the Committee need to think about specific rules for how AI gets used in architecture? He explained how the European Union (EU) is approaching the use of AI and how the methodology differs from the manner the United States takes to address AI.

Mr. Reinhardt advised members that on June 6, 2024, the Board received a presentation from California architect Zigmund Rubel on the issues related to the use of AI in the profession. He advised members that Mr. Rubel's presentation, a 2024 report on AI from the Royal Institute of British Architects, and the recent

NCARB AI position statement were included in the meeting packet. Mr. Reinhardt said there were two questions posed to members for their consideration and discussion:

1. How does the Board protect the public health, safety, and welfare in the age of AI tools?
2. What measures should be taken by the Board to ensure the public there will be human oversight in the use of AI tools?

Mr. Ward then sparked a general discussion amongst members regarding the role that should be taken by the Board and Committee related to the future of AI in the profession. He opined that while AI is already in use, it is not at the self-generative state warranting regulation and he has seen no evidence that the existing definition for responsible control needs to be updated. However, he expressed interest in adding future guardrails for consumer protection that would include transparency in the form of a disclaimer to consumers for when AI is used during a project.

Ms. Brash said that AI is like many other tools that are employed by architects and that it is important for architects to be aware of everything in the drawing set and that ultimately the architect assumes the responsible control and liability for the work product. Consequent, she said that in her opinion the use of AI is not a major issue at this time; however, that may change in the future depending on how it is employed.

Ms. Zuniga agreed with Mr. Ward and Ms. Brash. She said that in previous discussions about AI, it was framed as either functioning like another tool, such as Revit or AutoCAD, and something that helps architects do their work and retain control over the design or is AI something different that acts more independently. Ms. Zuniga added that it seemed some members appear to be comfortable with the idea of AI existing with the current framework of responsible control. She said the feedback from members will help staff assess whether there is a need for additional regulation.

Mr. Lum said there has been significant discussion in the architectural education environment about the responsible use of AI and whether the student or the machine is generating the work. He said in the professional environment it is different and concurred with Ms. Brash that there would be professional oversight. Mr. Lum went on to say that AI appears to be used mainly in schematic design, design generation, and development of case studies. He said AI is not really being used for drawings that would be stamped by an architect. Mr. Lum opined that the profession is not at the phase of generating construction documents or design details. He emphasized that ultimately a professional would stamp the product and would be held responsible for it.

Mr. Ward concurred with Mr. Lum that while AI is not necessarily being used to generate construction documents now, that in the next few years, he opined, a singularity moment is likely to occur because of all the data and information on subjects like construction, engineering, architecture, and landscape being fed into various AI systems that eventually, inevitably generative design will become a reality. Mr. Ward said the EU is out in front of the problem and places the responsibility on the company that created the AI system and considers risk factors related to design transparencies. He opined that the approach taken by the EU is not likely to happen in the U.S. and it does not appear U.S. regulation or government are close to considering following what the EU is doing presently.

Mr. Ward continued by emphasizing that architects will have sole responsibility under existing guidelines and framework, so it is even more important to educate architects who use AI that they will be responsible for the output. Ms. Brash agreed with Mr. Ward and added it would be for the architect to make certain through verification that the drawings produced are accurate and the architects are reminded of their duty for responsible control. Mr. Lum agreed with Mr. Ward and added that it falls upon the architect stamping the drawings to ensure the correctness of the details in relation to the project conditions and requirements.

Mr. Ward suggested that one way to address AI would be for committee members to recommend the Board add CE on AI as an additional requirement. He suggested the additional CE would be a benefit to consumers. Mr. Ward then recommended the Board require transparency of the tools used in the development of designs, so consumers are aware of how the drawings were prepared by an architect. Ms. Zuniga stated that based upon the conversation, the committee members appear to lean toward the position that additional regulation is not needed at this time and would rather do some type of education or industry bulletin to remind licensees who use AI of their responsibility under existing law. Mr. Ward agreed with Ms. Zuniga's conclusion.

Mr. Ward asked Mr. Lum whether the pedagogy has changed regarding the use of AI in the educational setting. Mr. Lum said that in general it goes back from an academic standpoint to the concept of plagiarism. The question, Mr. Lum said, is how much of the work was done by the student and how much was done by the AI. He said the discourse on the subject is similar to when students were first using AutoCAD and BIM (Building Information Modeling) tools. Mr. Lum said the question for consideration is the extent to which the tools used by architects influence the approach taken to generate designs. He expressed concerns related to the problem-solving nature of architecture and whether AI could possibly contain implicit biases in resolving the architectural problems that architects seek to answer through their designs.

Mr. Feng joined the conversation and addressed intellectual ownership, and the ethical concerns raised by using AI in design generation. He said there could be complaints against architects who use AI tools related to competency that result in the consumers seeking board action. He suggested the Board consider developing policies to address these concerns.

Mr. Ward summarized the recommendation options for members and directed staff send a reminder to licensees that the foremost requirement of architects is to produce, design, and practice exercising responsible control over the drawings they generate regardless of the tools used to generate those designs.

Ms. Kanaani explained her personal experience with using AI and said there is substantive confusion surrounding its use. She said that specifically there are concerns regarding copyright and originality of ideas. Ms. Kanaani added that anecdotally many lawsuits have arisen because of the use of AI. She opined that while AI can induce creativity for designers and other creatives, in the case of non-designers, especially those who consider copyright legality, it appears something not as well understood. Mr. Ward agreed and said that it will be interesting to see how the use of AI plays out in the legal arena. Ms. Kanaani said that design methodology in the future will change.

PUBLIC COMMENT: Ms. Brief addressed members and said that from the professional aspect as an educator and the LATC Chair wanting to protect the public that in an academic setting, specifically at the University of California, Los Angeles, students must disclose whether any tools were used in the creation of their submissions. Ms. Brief said it is wonderful to have availability of tools like AI; however, a concern she raised was whether the use of AI would have the ability to portray expertise in an area where the user doesn't have that experience.

F. ADJOURNMENT

Mr. Ward adjourned the meeting at 11:18 a.m.