

Blog

NCARB's New Score Validity Policy Is Here

05/01/2023 by DESTINY JOHNSON



NCARB's new score validity policy goes into effect today. Learn more about the policy and what changes you'll see in your NCARB Record.

About the Score Validity Policy

The new score validity policy bases the validity of passed Architect Registration Examination® (ARE ®) divisions on exam versions, such as ARE 4.0 or ARE 5.0, rather than a set time frame. As a result, NCARB is reinstating previously expired divisions of ARE 4.0 for candidates seeking licensure from jurisdictions that do not have a rolling clock-type requirement.

Under the new score validity policy, passing ARE divisional scores will remain valid throughout the delivery of the exam version under which they were taken. They'll also be used to establish credit toward the immediately following version of the exam (e.g., ARE 6.0). If the jurisdiction where you are seeking licensure has a rolling clock requirement, you will still be subject to their rolling clock.

How This Impacts You

If you are seeking licensure from a jurisdiction that does not have a rolling clock policy, you will see any previously expired ARE 4.0 divisions reinstated in your Record. Your updated exam progress—including any new ARE 5.0 credits—will be reflected in the Exam overview tab in your NCARB Record. NCARB is updating thousands of candidate Records, so please know that this change may take 1-2 days to appear in your NCARB Record.

If you are seeking licensure from a jurisdiction that has a rolling clock policy, you will not see any change to your NCARB Record at this time. View [a list of jurisdictions](#) with a rolling clock requirement.

Updated ARE 5.0 Guidelines

We've updated the [ARE 5.0 Guidelines](#). The latest edition of the Guidelines includes replacing the Rolling Clock section with a new Score Validity Policy section. Other changes include NCARB discontinuing the rebate for candidates taking their first online proctored appointment—effective July 1, 2023. The Guidelines also now include more information on how to read score reports given the score validity policy change. [View a comprehensive list of changes made to the ARE 5.0 Guidelines](#).

We know you may have questions, so [we answered the most common questions received about the new score validity policy](#). Our recent [NCARB Live webinar](#) also provides information about the new policy and features a Q&A session, with questions answered by our experts!

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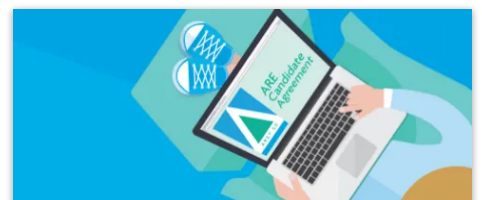
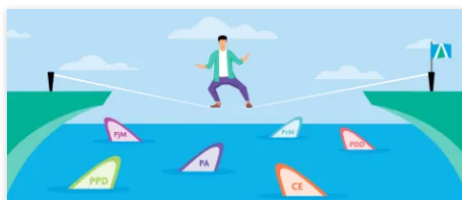
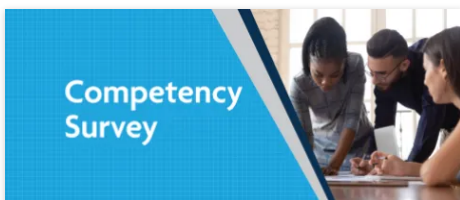
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SCORE VALIDITY POLICY

Under NC core validity policy, a passed exam division of the Architect Registration Examination® (ARE®) would remain valid throughout the delivery of the exam version under which it was taken, as well as the next exam version. This means that passed exam divisions:

- Would be valid throughout the delivery of the version of the exam under which they were taken (i.e., ARE 4.0), AND
- Would be used to establish appropriate work credit under the next version of the exam (i.e., ARE 5.0)

Passed divisions will expire after two versions of the exam. For example: Passed ARE 4.0 divisions will remain valid throughout the delivery of ARE 5.0 and will be retired after the next version of the exam is introduced. Work

If a new version of the ARE is developed (i.e., ARE 6.0), NCARB will provide a least 8 months' notice regarding any version of the exam.

Due to the nature of the credentialing process, which is non-binding, NCARB will not offer exceptions.

Previous Exam Credits

ARE 4.0 divisions are used to establish credit toward the appropriate ARE 5.0 divisions.

If you have earned ARE 4.0 divisions as a result of the credentialing process, you can use the [ARE 5.0 Transition Calculator](#) to determine how divisions are credited from ARE 4.0 to ARE 5.0. Starting on May 1, 2023, you'll be able to [check your NCARB Record](#) for any earned ARE 4.0 divisions.

Exam divisions taken in ARE 3.1 or previous versions of the exam will remain expired.

Because the practice of architecture and the continuing education by the exam have evolved over time, the credentialing process necessarily has had to be revised to meet the needs of the current practice.

Rolling Clock Policy (Retired)

In 2023, NCARB ended the rolling clock policy, which placed a five-year expiration date on passed divisions of the ARE. [Learn more about the rolling clock policy.](#)

Some jurisdictions have a policy that the rolling clock begins when the candidate and/or rule. If you are seeking licensure in a jurisdiction that has a rolling clock, you will be subject to your jurisdiction's rolling clock. [If you are considering changing jurisdictions](#), be sure to review your new jurisdiction's requirements.

NCARB will continue updating the rolling clock expiration date for candidates who are seeking licensure in a jurisdiction that has a rolling clock requirement.

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SB-887 Consumer affairs. (2023-2024)

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Date Published: 10/10/2023 02:00 PM

Senate Bill No. 887

CHAPTER 510

An act to amend Sections 115.8, 472.4, 2530.3, 2532, 2532.5, 2535.4, 2537.3, 2538.20, 2538.21, 2538.27, 2538.28, 2538.30, 2538.32, 2538.33, 2538.34, 2538.36, 2538.40, 2538.49, 2538.50, 2538.51, 2538.56, 2539.1, 2539.6, 2710, 2728, 2732, 2732.1, 2733, 2734, 2736, 2746.8, 2759, 2760, 2761, 2762, 2765, 2770.11, 2770.7, 2780, 2785.6, 2800, 2811, 2811.5, 2816, 2826, 2828, 2830.6, 2833, 2836, 2838.1, 2838.2, 2915.4, 2915.5, 4427.8, 4846, 4861, 4875.3, 4989.14, 5017.1, 5017.5, 5022, 5028, 5037, 5051, 5053, 5057, 5058.2, 5058.3, 5058.4, 5060, 5063.3, 5070.7, 5076, 5082.4, 5094, 5096.20, 5096.21, 5103.5, 5104, 5107, 5121, 5134, 5550.3, 10471, and 21638.5 of, to amend, repeal, and add Section 7685.3 of, to add Section 4990.13 to, and to repeal Sections 2738, 5029, and 5092.1 of, the Business and Professions Code, and to amend Sections 94874.8, 94874.9, 94878, 94897, 94902, 94905, 94910, 94910.5, 94911, 94913, 94941, 94942, and 94949.73 of the Education Code, relating to consumer affairs.

[Approved by Governor October 08, 2023. Filed with Secretary of State
October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 887, Committee on Business, Professions and Economic Development. Consumer affairs.

(1) Existing law requires the Department of Consumer Affairs to compile an annual report for the Legislature containing specified information relating to the professional licensure of veterans, servicemembers, and their spouses from each calendar year.

This bill would instead require the report to contain specified information relating to the professional licensure of military members, military spouses, and honorably discharged military members from each fiscal year. The bill would make corrections and other conforming changes to those provisions.

(2) Existing law requires the Department of Consumer Affairs to establish procedures to assist owners and lessees of new motor vehicles who have complaints regarding the operation of a qualified third-party dispute resolution process. Existing law further requires the department to monitor and inspect qualified third-party dispute resolution processes to determine whether they continue to meet standards for certification, including, among other things, through onsite inspections of each qualified third-party dispute resolution process no less than twice annually.

This bill would also permit those inspections of qualified third-party dispute resolution processes to be conducted virtually.

(3) Existing law, the Nursing Practice Act, establishes the Board of Registered Nursing to license and regulate the

practice of nursing. Existing law authorizes special meetings of the board pursuant to a call of the president or board members, as provided, and requires the board to send a notice by mail to board members who are not parties to the call. Existing law authorizes the board to issue an interim permit to practice nursing or a temporary certificate to practice professional nursing, or as a certified public health nurse, certified clinical nurse specialist, or certified nurse-midwife, upon approval of an application to be licensed or certified, as specified. Under existing law, the interim permit or temporary certificate terminates if the applicant fails the examination or if it is issued by mistake or the application for permanent licensure is denied, as applicable, upon notice by mail.

This bill would instead require the board to send the notice of a special meeting electronically instead of by mail. The bill would delete the notice requirement for terminating an interim permit or temporary certificate.

The act requires the board to establish categories of nurse practitioners and standards for each category, and requires the standards to take into account the types of advanced levels of nursing practice and the education needed to practice at each level.

This bill would require those standards to be as specified in a certain publication of the National Organization of Nurse Practitioner Faculties, or successor.

The act creates within the board a Nursing Education and Workforce Advisory Committee to study and recommend nursing education standards and solutions to workforce issues to the board, and requires one representative from the office of the Chancellor of the California State University to serve on the committee.

This bill would specify an initial appointment for a term of 4 years for the representative from the office of the Chancellor of the California State University.

This bill would also delete a requirement that the board hold at least 2 examinations each year, would update references to the National Board of Certification and Recertification of Nurse Anesthetists, and would make other technical and nonsubstantive changes to the act.

(4) Existing law, the Psychology Licensing Law, establishes the Board of Psychology to license and regulate the practice of psychology. Existing law requires an applicant for licensure to show completion of specified training on suicide risk assessment and intervention and on aging and long-term care by submitting written verification from the registrar or training director of the educational institution or program from which the applicant graduated, except as specified.

This bill would also authorize an applicant to show completion of that training by submitting a transcript to the board indicating completion of the coursework.

(5) Existing law, the Pharmacy Law, establishes the California State Board of Pharmacy within the Department of Consumer Affairs to license and regulate the practice of pharmacy. Existing law requires the board, on or before January 1, 2024, to report to the appropriate committees of the Legislature on the regulation of automated drug delivery system (ADDS) units, as part of the board's sunset evaluation process.

This bill would instead require the board to provide that report on or before January 1, 2025.

(6) Existing law, the Veterinary Medicine Practice Act, establishes the Veterinary Medical Board to license and regulate the practice of veterinary medicine. Existing law requires an individual, in order to obtain a license to practice veterinary medicine, to disclose each state, Canadian province, or United States territory in which the applicant holds or has ever held a license to practice veterinary medicine. Existing law requires license verification to be directly submitted to the board from each state, Canadian province, or United States territory. The act authorizes the board to establish one or more wellness evaluation committees consisting of 3 licensed veterinarians and 2 members of the public, and requires the board, in making appointments of the 3 licensed veterinarians, to consider individuals who have recovered from or who have knowledge and expertise in management of impairment.

This bill would also authorize license verification to be confirmed through electronic means. The bill would revise the composition of wellness evaluation committees to require at least one licensed veterinarian, at least 2 public members, and at least one registered veterinary technician. The bill would require the board to give consideration to appointing individuals with specified experience, knowledge, or expertise in impairment to be applicable to all appointments to a wellness evaluation committee.

The act authorizes an executive officer to issue a citation to a veterinarian, registered veterinary technician, or unlicensed person upon completion of an investigation and probable cause to believe that the person has violated the act. The act requires a veterinarian who reviews and investigates an alleged violation pursuant to those

provisions to be licensed in or employed by the state and not out of practice for more than 4 years.

This bill would delete the provision requiring a veterinarian to be licensed or employed by the state and not out of practice for more than 4 years.

(7) Existing law establishes the Board of Behavioral Sciences to license and regulate licensed clinical social workers, licensed educational psychologists, licensed marriage and family therapists, and licensed professional clinical counselors. Existing law requires the board to keep an accurate record of all applicants for licensure and all individuals to whom it has issued a license.

This bill would authorize a person to rely upon the licensing and registration information displayed on the board's internet website for purposes of license and registration verification.

(8) Existing law, the Educational Psychologist Practice Act, provides for the licensing and regulation of the practice of educational psychology by the Board of Behavioral Sciences and defines "educationally related mental health services" for purposes of supervising associate marriage and family therapists, associate clinical social workers, or associate professional clinical counselors.

This bill would also make the definition applicable for purposes of supervising marriage and family therapist trainees.

(9) Existing law establishes the California Board of Accountancy to license and regulate accountants, and authorizes the board to establish an advisory continuing education committee to perform specified duties, including evaluating programs and advising the board as to whether they qualify under regulations adopted by the board. Existing law requires an accounting firm to have a peer review report of its accounting and auditing practice every 3 years in order to renew its registration or convert to an active status, and requires a firm issued a substandard peer review report to submit a copy of the report to the board. Under existing law, an individual whose principal place of business is not in California and who has a valid and current license, certificate, or permit to practice public accountancy from another state may engage in the practice of public accountancy in California through a practice privilege if specified conditions are met. Existing law establishes an annual fee to be charged an individual for a practice privilege.

This bill would delete the provision authorizing the board to establish an advisory continuing education committee. The bill would require a firm issued a peer report with a rating of "fail" instead of a substandard peer report to submit a copy of the report to the board. The bill would delete the annual fee for a practice privilege.

(10) Existing law, the Architects Practice Act, establishes the California Architects Board in the Department of Consumer Affairs for the licensure and regulation of persons engaged in the practice of architecture. Existing law authorizes the board to adopt guidelines for the delegation of its authority to grade examinations of applicants for licensure to a vendor under contract to the board for provision of an architect's registration examination, subject to specified procedures and limitations.

This bill would provide that a candidate who received full credit for all divisions of the Architect Registration Examination (ARE) before May 1, 2023, shall be deemed to have passed the ARE.

(11) Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs for the licensure and regulation of cemeteries, crematoria, hydrolysis facilities, cremated remains disposers, funeral establishments, and their personnel. Under existing law, the violation of the act is a misdemeanor.

Existing law requires the first page of a contract for goods or services offered by a licensee to include a prescribed statement providing the name, telephone number, and address of the bureau for more information on funeral, cemetery, and cremation matters.

This bill would revise the prescribed statement to add "hydrolysis" as one of the specified matters for which to contact the bureau for more information. By expanding the definition of an existing crime, this bill would impose a state-mandated local program.

Existing law requires the bureau, commencing on January 1, 2027, to license and regulate reduction facilities, as defined, and to enact requirements applicable to reduction facilities substantially similar to those applicable to crematoria and hydrolysis facilities.

This bill, commencing January 1, 2027, would require the licensee to revise the prescribed statement that is required to appear on the first page of a contract to add "reduction" as one of the specified matters. By expanding the definition of an existing crime, this bill would impose a state-mandated local program.

(12) Existing law, the Real Estate Law, provides for the licensure and regulation of real estate brokers and salespersons by the Department of Real Estate. Existing law establishes, within the Real Estate Fund, a Consumer Recovery Account, which is funded by fees and fines imposed on licensees. Existing law authorizes an aggrieved person who obtains either a final order or an arbitration award, as specified, against a licensee for specified misconduct to submit an application for recovery from the Consumer Recovery Account. Existing law requires the application to be delivered in person or by certified mail to an office of the department, as specified.

This bill would additionally allow the application to be delivered electronically in a manner prescribed by the department.

(13) Existing law requires every secondhand dealer and coin dealer to report the receipt or purchase of secondhand tangible personal property, except firearms, to the California Pawn and Secondhand Dealer System (CAPSS), a system operated by the Department of Justice. Existing law requires every secondhand dealer and coin dealer to retain in their possession for 7 days all tangible personal property reported electronically to CAPSS.

This bill would make the holding period specified above inapplicable to personal property pledged to a pawnbroker with respect to the redemption of personal property by the pledgor.

(14) Existing law, the California Private Postsecondary Education Act of 2009, provides for student protections and regulatory oversight of private postsecondary institutions in the state. The act is enforced by the Bureau for Private Postsecondary Education within the Department of Consumer Affairs. Existing law authorizes an institution that has been granted approval to operate by the bureau to indicate that the institution is licensed or licensed to operate.

This bill would delete that authorization, and would make other technical and nonsubstantive changes to the act.

(15) Existing law, the Speech-Language Pathologist and Audiologist and Hearing Aid Dispensers Licensure Act, establishes the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board to license and regulate speech-language pathologists, audiologists, and hearing aid dispensers. Under the act, when specified conditions are found to exist, a licensed audiologist is required to, prior to fitting or selling a hearing aid to any individual, suggest to that individual in writing that their best interests would be served if they consult a licensed physician specializing in diseases of the ear, or, if no licensed physician is available in the community, then to a duly licensed physician.

This bill would require a licensed audiologist in the above-specified circumstance to suggest the individual consult a licensed physician and surgeon specializing in diseases of the ear, or, if none are available in the community, then to any duly licensed physician and surgeon. The bill would make technical and other nonsubstantive changes to that act and to other provisions in this bill, including changes relating to the elimination of gendered pronouns.

(16) This bill would incorporate additional changes to Section 5134 of the Business and Professions Code proposed by SB 816 to be operative only if this bill and SB 816 are enacted and this bill is enacted last.

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

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

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 115.8 of the Business and Professions Code is amended to read:

115.8. The Department of Consumer Affairs shall compile information on military and spouse licensure into an annual report for the Legislature, which shall be submitted in conformance with Section 9795 of the Government Code. The report shall include all of the following for each license type of each board:

(a) The number of applications for a temporary license submitted by military spouses per fiscal year, pursuant to Section 115.6.

(b) The number of applications for expedited licenses received from honorably discharged military members and military spouses pursuant to Sections 115.4 and 115.5.

(c) The number of licenses issued and denied per fiscal year pursuant to Sections 115.4, 115.5, and 115.6.

(d) The number of licenses issued pursuant to Section 115.6 that were suspended or revoked per fiscal year.

(e) The number of applications for waived renewal fees received and granted pursuant to Section 114.3 per fiscal year.

(f) The average length of time between application and issuance of licenses pursuant to Sections 115.4, 115.5, and 115.6.

SEC. 2. Section 472.4 of the Business and Professions Code is amended to read:

472.4. In addition to any other requirements of this chapter, the department shall do all of the following:

(a) Establish procedures to assist owners or lessees of new motor vehicles who have complaints regarding the operation of a qualified third-party dispute resolution process.

(b) Establish methods for measuring customer satisfaction and to identify violations of this chapter, which shall include an annual random postcard or telephone survey by the department of the customers of each qualified third-party dispute resolution process.

(c) Monitor and inspect, on a regular basis, qualified third-party dispute resolution processes to determine whether they continue to meet the standards for certification. Monitoring and inspection shall include, but not be limited to, all of the following:

(1) Virtual or onsite inspections of each qualified third-party dispute resolution process not less frequently than twice annually.

(2) Investigation of complaints from consumers regarding the operation of qualified third-party dispute resolution processes and analyses of representative samples of complaints against each process.

(3) Analyses of the annual surveys required by subdivision (b).

(d) Notify the Department of Motor Vehicles of the failure of a manufacturer to honor a decision of a qualified third-party dispute resolution process to enable the Department of Motor Vehicles to take appropriate enforcement action against the manufacturer pursuant to Section 11705.4 of the Vehicle Code.

(e) Submit a biennial report to the Legislature evaluating the effectiveness of this chapter, make available to the public summaries of the statistics and other information supplied by each qualified third-party dispute resolution process, and publish educational materials regarding the purposes of this chapter.

(f) Adopt regulations as necessary and appropriate to implement this chapter and subdivision (d) of Section 1793.22 of the Civil Code.

(g) Protection of the public shall be the highest priority for the department in exercising its certification, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

SEC. 3. Section 2530.3 of the Business and Professions Code is amended to read:

2530.3. (a) A person represents themselves to be a speech-language pathologist when they hold themselves out to the public by any title or description of services incorporating the words "speech pathologist," "speech pathology," "speech therapy," "speech correction," "speech correctionist," "speech therapist," "speech clinic," "speech clinician," "language pathologist," "language pathology," "logopedics," "logopedist," "communicology," "communicologist," "aphasiologist," "voice therapy," "voice therapist," "voice pathology," or "voice pathologist," "language therapist," or "phoniatrist," or any similar titles; or when they purport to treat stuttering, stammering, or other disorders of speech.

(b) A person represents themselves to be an audiologist when they hold themselves out to the public by any title or description of services incorporating the terms "audiology," "audiologist," "audiological," "hearing clinic," "hearing clinician," "hearing therapist," or any similar titles.

SEC. 4. Section 2532 of the Business and Professions Code is amended to read:

2532. No person shall engage in the practice of speech-language pathology or audiology or represent themselves as a speech-language pathologist or audiologist unless they are licensed in accordance with this chapter.

SEC. 5. Section 2532.5 of the Business and Professions Code is amended to read:

2532.5. Every person holding a license under this chapter shall display it conspicuously in their primary place of practice.

SEC. 6. Section 2535.4 of the Business and Professions Code is amended to read:

2535.4. A person who fails to renew their license within the five years after its expiration may not renew it, and it may not be restored, reissued, or reinstated thereafter, but that person may apply for and obtain a new license if they meet all of the following requirements:

(a) Have not committed any acts or crimes constituting grounds for denial of licensure under Division 1.5 (commencing with Section 475).

(b) Take and pass the examination or examinations, if any, that would be required of them if an initial application for licensure was being made, or otherwise establishes to the satisfaction of the board that, with due regard for the public interest, they are qualified to practice as a speech-language pathologist or audiologist, as the case may be.

(c) Pays all of the fees that would be required if an initial application for licensure was being made. In addition, the board may charge the applicant a fee to cover the actual costs of any examination that it may administer.

SEC. 7. Section 2537.3 of the Business and Professions Code is amended to read:

2537.3. The income of a speech-language pathology corporation or an audiology corporation attributable to professional services rendered while a shareholder is a disqualified person, as defined in Section 13401 of the Corporations Code, shall not in any manner accrue to the benefit of that shareholder or their share in the speech-language pathology or audiology corporation.

SEC. 8. Section 2538.20 of the Business and Professions Code is amended to read:

2538.20. It is unlawful for an individual to engage in the practice of fitting or selling hearing aids, or to display a sign or in any other way to advertise or hold themselves out as being so engaged without having first obtained a license from the board under the provisions of this article. Nothing in this article shall prohibit a corporation, partnership, trust, association, or other like organization maintaining an established business address from engaging in the business of fitting or selling, or offering for sale, hearing aids at retail without a license, provided that any and all fitting or selling of hearing aids is conducted by the individuals who are licensed pursuant to the provisions of this article. A person whose license as a hearing aid dispenser has been suspended or revoked shall not be the proprietor of a business that engages in the practice of fitting or selling hearing aids nor shall that person be a partner, shareholder, member, or fiduciary in a partnership, corporation, association, or trust that maintains or operates that business, during the period of the suspension or revocation. This restriction shall not apply to stock ownership in a corporation that is listed on a stock exchange regulated by the Securities and Exchange Commission if the stock is acquired in a transaction conducted through that stock exchange.

SEC. 9. Section 2538.21 of the Business and Professions Code is amended to read:

2538.21. This article does not apply to a person engaged in the practice of fitting hearing aids if their practice is for a governmental agency, or private clinic, or is part of the academic curriculum of an accredited institution of higher education, or part of a program conducted by a public, charitable institution or other nonprofit organization, and who does not engage directly or indirectly in the sale or offering for sale of hearing aids.

SEC. 10. Section 2538.27 of the Business and Professions Code is amended to read:

2538.27. (a) An applicant who has fulfilled the requirements of Section 2538.24 and has made application therefor, may have a temporary license issued to them upon satisfactory proof to the board that the applicant holds a hearing aid dispenser's license in another state, that the licensee has not been subject to formal disciplinary action by another licensing authority, and that the applicant has been engaged in the fitting and sale of hearing aids for the two years immediately prior to application.

(b) A temporary license issued pursuant to this section shall be valid for one year from date of issuance and is not renewable. A temporary license shall automatically terminate upon issuance of a license prior to expiration of the

one-year period.

(c) The holder of a temporary license issued pursuant to this section who fails either license examination shall be subject to and shall comply with the supervision requirements of Section 2538.28 and any regulations adopted pursuant thereto.

SEC. 11. Section 2538.28 of the Business and Professions Code is amended to read:

2538.28. (a) An applicant who has fulfilled the requirements of Section 2538.24, and has made application therefor, and who proves to the satisfaction of the board that they will be supervised and trained by a hearing aid dispenser who is approved by the board may have a trainee license issued to them. The trainee license shall entitle the trainee licensee to fit or sell hearing aids as set forth in regulations of the board. The supervising dispenser shall be responsible for any acts or omissions committed by a trainee licensee under their supervision that may constitute a violation of this chapter.

(b) The board shall adopt regulations setting forth criteria for its refusal to approve a hearing aid dispenser to supervise a trainee licensee, including procedures to appeal that decision.

(c) A trainee license issued pursuant to this section is effective and valid for six months from date of issue. The board may renew the trainee license for an additional period of six months. Except as provided in subdivision (d), the board shall not issue more than two renewals of a trainee license to any applicant. Notwithstanding subdivision (d), if a trainee licensee who is entitled to renew a trainee license does not renew the trainee license and applies for a new trainee license at a later time, the new trainee license shall only be issued and renewed subject to the limitations set forth in this subdivision.

(d) A new trainee license may be issued pursuant to this section if a trainee license issued pursuant to subdivision (c) has lapsed for a minimum of three years from the expiration or cancellation date of the previous trainee license. The board may issue only one new trainee license under this subdivision.

SEC. 12. Section 2538.30 of the Business and Professions Code is amended to read:

2538.30. (a) A temporary or trainee licensee shall not be the sole proprietor of, manage, or independently operate a business that engages in the fitting or sale of hearing aids.

(b) A temporary or trainee licensee shall not advertise or otherwise represent that they hold a license as a hearing aid dispenser.

SEC. 13. Section 2538.32 of the Business and Professions Code is amended to read:

2538.32. Every applicant who obtains a passing score determined by the Angoff criterion-referenced method of establishing the point in each examination shall be deemed to have passed that examination. An applicant shall pass the written examination before they may take the practical examination. An applicant shall obtain a passing score on both the written and the practical examination in order to be issued a license.

SEC. 14. Section 2538.33 of the Business and Professions Code is amended to read:

2538.33. (a) Before engaging in the practice of fitting or selling hearing aids, each licensee shall notify the board in writing of the address or addresses where they are to engage, or intend to engage, in the practice of fitting or selling hearing aids, and of any changes in their place of business within 30 days of engaging in that practice.

(b) If a street address is not the address at which the licensee receives mail, the licensee shall also notify the board in writing of the mailing address for each location where the licensee is to engage, or intends to engage, in the practice of fitting or selling hearing aids, and of any change in the mailing address of their place or places of business.

SEC. 15. Section 2538.34 of the Business and Professions Code is amended to read:

2538.34. (a) Every licensee who engages in the practice of fitting or selling hearing aids shall have and maintain an established retail business address to engage in that fitting or selling, routinely open for service to customers or clients. The address of the licensee's place of business shall be registered with the board as provided in Section 2538.33.

(b) Except as provided in subdivision (c), if a licensee maintains more than one place of business within this state, they shall apply for and procure a duplicate license for each branch office maintained. The application shall state the name of the person and the location of the place or places of business for which the duplicate license is desired.

(c) A hearing aid dispenser may, without obtaining a duplicate license for a branch office, engage on a temporary basis in the practice of fitting or selling hearing aids at the primary or branch location of another licensee's business or at a location or facility that they may use on a temporary basis, provided that the hearing aid dispenser notifies the board in advance in writing of the dates and addresses of those businesses, locations, or facilities at which they will engage in the practice of fitting or selling hearing aids.

SEC. 16. Section 2538.36 of the Business and Professions Code is amended to read:

2538.36. (a) Whenever any of the following conditions are found to exist, either from observations by the licensee or based on information furnished by the prospective hearing aid user, a licensee shall, before fitting or selling a hearing aid to any individual, suggest to that individual in writing that it would be in the individual's best interest to consult with a licensed physician and surgeon specializing in diseases of the ear, or, if none are available in the community, then to any duly licensed physician and surgeon:

- (1) Visible congenital or traumatic deformity of the ear.
- (2) History of, or active drainage from the ear within the previous 90 days.
- (3) History of sudden or rapidly progressive hearing loss within the previous 90 days.
- (4) Acute or chronic dizziness.
- (5) Unilateral hearing loss of sudden or recent onset within the previous 90 days.
- (6) Significant air-bone gap when generally acceptable standards have been established.
- (7) Visible evidence of significant cerumen accumulation or a foreign body in the ear canal.
- (8) Pain or discomfort in the ear.

(b) No referral for medical opinion need be made by any licensee in the instance of replacement only of a hearing aid that has been lost or damaged beyond repair within one year of the date of purchase. A copy of the written recommendation shall be retained by the licensee for the period provided for in Section 2538.38. A person receiving the written recommendation who elects to purchase a hearing aid shall sign a receipt, and the receipt shall be kept with other documents retained by the licensee for the period provided for in Section 2538.38. Nothing in this section required to be performed by a licensee shall mean that the licensee is engaged in the diagnosis of illness or the practice of medicine or any other activity prohibited by the provisions of this code.

SEC. 17. Section 2538.40 of the Business and Professions Code is amended to read:

2538.40. (a) Upon denial of an application for license, the board shall notify the applicant in writing of the following:

- (1) The reason for the denial.
- (2) That the applicant has a right to a hearing under Section 2533.2 if they make a written request within 60 days after notice of denial.

(b) Service of the notice required by this section may be made by certified mail addressed to the applicant at the latest address filed by the applicant in writing with the board in their application or otherwise.

SEC. 18. Section 2538.49 of the Business and Professions Code is amended to read:

2538.49. It is unlawful for a licensed hearing aid dispenser to fit or sell a hearing aid unless they first do all of the following:

- (a) Comply with all provisions of state laws and regulations relating to the fitting or selling of hearing aids.
- (b) Conduct a direct observation of the purchaser's ear canals.

(c) Inform the purchaser of the address and office hours at which the licensee shall be available for fitting or postfitting adjustments and servicing of the hearing aid or aids sold.

SEC. 19. Section 2538.50 of the Business and Professions Code is amended to read:

2538.50. It is unlawful to advertise by displaying a sign or otherwise or hold themselves out to be a person engaged in the practice of fitting or selling hearing aids without having at the time of so doing a valid, unrevoked license or temporary license.

SEC. 20. Section 2538.51 of the Business and Professions Code is amended to read:

2538.51. It is unlawful to engage in the practice of fitting or selling hearing aids without the licensee having and maintaining an established business address, routinely open for service to their clients.

SEC. 21. Section 2538.56 of the Business and Professions Code is amended to read:

2538.56. A license that is not renewed within three years after its expiration may not be renewed, restored, reissued, or reinstated thereafter, but the holder of the expired license may apply for and obtain a new license if all of the following apply:

- (a) They have not committed acts or crimes constituting grounds for denial of licensure under Section 480.
- (b) They pay all of the fees that would be required if they were applying for a license for the first time.
- (c) They take and pass the examination that would be required if they were applying for a license for the first time, or otherwise establish to the satisfaction of the board that they are qualified to engage in the practice of fitting or selling hearing aids. The board may, by regulation, provide for the waiver or refund of all or any part of the application fee in those cases in which a license is issued without an examination under this section.

SEC. 22. Section 2539.1 of the Business and Professions Code is amended to read:

2539.1. (a) (1) On and after January 1, 2010, in addition to satisfying the licensure and examination requirements described in Sections 2532, 2532.2, and 2532.25, no licensed audiologist shall sell hearing aids unless they complete an application for a dispensing audiology license, pay all applicable fees, and pass an examination, approved by the board, relating to selling hearing aids.

(2) The board shall issue a dispensing audiology license to a licensed audiologist who meets the requirements of paragraph (1).

(b) (1) On and after January 1, 2010, a licensed audiologist with an unexpired license to sell hearing aids pursuant to Article 8 (commencing with Section 2538.10) may continue to sell hearing aids pursuant to that license until that license expires pursuant to Section 2538.53, and upon that expiration the licensee shall be deemed to have satisfied the requirements described in subdivision (a) and may continue to sell hearing aids pursuant to their audiology license subject to the provisions of this chapter. Upon the expiration of the audiologist's license to sell hearing aids, the board shall issue them a dispensing audiology license pursuant to paragraph (2) of subdivision (a). This paragraph shall not prevent an audiologist who also has a hearing aid dispenser's license from maintaining dual or separate licenses if they choose to do so.

(2) A licensed audiologist whose license to sell hearing aids, issued pursuant to Article 8 (commencing with Section 2538.10), is suspended, surrendered, or revoked shall not be authorized to sell hearing aids pursuant to this subdivision and they shall be subject to the requirements described in subdivision (a) as well as the other provisions of this chapter.

(c) A licensed hearing aid dispenser who meets the qualifications for licensure as an audiologist shall be deemed to have satisfied the requirements of paragraph (1) of subdivision (a) for the purposes of obtaining a dispensing audiology license.

(d) For purposes of subdivision (a), the board shall provide the hearing aid dispenser's examination provided by the former Hearing Aid Dispensers Bureau until such time as the next examination validation and occupational analysis is completed by the Department of Consumer Affairs pursuant to Section 139 and a determination is made that a different examination is to be administered.

SEC. 23. Section 2539.6 of the Business and Professions Code is amended to read:

2539.6. (a) Whenever any of the following conditions are found to exist either from observations by the licensed audiologist or on the basis of information furnished by the prospective hearing aid user, a licensed audiologist shall, prior to fitting or selling a hearing aid to any individual, suggest to that individual in writing that the individual's best interests would be served if they consult a licensed physician and surgeon specializing in diseases of the ear or, if none are available in the community, a duly licensed physician and surgeon:

- (1) Visible congenital or traumatic deformity of the ear.
- (2) History of, or active, drainage from the ear within the previous 90 days.
- (3) History of sudden or rapidly progressive hearing loss within the previous 90 days.
- (4) Acute or chronic dizziness.
- (5) Unilateral hearing loss of sudden or recent onset within the previous 90 days.
- (6) Significant air-bone gap (when generally acceptable standards have been established).
- (7) Visible evidence of significant cerumen accumulation or a foreign body in the ear canal.
- (8) Pain or discomfort in the ear.

(b) No referral for medical opinion need be made by any licensed audiologist in the instance of replacement only of a hearing aid that has been lost or damaged beyond repair within one year of the date of purchase. A copy of the written recommendation shall be retained by the licensed audiologist for the period provided for in Section 2539.10. A person receiving the written recommendation who elects to purchase a hearing aid shall sign a receipt for the same, and the receipt shall be kept with the other papers retained by the licensed audiologist for the period provided for in Section 2539.10. Nothing in this section required to be performed by a licensed audiologist shall mean that the licensed audiologist is engaged in the diagnosis of illness or the practice of medicine or any other activity prohibited by the provisions of this code.

SEC. 24. Section 2710 of the Business and Professions Code is amended to read:

2710. (a) Special meetings may be held at such times as the board may elect, or on the call of the president of the board, or of not less than three members thereof.

(b) A written notice of the time, place, and object of any special meeting shall be sent electronically by the executive officer to all members of the board who are not parties to the call, at least 15 days before the day of the meeting.

SEC. 25. Section 2728 of the Business and Professions Code is amended to read:

2728. If adequate medical and nursing supervision by a professional nurse or nurses is provided, nursing service may be given by attendants, psychiatric technicians, or psychiatric technician interim permittees in institutions under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services or subject to visitation by the State Department of Public Health or the Department of Corrections and Rehabilitation. Services given by a psychiatric technician shall be limited to services that they are authorized to perform by their license as a psychiatric technician. Services given by a psychiatric technician interim permittee shall be limited to skills included in their basic course of study and performed under the supervision of a licensed psychiatric technician or registered nurse.

The Director of State Hospitals, the Director of Developmental Services, and the State Public Health Officer shall determine what shall constitute adequate medical and nursing supervision in any institution under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services or subject to visitation by the State Department of Public Health.

Notwithstanding any other provision of law, institutions under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services may utilize graduates of accredited psychiatric technician training programs who are not licensed psychiatric technicians or psychiatric technician interim permittees to perform skills included in their basic course of study when supervised by a licensed psychiatric technician or registered nurse, for a period not to exceed nine months.

SEC. 26. Section 2732 of the Business and Professions Code is amended to read:

2732. No person shall engage in the practice of nursing, as defined in Section 2725, without holding a license that is in an active status issued under this chapter except as otherwise provided in this act.

Every licensee may be known as a registered nurse and may place the letters "R.N." after their name.

SEC. 27. Section 2732.1 of the Business and Professions Code is amended to read:

2732.1. (a) An applicant for license by examination shall submit a written application in the form prescribed by the board.

Upon approval of the application, the board may issue an interim permit authorizing the applicant to practice nursing pending the results of the first licensing examination following completion of their nursing course or for a maximum period of six months, whichever occurs first.

If the applicant passes the examination, the interim permit shall remain in effect until a regular renewable license is issued by the board. If the applicant fails the examination, the interim permit shall terminate.

(b) The board upon written application may issue a license without examination to any applicant who is licensed or registered as a nurse in a state, district, or territory of the United States or Canada having, in the opinion of the board, requirements for licensing or registration equal to or higher than those in California at the time the application is filed with the Board of Registered Nursing, if they have passed an examination for the license or registration that is, in the board's opinion, comparable to the board's examination, and if they meet all the other requirements set forth in Section 2736.

(c) Each application shall be accompanied by the fee prescribed by this chapter for the filing of an application for a regular renewable license.

The interim permit shall terminate if it is issued by mistake or if the application for permanent licensure is denied.

SEC. 28. Section 2733 of the Business and Professions Code is amended to read:

2733. (a) (1) (A) Upon approval of an application filed pursuant to subdivision (b) of Section 2732.1, and upon the payment of the fee prescribed by subdivision (k) of Section 2815, the board may issue a temporary license to practice professional nursing, and a temporary certificate to practice as a certified public health nurse for a period of six months from the date of issuance.

(B) Upon approval of an application filed pursuant to subdivision (b) of Section 2732.1, and upon the payment of the fee prescribed by subdivision (d) of Section 2838.2, the board may issue a temporary certificate to practice as a certified clinical nurse specialist for a period of six months from the date of issuance.

(C) Upon approval of an application filed pursuant to subdivision (b) of Section 2732.1, and upon the payment of the fee prescribed by subdivision (e) of Section 2815.5, the board may issue a temporary certificate to practice as a certified nurse-midwife for a period of six months from the date of issuance.

(D) Upon approval of an application filed pursuant to subdivision (b) of Section 2732.1, and upon the payment of the fee prescribed by subdivision (d) of Section 2830.7, the board may issue a temporary certificate to practice as a certified nurse anesthetist for a period of six months from the date of issuance.

(E) Upon approval of an application filed pursuant to subdivision (b) of Section 2732.1, and upon the payment of the fee prescribed by subdivision (p) of Section 2815, the board may issue a temporary certificate to practice as a certified nurse practitioner for a period of six months from the date of issuance.

(2) A temporary license or temporary certificate shall terminate if it is issued by mistake or if the application for permanent licensure is denied.

(b) Upon written application, the board may reissue a temporary license or temporary certificate to any person who has applied for a regular renewable license pursuant to subdivision (b) of Section 2732.1 and who, in the judgment of the board has been excusably delayed in completing their application for or the minimum requirements for a regular renewable license, but the board may not reissue a temporary license or temporary certificate more than twice to any one person.

(c) The board shall prominently display on the front page of its website the availability of temporary licenses and certificates pursuant to this section.

SEC. 29. Section 2734 of the Business and Professions Code is amended to read:

2734. Upon application in writing to the board and payment of the biennial renewal fee, a licensee may have their license placed in an inactive status for an indefinite period of time. A licensee whose license is in an inactive status may not practice nursing. However, a licensee does not have to comply with the continuing education standards of Section 2811.5.

SEC. 30. Section 2736 of the Business and Professions Code is amended to read:

2736. (a) An applicant for licensure as a registered nurse shall comply with each of the following:

- (1) Have completed such general preliminary education requirements as shall be determined by the board.
- (2) Have successfully completed the courses of instruction prescribed by the board for licensure, in a program in this state accredited by the board for training registered nurses, or have successfully completed courses of instruction in a school of nursing outside of this state which, in the opinion of the board at the time the application is filed with the Board of Registered Nursing, are equivalent to the minimum requirements of the board for licensure established for an accredited program in this state.
- (3) Not be subject to denial of licensure under Section 480.

(b) An applicant who has received their training from a school of nursing in a country outside the United States and who has complied with the provisions of subdivision (a), or has completed training equivalent to that required by subdivision (a), shall qualify for licensure by successfully passing the examination prescribed by the board.

SEC. 31. Section 2738 of the Business and Professions Code is repealed.

SEC. 32. Section 2746.8 of the Business and Professions Code is amended to read:

2746.8. (a) Each certificate issued pursuant to this article shall be renewable biennially, and each person holding a certificate under this article shall apply for a renewal of the certificate and pay the biennial renewal fee required by Section 2815.5 every two years on or before the last day of the month following the month in which their birthday occurs, beginning with the second birthday following the date on which the certificate was issued, whereupon the board shall renew the certificate.

(b) Each certificate that is not renewed in accordance with this section shall expire, but may, within a period of eight years, be reinstated upon payment of the biennial renewal fee and penalty fee required by Section 2815.5 and submission of proof of the applicant's qualifications as may be required by the board. During the eight-year period, no examination shall be required as a condition for the reinstatement of an expired certificate that has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of the eight-year period, the board may require, as a condition of reinstatement, that the applicant pass an examination as it deems necessary to determine the applicant's present fitness to resume the practice of nurse-midwifery.

SEC. 33. Section 2759 of the Business and Professions Code is amended to read:

2759. The board shall discipline the holder of any license, whose default has been entered or who has been heard by the board and found guilty, by any of the following methods:

- (a) Suspending judgment.
- (b) Placing upon them probation.
- (c) Suspending their right to practice nursing for a period not exceeding one year.
- (d) Revoking their license.
- (e) Taking other action in relation to disciplining them as the board in its discretion may deem proper.

SEC. 34. Section 2760 of the Business and Professions Code is amended to read:

2760. (a) If the holder of a license is suspended, they shall not be entitled to practice nursing during the term of suspension.

(b) Upon expiration of the term of suspension, they shall be reinstated by the board and shall be entitled to

resume the practice of nursing unless it is established to the satisfaction of the board that they have practiced nursing in this state during the term of suspension. In this event, the board shall revoke their license.

SEC. 35. Section 2761 of the Business and Professions Code is amended to read:

2761. (a) The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (1) Unprofessional conduct, which includes, but is not limited to, the following:
 - (A) A conviction of practicing medicine without a license in violation of Chapter 5 (commencing with Section 2000), in which event the record of conviction shall be conclusive evidence thereof.
 - (B) The use of advertising relating to nursing that violates Section 17500.
 - (C) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.
- (2) Procuring their certificate or license by fraud, misrepresentation, or mistake.
- (3) Procuring, or aiding, or abetting, or attempting, or agreeing, or offering to procure or assist at a criminal abortion.
- (4) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter or regulations adopted pursuant to it.
- (5) Making or giving any false statement or information in connection with the application for issuance of a certificate or license.
- (6) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.
- (7) Impersonating any applicant or acting as proxy for an applicant in any examination required under this chapter for the issuance of a certificate or license.
- (8) Impersonating another certified or licensed practitioner, or permitting or allowing another person to use their certificate or license for the purpose of nursing the sick or afflicted.
- (9) Aiding or assisting, or agreeing to aid or assist any person or persons, whether a licensed physician or not, in the performance of, or arranging for, a violation of any of the provisions of Article 12 (commencing with Section 2220) of Chapter 5.
- (10) Holding oneself out to the public or to any practitioner of the healing arts as a nurse practitioner or as meeting the standards established by the board for a nurse practitioner unless meeting the standards established by the board pursuant to Article 8 (commencing with Section 2834) or holding oneself out to the public as being certified by the board as a nurse anesthetist, nurse midwife, clinical nurse specialist, or public health nurse unless the person is at the time certified by the board.
- (11) Except for good cause, the knowing failure to protect patients by failing to follow infection control guidelines of the board, thereby risking transmission of blood-borne infectious diseases from licensed or certified nurse to patient, from patient to patient, and from patient to licensed or certified nurse. In administering this subdivision, the board shall consider referencing the standards, regulations, and guidelines of the State Department of Health Services developed pursuant to Section 1250.11 of the Health and Safety Code and the standards, guidelines, and regulations pursuant to the California Occupational Safety and Health Act of 1973 (Part 1 (commencing with Section 6300) of Division 5 of the Labor Code) for preventing the transmission of HIV, hepatitis B, and other blood-borne pathogens in health care settings. As necessary, the board shall consult with the Medical Board of California, the Board of Podiatric Medicine, the Dental Board of California, and the Board of Vocational Nursing and Psychiatric Technicians, to encourage appropriate consistency in the implementation of this subdivision.

(b) The board shall seek to ensure that licentiates and others regulated by the board are informed of the

responsibility of licentiates to minimize the risk of transmission of blood-borne infectious diseases from health care provider to patient, from patient to patient, and from patient to health care provider, and of the most recent scientifically recognized safeguards for minimizing the risks of transmission.

SEC. 36. Section 2762 of the Business and Professions Code is amended to read:

2762. In addition to other acts constituting unprofessional conduct within the meaning of this chapter, it is unprofessional conduct for a person licensed under this chapter to do any of the following:

(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to themselves, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

(b) Use any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code, or any dangerous drug or dangerous device as defined in Section 4022, or alcoholic beverages, to an extent or in a manner dangerous or injurious to themselves, any other person, or the public or to the extent that such use impairs their ability to conduct with safety to the public the practice authorized by their license.

(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof.

(d) Be committed or confined by a court of competent jurisdiction for intemperate use of or addiction to the use of any of the substances described in subdivisions (a) and (b) of this section, in which event the court order of commitment or confinement is prima facie evidence of such commitment or confinement.

(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section.

SEC. 37. Section 2765 of the Business and Professions Code is amended to read:

2765. A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge substantially related to the qualifications, functions, and duties of a registered nurse is deemed to be a conviction within the meaning of this article. The board may order the license or certificate suspended or revoked, or may decline to issue a license or certificate, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing the person to withdraw a plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.

SEC. 38. Section 2770.11 of the Business and Professions Code is amended to read:

2770.11. (a) Each registered nurse who requests participation in an intervention program shall agree to cooperate with the rehabilitation program designed by the committee and approved by the program manager. Any failure to comply with a rehabilitation program may result in termination of the registered nurse's participation in a program. The name and license number of a registered nurse who is terminated for any reason, other than successful completion, shall be reported to the board's enforcement program.

(b) If the program manager determines that a registered nurse, who is denied admission into the program or terminated from the program, presents a threat to the public or their own health and safety, the program manager shall report the name and license number, along with a copy of all intervention program records for that registered nurse, to the board's enforcement program. The board may use any of the records it receives under this subdivision in any disciplinary proceeding.

SEC. 39. Section 2770.7 of the Business and Professions Code is amended to read:

2770.7. (a) The board shall establish criteria for the acceptance, denial, or termination of registered nurses in the intervention program. Only those registered nurses who have voluntarily requested to participate in the intervention program shall participate in the program.

(b) A registered nurse under current investigation by the board may request entry into the intervention program by contacting the board. Before authorizing a registered nurse to enter into the intervention program, the board may require the registered nurse under current investigation for any violations of this chapter or any other provision of this code to execute a statement of understanding that states that the registered nurse understands that any violations that would otherwise be the basis for discipline may still be investigated and may be the subject of disciplinary action in accordance with this section.

(c) (1) Neither acceptance nor participation in the intervention program shall preclude the board from investigating or continuing to investigate, or, except as provided in this subdivision, taking disciplinary action or continuing to take disciplinary action against, any registered nurse for any unprofessional conduct committed before, during, or after participation in the intervention program.

(2) The board may investigate at its discretion complaints against registered nurses participating in the intervention program.

(3) Disciplinary action with regard to acts committed before or during participation in the intervention program shall not take place unless the registered nurse withdraws or is terminated from the program.

(d) All registered nurses shall sign an agreement of understanding that the withdrawal or termination from the intervention program at a time when the program manager or intervention evaluation committee determines the licentiate presents a threat to the public's health and safety shall result in the utilization by the board of intervention program treatment records in disciplinary or criminal proceedings.

(e) Any registered nurse terminated from the intervention program for failure to comply with program requirements is subject to disciplinary action by the board for acts committed before, during, and after participation in the intervention program. A registered nurse who has been under investigation by the board and has been terminated from the intervention program by an intervention evaluation committee shall be reported by the intervention evaluation committee to the board.

SEC. 40. Section 2780 of the Business and Professions Code is amended to read:

2780. The income of a nursing corporation attributable to professional services rendered while a shareholder is a disqualified person, as defined in Section 13401 of the Corporations Code, shall not in any manner accrue to the benefit of the shareholder or their shares in the nursing corporation.

SEC. 41. Section 2785.6 of the Business and Professions Code is amended to read:

2785.6. There is created within the jurisdiction of the board a Nursing Education and Workforce Advisory Committee, which shall solicit input from approved nursing programs and members of the nursing and health care professions to study and recommend nursing education standards and solutions to workforce issues to the board.

(a) The committee shall be comprised of the following:

(1) One nursing program director representative of a statewide association for associate's degrees in nursing programs.

(2) One nursing program director representative of a statewide association representing bachelor's degrees in nursing programs.

(3) One California Community Colleges Chancellor's Office representative.

(4) One California State University Office of the Chancellor representative.

(5) One currently practicing registered nurse representative.

(6) Two currently practicing advanced practice registered nurse representatives.

(7) Two registered nurse employer representatives in nursing service administration.

(8) One professional nursing organization representative.

(9) Three nursing union organization representatives.

(10) One public representative.

(11) One Health Workforce Development Division representative.

(12) One board research vendor.

(13) Any other members representing an organization in the nursing education or workforce field that the board determines is necessary for the work of the committee and is not listed under this subdivision.

(b) (1) Except as provided in paragraph (2), all appointments shall be for a term of four years and vacancies shall be filled for the unexpired term. No person shall serve more than two consecutive terms except for the representatives from organizations.

(2) (A) The initial appointments for the education representatives shall be for the following terms:

(i) One Nursing Program Director who is a member of a statewide association for associate's degrees in nursing programs shall serve three years.

(ii) One nursing program director who is a member of a statewide association representing bachelor's degrees in nursing programs shall serve a term of two years.

(iii) One California Community Colleges Chancellor's Office representative shall serve a term of four years.

(iv) One representative from the California State University Office of the Chancellor shall serve a term of four years.

(B) The initial appointments for the workforce representatives shall be for the following terms:

(i) One practicing registered nurse representative shall serve a term of four years.

(ii) One of the two practicing advanced practice registered nurse representatives shall serve a term of three years and the other shall serve a term of two years.

(C) The initial appointments for the employer representatives shall be for the following terms:

(i) One of the two registered nurse employer representatives shall serve a term of three years and the other shall serve a term of four years.

(ii) One professional nursing organization representative shall serve a term of two years.

(D) The public member shall serve a term of four years.

(c) The committee shall meet a minimum of two times per year and shall appoint officers annually.

(d) (1) The committee shall dedicate a minimum of one meeting each towards nursing education issues and nursing workforce issues.

(2) The committee may establish subcommittees to study issues specific to education, workforce, or any other topic relevant to the purpose of the committee.

(e) The committee may refer information and recommendations to the board or other committees of the board.

(f) (1) The board may implement, interpret, or make specific this section by means of a charter, or other similar document, approved by the board.

(2) The board may revise the charter, or other similar document, developed pursuant to this section, as necessary. The development or revision of the charter, or other similar document, shall be exempt from the requirements of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Title 2 of the Government Code).

(g) The committee shall study and recommend standards for simulated clinical experiences based on the best practices published by the International Nursing Association for Clinical Simulation and Learning, the National Council of State Boards of Nursing, the Society for Simulation in Healthcare, or equivalent standards.

SEC. 42. Section 2800 of the Business and Professions Code is amended to read:

2800. None of the sections in this article, except Sections 2796 and 2797, shall be applicable to any person or persons specifically exempted from the general provisions of this act by Section 2731 hereof, or to schools conducted by any well-recognized church or denomination for the purpose of training the adherents of the church or denomination in the care of the sick in accordance with its religious tenets. An adherent of any well-recognized church or denomination who engages in nursing or the care of the sick in connection with the practice of the

religious tenets of the well-recognized church or denomination may use the word "nurse" in connection with or following their name, provided they shall not use the title "registered nurse," the letters "R.N.," the words "graduate nurse," "trained nurse," "nurse anesthetist," or any other name, word, or symbol in connection with or following their name so as to lead another or others to believe that they are a professional nurse licensed under the provisions of this chapter.

SEC. 43. Section 2811 of the Business and Professions Code is amended to read:

2811. (a) Each person holding a regular renewable license under this chapter, whether in an active or inactive status, shall apply for a renewal of their license and pay the biennial renewal fee required by this chapter every two years on or before the last day of the month following the month in which their birthday occurs, beginning with the second birthday following the date on which the license was issued, whereupon the board shall renew the license.

(b) A license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the fee required by this chapter and upon submission of proof of the applicant's qualifications as may be required by the board. During the eight-year period, no examination shall be required as a condition for the reinstatement of an expired license that has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of the eight-year period, the board may require as a condition of reinstatement that the applicant pass an examination as the board deems necessary to determine their present fitness to resume the practice of professional nursing.

(c) A license in an inactive status may be restored to an active status if the licensee meets the continuing education standards of Section 2811.5.

SEC. 44. Section 2811.5 of the Business and Professions Code is amended to read:

2811.5. (a) Each person renewing their license under Section 2811 shall submit proof satisfactory to the board that, during the preceding two-year period, they have been informed of the developments in the registered nurse field or in any special area of practice engaged in by the licensee, occurring since the last renewal thereof, either by pursuing a course or courses of continuing education in the registered nurse field or relevant to the practice of the licensee, and approved by the board, or by other means deemed equivalent by the board.

(b) Notwithstanding Section 10231.5 of the Government Code, the board, in compliance with Section 9795 of the Government Code, shall do the following:

(1) By January 1, 2019, deliver a report to the appropriate legislative policy committees detailing a comprehensive plan for approving and disapproving continuing education opportunities.

(2) By January 1, 2020, report to the appropriate legislative committees on its progress implementing this plan.

(c) For purposes of this section, the board shall, by regulation, establish standards for continuing education. The standards shall be established in a manner to ensure that a variety of alternative forms of continuing education are available to licensees, including, but not limited to, online, academic studies, in-service education, institutes, seminars, lectures, conferences, workshops, extension studies, and home study programs. The standards shall take cognizance of specialized areas of practice, and content shall be relevant to the practice of nursing and shall be related to the scientific knowledge or technical skills required for the practice of nursing or be related to direct or indirect patient or client care. The continuing education standards established by the board shall not exceed 30 hours of direct participation in a course or courses approved by the board, or its equivalent in the units of measure adopted by the board.

(d) The board shall audit continuing education providers at least once every five years to ensure adherence to regulatory requirements, and shall withhold or rescind approval from any provider that is in violation of the regulatory requirements.

(e) The board shall encourage continuing education in spousal or partner abuse detection and treatment. In the event the board establishes a requirement for continuing education coursework in spousal or partner abuse detection or treatment, that requirement shall be met by each licensee within no more than four years from the date the requirement is imposed.

(f) In establishing standards for continuing education, the board shall consider including a course in the special care needs of individuals and their families, including, but not limited to, all of the following:

- (1) Pain and symptom management, including palliative care.
- (2) The psychosocial dynamics of death.
- (3) Dying and bereavement.
- (4) Hospice care.

(g) This section shall not apply to licensees during the first two years immediately following their initial licensure in California or any other governmental jurisdiction, except that, beginning January 1, 2023, those licensees shall complete one hour of direct participation in an implicit bias course offered by a continuing education provider approved by the board that meets all the same requirements outlined in paragraph (1) of subdivision (f) of Section 2786, including, but not limited to, the identification of the licensees previous or current unconscious biases and misinformation and corrective measures to decrease implicit bias at the interpersonal and institutional levels, including ongoing policies and practices for that purpose.

(h) The board may, in accordance with the intent of this section, make exceptions from continuing education requirements for licensees residing in another state or country, or for reasons of health, military service, or other good cause.

SEC. 45. Section 2816 of the Business and Professions Code is amended to read:

2816. The nonrefundable fee to be paid by a registered nurse for an evaluation of their qualifications to use the title "public health nurse" shall not be less than three hundred dollars (\$300) or more than one thousand dollars (\$1,000). The fee to be paid upon the application for renewal of the certificate to practice as a public health nurse shall not be less than one hundred twenty-five dollars (\$125) and not more than five hundred dollars (\$500). The penalty fee for failure to renew a certificate to practice as a public health nurse within the prescribed time shall be 50 percent of the renewal fee in effect on the date of renewal of the certificate, but not less than sixty-two dollars and fifty cents (\$62.50), and not more than two hundred fifty dollars (\$250). All fees payable under this section shall be collected by and paid to the Board of Registered Nursing Fund. It is the intention of the Legislature that the costs of carrying out the purposes of this article shall be covered by the revenue collected pursuant to this section. The board shall refund any registered nurse who paid more than three hundred dollars (\$300) for an evaluation of their qualifications to use the title "public health nurse" between April 5, 2018, and December 31, 2018.

SEC. 46. Section 2826 of the Business and Professions Code is amended to read:

2826. As used in this article:

(a) "Nurse anesthetist" means a person who is a registered nurse licensed by the board who has met standards for certification from the board. In the certification and recertification process, the board shall consider the standards of the National Board of Certification and Recertification for Nurse Anesthetists, or a successor national professional organization approved by the board, and may develop new standards if there is a public safety need for standards more stringent than the councils' standards. In determining the adequacy for public safety of the councils' standards or in developing board standards, the board shall comply with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) "Accredited Program" means a program for the education of nurse anesthetists that has received approval from the board. In the approval process, the board shall consider the standards of the Council on Accreditation of Nurse Anesthesia Education Programs and Schools and may develop new standards if the councils' standards are determined to be inadequate for public safety. In determining the adequacy for public safety of the councils' standards or in developing board standards, the board shall comply with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(c) "Appropriate committee" means the committee responsible for anesthesia practice that is responsible to the executive committee of the medical staff.

(d) "Trainee" means a registered nurse enrolled in an accredited program of nurse anesthesia.

(e) "Graduate" means a nurse anesthetist who is a graduate of an accredited program of nurse anesthesia awaiting initial certification results for not more than one year from the date of graduation.

SEC. 47. Section 2828 of the Business and Professions Code is amended to read:

2828. In an acute care facility, a nurse anesthetist who is not an employee of the facility shall, nonetheless, be subject to the bylaws of the facility and may be required by the facility to provide proof of current professional liability insurance coverage. Notwithstanding any other provision of law, a nurse anesthetist shall be responsible for their own professional conduct and may be held liable for those professional acts.

SEC. 48. Section 2830.6 of the Business and Professions Code is amended to read:

2830.6. Notwithstanding Section 2830, the board shall certify all applicants who can show certification by the National Board of Certification and Recertification for Nurse Anesthetists or a successor national professional organization approved by the board. This certification shall be documented to the board in a manner to be determined by the board. Proof of certification shall be filed with the board within six months from the effective date of this article and the board shall, within one year from the effective date of this article, issue a certificate to applicants who have filed proof of certification within that six-month period.

SEC. 49. Section 2833 of the Business and Professions Code is amended to read:

2833. (a) Each certificate issued pursuant to this article shall be renewable biennially, and each person holding a certificate under this article shall apply for a renewal of their certificate and pay the biennial renewal fee required by Section 2830.7 every two years on or before the last day of the month following the month in which their birthday occurs, beginning with the second birthday following the date on which the certificate was issued, whereupon the board shall renew the certificate.

(b) Each certificate not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by Section 2830.7 and upon submission of proof of the applicant's qualifications as may be required by the board. During the eight-year period, no examination shall be required as a condition for the reinstatement of any expired certificate that has lapsed solely by reason of nonpayment of the renewable fee. After the expiration of the eight-year period the board may require, as a condition of reinstatement, that the applicant pass an examination as it deems necessary to determine their present fitness to resume the practice of nurse anesthesia.

SEC. 50. Section 2836 of the Business and Professions Code is amended to read:

2836. (a) The board shall establish categories of nurse practitioners and standards for nurses to hold themselves out as nurse practitioners in each category. The standards shall take into account the types of advanced levels of nursing practice that are or may be performed and the clinical and didactic education, as outlined in the nurse practitioner curriculum core competencies specified in the National Organization of Nurse Practitioner Faculties' Nurse Practitioner Role Core Competencies (2022), or a successor approved by the board, experience, or both, needed to practice safely at those levels. In setting the standards, the board shall consult with nurse practitioners, physicians and surgeons with expertise in the nurse practitioner field, and health care organizations using nurse practitioners. Established standards shall apply to persons without regard to the date of meeting the standards. If the board sets standards for use of nurse practitioner titles that include completion of an academically affiliated program, it shall provide equivalent standards for registered nurses who have not completed the program.

(b) Any regulations promulgated by a state department that affect the scope of practice of a nurse practitioner shall be developed in consultation with the board.

SEC. 51. Section 2838.1 of the Business and Professions Code is amended to read:

2838.1. (a) On and after July 1, 1998, any registered nurse who holds themselves out as a clinical nurse specialist or who desires to hold themselves out as a clinical nurse specialist shall, within the time prescribed by the board and before their next license renewal or the issuance of an initial license, submit their education, experience, and other credentials, and any other information required by the board to determine that the person qualifies to use the title "clinical nurse specialist."

(b) Upon finding that a person is qualified to hold themselves out as a clinical nurse specialist, the board shall appropriately indicate on the license issued or renewed that the person is qualified to use the title "clinical nurse specialist." The board shall also issue to each qualified person a certificate indicating that the person is qualified to use the title "clinical nurse specialist."

SEC. 52. Section 2838.2 of the Business and Professions Code is amended to read:

2838.2. (a) A clinical nurse specialist is a registered nurse with advanced education, who participates in expert clinical practice, education, research, consultation, and clinical leadership as the major components of their role.

(b) The board may establish categories of clinical nurse specialists and the standards required to be met for nurses to hold themselves out as clinical nurse specialists in each category. The standards shall take into account the types of advanced levels of nursing practice that are or may be performed and the clinical and didactic education, experience, or both needed to practice safely at those levels. In setting the standards, the board shall consult with clinical nurse specialists, physicians and surgeons appointed by the Medical Board of California with expertise with clinical nurse specialists, and health care organizations that use clinical nurse specialists.

(c) A registered nurse who meets one of the following requirements may apply to become a clinical nurse specialist:

(1) Possession of a master's degree in a clinical field of nursing.

(2) Possession of a master's degree in a clinical field related to nursing with coursework in the components referred to in subdivision (a).

(3) On or before July 1, 1998, meets the following requirements:

(A) Current licensure as a registered nurse.

(B) Performs the role of a clinical nurse specialist as described in subdivision (a).

(C) Meets any other criteria established by the board.

(d) (1) A nonrefundable fee of not less than five hundred dollars (\$500), but not to exceed one thousand five hundred dollars (\$1,500) shall be paid by a registered nurse applying to be a clinical nurse specialist for the evaluation of their qualifications to use the title "clinical nurse specialist."

(2) The fee to be paid for a temporary certificate to practice as a clinical nurse specialist shall be not less than thirty dollars (\$30) nor more than fifty dollars (\$50).

(3) A biennial renewal fee shall be paid upon submission of an application to renew the clinical nurse specialist certificate and shall be established by the board at no less than one hundred fifty dollars (\$150) and no more than one thousand dollars (\$1,000).

(4) The penalty fee for failure to renew a certificate within the prescribed time shall be 50 percent of the renewal fee in effect on the date of the renewal of the license, but not less than seventy-five dollars (\$75) nor more than five hundred dollars (\$500).

(5) The fees authorized by this subdivision shall not exceed the amount necessary to cover the costs to the board to administer this section.

SEC. 53. Section 2915.4 of the Business and Professions Code is amended to read:

2915.4. (a) Effective January 1, 2020, an applicant for licensure as a psychologist shall show, as part of the application, that they have completed a minimum of six hours of coursework or applied experience under supervision in suicide risk assessment and intervention. This requirement shall be met in one of the following ways:

(1) Obtained as part of the applicant's qualifying graduate degree program. To satisfy this requirement, the applicant shall submit to the board a transcript indicating completion of this coursework. In the absence of this coursework title in the transcript, the applicant shall submit a written certification from the registrar, department chair, or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution's curriculum required for graduation at the time the applicant graduated, or within the coursework that was completed by the applicant.

(2) Obtained as part of the applicant's applied experience. Applied experience can be met in any of the following settings: practicum, internship, or formal postdoctoral placement that meets the requirement of Section 2911, or other qualifying supervised professional experience. To satisfy this requirement, the applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience has occurred stating that the training required by this section is included within the applied experience.

(3) By taking a continuing education course that meets the requirements of subdivision (e) or (f) of Section 2915 and that qualifies as a continuing education learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(b) Effective January 1, 2020, as a one-time requirement, a licensee prior to the time of their first renewal after the operative date of this section, or an applicant for reactivation or reinstatement to an active license status, shall have completed a minimum of six hours of coursework or applied experience under supervision in suicide risk assessment and intervention, as specified in subdivision (a). Proof of compliance with this section shall be certified under penalty of perjury that they are in compliance with this section and shall be retained for submission to the board upon request.

SEC. 54. Section 2915.5 of the Business and Professions Code is amended to read:

2915.5. (a) Any applicant for licensure as a psychologist as a condition of licensure, a minimum of six contact hours of coursework or applied experience in aging and long-term care, which may include, but need not be limited to, the biological, social, and psychological aspects of aging. This coursework shall include instruction on the assessment and reporting of, as well as treatment related to, elder and dependent adult abuse and neglect.

(b) In order to satisfy the coursework requirement of this section, the applicant shall submit to the board a transcript indicating completion of this coursework. In the absence of this coursework title in the transcript, the applicant shall submit a written certification from the registrar, department chair, or training director of the educational institution or program from which the applicant graduated stating that the coursework required by this section is included within the institution's required curriculum for graduation at the time the applicant graduated, or within the coursework, that was completed by the applicant.

(c) (1) If an applicant does not have coursework pursuant to this section, the applicant may obtain evidence of compliance as part of their applied experience in a practicum, internship, or formal postdoctoral placement that meets the requirement of Section 2911, or other qualifying supervised professional experience.

(2) To satisfy the applied experience requirement of this section, the applicant shall submit to the board a written certification from the director of training for the program or primary supervisor where the qualifying experience occurred stating that the training required by this section is included within the applied experience.

(d) If an applicant does not meet the curriculum or coursework requirement pursuant to this section, the applicant may obtain evidence of compliance by taking a continuing education course that meets the requirements of subdivision (d) or (e) of Section 2915 and that qualifies as a learning activity category specified in paragraph (2) or (3) of subdivision (c) of Section 2915. To satisfy this requirement, the applicant shall submit to the board a certification of completion.

(e) A written certification made or submitted pursuant to this section shall be done under penalty of perjury.

SEC. 55. Section 4427.8 of the Business and Professions Code is amended to read:

4427.8. (a) This article shall become operative on July 1, 2019.

(b) On or before January 1, 2025, as part of the board's sunset evaluation process, and notwithstanding Sections 9795 and 10231.5 of the Government Code, the board shall report to the appropriate committees of the Legislature on the regulation of ADDS units as provided in this article. At a minimum, this report shall require all of the following:

(1) The use and dispersion of ADDS throughout the health care system.

(2) The number of ADDS inspections conducted by the board each year and the findings from the inspections.

(3) Public safety concerns relating to the use of ADDS as identified by the board.

SEC. 56. Section 4846 of the Business and Professions Code is amended to read:

4846. (a) In order to obtain a license to practice veterinary medicine in California, an individual shall meet the following requirements:

(1) Graduate from a veterinary college recognized by the board or receive a certificate from the Educational Commission for Foreign Veterinary Graduates (ECFVG) or the Program for the Assessment of Veterinary

Education Equivalence (PAVE). Proof of graduation must be directly submitted to the board by the veterinary college or from the American Association of Veterinary State Boards (AAVSB). Proof of certificate must be directly submitted to the board by ECFVG or PAVE.

(2) Complete a board-approved license application.

(3) Pay the applicable fees specified in Section 4905.

(4) As directed by the board pursuant to Section 144, submit a full set of fingerprints for the purpose of conducting a criminal history record check and undergo a state and federal criminal offender record information search conducted through the Department of Justice, pursuant to subdivision (u) of Section 11105 of the Penal Code. The Department of Justice shall provide a state or federal response to the board pursuant to paragraph (1) of subdivision (p) of Section 11105 of the Penal Code.

(5) Pass an examination consisting of the following:

(A) A licensing examination that is administered on a national basis. If the applicant passed the national licensing examination over five years from the date of submitting the California veterinarian license application, the applicant shall satisfy one of the following:

(i) Retake and pass the national licensing examination.

(ii) Submit proof of having practiced clinical veterinary medicine for a minimum of two years and completed a minimum of 2,500 hours of clinical practice in another state, Canadian province, or United States territory within the three years immediately preceding filing an application for licensure in this state.

(iii) Complete the minimum continuing education requirements of Section 4846.5 for the current and preceding year.

(B) A veterinary law examination administered by the board concerning the Veterinary Medicine Practice Act statutes and regulations. The examination may be administered by regular mail, email, or by other electronic means. The applicant shall certify that the applicant personally completed the examination. Any false statement is a violation subject to Section 4831. Every applicant who obtains a score of at least 80 percent on the veterinary law examination shall be deemed to have passed. University of California and Western University of Health Sciences veterinary medical students who have successfully completed a board-approved course on veterinary law and ethics covering the Veterinary Medicine Practice Act shall be exempt from this subparagraph.

(b) The applicant shall disclose each state, Canadian province, or United States territory in which the applicant currently holds or has ever held a license to practice veterinary medicine. License verification, including any disciplinary or enforcement history, shall be confirmed through electronic means or direct submission from each state, Canadian province, or United States territory in which the applicant has identified the applicant holds or has ever held a license to practice veterinary medicine.

(c) A veterinarian license application shall be subject to denial pursuant to Sections 480, 4875, and 4883.

SEC. 57. Section 4861 of the Business and Professions Code is amended to read:

4861. (a) One or more wellness evaluation committees is hereby authorized to be established by the board. Each wellness evaluation committee shall be composed of five persons appointed by the board. The board, in making its appointments, shall give consideration to recommendations of state and local associations and shall consider, among others, where appropriate, the appointment of individuals who have recovered from impairment or who have knowledge and expertise in the management of impairment.

(b) Each wellness evaluation committee shall have the following composition:

(1) At least one veterinarian licensed under this chapter.

(2) At least two public members.

(3) At least one registered veterinary technician registered under this chapter.

(c) Each person appointed to a wellness evaluation committee shall have experience or knowledge in the evaluation or management of persons who are impaired due to alcohol or drug abuse.

(d) It shall require the majority vote of the board to appoint a person to a wellness evaluation committee. Each appointment shall be at the pleasure of the board for a term not to exceed four years. In its discretion the board may stagger the terms of the initial members appointed.

(e) The board president may suspend any wellness evaluation committee member pending an investigation into allegations of existing alcohol or drug addiction. If, after investigation, there is evidence of an alcohol or drug addiction relapse, the board president shall have authorized discretion to remove the member without input from the board.

(f) The board may appoint a program director and other personnel as necessary to carry out this article.

SEC. 58. Section 4875.3 of the Business and Professions Code is amended to read:

4875.3. If the board determines, as a result of its inspection of the premises pursuant to Section 4809.5, or any other place where veterinary medicine, veterinary dentistry, veterinary surgery, or the various branches thereof is practiced, or that is otherwise in the possession of a veterinarian for purpose of that practice, that it is not in compliance with the standards established by the board, the board shall provide a notice of any deficiencies and provide a reasonable time for compliance with those standards prior to commencing any further action pursuant to this article. The board may issue an interim suspension order pursuant to Section 494 in those cases where the violations represent an immediate threat to the public and animal health and safety.

SEC. 59. Section 4989.14 of the Business and Professions Code is amended to read:

4989.14. (a) The practice of educational psychology is the performance of any of the following professional functions pertaining to academic learning processes or the educational system or both:

- (1) Educational evaluation.
- (2) Diagnosis of psychological disorders related to academic learning processes.
- (3) Administration of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- (4) Interpretation of diagnostic tests related to academic learning processes including tests of academic ability, learning patterns, achievement, motivation, and personality factors.
- (5) Providing psychological counseling for individuals, groups, and families.
- (6) Consultation with other educators and parents on issues of social development and behavioral and academic difficulties.
- (7) Conducting psychoeducational assessments for the purposes of identifying special needs.
- (8) Developing treatment programs and strategies to address problems of adjustment.
- (9) Coordinating intervention strategies for management of individual crises.

(b) For purposes of supervising an associate marriage and family therapist or a marriage and family therapist trainee pursuant to Section 4980.03, an associate clinical social worker pursuant to Section 4996.20, or an associate professional clinical counselor pursuant to Section 4999.12, "educationally related mental health services" are mental health services provided to clients who have social, emotional, or behavioral issues that interfere with their educational progress. These services include all of the following:

- (1) Educationally related counseling services to clients qualified for special education that are necessary to receive a free appropriate public education in the least restrictive environment pursuant to the federal requirements of Section 1412 of Title 20 of the United States Code.
- (2) Intensive counseling services on a continuum that may reflect an increase in frequency, duration, or staff specialization to address the client's emotional and behavioral needs.
- (3) Counseling services provided by qualified practitioners.
- (4) Parent counseling and training.
- (5) Psychological services that include consulting with staff members in planning school programs to meet the client's educational needs and assisting in developing positive behavioral intervention strategies for the client.

(6) Social work services such as preparing a social or developmental history on a client with a disability.

(7) Group and individualized counseling with the client and family.

(8) Mobilizing school and community resources to enable the client to learn as effectively as possible in their educational program, as outlined in Section 300.34 of Title 34 of the Code of Federal Regulations.

SEC. 60. Section 4990.13 is added to the Business and Professions Code, to read:

4990.13. For purposes of license and registration verification, a person may rely upon the licensing and registration information as it is displayed on the board's internet website that includes the issuance and expiration dates of any license or registration issued by the board.

SEC. 61. Section 5017.1 of the Business and Professions Code is amended to read:

5017.1. The board shall post, within 10 days of board approval, the finalized minutes from meetings of the board that are open and public pursuant to Section 5017 on the board's internet website. The minutes shall remain on the board's internet website for at least three years. Providing a link on the internet website to the minutes shall satisfy this requirement.

SEC. 62. Section 5017.5 of the Business and Professions Code is amended to read:

5017.5. (a) The board shall provide a live audio or video broadcast, on its internet website, of each of its board meetings that are open and public.

(b) (1) If technical failure prevents the board from providing a live broadcast as specified in subdivision (a), that failure shall not constitute a violation of this section if the board exercised reasonable diligence in providing a live broadcast.

(2) Failure to provide a live broadcast of its board meetings due to technical failure shall not prohibit the board from meeting and taking actions.

(c) The recording of the live audio or video broadcast shall remain on the internet website for at least three years. Providing a link on the internet website to the recording of the live audio or video broadcast shall satisfy this requirement.

SEC. 63. Section 5022 of the Business and Professions Code is amended to read:

5022. The qualifications committee shall make recommendations and forward its report to the board for action on any matter on which it is authorized to act. An applicant for registration as a certified public accountant who is aggrieved by any action taken by the committee with respect to their qualifications may appeal to the board in accordance with rules or regulations prescribed by the board. The board on the appeal may give an oral or written examination as an aid in determining whether the applicant is qualified under the terms of this chapter.

SEC. 64. Section 5028 of the Business and Professions Code is amended to read:

5028. The board may, in accordance with the intent of this article, make exceptions from continuing education requirements for licensees not engaged in public practice, or for reasons of health, military service, or other good cause. If the licensee returns to the practice of public accounting, they shall meet continuing education requirements as the board may determine.

SEC. 65. Section 5029 of the Business and Professions Code is repealed.

SEC. 66. Section 5037 of the Business and Professions Code is amended to read:

5037. (a) All statements, records, schedules, working papers and memoranda made by a licensee or a partner, shareholder, officer, director, or employee of a licensee, incident to, or in the course of, rendering services to a client in the practice of public accountancy, except the reports submitted by the licensee to the client and except for records that are part of the client's records, shall be and remain the property of the licensee in the absence of an express agreement between the licensee and the client to the contrary. No such statement, record, schedule, working paper, or memoranda shall be sold, transferred, or bequeathed, without the consent of the client or their personal representative or assignee, to anyone other than one or more surviving partners or stockholders or new

partners or stockholders of the licensee, or any combined or merged firm or successor in interest to the licensee.

(b) A licensee shall furnish to their client or former client, upon request and reasonable notice:

(1) A copy of the licensee's working papers, to the extent that those working papers include records that would ordinarily constitute part of the client's records and are not otherwise available to the client.

(2) Any accounting or other records belonging to, or obtained from or on behalf of, the client that the licensee removed from the client's premises or received for the client's account. The licensee may make and retain copies of documents of the client when they form the basis for work done by them.

SEC. 67. Section 5051 of the Business and Professions Code is amended to read:

5051. Except as provided in Sections 5052 and 5053, a person shall be deemed to be engaged in the practice of public accountancy within the meaning and intent of this chapter if they do any of the following:

(a) Hold themselves out to the public in any manner as one skilled in the knowledge, science, and practice of accounting, and as qualified and ready to render professional service as a public accountant for compensation.

(b) Maintain an office for the transaction of business as a public accountant.

(c) Offer to prospective clients to perform for compensation, or does perform on behalf of clients for compensation, professional services that involve or require an audit, examination, verification, investigation, certification, presentation, or review of financial transactions and accounting records.

(d) Prepare or certify for clients reports on audits or examinations of books or records of account, balance sheets, and other financial, accounting and related schedules, exhibits, statements, or reports that are to be used for publication, for the purpose of obtaining credit, for filing with a court of law or with any governmental agency, or for any other purpose.

(e) In general or as an incident to that work, render professional services to clients for compensation in any or all matters relating to accounting procedure and to the recording, presentation, or certification of financial information or data.

(f) Keep books, make trial balances, prepare statements, make audits, or prepare reports, all as a part of bookkeeping operations for clients.

(g) Prepare or sign, as the tax preparer, tax returns for clients.

(h) Prepare personal financial or investment plans or provide to clients products or services of others in implementation of personal financial or investment plans.

(i) Prepare management consulting services to clients.

The activities set forth in subdivisions (f) to (i), inclusive, are "public accountancy" only when performed by a certified public accountant or public accountant, as defined in this chapter.

A person is not engaged in the practice of public accountancy if the only services they engage in are those defined by subdivisions (f) to (i), inclusive, and they do not hold themselves out, solicit, or advertise for clients using the certified public accountant or public accountant designation. A person is not holding themselves out, soliciting, or advertising for clients within the meaning of this section solely by reason of displaying a CPA or PA certificate in their office or identifying themselves as a CPA or PA on other than signs, advertisements, letterhead, business cards, publications directed to clients or potential clients, or financial or tax documents of a client.

SEC. 68. Section 5053 of the Business and Professions Code is amended to read:

5053. Nothing contained in this chapter precludes a person who is not a certified public accountant or public accountant from serving as an employee of, or an assistant to, a certified public accountant or public accountant or partnership or a corporation composed of certified public accountants or public accountants holding a permit to practice pursuant to this chapter if the employee or assistant works under the control and supervision of a certified public accountant, or a public accountant authorized to practice public accountancy pursuant to this chapter and if the employee or assistant does not issue any statement over their name.

This section does not apply to an attorney at law in connection with the practice of law.

SEC. 69. Section 5057 of the Business and Professions Code is amended to read:

5057. Notwithstanding any other provision of law, an individual holding a valid and current license, certificate, or permit to practice public accountancy from another state shall be exempt from the requirement to obtain a permit to practice public accountancy issued by the board under this chapter or to secure a practice privilege pursuant to Article 5.1 (commencing with Section 5096) if all of the following conditions are satisfied:

- (a) The individual's client is located in another state.
- (b) The individual's engagement with the client relates to work product to be delivered in another state.
- (c) The individual does not solicit California clients, or have their principal place of business in this state.
- (d) The individual does not assert or imply that they are licensed to practice public accountancy in California.
- (e) The individual's practice of public accountancy in this state on behalf of the client located in another state is of a limited duration, not extending beyond the period required to service the engagement for the client located in another state.
- (f) The individual's practice of public accountancy in this state specifically relates to servicing the engagement for the client located in another state.

SEC. 70. Section 5058.2 of the Business and Professions Code is amended to read:

5058.2. The holder of an inactive license issued by the board pursuant to Section 462, when lawfully using the title "certified public accountant," the CPA designation, or any other reference that would suggest that the person is licensed by the board on materials such as correspondence, internet websites, business cards, nameplates, or name plaques, shall place the term "inactive" immediately after that designation.

SEC. 71. Section 5058.3 of the Business and Professions Code is amended to read:

5058.3. The holder of a retired license issued by the board pursuant to Section 5070.1, when lawfully using the title "certified public accountant," the CPA designation, or any other reference that would suggest that the person is licensed by the board on materials such as correspondence, internet websites, business cards, nameplates, or name plaques, shall place the term "retired" immediately after that title, designation, or reference.

SEC. 72. Section 5058.4 of the Business and Professions Code is amended to read:

5058.4. The holder of a permit in a military inactive status issued by the board pursuant to Section 5070.2, when lawfully using the title "certified public accountant," the CPA designation, or any other reference that would suggest that the person is licensed by the board, on materials such as correspondence, internet websites, business cards, nameplates, or name plaques, shall place the term "military inactive" immediately after that title, designation, or reference.

SEC. 73. Section 5060 of the Business and Professions Code is amended to read:

5060. (a) No person or firm may practice public accountancy under any name which is false or misleading.

(b) No person or firm may practice public accountancy under any name other than the name under which the person or firm holds a valid permit to practice issued by the board.

(c) Notwithstanding subdivision (b), a sole proprietor may practice under a name other than the name set forth on their permit to practice, provided the name is registered by the board, is in good standing, and complies with the requirements of subdivision (a).

(d) The board may adopt regulations to implement, interpret, and make specific the provisions of this section including, but not limited to, regulations designating particular forms of names as being false or misleading.

SEC. 74. Section 5063.3 of the Business and Professions Code is amended to read:

5063.3. (a) No confidential information obtained by a licensee, in their professional capacity, concerning a client or a prospective client shall be disclosed by the licensee without the written permission of the client or prospective client, except the following:

(1) Disclosures made by a licensee in compliance with a subpoena or a summons enforceable by order of a court.

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

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

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

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

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

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

(6) Disclosures made when specifically required by law.

(7) Disclosures specified by the board in regulation.

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

SEC. 75. Section 5070.7 of the Business and Professions Code is amended to read:

5070.7. (a) A permit that is not renewed within five years following its expiration may not be renewed, restored, or reinstated thereafter, and the certificate of the holder of the permit shall be canceled immediately upon expiration of the five-year period, except as provided in subdivision (e).

(b) A partnership or corporation whose certificate has been canceled by operation of this section may obtain a new certificate and permit only if it again meets the requirements set forth in this chapter relating to registration and pays the registration fee and initial permit fee.

(c) A certified public accountant whose certificate is canceled by operation of this section may apply for and obtain a new certificate and permit if the applicant:

(1) Is not subject to denial of a certificate and permit under Section 480.

(2) Pays all of the fees that would be required of them if they were then applying for the certificate and permit for the first time.

(3) Takes and passes the examination that would be required of them if they were then applying for the certificate for the first time. The examination may be waived in any case in which the applicant establishes to the satisfaction of the board that, with due regard for the public interest, they are qualified to engage in practice as a certified public accountant.

(d) The board may, by appropriate regulation, provide for the waiver or refund of all or any part of the application fee in those cases in which a certificate is issued without an examination under this section.

(e) Revoked permits may not be renewed, but may be reinstated by the board, without regard to the length of time that has elapsed since the permit was revoked, and with conditions and restrictions as the board shall determine.

SEC. 76. Section 5076 of the Business and Professions Code is amended to read:

5076. (a) In order to renew its registration in an active status or convert to an active status, a firm, as defined in Section 5035.1, shall have a peer review report of its accounting and auditing practice accepted by a board-recognized peer review program no less frequently than every three years.

(b) For purposes of this article, the following definitions apply:

(1) "Peer review" means a study, appraisal, or review conducted in accordance with professional standards of the professional work of a firm, and may include an evaluation of other factors in accordance with the requirements specified by the board in regulations. The peer review report shall be issued by an individual who has a valid and current license, certificate, or permit to practice public accountancy from this state or another state and is unaffiliated with the firm being reviewed.

(2) "Accounting and auditing practice" includes any services that were performed in the prior three years using professional standards defined by the board in regulations.

(c) The board shall adopt regulations as necessary to implement, interpret, and make specific the peer review requirements in this section, including, but not limited to, regulations specifying the requirements for board recognition of a peer review program, standards for administering a peer review, extensions of time for fulfilling the peer review requirement, exclusions from the peer review program, and document submission.

(d) Nothing in this section shall prohibit the board from initiating an investigation and imposing discipline against a firm or licensee, either as the result of a complaint that alleges violations of statutes, rules, or regulations, or from information contained in a peer review report received by the board.

(e) A firm issued a peer reviewed report with a rating of "fail," as defined by the board in regulation, shall submit a copy of that report to the board. The board shall establish in regulation the time period that a firm must submit the report to the board. This period shall not exceed 60 days from the time the report is accepted by a board-recognized peer review program provider to the date the report is submitted to the board.

(f) (1) A board-recognized peer review program provider shall file a copy with the board of all peer review reports issued to California-licensed firms with a rating of "fail." The board shall establish in regulation the time period that a board-recognized peer review program provider shall file the report with the board. This period shall not exceed 60 days from the time the report is accepted by a board-recognized peer review program provider to the date the report is filed with the board. These reports may be filed with the board electronically.

(2) Nothing in this subdivision shall require a board-recognized peer review program provider, when administering peer reviews in another state, to violate the laws of that state.

(g) The board shall define a peer review report rating of "fail" in regulation.

(h) Any requirements imposed by a board-recognized peer review program on a firm in conjunction with the completion of a peer review shall be separate from, and in addition to, any action by the board pursuant to this section.

(i) Any peer review report with a rating of "fail" submitted to the board in conjunction with this section shall be collected for investigatory purposes.

(j) Nothing in this section affects the discovery or admissibility of evidence in a civil or criminal action.

(k) Nothing in this section requires any firm to become a member of any professional organization.

(l) A peer reviewer shall not disclose information concerning licensees or their clients obtained during a peer review, unless specifically authorized pursuant to this section, Section 5076.1, or regulations prescribed by the board.

SEC. 77. Section 5082.4 of the Business and Professions Code is amended to read:

5082.4. A Canadian Chartered Accountant in good standing may be deemed by the board to have met the examination requirements of Section 5082, 5092, or 5093 if they have successfully passed the Canadian Chartered Accountant Uniform Certified Public Accountant Qualification Examination of the American Institute of Certified Public Accountants or the International Uniform Certified Public Accountant Qualification Examination referenced in subdivision (b) Section 5082.3.

SEC. 78. Section 5092.1 of the Business and Professions Code is repealed.

SEC. 79. Section 5094 of the Business and Professions Code is amended to read:

5094. (a) In order for education to be qualifying, it shall meet the standards described in subdivision (b) or (c) of this section.

(b) At a minimum, education shall be from a degree-granting university, college, or other institution of learning

accredited by a regional or national accrediting agency included in a list of these agencies published by the United States Secretary of Education under the requirements of the Higher Education Act of 1965 as amended (20 U.S.C. Sec. 1001 et seq.).

(c) Education from a college, university, or other institution of learning located outside the United States may be qualifying provided it is deemed by the board to be equivalent to education obtained under subdivision (b). The board may require an applicant to submit documentation of their education to a credential evaluation service approved by the board for evaluation and to cause the results of this evaluation to be reported to the board in order to assess educational equivalency.

(d) The board shall adopt regulations specifying the criteria and procedures for approval of credential evaluation services. These regulations shall, at a minimum, require that the credential evaluation service (1) furnish evaluations directly to the board, (2) furnish evaluations written in English, (3) be a member of the American Association of Collegiate Registrars and Admissions Officers, NAFA: Association of International Educators, or the National Association of Credential Evaluation Services, (4) be used by accredited colleges and universities, (5) be reevaluated by the board every five years, (6) maintain a complete set of reference materials as specified by the board, (7) base evaluations only upon authentic, original transcripts and degrees and have a written procedure for identifying fraudulent transcripts, (8) include in the evaluation report, for each degree held by the applicant, the equivalent degree offered in the United States, the date the degree was granted, the institution granting the degree, an English translation of the course titles, and the semester unit equivalence for each of the courses, (9) have an appeal procedure for applicants, and (10) furnish the board with information concerning the credential evaluation service that includes biographical information on evaluators and translators, three letters of references from public or private agencies, statistical information on the number of applications processed annually for the past five years, and any additional information the board may require in order to ascertain that the credential evaluation service meets the standards set forth in this subdivision and in any regulations adopted by the board.

SEC. 80. Section 5096.20 of the Business and Professions Code is amended to read:

5096.20. (a) To ensure that Californians are protected from out-of-state licensees with disqualifying conditions who may unlawfully attempt to practice in this state under a practice privilege, prior to July 1, 2013, the board shall add an out-of-state licensee feature to its license lookup tab of the home page of its internet website that allows consumers to obtain information about an individual whose principal place of business is not in this state and who seeks to exercise a practice privilege in this state, that is at least equal to the information that was available to consumers through its home page prior to January 1, 2013, through the practice privilege form previously filed by out-of-state licensees pursuant to Section 5096, as added by Chapter 921 of the Statutes of 2004, and the regulations adopted thereunder. At minimum, these features shall include all of the following:

(1) The ability of the consumer to search by name and state of licensure.

(2) The disclosure of information in the possession of the board, which the board is otherwise authorized to publicly disclose, about an individual exercising a practice privilege in this state, including, but not limited to, whether the board has taken action of any form against that individual and, if so, what the action was or is.

(3) A disclaimer that the consumer must click through prior to being referred to any other internet website, which in plain language explains that the consumer is being referred to an internet website that is maintained by a regulatory agency or other entity that is not affiliated with the board. This disclaimer shall include a link to relevant sections of this article that set forth disqualifying conditions, including, but not limited to, Section 5096.2.

(4) A statement in plain language that notifies consumers that they are permitted to file complaints against such individuals with the board.

(5) A link to the internet website or sites that the board determines, in its discretion, provides the consumer the most complete and reliable information available about the individual's status as a licenseholder, permitholder, or certificate holder.

(6) If the board of another state does not maintain an internet website that allows a consumer to obtain information about its licensees including, but not limited to, disciplinary history, and that information is not available through a link to an internet website maintained by another entity, a link to contact information for that board, which contains a disclaimer in plain language that explains that the consumer is being referred to a board that does not permit the consumer to obtain information, including, but not limited to, disciplinary history, about individuals through the internet website, and that the out-of-state board is not affiliated with the board.

(b) The board shall biennially survey the internet websites and disclosure policies of other boards to ensure that its disclaimers are accurate.

SEC. 81. Section 5096.21 of the Business and Professions Code is amended to read:

5096.21. (a) (1) On and after January 1, 2016, if the board determines, through a majority vote of the board at a regularly scheduled meeting, that allowing individuals from a particular state to practice in this state pursuant to a practice privilege as described in Section 5096, violates the board's duty to protect the public, pursuant to Section 5000.1, the board shall require out-of-state individuals licensed from that state, as a condition to exercising a practice privilege in this state, to file the notification form and pay the applicable fees as required by Section 5096.22.

(2) A state for which the board has made a determination pursuant to paragraph (1) to require individuals licensed from that state to file a notification form and pay the applicable fees may subsequently be redetermined by the board, by majority vote of the board at a regularly scheduled meeting, to allow individuals from that state to practice in this state pursuant to a practice privilege as described in Section 5096.

(b) The board shall, at minimum, consider the following factors when making a determination or redetermination pursuant to subdivision (a):

(1) Whether the state timely and adequately addresses enforcement referrals made by the board to the accountancy regulatory board of that state, or otherwise fails to respond to requests the board deems necessary to meet its obligations under this article.

(2) Whether the state makes the disciplinary history of its licensees publicly available through the Internet in a manner that allows the board to adequately link consumers to an internet website to obtain information that was previously made available to consumers about individuals from the state prior to January 1, 2013, through the notification form.

(3) Whether the state imposes discipline against licensees that is appropriate in light of the nature of the alleged misconduct.

(4) Whether the state has in place and is operating pursuant to enforcement practices substantially equivalent to the current best practices guidelines adopted by the National Association of State Boards of Accountancy provided those guidelines have been determined by the board to meet or exceed the board's own enforcement practices.

(c) On or before July 1, 2014, the board shall convene a stakeholder group consisting of members of the board, board enforcement staff, and representatives of the accounting profession and consumer representatives to consider whether the provisions of this article are consistent with the board's duty to protect the public consistent with Section 5000.1, and whether the provisions of this article satisfy the objectives of stakeholders of the accounting profession in this state, including consumers. The group, at its first meeting, shall adopt policies and procedures relative to how it will conduct its business, including, but not limited to, policies and procedures addressing periodic reporting of its findings to the board. The group shall provide recommendations to the board on any matter upon which it is authorized to act.

SEC. 82. Section 5103.5 of the Business and Professions Code is amended to read:

5103.5. (a) The board shall post on its internet website, in an easily marked and identifiable location, notice of all formal accusations. The notice of any formal accusation shall contain a link to where a person may request and have sent to them a copy of the formal accusation, and the basis for the accusation and alleged violations filed by the board against a licensee.

(b) The link to where a person may request and have sent to them a copy of the formal accusation shall be clearly and conspicuously located on the same internet website page on which the notice is posted and shall authorize a person to request and receive the information described in subdivision (a) by regular mail or electronic mail.

(c) The board shall develop a statement that informs any person requesting a copy of a formal accusation and any person receiving a copy of a formal accusation that any allegations contained in the accusation are not a final determination of wrongdoing and are subject to adjudication and final review by the board pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). This statement shall be provided to a person requesting and receiving a copy of a formal accusation in a manner to be determined by the board.

SEC. 83. Section 5104 of the Business and Professions Code is amended to read:

5104. Any certified public accountant or public accountant whose certificate, registration, or permit has been revoked or suspended shall, upon request of the board, relinquish their certificate or permit. However, upon the expiration of the period of suspension, the board shall immediately return any suspended certificate or permit that has been relinquished.

SEC. 84. Section 5107 of the Business and Professions Code is amended to read:

5107. (a) The executive officer of the board may request the administrative law judge, as part of the proposed decision in a disciplinary proceeding, to direct any holder of a permit or certificate found to have committed a violation or violations of this chapter to pay to the board all reasonable costs of investigation and prosecution of the case, including, but not limited to, attorney's fees. The board shall not recover costs incurred at the administrative hearing.

(b) A certified copy of the actual costs, or a good faith estimate of costs where actual costs are not available, signed by the executive officer, shall be prima facie evidence of reasonable costs of investigation and prosecution of the case.

(c) The administrative law judge shall make a proposed finding of the amount of reasonable costs of investigation and prosecution of the case when requested to do so by the executive officer pursuant to subdivision (a). Costs are payable 120 days after the board's decision is final, unless otherwise provided for by the administrative law judge or if the time for payment is extended by the board.

(d) The finding of the administrative law judge with regard to cost shall not be reviewable by the board to increase the cost award. The board may reduce or eliminate the cost award, or remand to the administrative law judge where the proposed decision fails to make a finding on costs requested by the executive officer pursuant to subdivision (a).

(e) The administrative law judge may make a further finding that the amount of reasonable costs awarded shall be reduced or eliminated upon a finding that respondent has demonstrated that they cannot pay all or a portion of the costs or that payment of the costs would cause an unreasonable financial hardship that cannot be remedied through a payment plan.

(f) When an administrative law judge makes a finding that costs be waived or reduced, they shall set forth the factual basis for their finding in the proposed decision.

(g) Where an order for recovery of costs is made and timely payment is not made as directed by the board's decision, the board may enforce the order for payment in any appropriate court. This right of enforcement shall be in addition to any other rights the board may have as to any holder of a permit or certificate directed to pay costs.

(h) In a judicial action for the recovery of costs, proof of the board's decision shall be conclusive proof of the validity of the order of payment and the terms of payment.

(i) All costs recovered under this section shall be deposited in the Accountancy Fund.

(j) (1) Except as provided in paragraph (2), the board shall not renew or reinstate the permit or certificate of a holder who has failed to pay all of the costs ordered under this section.

(2) Notwithstanding paragraph (1) or paragraph (2) of subdivision (g) of Section 125.3, the board may, in its discretion, conditionally renew or reinstate for a maximum of three years the permit or certificate of a holder who demonstrates financial hardship and who enters into a formal agreement with the board to reimburse the board within that three-year period for those unpaid costs.

(k) Nothing in this section shall preclude the board from seeking recovery of costs in an order or decision made pursuant to an agreement entered into between the board and the holder of a permit or certificate.

(l) (1) Costs may not be recovered under this section as a result of a citation issued pursuant to Section 125.9 and its implementing language if the licensee complies with the citation.

(2) The Legislature hereby finds and declares that this subdivision is declaratory of existing law.

SEC. 85. Section 5121 of the Business and Professions Code is amended to read:

5121. The display or uttering by a person of a card, sign, advertisement or other printed, engraved or written instrument or device, bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof or the words "public accountant" or any abbreviation thereof shall be prima facie evidence in any prosecution, proceeding or hearing brought under this article that the person whose name is so displayed caused or procured the display or uttering of such card, sign, advertisement or other printed, engraved or written instrument or device. Any such display or uttering shall be prima facie evidence that the person whose name is so displayed holds themselves out as a certified public accountant, or a public accountant holding a permit to practice public accountancy in this state under the provisions of this chapter. In any prosecution or hearing under this chapter, evidence of the commission of a single act prohibited by this chapter shall be sufficient to justify a conviction without evidence of a general course of conduct.

SEC. 86. Section 5134 of the Business and Professions Code is amended to read:

5134. The amount of fees prescribed by this chapter is as follows:

(a) The fee to be charged to each applicant for the certified public accountant examination shall be fixed by the board at an amount not to exceed six hundred dollars (\$600). The board may charge a reexamination fee not to exceed seventy-five dollars (\$75) for each part that is subject to reexamination.

(b) The fee to be charged to out-of-state candidates for the certified public accountant examination shall be fixed by the board at an amount not to exceed six hundred dollars (\$600) per candidate.

(c) The application fee to be charged to each applicant for issuance of a certified public accountant certificate shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(d) The application fee to be charged to each applicant for issuance of a certified public accountant certificate by waiver of examination shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(e) The fee to be charged to each applicant for registration as a partnership or professional corporation shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(f) The biennial fee for the renewal of each of the permits to engage in the practice of public accountancy specified in Section 5070 shall not be less than two hundred fifty dollars (\$250) and shall not exceed two hundred eighty dollars (\$280).

(g) The application fee to be charged to each applicant for a retired status license, as described in Section 5070.1, shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(h) The application fee to be charged to each applicant for restoration of a license in a retired status to an active status pursuant to subdivision (f) of Section 5070.1 shall be fixed by the board at an amount not to exceed one thousand dollars (\$1,000).

(i) The delinquency fee shall be 50 percent of the accrued renewal fee.

(j) The initial permit fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the permit is issued, except that, if the permit is issued one year or less before it will expire, then the initial permit fee is an amount equal to 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the permit is issued. The board may, by regulation, provide for the waiver or refund of the initial permit fee where the permit is issued less than 45 days before the date on which it will expire.

(k) The fee to be charged for the certification of documents evidencing passage of the certified public accountant examination, the certification of documents evidencing the grades received on the certified public accountant examination, or the certification of documents evidencing licensure shall be twenty-five dollars (\$25).

(l) The board shall fix the fees in accordance with the limits of this section and any increase in a fee fixed by the board shall be pursuant to regulation duly adopted by the board in accordance with the limits of this section.

(m) It is the intent of the Legislature that, to ease entry into the public accounting profession in California, any administrative cost to the board related to the certified public accountant examination or issuance of the certified public accountant certificate that exceeds the maximum fees authorized by this section shall be covered by the fees charged for the biennial renewal of the permit to practice.

SEC. 86.5. Section 5134 of the Business and Professions Code is amended to read:

5134. The amount of fees prescribed by this chapter is as follows:

(a) The fee to be charged to each applicant for the certified public accountant examination shall be fixed by the board at an amount not to exceed six hundred dollars (\$600). The board may charge a reexamination fee not to exceed seventy-five dollars (\$75) for each part that is subject to reexamination.

(b) The application fee to be charged to each applicant for issuance of a certified public accountant certificate shall be fixed by the board at an amount not to exceed seven hundred dollars (\$700).

(c) After June 30, 2024, the fee to be charged to each applicant for registration as a partnership or professional corporation shall not be less than two hundred fifty dollars (\$250) and shall not exceed two thousand dollars (\$2,000).

(d) (1) The biennial renewal fee for a certified public accountant to engage in the practice of public accountancy, as specified in Section 5070, shall be three hundred forty dollars (\$340) for permits expiring after June 30, 2024.

(2) The biennial renewal fee for a certified public accountant to engage in the practice of public accountancy, as specified in Section 5070, shall be four hundred dollars (\$400) for permits expiring after June 30, 2026.

(e) (1) The biennial renewal fee for a partnership or professional corporation shall be four hundred dollars (\$400) for permits expiring after June 30, 2024.

(2) The biennial renewal fee for a partnership or professional corporation shall be five hundred twenty dollars (\$520) for permits expiring after June 30, 2026.

(f) If the board has unencumbered funds in an amount that is equal to more than the board's operating budget for the next two fiscal years, the board may fix the biennial renewal fees by regulation at an amount less than those identified in subdivision (d) for certified public accountants and subdivision (e) for partnerships and professional corporations.

(g) The application fee to be charged to each applicant for a retired status license, as described in Section 5070.1, shall be fixed by the board at an amount not to exceed two hundred fifty dollars (\$250).

(h) The application fee to be charged to each applicant for restoration of a license in a retired status to an active status pursuant to subdivision (f) of Section 5070.1 shall be fixed by the board at an amount not to exceed one thousand dollars (\$1,000).

(i) The delinquency fee shall be 50 percent of the accrued renewal fee.

(j) The initial permit fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the permit is issued, except that, if the permit is issued one year or less before it will expire, then the initial permit fee is an amount equal to 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the permit is issued. The board may, by regulation, provide for the waiver or refund of the initial permit fee where the permit is issued less than 45 days before the date on which it will expire.

(k) The fee to be charged for the certification of documents evidencing passage of the certified public accountant examination, the certification of documents evidencing the grades received on the certified public accountant examination, or the certification of documents evidencing licensure shall be twenty-five dollars (\$25).

(l) The board shall fix the fees in accordance with the limits of this section and any increase in a fee fixed by the board shall be pursuant to regulation duly adopted by the board in accordance with the limits of this section.

(m) It is the intent of the Legislature that, to ease entry into the public accounting profession in California, any administrative cost to the board related to the certified public accountant examination or issuance of the certified public accountant certificate that exceeds the maximum fees authorized by this section shall be covered by the fees charged for the biennial renewal of the permit to practice.

SEC. 87. Section 5550.3 of the Business and Professions Code is amended to read:

5550.3. (a) Notwithstanding Section 111, the board may adopt guidelines for the delegation of its authority to grade the examinations of applicants for licensure to any vendor under contract to the board for provision of an architect's registration examination. The guidelines shall be within the board's legal authority to establish the standards for registration in this state, and shall include, but not be limited to:

(1) Goals for the appropriate content, development, grading, and administration of an examination, against

which the vendor's rules and procedures can be judged.

(2) Procedures through which the board can reasonably assure itself that the vendor adequately meets the goals established by the board.

(b) The board shall not delegate its authority to grade the examinations of candidates for registration in this state to any vendor or any party not in compliance with Section 111 or with the guidelines established in subdivision (a).

(c) A candidate who received full credit for all divisions of the Architect Registration Examination (ARE) prior to May 1, 2023, shall be deemed to have passed the ARE.

SEC. 88. Section 7685.3 of the Business and Professions Code is amended to read:

7685.3. (a) The current address, telephone number, and name of the Department of Consumer Affairs, Cemetery and Funeral Bureau shall appear on the first page of any contract for goods and services offered by a licensee. At a minimum, the information shall be in 8-point boldface type and make this statement:

"FOR MORE INFORMATION ON FUNERAL, CEMETERY, CREMATION, AND HYDROLYSIS MATTERS, CONTACT: DEPARTMENT OF CONSUMER AFFAIRS, CEMETERY AND FUNERAL BUREAU (ADDRESS), (TELEPHONE NUMBER)."

(b) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

SEC. 89. Section 7685.3 is added to the Business and Professions Code, to read:

7685.3. (a) The current address, telephone number, and name of the Department of Consumer Affairs, Cemetery and Funeral Bureau shall appear on the first page of any contract for goods and services offered by a licensee. At a minimum, the information shall be in 8-point boldface type and make this statement:

"FOR MORE INFORMATION ON FUNERAL, CEMETERY, CREMATION, HYDROLYSIS, AND REDUCTION MATTERS, CONTACT: DEPARTMENT OF CONSUMER AFFAIRS, CEMETERY AND FUNERAL BUREAU (ADDRESS), (TELEPHONE NUMBER)."

(b) This section shall become operative on January 1, 2027.

SEC. 90. Section 10471 of the Business and Professions Code is amended to read:

10471. (a) When an aggrieved person obtains (1) a final judgment in a court of competent jurisdiction, including, but not limited to, a criminal restitution order issued pursuant to subdivision (f) of Section 1202.4 of the Penal Code or Section 3663 of Title 18 of the United States Code, or (2) an arbitration award that includes findings of fact and conclusions of law rendered in accordance with the rules established by the American Arbitration Association or another recognized arbitration body, and in accordance with Sections 1281 to 1294.2, inclusive, of the Code of Civil Procedure when applicable, and when the arbitration award has been confirmed and reduced to judgment pursuant to Section 1287.4 of the Code of Civil Procedure, against a defendant based upon the defendant's fraud, misrepresentation, or deceit, made with intent to defraud, or conversion of trust funds, arising directly out of any transaction in which the defendant, while licensed under this part, performed acts for which a real estate license or a prepaid rental listing service license was required, the aggrieved person may, upon the judgment becoming final, file an application with the Department of Real Estate for payment from the Consumer Recovery Account, within the limitations specified in Section 10474, of the amount unpaid on the judgment that represents an actual and direct loss to the claimant in the transaction. As used in this chapter, "court of competent jurisdiction" includes the federal courts, but does not include the courts of another state.

(b) The application shall be delivered in person, by certified mail, or electronically in a manner prescribed by the department, to an office of the department not later than one year after the judgment has become final.

(c) The application shall be made on a form prescribed by the department, verified by the claimant, and shall include the following:

(1) The name and address of the claimant.

(2) If the claimant is represented by an attorney, the name, business address, and telephone number of the attorney.

(3) The identification of the judgment, the amount of the claim and an explanation of its computation.

(4) A detailed narrative statement of the facts in explanation of the allegations of the complaint upon which the underlying judgment is based.

(5) (A) Except as provided in subparagraph (B), a statement by the claimant, signed under penalty of perjury, that the complaint upon which the underlying judgment is based was prosecuted conscientiously and in good faith. As used in this section, "conscientiously and in good faith" means that no party potentially liable to the claimant in the underlying transaction was intentionally and without good cause omitted from the complaint, that no party named in the complaint who otherwise reasonably appeared capable of responding in damages was dismissed from the complaint intentionally and without good cause, and that the claimant employed no other procedural means contrary to the diligent prosecution of the complaint in order to seek to qualify for the Consumer Recovery Account.

(B) For the purpose of an application based on a criminal restitution order, all of the following statements by the claimant:

(i) The claimant has not intentionally and without good cause failed to pursue any person potentially liable to the claimant in the underlying transaction other than a defendant who is the subject of a criminal restitution order.

(ii) The claimant has not intentionally and without good cause failed to pursue in a civil action for damages all persons potentially liable to the claimant in the underlying transaction who otherwise reasonably appeared capable of responding in damages other than a defendant who is the subject of a criminal restitution order.

(iii) The claimant employed no other procedural means contrary to the diligent prosecution of the complaint in order to seek to qualify for the Consumer Recovery Account.

(6) The name and address of the judgment debtor or, if not known, the names and addresses of persons who may know the judgment debtor's present whereabouts.

(7) The following representations and information from the claimant:

(A) That the claimant is not a spouse of the judgment debtor nor a personal representative of the spouse.

(B) That the claimant has complied with all of the requirements of this chapter.

(C) That the judgment underlying the claim meets the requirements of subdivision (a).

(D) A description of searches and inquiries conducted by or on behalf of the claimant with respect to the judgment debtor's assets liable to be sold or applied to satisfaction of the judgment, an itemized valuation of the assets discovered, and the results of actions by the claimant to have the assets applied to satisfaction of the judgment.

(E) That the claimant has diligently pursued collection efforts against all judgment debtors and all other persons liable to the claimant in the transaction that is the basis for the underlying judgment.

(F) That the underlying judgment and debt have not been discharged in bankruptcy, or, in the case of a bankruptcy proceeding that is open at or after the time of the filing of the application, that the judgment and debt have been declared to be nondischargeable.

(G) That the application was submitted to the department, as prescribed in subdivision (b), no later than one year after the underlying judgment became final.

(d) If the claimant is basing the application upon a judgment against a salesperson, and the claimant has not obtained a judgment against that salesperson's employing broker, if any, or has not diligently pursued the assets of that broker, the application shall be denied for failure to diligently pursue the assets of all other persons liable to the claimant in the transaction unless the claimant can demonstrate, by clear and convincing evidence, either that the salesperson was not employed by a broker at the time of the transaction, or that the salesperson's employing broker would not have been liable to the claimant because the salesperson was acting outside the scope of their employment by the broker in the transaction.

(e) The application form shall include detailed instructions with respect to documentary evidence, pleadings, court rulings, the products of discovery in the underlying litigation, and a notice to the applicant of their obligation to protect the underlying judgment from discharge in bankruptcy, to be appended to the application.

(f) An application for payment from the Consumer Recovery Account that is based on a criminal restitution order shall comply with all of the requirements of this chapter. For the purpose of an application based on a criminal restitution order, the following terms have the following meanings:

(1) "Judgment" means the criminal restitution order.

(2) "Complaint" means the facts of the underlying transaction upon which the criminal restitution order is based.

(3) "Judgment debtor" means any defendant who is the subject of the criminal restitution order.

SEC. 91. Section 21638.5 of the Business and Professions Code is amended to read:

21638.5. Sections 21636, 21636.1, 21637, and 21638, insofar as they apply to holding periods for personal property, are not applicable to personal property pledged to a pawnbroker with respect to the redemption of personal property by the pledgor.

SEC. 92. Section 94874.8 of the Education Code is amended to read:

94874.8. (a) An institution exempt from all or part of this chapter pursuant to subdivision (i) of Section 94874 or Section 94874.1 may apply to the bureau for an approval to operate pursuant to this section, but only subject to all of the following provisions:

(1) The bureau may approve the operation of an institution that is exempt from all or part of this chapter as specified above in accordance with the authority granted pursuant to Article 6 (commencing with Section 94885). Upon issuing an approval to operate to an institution pursuant to this section, the bureau is authorized to regulate that institution through the full set of powers granted, and duties imposed, by this chapter, as those powers and duties would apply to an institution that is not exempt from this chapter.

(2) Notwithstanding any other law, upon issuance of an approval to operate pursuant to this section, the institution is no longer eligible for exemption, from the provisions of this chapter pursuant to subdivision (i) of Section 94874 or Section 94874.1, unless authorized by subsequent legislation.

(3) Upon issuance of an approval to operate pursuant to this section, an institution is subject to all provisions of this chapter, and any regulations adopted pursuant to this chapter, that apply to an institution subject to this chapter, except as expressly provided in paragraph (4).

(4) (A) With respect to the placement and salary or wage data required to be collected, calculated, and reported by Article 16 (commencing with Section 94928), an institution issued an approval to operate pursuant to this section is not required to report on its first School Performance Fact Sheet any data from the period prior to the date of the issuance of the approval to operate that the institution was not required to collect and does not have available to it. An institution shall, however, report available data collected and calculated in accordance with this chapter and applicable regulations, regardless of the purpose for which the data was collected. If the required data is unavailable, the institution shall also disclose the unavailability of the data on all documents required by this chapter and regulations adopted pursuant to this chapter. Upon receiving an approval to operate pursuant to this section, an institution shall commence to collect and calculate all information necessary to comply with Article 16 (commencing with Section 94928).

(B) An institution receiving an approval to operate pursuant to this section shall provide to prospective students the School Performance Fact Sheet, file that fact sheet with the bureau, and post it on the institution's internet website no later than the first August 1 after the institution is approved to operate and no later than August 1 of each year thereafter. These School Performance Fact Sheets shall report data for the previous two calendar years based upon the number of students who began the program or the number of graduates for each reported calendar year. If two calendar years have not passed since the issuance of the approval to operate by the August 1 deadline for the School Performance Fact Sheet, unless data for two years is available, the institution shall report the required data for the period subsequent to the date of the issuance of the notice of approval.

(b) An institution exempt from all or part of this chapter pursuant to subdivision (i) of Section 94874 or Section

94874.1 that was approved to operate by the bureau before the effective date of this section shall be deemed to have been approved pursuant to this section.

SEC. 93. Section 94874.9 of the Education Code is amended to read:

94874.9. (a) An independent institution of higher education, as defined in Section 66010, that is exempt from this chapter pursuant to subdivision (i) of Section 94874 shall comply with all applicable state and federal laws, including laws relating to fraud, abuse, and false advertising.

(b) An institution described in subdivision (a) may execute a contract with the bureau for the bureau to review and, as appropriate, act on complaints concerning the institution, in accordance with Section 600.9 of Title 34 of the Code of Federal Regulations.

(c) The execution of a contract by the bureau with an institution pursuant to subdivision (b) shall constitute establishment by the state of that institution to offer programs beyond secondary education, including programs leading to a degree or certificate, in accordance with Section 600.9 of Title 34 of the Code of Federal Regulations.

(d) The bureau shall use a standard form contract for purposes of this section.

(e) A contract executed pursuant to this section shall, at a minimum, do all of the following:

(1) Require an institution to do all of the following:

(A) Cooperate with the bureau to resolve complaints received pursuant to this section.

(B) Provide the following disclosure notice in all written and internet-based documentation in which the institution's complaint process is described, including the student catalog, student handbook, and the institution's internet website:

"An individual may contact the Bureau for Private Postsecondary Education for review of a complaint. The bureau may be contacted at (address), Sacramento, CA (ZIP Code), (internet website address), (telephone and fax numbers)."

(C) Designate a person at the institution to act as a liaison to the bureau.

(D) Pay one thousand seventy-six dollars (\$1,076) each year for costs incurred by the bureau to perform activities pursuant to the contract, unless another amount is determined by the bureau.

(2) (A) Authorize the bureau, for any complaint it receives, including any complaints related to the institution's policies or procedures, or both, as determined by the bureau, to refer the complaint to the institution, an accrediting agency, or another appropriate entity for resolution.

(B) The bureau shall notify the complainant and the institution of a referral.

(C) This paragraph shall not be construed to relieve the bureau of its responsibility to ensure that a complaint it has referred for purposes of resolution is resolved by the receiving entity.

(f) The bureau may terminate a contract executed pursuant to this section if an institution is no longer an independent institution of higher education as defined in Section 66010 or fails to comply with the provisions of the contract.

(g) All moneys collected by the bureau that relate to a contract executed pursuant to this section, including payments collected in accordance with subparagraph (D) of paragraph (1) of subdivision (e), shall be deposited in the Private Postsecondary Education Administration Fund.

(h) The bureau shall maintain, on its internet website, both of the following:

(1) The provisions of the standard form contract used for purposes of this section.

(2) A list of institutions with which the bureau has executed a contract pursuant to this section.

(i) On or before February 1, 2017, and each year thereafter, the bureau shall report to the Director of Finance and, in conformity with Section 9795 of the Government Code, to the Legislature regarding implementation of this section. The report shall include all of the following information:

- (1) A list of institutions with which the bureau has executed a contract pursuant to this section.
- (2) The total number of complaints received by the bureau relating to institutions listed in paragraph (1).
- (3) The general nature of those complaints.
- (4) The total number of those complaints referred to another entity, disaggregated by the entity to which each complaint was referred.
- (5) The total number of complaints resolved, disaggregated by the entity that resolved each complaint.
- (6) The total number of complaints pending, disaggregated by the entity to which each complaint was referred.
- (j) Notwithstanding any other law, the Department of General Services, at the request of the bureau, may exempt contracts executed pursuant to this section from any laws, rules, resolutions, or procedures that are otherwise applicable to public contracts that the Department of General Services administers.

SEC. 94. Section 94878 of the Education Code is amended to read:

94878. (a) The bureau shall establish an internet website that includes at least all of the following information:

- (1) An explanation of the bureau's scope of authority.
- (2) (A) A directory of approved institutions, and a link, if feasible, to the internet website of each institution.
 - (B) For each institution, the directory shall be developed in a manner that allows the user to search by institution and shall include all of the following information:
 - (i) The status of the institution's approval to operate.
 - (ii) The information provided by the institutions, including, but not limited to, the annual report, as required by Section 94934, including the school catalog and the School Performance Fact Sheet. The School Performance Fact Sheet shall be maintained on the directory for at least five years after the date of its submission to the bureau.
 - (iii) If a law school satisfies the requirements of this chapter regarding a School Performance Fact Sheet by complying with the requirements of Section 94910.5, the bureau shall include the information provided by the institution pursuant to Section 94910.5 on its internet website and shall maintain the information in the same manner as required by clause (ii).
 - (iv) The disciplinary history of the institution, which shall include, but shall not be limited to, all of the following:
 - (I) Pending formal accusations filed by the bureau.
 - (II) Suspensions, revocations, citations, fines, infractions, probations, pending litigation filed by the bureau, and final judgments resulting from litigation filed by the bureau.
 - (III) Pending or final civil or criminal cases filed by the Attorney General, a city attorney, or a district attorney in this state, or filed in any state by an attorney general or a federal regulatory or prosecutorial agency of which the bureau has received notice.
 - (IV) Final administrative actions by the United States Department of Education, including orders requiring restitution to students.
 - (V) All disciplinary actions ordered by an accreditation agency, including any order to show cause, of which the bureau has received notice pursuant to Section 94934 or other information otherwise publicly available of which the bureau has received notice.

(b) The bureau shall maintain the internet website described in subdivision (a). The bureau shall ensure that the information specified in subdivision (a) is kept current. The bureau shall update the internet website at least annually, to coincide with the submission of annual reports by the institutions pursuant to Section 94934.

(c) (1) The bureau shall post on its internet website a list of all institutions that were denied approval to operate, after the denial is final, and describe in clear and conspicuous language the reason the institution was denied approval. The bureau shall include with this list the statement provided in paragraph (2) on its internet website:

(2) "The following institutions were denied approval to operate by the Bureau for Private Postsecondary Education for failing to satisfy the standards relating to educational quality, or consumer protection, or both. These unlicensed institutions are not operating in compliance with the law, and students are strongly discouraged from attending these institutions."

SEC. 95. Section 94897 of the Education Code is amended to read:

94897. An institution shall not do any of the following:

- (a) Use, or allow the use of, any reproduction or facsimile of the Great Seal of the State of California on a diploma.
- (b) Promise or guarantee employment, or otherwise overstate the availability of jobs upon graduation.
- (c) Advertise concerning job availability, degree of skill, or length of time required to learn a trade or skill unless the information is accurate and not misleading.
- (d) Advertise, or indicate in promotional material, without including the fact that the educational programs are delivered by means of distance education if the educational programs are so delivered.
- (e) Advertise, or indicate in promotional material, that the institution is accredited, unless the institution has been accredited by an accrediting agency.
- (f) Solicit students for enrollment by causing an advertisement to be published in "help wanted" columns in a magazine, newspaper, or publication, or use "blind" advertising that fails to identify the institution.
- (g) Offer to compensate a student to act as an agent of the institution with regard to the solicitation, referral, or recruitment of any person for enrollment in the institution, except that an institution may award a token gift to a student for referring an individual, provided that the gift is not in the form of money, no more than one gift is provided annually to a student, and the gift's cost is not more than one hundred dollars (\$100).
- (h) Pay any consideration to a person to induce that person to sign an enrollment agreement for an educational program.
- (i) Use a name in any manner improperly implying any of the following:
 - (1) The institution is affiliated with any government agency, public or private corporation, agency, or association if it is not, in fact, thus affiliated.
 - (2) The institution is a public institution.
 - (3) The institution grants degrees, if the institution does not grant degrees.
- (j) In any manner make an untrue or misleading change in, or untrue or misleading statement related to, a test score, grade or record of grades, attendance record, record indicating student completion, placement, employment, salaries, or financial information, including any of the following:
 - (1) A financial report filed with the bureau.
 - (2) Information or records relating to the student's eligibility for student financial aid at the institution.
 - (3) Any other record or document required by this chapter or by the bureau.
- (k) Willfully falsify, destroy, or conceal any document of record while that document of record is required to be maintained by this chapter.
- (l) Use the terms "approval," "approved," "approval to operate," or "approved to operate" without stating clearly and conspicuously that approval to operate means compliance with state standards as set forth in this chapter. An institution may not state or imply either of the following:
 - (1) The institution or its educational programs are endorsed or recommended by the state or by the bureau.
 - (2) The approval to operate indicates that the institution exceeds minimum state standards as set forth in this chapter.
- (m) Direct any individual to perform an act that violates this chapter, to refrain from reporting unlawful conduct to the bureau or another government agency, or to engage in any unfair act to persuade a student not to complain

to the bureau or another government agency.

(n) Compensate an employee involved in recruitment, enrollment, admissions, student attendance, or sales of educational materials to students on the basis of a commission, commission draw, bonus, quota, or other similar method related to the recruitment, enrollment, admissions, student attendance, or sales of educational materials to students, except as provided in paragraph (1) or (2):

(1) If the educational program is scheduled to be completed in 90 days or less, the institution shall pay compensation related to a particular student only if that student completes the educational program.

(2) For institutions participating in the federal student financial aid programs, this subdivision shall not prevent the payment of compensation to those involved in recruitment, admissions, or the award of financial aid if those payments are in conformity with federal regulations governing an institution's participation in the federal student financial aid programs.

(o) Require a prospective student to provide personal contact information in order to obtain, from the institution's internet website, educational program information that is required to be contained in the school catalog or any information required pursuant to the consumer information requirements of Title IV of the federal Higher Education Act of 1965, and any amendments thereto.

(p) Offer an associate, baccalaureate, master's, or doctoral degree without disclosing to prospective students before enrollment whether the institution or the degree program is unaccredited and any known limitation of the degree, including, but not limited to, all of the following:

(1) Whether a graduate of the degree program will be eligible to sit for the applicable licensure exam in California and other states.

(2) A statement that reads: "A degree program that is unaccredited or a degree from an unaccredited institution is not recognized for some employment positions, including, but not limited to, positions with the State of California."

(3) That a student enrolled in an unaccredited institution is not eligible for federal financial aid programs.

(q) In any manner commit fraud against, or make a material untrue or misleading statement to, a student or prospective student under the institution's authority or the pretense or appearance of the institution's authority.

(r) Charge or collect any payment for institutional charges that are not authorized by an executed enrollment agreement.

(s) Violate Section 1788.93 of the Civil Code.

(t) Require a prospective, current, or former student or employee to sign a nondisclosure agreement pertaining to their relationship to, or experience with, the institution, except that an institution may use a nondisclosure agreement to protect the institution's intellectual property and trade secrets. Any nondisclosure agreement in violation of this section is void and not enforceable at law or in equity.

(u) Fail to maintain policies related to compliance with this chapter or adhere to the institution's stated policies.

SEC. 96. Section 94902 of the Education Code is amended to read:

94902. (a) A student shall enroll solely by means of executing an enrollment agreement. The enrollment agreement shall be signed by the student and by an authorized employee of the institution.

(b) An enrollment agreement is not enforceable unless all of the following requirements are met:

(1) The student has received the institution's catalog and School Performance Fact Sheet prior to signing the enrollment agreement.

(2) At the time of the execution of the enrollment agreement, the institution held a valid approval to operate.

(3) Prior to the execution of the enrollment agreement, the student and the institution have signed and dated the information required to be disclosed in the School Performance Fact Sheet pursuant to subdivisions (a) to (d), inclusive, of Section 94910. Each of these items in the School Performance Fact Sheet shall include a line for the student to initial and shall be initialed and dated by the student.

(c) A student shall receive a copy of the signed enrollment agreement, in writing or electronically, regardless of

whether total charges are paid by the student.

SEC. 97. Section 94905 of the Education Code is amended to read:

94905. (a) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field requiring licensure in this state shall exercise reasonable care to determine if the student will not be eligible to obtain licensure in the profession, occupation, trade, or career field at the time of the student's graduation and shall provide all students enrolled in those programs with a written copy of the requirements for licensure established by the state, including any applicable course requirements established by the state.

(1) If the minimum course requirements of the institution exceed the minimum requirements for state licensure, the institution shall disclose this information, including a list of those courses that are not required for state licensure.

(2) The institution shall not execute an enrollment agreement with a student that is known to be ineligible for licensure, unless the student's stated objective is other than licensure.

(b) During the enrollment process, an institution may discuss internships and student jobs available to the student during the student's attendance at the institution. If the institution discusses internships and student jobs, the institution shall disclose the number of requests for internship and student job placement assistance received by the institution during the immediately preceding calendar year and the number of actual placements during that year.

(c) During the enrollment process, an institution offering educational programs designed to lead to positions in a profession, occupation, trade, or career field where voluntary licensure by a government agency is available, shall provide its students seeking to enroll in those programs with a written copy of the requirements for that voluntary licensure.

SEC. 98. Section 94910 of the Education Code is amended to read:

94910. Except as provided in subdivision (d) of Section 94909 and Section 94910.5, prior to enrollment, an institution shall provide a prospective student with a School Performance Fact Sheet containing, at a minimum, the following information, as it relates to the educational program:

(a) Completion rates, as calculated pursuant to Article 16 (commencing with Section 94928).

(b) Placement rates for each educational program, as calculated pursuant to Article 16 (commencing with Section 94928), if the educational program is designed to lead to, or the institution makes any express or implied claim related to preparing students for, a recognized career, occupation, vocation, job, or job title.

(c) License examination passage rates for programs leading to employment for which passage of a state licensing examination is required, as calculated pursuant to Article 16 (commencing with Section 94928).

(d) Salary or wage information, as calculated pursuant to Article 16 (commencing with Section 94928).

(e) If a program is too new to provide data for any of the categories listed in this subdivision, the institution shall state on its fact sheet: "This program is new. Therefore, the number of students who graduate, the number of students who are placed, or the starting salary you can earn after finishing the educational program are unknown at this time. Information regarding general salary and placement statistics may be available from government sources or from the institution, but is not equivalent to actual performance data."

(f) All of the following:

(1) A description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated or a statement informing the reader of where they may obtain a description of the manner in which the figures described in subdivisions (a) to (d), inclusive, are calculated.

(2) A statement informing the reader of where they may obtain from the institution a list of the employment positions determined to be within the field for which a student received education and training for the calculation of job placement rates as required by subdivision (b).

(3) A statement informing the reader of where they may obtain from the institution a list of the objective sources of information used to substantiate the salary disclosure as required by subdivision (d).

(g) The following statements:

(1) "This fact sheet is filed with the Bureau for Private Postsecondary Education. Regardless of any information you may have relating to completion rates, placement rates, starting salaries, or license exam passage rates, this fact sheet contains the information as calculated pursuant to state law."

(2) "Any questions a student may have regarding this fact sheet that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (internet website), (telephone and fax numbers)."

(h) If the institution participates in federal financial aid programs, the most recent three-year cohort default rate reported by the United States Department of Education for the institution and the percentage of enrolled students receiving federal student loans.

(i) Data and information disclosed pursuant to subdivisions (a) to (d), inclusive, is not required to include students who satisfy the qualifications specified in subdivision (d) of Section 94909, but an institution shall disclose whether the data, information, or both provided in its fact sheet excludes students pursuant to this subdivision. An institution shall not actively use data specific to the fact sheet in its recruitment materials or other recruitment efforts of students who are not California residents and do not reside in California at the time of their enrollment.

SEC. 99. Section 94910.5 of the Education Code is amended to read:

94910.5. (a) Notwithstanding any other law, a law school that meets the criteria of subdivision (b) shall be deemed to satisfy the requirements of this chapter regarding a School Performance Fact Sheet by doing all of the following:

(1) Complying with Standard 509 of the American Bar Association's Standards and Rules of Procedure for Approval of Law Schools, as that standard may be amended.

(2) Providing completion rates of students and placement rates, bar passage rates, and salary and wage information of graduates to prospective students prior to enrollment through the law school application process administered by the Law School Admission Council.

(3) (A) Providing to prospective students any additional information required to be reported on a School Performance Fact Sheet that is not reported pursuant to paragraphs (1) and (2), including, but not limited to, the most recent three-year cohort default rate reported by the United States Department of Education for the law school and the percentage of enrolled students receiving federal student loans.

(B) If the law school's three-year cohort default rate reported by the United States Department of Education is aggregated with the three-year cohort default rate of an institution to which the law school belongs, then the law school shall provide to prospective students the law school's three-year cohort default rate disaggregated from the institution's three-year cohort default rate.

(C) The law school shall, at a minimum, provide the information described in this paragraph to prospective students by clearly posting the information in a conspicuous location on the law school's internet website.

(4) Annually providing the information required to be disclosed pursuant to this subdivision to the bureau.

(b) Subdivision (a) shall apply to a law school that meets all of the following criteria:

(1) The law school is accredited by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association.

(2) The law school is owned by an institution authorized to operate by the bureau.

(3) The law school reports graduate salary information and other information to the National Association for Law Placement.

(4) The law school is approved to operate by the bureau pursuant to Section 94874.8.

SEC. 100. Section 94911 of the Education Code is amended to read:

94911. An enrollment agreement shall include, at a minimum, all of the following:

(a) The name of the institution and the name of the educational program, including the total number of credit hours, clock hours, or other increment required to complete the educational program.

(b) A schedule of total charges, including a list of any charges that are nonrefundable and the student's obligations to the Student Tuition Recovery Fund, clearly identified as nonrefundable charges.

(c) In underlined capital letters on the same page of the enrollment agreement in which the student's signature is required, "THE TOTAL CHARGES FOR THE CURRENT PERIOD OF ATTENDANCE," "THE ESTIMATED TOTAL CHARGES FOR THE ENTIRE EDUCATIONAL PROGRAM," and "THE TOTAL CHARGES THE STUDENT IS OBLIGATED TO PAY UPON ENROLLMENT," followed by the relevant amounts of charges in bold, underlined type.

(d) A clear and conspicuous statement that the enrollment agreement is legally binding when signed by the student and accepted by the institution.

(e) (1) A disclosure with a clear and conspicuous caption, "STUDENT'S RIGHT TO CANCEL," under which it is explained that the student has the right to cancel the enrollment agreement and obtain a refund of charges paid through attendance at the first class session, or the seventh day after enrollment, whichever is later.

(2) The disclosure shall contain the institution's refund policy and a statement that, if the student has received federal student financial aid funds, the student is entitled to a refund of moneys not paid from federal student financial aid program funds.

(3) The text shall also include a description of the procedures that a student is required to follow to cancel the enrollment agreement or withdraw from the institution and obtain a refund.

(f) A statement specifying that, if the student obtains a loan to pay for an educational program, the student will have the responsibility to repay the full amount of the loan plus interest, less the amount of any refund.

(g) A statement specifying that, if the student is eligible for a loan guaranteed by the federal or state government and the student defaults on the loan, both of the following may occur:

(1) The federal or state government or a loan guarantee agency may take action against the student, including applying any income tax refund to which the person is entitled to reduce the balance owed on the loan.

(2) The student may not be eligible for any other federal student financial aid at another institution or other government assistance until the loan is repaid.

(h) The transferability disclosure that is required to be included in the school catalog, as specified in paragraph (15) of subdivision (a) of Section 94909.

(i) (1) The following statement: "Prior to signing this enrollment agreement, you must be given a catalog or brochure and a School Performance Fact Sheet, which you are encouraged to review prior to signing this agreement. These documents contain important policies and performance data for this institution. This institution is required to have you sign and date the information included in the School Performance Fact Sheet relating to completion rates, placement rates, license examination passage rates, salaries or wages, and the most recent three-year cohort default rate, if applicable, prior to signing this agreement."

(2) Immediately following the statement required by paragraph (1), a line for the student to initial, including the following statement: "I certify that I have received the catalog, School Performance Fact Sheet, and information regarding completion rates, placement rates, license examination passage rates, salary or wage information, and the most recent three-year cohort default rate, if applicable, included in the School Performance Fact Sheet, and have signed, initialed, and dated the information provided in the School Performance Fact Sheet."

(j) The following statements:

(1) "Any questions a student may have regarding this enrollment agreement that have not been satisfactorily answered by the institution may be directed to the Bureau for Private Postsecondary Education at (address), Sacramento, CA (ZIP Code), (internet website address), (telephone and fax numbers)."

(2) "A student or any member of the public may file a complaint about this institution with the Bureau for Private Postsecondary Education by calling (toll-free telephone number) or by completing a complaint form,

which can be obtained on the bureau's internet website (internet website address)."

(k) The following statement above the space for the student's signature:

"I understand that this is a legally binding contract. My signature below certifies that I have read, understood, and agreed to my rights and responsibilities, and that the institution's cancellation and refund policies have been clearly explained to me."

SEC. 101. Section 94913 of the Education Code is amended to read:

94913. (a) An institution that maintains an internet website shall provide on that internet website all of the following:

- (1) The school catalog.
- (2) A School Performance Fact Sheet for each educational program offered by the institution.
- (3) Student brochures offered by the institution.
- (4) A link to the bureau's internet website.
- (5) The institution's most recent annual report submitted to the bureau.

(b) An institution shall include information concerning where students may access the bureau's internet website anywhere the institution identifies itself as being approved by the bureau.

SEC. 102. Section 94941 of the Education Code is amended to read:

94941. (a) An individual who has cause to believe that an institution has violated this chapter, or regulations adopted pursuant to this chapter, may file a complaint with the bureau against the institution. The complaint shall set forth the alleged violation, and shall contain any other information as may be required by the bureau.

(b) To ensure that the bureau's resources are maximized for the protection of the public, the bureau, in consultation with the advisory committee, shall establish priorities for its inspections and other investigative and enforcement resources to ensure that institutions representing the greatest threat of harm to the greatest number of students are identified and disciplined by the bureau or referred to the Attorney General.

(c) In developing its priorities for inspection, investigation, and enforcement regarding institutions, the bureau shall consider as posing heightened risks the characteristics of the following institutions:

- (1) An institution that receives significant public resources, including an institution that receives more than 70 percent of its revenues from federal financial aid, state financial aid, financial aid for veterans, and other public student aid funds.
- (2) An institution with a large number of students defaulting on their federal loans, including an institution with a three-year cohort default rate above 15.5 percent.
- (3) An institution with reported placement rates, completion rates, or licensure rates in an educational program that are far higher or lower than comparable educational institutions or programs.
- (4) An institution that experiences a dramatic increase in enrollment, recently expanded educational programs or campuses, or recently consolidated campuses.
- (5) An institution that offers only nonremedial educational program courses in English, but enrolls students with limited or no English language proficiency.
- (6) An institution that has experienced a recent change of ownership or control, or a change in the business organization of the institution.
- (7) An institution with audited financial statements that do not satisfy the bureau's requirements for financial stability.

(8) An institution that has recently been the subject of an investigation, judgment, or regulatory action by, or a settlement with, a governmental agency.

(9) An institution that experiences institutional or programmatic accreditation restriction by an accreditor, government restriction of, or injunction against, its approval to operate, or placement on cash-reimbursement or heightened monitoring status by the United States Department of Education.

(d) The bureau shall indicate in an annual report, to be made publicly available on its internet website, the number of temporary restraining orders, interim suspension orders, and disciplinary actions taken by the bureau, disaggregated by each priority category established pursuant to subdivision (b).

(e) The bureau shall, in consultation with the advisory committee, adopt regulations to establish categories of complaints or cases that are to be handled on a priority basis. The priority complaints or cases shall include, but not be limited to, those alleging unlawful, unfair or fraudulent business acts or practices, including unfair, deceptive, untrue, or misleading statements, including all statements made or required to be made pursuant to the requirements of this chapter, related to any of the following:

(1) Degrees, educational programs, or internships offered, the appropriateness of available equipment for a program, or the qualifications or experience of instructors.

(2) Job placement, graduation, time to complete an educational program, or educational program or graduation requirements.

(3) Loan eligibility, terms, whether the loan is federal or private, or default or forbearance rates.

(4) Passage rates on licensing or certification examinations or whether an institution's degrees or educational programs provide students with the necessary qualifications to take these exams and qualify for professional licenses or certifications.

(5) Cost of an educational program, including fees and other nontuition charges.

(6) Affiliation with or endorsement by any government agency, or by any organization or agency related to the Armed Forces, including, but not limited to, groups representing veterans.

(7) Terms of withdrawal and refunds from an institution.

(8) Payment of bonuses, commissions, or other incentives offered by an institution to its employees or contractors.

SEC. 103. Section 94942 of the Education Code is amended to read:

94942. (a) The bureau shall establish a toll-free telephone number staffed by a bureau employee by which a student or a member of the public may file a complaint under this chapter.

(b) The bureau shall make a complaint form available on its internet website. The bureau shall permit students and members of the public to file a complaint under this chapter through the bureau's internet website.

SEC. 104. Section 94949.73 of the Education Code is amended to read:

94949.73. (a) The office shall provide individualized assistance to students to relieve or mitigate the economic and educational opportunity loss incurred by those students who attended a Corinthian Colleges, Inc., institution or other eligible institution.

(b) Specific services provided by the office shall include all of the following:

(1) Outreach and education to students regarding the assistance available from the office.

(2) Screening requests for assistance received by the office and providing individualized assistance to help students determine their relief eligibility, identify and obtain necessary documents, complete and submit applications, and provide additional services as necessary.

(c) For purposes of this section, "other eligible institution" means an institution identified by the office whose unlawful activities or closure has resulted in its students being eligible for repayment from the Student Tuition Recovery Fund, debt relief from the United States Department of Education, or other student financial aid relief.

(d) (1) The office shall quarterly report by posting on the bureau's internet website, through September 1, 2018,

on all of the following:

(A) A summary of the outreach and education activities conducted by the office pursuant to the requirements of paragraph (1) of subdivision (b) and the number of students served from Corinthian Colleges, Inc., institutions and every other eligible institution.

(B) A detailed summary of services provided to those students, as follows:

(i) The number of students assisted with submitting Student Tuition Recovery Fund claims to the bureau by the office, and of the claims submitted, the number that are pending, on appeal, or have been approved or denied. For the claims that have been approved, the office shall report the amount of student loans canceled, the total of student loans paid off, the total amount of cash reimbursed to students, and the total amount of educational credit granted.

(ii) The number of students assisted with submitting federal loan forgiveness claims, and of the claims submitted, the number of those claims that are pending, on appeal, or have been approved or denied. For the claims that have been approved, the office shall report the estimated total in student loans canceled and the total amount of funds refunded to students.

(iii) The number of students assisted with private student loan relief, other than through Student Tuition Recovery Fund claims, and a summary of assistance provided and relief outcomes obtained.

(iv) The number of students whom the office helped to obtain income-dependent repayment plans on their federal loans, and of those students, the number of students helped out of default on the federal loans through consolidation or rehabilitation.

(2) The office shall provide, pursuant to Section 9795 of the Government Code, the Legislature, the department, and the bureau a final report summarizing the information submitted pursuant to paragraph (1) by January 1, 2019.

SEC. 105. Section 86.5 of this bill incorporates amendments to Section 5134 of the Business and Professions Code proposed by both this bill and Senate Bill 816. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2024, (2) each bill amends Section 5134 of the Business and Professions Code, and (3) this bill is enacted after Senate Bill 816, in which case Section 86 of this bill shall not become operative.

SEC. 106. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

UNFINISHED BUSINESS

Bill No: SB 887
Author: Committee on Business, Professions and Economic Development
Amended: 9/8/23
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 13-0, 4/24/23
AYES: Roth, Nguyen, Alvarado-Gil, Archuleta, Ashby, Becker, Dodd, Eggman,
Glazer, Niello, Smallwood-Cuevas, Wahab, Wilk

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 39-0, 5/11/23 (Consent)
AYES: Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear,
Bradford, Caballero, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez,
Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen,
Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner,
Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk
NO VOTE RECORDED: Grove

ASSEMBLY FLOOR: 80-0, 9/11/23 - See last page for vote

SUBJECT: Consumer affairs

SOURCE: Author

DIGEST: This bill makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs (DCA), makes a technical change related to the Department of Real Estate (DRE), and updates a cross reference under the Secondhand Dealers Act related to pawnbrokers.

Assembly Amendments resolve chaptering conflicts.

ANALYSIS:

Existing law:

- 1) Provides for the licensing and regulation of various professions and businesses by the 26 boards, eight bureaus, two committees, two programs, and one commission within DCA under various licensing acts within the Business and Professions Code (BPC).
- 2) Establishes the Board of Behavioral Sciences (BBS) to administer the Marriage and Family Therapy Practice Act, the Licensed Educational Psychologist Practice Act, the Licensed Clinical Social Worker Practice Act, and the Licensed Professional Clinical Counselor Practice Act. (BPC §§ 4980 *et seq.*)
- 3) Establishes the Board of Psychology (BOP) to license and regulate psychologists, psychologist assistants, and registered psychologists. (BPC §§ 2900 *et seq.*)
- 4) Establishes the Board of Registered Nursing (BRN) to provide for the licensure and regulation of the practice of nursing. (BPC §§ 2700 *et seq.*)
- 5) Establishes the Veterinary Medical Board (VMB) for licensing and regulating veterinarians, registered veterinary technicians (RVTs), veterinary assistant substance controlled permit (VACSP) holders, and veterinary premises. (BPC §§ 4800 *et seq.*)
- 6) Defines a “secondhand dealer” to mean and include any person, copartnership, firm, or corporation whose business includes buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning or auctioning secondhand property but does not include a coin dealer or a participant at gun shows, as specified. (BPC § 21626)
- 7) Requires an applicant for a hydrolysis facility license to prove compliance with all applicable laws, rules, regulations, ordinances, and orders and the Bureau will not issue a hydrolysis facility license until the Bureau is satisfied that the public interest, human health, and environmental quality will be served by the applicant. (BPC § 7639.06(a))
- 8) Establishes the California Architects Board (CAB) within the DCA to license and regulate professional architects. (BPC §§ 5500 *et seq.*)

This bill:

- 1) Clarifies the term of appointment for the representative from the California State University Chancellor as four years.
- 2) Replaces an outdated reference to a certifying body for nurse anesthetists with the National Board of Certification and Recertification for Nurse Anesthetists, or a successor national professional organization approved by the BRN for purposes of licensure.
- 3) Adds the following for the BRN, in establishing its categories of NPs and standards of NPs, to take into account levels of advanced practice as outlined in the nurse practitioner curriculum core competencies specified in the *National Organization of Nurse Practitioner Faculties' Nurse Practitioner Role Core Competencies 2022*, or a successor approved by the BRN, experience, or both.
- 4) Authorizes an applicant for licensure as a psychologist to provide a transcript indicating completion of coursework, or a written certification from the department chair in addition to the registrar, for purposes of meeting licensure requirements.
- 5) Permits an out of state applicant for licensure, as a veterinarian to submit required out of state licensure information via electronic means instead of directly to the VMB, and revises the membership of the VMB's Wellness Evaluation Committee to include at least one veterinarian, at least two public members, and at least one RVT.
- 6) Deletes the provision requiring a that veterinarian who reviews and investigates alleged violations of the veterinary practice act, be licensed or employed by the state, as specified, and not be out of practice for more than four years.
- 7) Permits a person to rely on licensing and registration information as displayed in the BBS's website that includes the issuance and expiration dates of any license or registration issued by the BBS.
- 8) Deletes the BA's authority to establish an advisory continuing education committee.
- 9) Replaces reference to a "substandard peer review report" with a "peer reviewed report with a rating of "fail" for purposes of firm renewal for CPAs.

- 10) Deletes an outdated reference to passage of an examination for purposes of licensure as a CPA.
- 11) Makes conforming changes to the national examination required for licensure as an architect, as specified.
- 12) Extends the due date of a report due to the Legislature conducted by the BOP on automated drug delivery systems from January 1, 2024, to January 1, 2025.
- 13) Updates the required information to be included about the CFB in all contracts for goods and services offered by a licensee, as specified.
- 14) Permits consumers to submit their Consumer Recover Account application to the DRE by electronic means, as specified.
- 15) Changes from fiscal to calendar year, the date by which the DCA must compile and submit a report to the Legislature on military and spouse licensure, as specified.
- 16) Makes numerous other technical, clarifying and conforming changes.

Background

Board of Behavioral Sciences. All four of the BBS's licensee and registrant categories provide some form of mental health services to a variety of clients in different settings. Each of the licensed profession groups under BBS must meet specified licensing requirements and practice in certain settings. This bill clarifies that a person may utilize the BBS's license look-up on the BBS website to verify licensure and serve as a primary source documentation. In addition, this bill clarifies who can supervise LMFT trainees to specify that LEPs can.

Board of Psychology. The BOP is one of several regulatory entities under the umbrella of the DCA. The BOP's mission is to "protect consumers of psychological services by licensing psychologists, regulating the practice of psychology, and supporting the evolution of the profession." This bill allows verification of coursework in suicide risk assessment and intervention and aging and long-term care by review of the transcript or written certification by a department chair to help streamline the application process.

Board of Registered Nursing. The BRN's recent sunset bill, AB 2684 (Berman, Chapter 413, Statutes of 2022) codified the Nursing Education and Workforce Advisory Committee into law and set appointment term limits for specific members. However, that bill neglected to provide the term for the representative of the California State University Office of the Chancellor. This bill specifies that

the term is four years. The NP core competencies incorporated by reference into regulations have been updated, and this bill updates who establishes those competencies to include the National Organization of Nurse Practitioner Faculties released new core competencies in 2022. Additionally, this bill updates statute to provide the appropriate reference to the national certifying organization for nurse anesthetists as the old certifying body is no longer applicable.

Veterinary Medical Board. Current law, BPC Section 4846, requires an applicant for a veterinarian license to disclose each state, Canadian province, or U.S territory in which the applicant currently holds or has ever held a license to practice veterinary medicine. License verification, must be directly submitted to the VMB. The VMB requested to clarify that the verification can be done electronically, this bill clarifies that permission. The VMB is authorized to establish a wellness advisory committee. This bill updates the membership on that committee to include only two veterinarians, and at least one RVT.

Board of Accountancy. Current law, BPC Section 5076, references a peer review term of “substandard” that is inconsistent with national standards, this bill will replace the term substandard with “fail” for purposes of accounting firms that have not met certain professional standards to align with national standards. Additionally, this bill deletes outdated references to an advisory committee that is no longer active, a fee that is no longer charged, and education requirements that ended in 2016.

Bureau for Private Postsecondary Education. The BPPE has oversight of private postsecondary educational institutions operating with a physical presence in California. This bill makes a number of technical changes to the California Private Postsecondary Education Act.

Pawnbrokers and Secondhand Dealers. Secondhand dealers includes those whose business includes buying, selling, trading, taking in pawn, accepting for sale on consignment, accepting for auctioning or auctioning secondhand property. This bill simply updates a provision of the BPC to include a cross reference with existing law pertaining to holding periods.

Department of Real Estate. The DRE administers the Consumer Recovery Account (CRA), a fund that provides limited compensation to consumers defrauded by real estate licensees unable to pay judgments. Current law requires consumers either submit CRA applications in person or send to the DRE via certified mail. This bill authorizes a consumer to submit the application electronically.

Cemetery and Funeral Bureau. The Bureau regulates more than 13,000 licensees in 13 different licensing categories. This bill updates the required information to reflect all of the licensing facilities regulated by the Bureau.

California Architecture Board. The CAB evaluates a candidate's architectural education, experience, and examination results to assess their knowledge, skills, and ability to perform the services required of a competent California architect. In order to obtain a license in California as an architect, a person is required to take and pass the national Architect Registration Examination (ARE), which is administered by the National Council of Architecture Registration Boards (NCARB). The NCARB recently updated its scoring provisions and timeframe pertaining to how long the scores count when a person passes a section. The CAB had conformed its regulations to the national examination timeframes; however given the changes implemented by the NCARB, those regulations will be outdated and affect potential licensees. This bill updates statute to provide that California will follow the national policy for exam score validity.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Committee on Appropriations, the DCA anticipates minor and absorbable to negligible costs to the affected boards and bureaus, and the DRE anticipates minor, one-time costs, likely between \$30,000 and \$50,000, to update its application, publications and brochures, website, and consumer bulletins, and possible minor staffing costs for additional printing and for creating a secure process to accept electronic filings. DRE also indicates possible cost savings, likely minor, to either the department's legal or administration divisions as a result of efficiencies from not having to accept paper applications in person.

SUPPORT: (Verified 9/8/23)

Board of Registered Nursing
California Board of Accountancy
California Board of Psychology
California State Board of Pharmacy
Speech-language Pathology and Audiology and Hearing Aid Dispensers Board
Veterinary Medical Board

OPPOSITION: (Verified 9/8/23)

None received

ARGUMENTS IN SUPPORT: The Board of Psychology writes in support, “This bill would streamline the application process to allow verification following review of a transcript that clearly indicated in the course title that the specified coursework had been completed.”

According to the Board of Pharmacy, the Board is required to submit a report on the regulation of automated drug delivery devices to the Legislature on or before January 1, 2024, as part of its sunset evaluation process; however, the Board’s sunset review was moved to 2025. The proposed change will update the due date for the report to January 1, 2025.

The California Board of Accountancy, Board of Registered Nursing, and Veterinary Medical Board of California note that the changes in this bill will strengthen and clarify statutory provisions and enhance practice acts.

The Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board will replace the gendered pronouns “he” or “she” from the Board’s Practice Act which parallels with other efforts throughout the state to make sure that the language used in laws recognizes and represents all persons.

ASSEMBLY FLOOR: 80-0, 9/11/23

AYES: Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Chen, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lackey, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Rendon, Reyes, Luz Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wicks, Wilson, Wood, Zbur, Robert Rivas

Prepared by: Elissa Silva / B., P. & E.D. /
9/11/23 19:47:00

**** **END** ****

Architect Registration Examination®

GUIDELINES



NCARB

© 2023 National Council of Architectural
Registration Boards (NCARB)

This document, effective February 27, 2024, applies to the 5.0
version of the Architect Registration Examination® delivered
with PSI.

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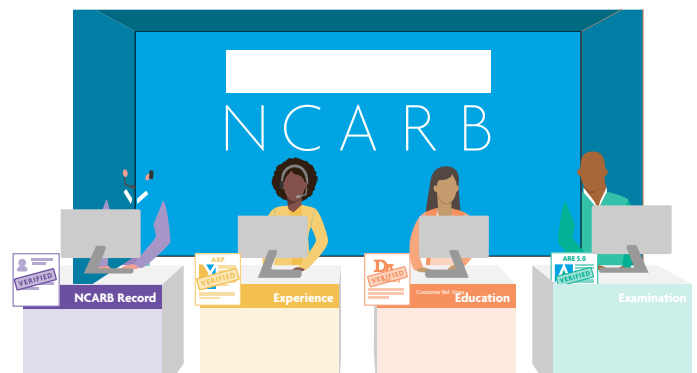
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INTRODUCTION

About NCARB

The National Council of Architectural Registration Boards' (NCARB) membership is made up of the architectural licensing boards of the 50 states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. NCARB, in collaboration with these boards, facilitates the licensure and credentialing of architects to protect the health, safety, and welfare of the public.

While each jurisdiction is responsible for regulating the practice of architecture within its borders, NCARB works with its Member Boards and volunteers to develop and facilitate national standards for licensure, including the national examination and experience program. NCARB also recommends regulatory guidelines for licensing boards and helps architects expand their professional reach through the NCARB Certificate.



NCARB's Role

NCARB's services span the many phases of your career, from student to practicing architect. Whether you're navigating the Architectural Experience Program® (AXP®), completing the Architect Registration Examination® (ARE®), or earning your NCARB Certificate, NCARB is here to help.

Through your NCARB Record, NCARB will securely store all the documentation of your professional history needed to earn a license, so that it is ready to be sent to the jurisdiction of your choice.

In addition to our national programs, NCARB also assists its members and customers with initiatives related to:

- Future-focused research
- Data sharing
- Promoting awareness of the path to licensure
- Advocating for reasonable regulation of the architecture profession
- Developing tools and resources to aid the work of licensing boards

You can learn more about NCARB's goals and objectives by reading our [Strategic Plan](#).

NCARB MISSION

NCARB, in collaboration with licensing boards, facilitates the licensure and credentialing of architects to protect the health, safety, and welfare of the public.

Licensure (Registration)

To practice architecture in the United States, you must earn a license from a U.S. state or territory (called a “jurisdiction”) where you intend to practice. Earning a license signals to your firm, clients, and the public that you’ve developed the essential knowledge and skills to practice architecture safely and competently. And once you’re licensed, you can call yourself an architect.

LICENSURE/REGISTRATION

NCARB uses the words “licensure” and “registration” interchangeably when talking about the process of becoming an architect.

Each of the 55 U.S. jurisdictions has its own set of requirements for licensure—you can find them at ncarb.org/requirements. While understanding the specific requirements in your jurisdiction is essential, most jurisdictions require three key components:



EDUCATION

For most candidates, the first step toward getting licensed is earning a degree. Most jurisdictions require that applicants for licensure graduate from an architecture program accredited by the National Architectural Accrediting Board (NAAB) or its Canadian equivalent. Some jurisdictions offer alternative ways to satisfy the education requirement, which you can explore on [NCARB’s Licensing Requirements Tool](#).

More information about starting your education in architecture can be found in NCARB’s [Education Guidelines](#).



EXPERIENCE

To earn a license in most jurisdictions, you’ll also need to complete the AXP by earning and reporting a variety of real-world experience. The AXP outlines six key areas of architectural practice, as well as specific tasks you need to be able to competently perform before you earn a license.

More information about earning experience can be found in the [AXP Guidelines](#).



EXAMINATION

Each of the 55 U.S. jurisdictions requires that applicants for an architecture license complete the ARE. The ARE is a multi-part, national exam that focuses on aspects of practice related to health, safety, and welfare.

All you need to know about the exam’s policies, procedures, and content is outlined in this document.

NCARB Certification

Once you've earned your initial license, you can apply for an NCARB Certificate! Being NCARB certified helps you get the most out of your career in architecture by providing the mobility to go wherever your work takes you. With an NCARB Certificate in hand, it's simpler to get licensed across jurisdictions—allowing you the freedom and flexibility to pursue your career and connect with clients regardless of location. Plus, being certified signifies that you have met the national standards for licensure. Learn more in the [NCARB Certification Guidelines](#).



Benefits of the Certificate

Once you've earned your NCARB Certificate, you can take advantage of all the following benefits:

PROFESSIONAL MOBILITY

Having an NCARB Certificate gives you the flexibility to [apply for reciprocal licensure](#) in all 55 U.S. jurisdictions, in addition to some international locations.

FREE CONTINUING EDUCATION

Certificate holders have access to [NCARB's free continuing education courses](#) as part of our Continuum Education Program, a collection of in-depth, online self-study materials that help professionals maintain and expand their competence.

COMPETITIVE EDGE

You can use the “NCARB” credential in your title, which demonstrates you've met national standards for licensure. This qualification, and the flexibility it provides, can be an important factor for firms when hiring and promoting.

SECURE RECORDS

As a Certificate holder, you don't have to worry about record keeping. All your professional information is stored on our secure servers—ready whenever you need it.

LEADERSHIP OPPORTUNITIES

Certificate holders are often the first to hear about volunteer opportunities on [licensing boards](#) and NCARB committees, which shape the future of our programs and services.

About the ARE

The ARE is developed by NCARB and is used by U.S. jurisdictions as the examination for candidates seeking architectural licensure. It is also accepted by select Canadian provincial and territorial architectural associations for licensure.

The ARE assesses a candidate's knowledge and skills to provide various services required in the practice of architecture. No single examination can test for competency in all aspects of architectural practice; the ARE is not intended for that purpose. The ARE concentrates on the professional services that affect the public's health, safety, and welfare.

In addition to testing for competence in specific subject areas, NCARB is aware of the responsibilities an architect may have for coordinating the activities of others involved in the design/construction process. The ARE assesses a candidate's qualifications in exercising the skills and judgment of a generalist working with numerous specialists.

LANGUAGES

The ARE is only available in English.

UNITS OF MEASUREMENT

The ARE includes measurements in inch-pound units only.

Definition of Competence as Related to the ARE

To protect the health, safety, and welfare of the public, a newly licensed architect practicing independently must demonstrate the competence to be responsible for a project from its inception through completion. This includes, but is not limited to, the ability to:

- Apply architectural business practices
- Evaluate legal, ethical, and contractual standards
- Establish and coordinate project team activities
- Establish programmatic and regulatory requirements
- Provide design alternatives
- Evaluate and incorporate appropriate materials and building systems
- Provide and coordinate project documentation for a building and site
- Provide construction phase services
- Assess the project during all phases
- Address environmental sustainability, resiliency, and adaptation throughout project design

ARE 5.0 Divisions

ARE 5.0 evaluates your knowledge and skills in six areas of practice that are essential to protecting the public's health, safety, and welfare. The number of questions (also called items) and the time available to complete them depends on the division.

DIVISION	NUMBER OF ITEMS	TEST DURATION	ALLOWED BREAK TIME	TOTAL APPOINTMENT TIME*
Practice Management	65	2 hr 40 min	30 min	3 hr 20 min
Project Management	75	3 hr	30 min	3 hr 40 min
Programming & Analysis	75	3 hr	30 min	3 hr 40 min
Project Planning & Design	100	4 hr 5 min	45 min	5 hr
Project Development & Documentation	100	4 hr 5 min	45 min	5 hr
Construction & Evaluation	75	3 hr	30 min	3 hr 40 min
TOTAL TIME:		19 hr 50 min		24 hr 20 min

* Total appointment time includes 10 minutes for introductory and exit screens.

Learn more about the [format of each exam division](#), or explore the [content covered in each division](#).

HOW TO TAKE THE ARE

Establishing Exam Eligibility

To take the ARE, you must request exam eligibility through your NCARB Record by following the steps outlined below:

- 1) Establish an NCARB Record by filling out the online application at <https://my.ncarb.org/>.
- 2) Log in to your NCARB Record and click on the “Exams” tab.
- 3) Click the “Request Eligibility” button and select the jurisdiction where you want to be licensed to practice architecture.
- 4) You must accept the ARE Candidate Agreement, which will bind you to maintain the confidentiality of ARE content.
- 5) If you meet the ARE eligibility requirements in the jurisdiction where you want to be licensed to practice architecture, the board will provide your exam eligibility (or NCARB will approve your request if your board participates in [NCARB's Exam Eligibility Services](#)).
- 6) You will receive a confirmation email immediately after submitting your request with instructions on how to continue and a second email after your eligibilities have been established.
- 7) After your eligibilities have been established, verify that the name indicated in your NCARB Record is accurate and matches the name printed on an [acceptable form of identification](#). If your first and last name are incorrect, immediately notify [NCARB](#). **Do not schedule an appointment to test until you have verified that the first and last name in your NCARB Record match the first and last name on an acceptable form of identification.**

Maintaining Exam Eligibility

TEST ACTIVITY STATUS

Most jurisdictions have a test activity requirement. Your eligibilities to test may expire if you have not attempted to test (pass or fail) within a five-year period. If your jurisdiction-based eligibility period expires before you complete the ARE, you must contact your board of architecture (or NCARB if you were made eligible to take the ARE through a jurisdiction participating in the Exam Eligibilities Services Program) to establish a new eligibility under the current procedures of your board.

MAINTAINING EXAM ELIGIBILITY WITH YOUR JURISDICTION

You are responsible for maintaining your exam eligibility with your jurisdiction. Because the rules vary from jurisdiction to jurisdiction and are subject to change, it is important for you to stay informed of your jurisdiction's policies and procedures. This includes notifying your board of any address changes so they can contact you about eligibility renewals or any other important licensure information.

WHAT ARE NCARB'S EXAM ELIGIBILITY SERVICES?

NCARB manages eligibilities for candidates in participating jurisdictions whose requirements align with NCARB's current education and experience requirements. If your jurisdiction participates in Exam Eligibility Services but you don't meet the education and experience requirements, contact [NCARB](#) to learn about alternative methods of receiving exam eligibilities.

Score Validity Policy

To ensure confidence in each exam score used by a jurisdictional licensing board for the purpose of granting an initial license to practice architecture, NCARB has established a score validity policy that defines the period during which any ARE division will remain valid.

Passed ARE divisions are valid throughout the delivery of the version of the exam under which they were taken and are used to establish appropriate credits under the next version of the exam. Once you have passed all divisions of the ARE, you are considered ARE complete, and your division scores are no longer subject to the score validity policy.

EXAMPLES OF THE SCORE VALIDITY POLICY

Below are two examples of how the score validity policy impacts candidates' scores.

- Example 1: A candidate passes an ARE 5.0 division. That divisional score is valid for the duration of ARE 5.0's delivery. If the candidate does not complete the entire ARE before ARE 5.0 ends, their passed ARE 5.0 division(s) will be used to provide credit toward the corresponding divisions in the next version of the exam (e.g., ARE 6.0).
- Example 2: A candidate passed one division of ARE 4.0, which provided credit toward one division of ARE 5.0. The candidate has since passed three additional divisions in ARE 5.0. If the candidate does not complete the ARE before ARE 5.0 ends:
 - The ARE 4.0 divisional score will no longer be valid, and the ARE 5.0 credit earned from this administration will expire.
 - The three ARE 5.0 divisions passed will be used to provide appropriate credit in the next version of the exam (e.g., ARE 6.0).

JURISDICTIONAL ROLLING CLOCK REQUIREMENTS

While NCARB has retired the rolling clock policy, some jurisdictions have a similar policy written into their statutes and/or rules. If you are seeking licensure in a jurisdiction that has a rolling clock requirement, you are subject to your jurisdiction's rolling clock unless that jurisdiction amends that policy. To find out which jurisdictions still maintain a rolling clock-type policy, visit [NCARB's website](#).

If your jurisdiction has a rolling clock requirement, you can request an extension to that rolling clock for the birth or adoption of a child, serious medical conditions, active military service, natural disasters, or other like causes. To be considered for a rolling clock extension, you must submit your request directly to NCARB. Any request, including appropriate back-up documentation and a completed [Rolling Clock Extension Request Form](#), must be received by NCARB before the passing score for your division expires.

SCHEDULING, RESCHEDULING, OR CANCELING AN EXAM

Exam Delivery

The ARE is available at both PSI test centers and through PSI's secure online proctoring delivery software, Bridge. Prior to scheduling an exam appointment, read and understand the [requirements for taking an exam at a PSI test center](#) and the requirements for taking an exam via [online proctoring](#). You will be provided a consistent and secure testing experience in both delivery modalities.

Exam Scheduling

After you have been made eligible to test, you can schedule ARE appointments.

- You may take any division of the ARE at any time, and in any sequence you choose.
- You must pay for and schedule a separate appointment for each division of the ARE.
- You can take the ARE at any participating PSI test center or online, regardless of the jurisdiction where you are seeking initial registration.
- You can find the divisions you are eligible to take within the “Exams” tab of your [NCARB Record](#).
- Testing reservations are accepted on a first-come, first-served basis and are restricted by seat and/or proctor availability.
- You must accept the [ARE Candidate Agreement](#), which will bind you to maintain the confidentiality of ARE content.
- You must schedule your appointment a minimum of 48 hours in advance for exams delivered at a test center and 24 hours in advance for exams delivered using online proctoring.

[Testing accommodations](#) must be approved prior to the scheduling of an exam appointment and can't be retroactively applied to previously scheduled appointments.



Scheduling an Exam Appointment

The scheduling process requires you to read and acknowledge several ARE policies and procedures, so please be prepared to spend **15-30 minutes** scheduling your exam appointment. You'll be expected to verify your contact information and acknowledge that you have read NCARB's [ARE Candidate Agreement](#), [PSI's Test Center Candidate Security Agreement](#) (if testing at a PSI test center), and [PSI's Online Proctoring Candidate Privacy Agreement](#) (if testing using online proctoring).

To schedule an exam appointment, follow the steps outlined below:

- 1) Log into your [NCARB Record](#) and click the "Exams" tab.
- 2) Within the "Exams" tab, you will see a "Schedule Division" button. Use the drop down arrow adjacent to this button to select the ARE division that you would like to schedule.
- 3) The ARE scheduling system will guide you through the scheduling process. If you have any questions while scheduling your exam, please [contact NCARB](#) for assistance.
- 4) After you have scheduled an exam appointment, you can view your appointment information within the "Exams" tab of your NCARB Record. You will also receive a confirmation email with your appointment details.

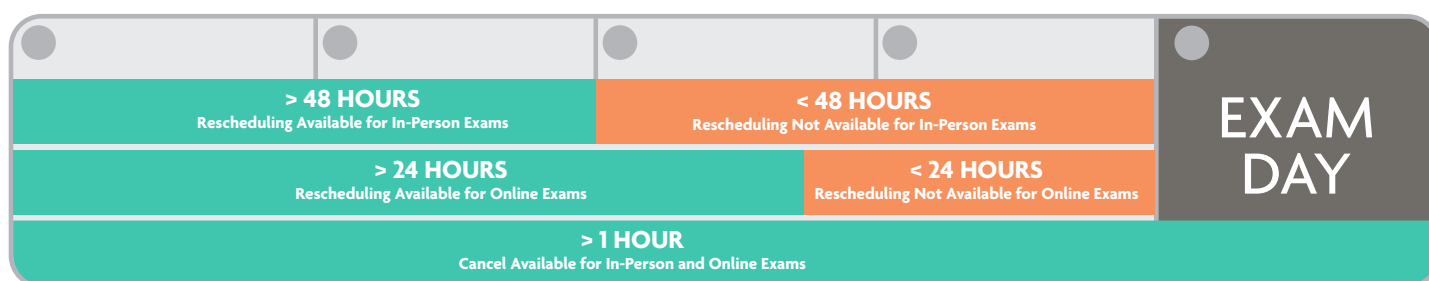
If you have an approved testing accommodation and are scheduling an exam at a PSI test center, you will be required to submit a contact phone number during the scheduling process. A PSI representative will reach out to you within 48 hours to provide assistance with scheduling your exam. If PSI is unable to reach you by phone, they will also email you at the address listed in your NCARB Record. Be on the lookout for an email from an @psionline.com domain, and if possible, add them to your safe senders list. You might need to check your junk or spam.

Rescheduling or Canceling an Exam Appointment

You can reschedule an appointment through your NCARB Record 48 hours in advance for exams scheduled at a test center and 24 hours in advance for online proctored exams. Rescheduling an appointment can only be done via your NCARB Record.

For both test center and online-proctored delivery, you may reschedule an appointment with one delivery modality to a new appointment with the other delivery modality—for example, you can reschedule an online-proctored appointment to be taken at a test center and vice versa. You may also reschedule a test center appointment to a new appointment at a different test center. You will need to select a new date and time. If you only want to change the delivery modality of your appointment, you still must go through the rescheduling process.

You may cancel your appointment in either modality up to one hour before your scheduled appointment time. Any changes to scheduled appointments will be subject to [exam rescheduling and cancellation fees](#). If you fail to arrive for your scheduled appointment or attempt to reschedule an appointment without giving the required notice, you will forfeit the entire test fee.



To reschedule or cancel an appointment, follow the steps outlined below:

- 1) Log into your NCARB Record and click the “Exams” tab.
- 2) Within the “Exams” tab, you will see a “Reschedule or Cancel” button for each exam division that you currently have scheduled. Click on this button to reschedule or cancel.
- 3) The ARE scheduling system will guide you through the rescheduling or cancellation process. If you have any questions while rescheduling or canceling your exam, please [contact NCARB](#) for assistance.
- 4) **Reschedule only**—After you have rescheduled your exam appointment, you can view your appointment information within the “Exams” tab of your NCARB Record. You will also receive a confirmation email with your new appointment details.
- 5) **Cancellation only**—After you have canceled your exam appointment, an exam seat will be applied to your NCARB Record within 24 hours. The seat will expire one year from the date of the transaction. Cancellations are subject to the [exam cancellation fee](#).

Rescheduling When Your Test Center is Closed

In the event your test center is closed during your scheduled appointment time, you will be contacted by NCARB. You will also receive a replacement exam seat within your NCARB Record, which you can use to reschedule your exam for a new date and time. Neither NCARB nor PSI will provide impacted candidates with compensation for lost time due to a test center closure.

If you are unsure whether a test center is closed due to inclement weather or any other reason, please refer to [PSI's Test Center Openings page](#). If the center is open, it is your responsibility to keep the appointment. If the center is closed, you will be given the opportunity to reschedule.

Exam Fees and Payment Options

EXAM SCHEDULING FEES

- Cost of the ARE (six divisions): \$1,410
- Individual divisions: \$235
- Retakes: \$235

PAYMENT OPTIONS

You may purchase an exam seat (which is valid for a one-year period) prior to scheduling your appointment, or you may submit payment at the end of the scheduling process. Please note, third-party payment is only available when purchasing exam seats prior to scheduling.

All payment must be made in your NCARB Record using VISA, MasterCard, or American Express.

EXAM RESCHEDULING FEES

You may reschedule your appointment up to 48 hours before an in-person appointment and 24 hours before an online appointment.

Rescheduling fees apply per division attempt:

- You may reschedule an attempt once for free.
- You may reschedule the attempt a second time for a fee of \$50.
- You may reschedule the attempt a third or more times for a fee of \$100.

If you need to retake a division after failing or if your appointment is canceled, the rescheduling count will reset for the next scheduled attempt.

EXAM CANCELLATION FEES

You may cancel your appointment for a \$100 fee up to one hour before your scheduled appointment time. You will receive a replacement exam seat, which will expire one year from the date of the transaction.

REFUNDS

NCARB does not offer refunds of exam, rescheduling, or cancellation fees.

EXAM FORFEITURE

If you fail to arrive at your in-person or online appointment, you will be marked as absent and your entire test fee will be forfeited.

PAYMENT DISCREPANCIES/DEBT

NCARB reserves the right to withhold test scores and suspend test-taking privileges until any outstanding debt or payment discrepancies with NCARB are resolved.

VETERANS AFFAIRS BENEFIT

The ARE has been approved by the Department of Veterans Affairs and qualifies as an education benefit. U.S. military veterans may be eligible for payment assistance to take divisions of the ARE. Please contact your regional Veterans Affairs Office for further details regarding the program, or visit the [Veteran's Affairs website](#).

TESTING ACCOMMODATIONS

Americans With Disabilities Act (ADA) Accommodations

NCARB and PSI are committed to ensuring the availability of reasonable accommodations for qualifying individuals by making feasible modifications to our examination procedures for candidates with documented disabilities or temporary medical conditions. This includes appropriate accommodations for individuals who are pregnant or breastfeeding.

To protect exam security, maintain the validity of the exam, and meet the overall delivery capabilities of the ARE, there are limits to the accommodations that NCARB and PSI are able to provide. NCARB will use the Americans with Disabilities Act (ADA) as a guide when evaluating requests. Common examples of reasonable ADA accommodations include additional break time, extended testing time (up to 50 percent longer), and testing in a separate room within the test center.

Testing accommodations are granted to allow equal access to the ARE and to ensure fairness to all candidates while remaining consistent with ADA principles. NCARB will not grant requests that will alter the measurement of the skills or knowledge that the ARE is intended to test or result in an undue burden on NCARB or PSI.

ACCOMMODATIONS FOR PREGNANCY AND NURSING

NCARB and PSI offer reasonable ADA accommodations for individuals who are pregnant or breastfeeding. Common examples include additional break time, extended testing time (up to 50 percent longer), candidate-supplied food or drink, and testing in a separate room within the test center. If you are planning to test while pregnant or breastfeeding, please [contact NCARB](#) for more information on how NCARB and PSI can support you.

English as a Second Language (ESL) Accommodations

NCARB offers two language accommodations for qualified ARE candidates who speak or read English as a second language. The accommodations include:

- **Additional testing time:** Twenty percent (20%) of the original testing time for each division added as an extension to the original testing time.
- **Word-to-word translation dictionary:** For candidates testing at a PSI test center, use of a personally supplied, printed word-to-word translation dictionary of the candidate's choosing that has no additional notes or markings added to the text. The dictionary will be inspected by test center staff. This accommodation is not available for online proctored exams.

ELIGIBILITY

You are eligible for an ESL accommodation if English is not your native language. You will be required to attest to this as part of the [application process](#).

Applying for ADA Accommodations

Accommodations must be approved prior to the scheduling of an exam appointment and can't be retroactively applied to previously scheduled appointments.

To apply for an ADA testing accommodation, follow the steps outlined below:

1) Complete the ADA Accommodations Request Form Through My NCARB

Log in to My NCARB and navigate to the Exams tab to review and complete the ADA Accommodations Request Form. If applicable, you may provide:

- a) Documentation of any past accommodations to support your request, and/or
- b) A specific diagnosis by an appropriately licensed professional that includes a description of the appropriate accommodations for your condition.

2) Submit the ADA Accommodations Request Form

Submit the completed form, including any documentation, to NCARB via My NCARB. Some jurisdictions may require accommodation requests to be reviewed by the licensing board.

3) Receive Accommodations Approval

Accommodations must be approved prior to the scheduling of an exam appointment. Do not attempt to schedule an appointment before receiving written approval. Please allow 7-10 business days for NCARB to process your request. If your request must be submitted to your licensing board, the process may take longer.

4) Schedule Your Appointment

Once you have been approved for testing accommodations, you will receive instructions on how to schedule an appointment. While some appointments may be able to be scheduled through your NCARB Record, depending on the accommodation, it may be necessary to schedule by phone. **Do not attempt to schedule any exam appointments until you receive written notification that accommodations have been approved.**

Applying for ESL Accommodations

Accommodations must be approved prior to the scheduling of an exam appointment and can't be retroactively applied to previously scheduled appointments.

To apply for ESL testing accommodations, follow the steps outlined below:

1) **Complete the ESL Accommodations Request Form Through My NCARB**

Log in to My NCARB and navigate to the Exams tab to review and complete the ESL Accommodations Request Form. As part of the process, you will be required to provide documentation that verifies the validity of your ESL testing accommodation request. You can learn more about the documentation required on our [website](#). If you need guidance determining acceptable documentation, please [contact us](#).

2) **Submit the Application**

After you have completed the application, submit it via My NCARB.

3) **Receive Accommodations Approval**

Accommodations must be approved prior to the scheduling of an exam appointment. Do not attempt to schedule an appointment before receiving written approval. Please allow 7-10 business days for NCARB to process your request.

4) **Schedule Your Appointment**

Once you have been approved for testing accommodations, you will receive instructions on how to schedule an appointment. While some appointments may be able to be scheduled through your NCARB Record, depending on the accommodation, it may be necessary to schedule by phone. **Do not attempt to schedule any exam appointments until you receive written notification that accommodations have been approved.**

Accommodations Not Supported for Online Appointments

Some available accommodations (e.g. word-to-word translation dictionary, reader, sign language interpreter, physical scratch paper, etc.) are not supported for online-proctored appointments. Candidates requiring these accommodations must test in a test center. If your testing accommodation request is only available via onsite testing, NCARB will inform you during the evaluation process.

Pre-Approved Personal Items

You **DO NOT** need to request testing accommodations for the specific items indicated below. However, if any other accommodations are needed that are not listed below, the formal [testing accommodation request process](#) indicated previously must be followed.

For example, if you wear a hearing aid (which by itself does not require approval) and require a separate room and/or additional break time, etc.; the formal testing accommodation request process indicated previously must be followed.

All pre-approved personal items are subject to inspection by the test center administrator or online proctor. If an approved medical device makes any alert noises, it must be able to be silenced. If you are unable to silence your medical device, you will need to request a formal testing accommodation.

MEDICINE AND MEDICAL DEVICES

- Arm/shoulder sling
- Bandages
- Braces – neck, back, wrist, leg, or ankle
- Casts/cervical collar
- Cough drops (must be unwrapped and not in a bottle/container)
- Earplugs (foam with no strings)
- EpiPen
- Eye drops
- Eye patches
- Eyeglasses (without a case)
- Glucose tablets
- Handheld magnifying glass (non-electric, no case)
- Ice packs/Non-electrical heating pads
- Inhaler
- Medical alert bracelet
- Medical masks
- Medical rubber gloves
- Nitroglycerin tablets
- Pillow/lumbar support
- Pills (must be unwrapped and not in a bottle/container). Candidates may bring pills that are still in the packaging if the packaging states they **MUST** remain in the packaging, such as nitroglycerin pills that cannot be exposed to air.

- Stool for elevating a limb
- Surgical facemask
- Walking boot casts

MEDICAL DEVICES (ATTACHED TO A PERSON'S BODY)

- Catheter
- Ostomy bag/appliance
- Insulin pump
- Oxygen tank
- Spinal cord stimulator
- TENS units (Transcutaneous Electrical Nerve Stimulation) for nerve pain
- Urine drainage bag

COMMUNICATION AIDS

- Hearing aid/cochlear implant
- Vocal cord magnifiers

MOBILITY DEVICES

- Cane
- Crutches
- Walker
- Wheelchair

OTHER

- Service animal

IDENTIFICATION REQUIREMENTS

When you arrive at the test center or online-proctored exam check-in, you will be required to present an acceptable form of identification as outlined below. **You will not be admitted to the examination without acceptable identification, and there will be no refund of your test fee.**

Your identification must be valid (not expired) and include your full name, photo, and signature. The first and last name on the identification must be the same as the first and last name that appears in your [NCARB Record](#). If you need to change the name shown in your NCARB Record, you must send a request and official documentation to [NCARB](#). **Name discrepancies must be resolved at least seven (7) business days prior to your scheduled exam appointment.**

ACCEPTABLE FORMS OF IDENTIFICATION

- Driver's license
- State issued ID
- Passport
- National ID card
- Residency card
- Green card

UNACCEPTABLE FORMS OF IDENTIFICATION

- Expired ID
- ID with no photo or signature
- Military ID
- Draft classification card
- Letter of identity from a notary
- Social Security card
- Credit card or bank card of any kind
- Employee ID

If you are testing using online proctoring, your webcam must have the ability to autofocus on your ID, or you will not be able to complete the check-in process.



TAKING AN EXAM AT A PSI TEST CENTER

Before scheduling an exam at a test center, please read about PSI test centers on [PSI's Taking the ARE webpage](#) and review the test center policies and procedures outlined in this document.

Arriving at the Test Center

You should arrive at the test center **at least 30 minutes before your scheduled appointment**. If you arrive later than 30 minutes after your scheduled appointment time, you may be required to forfeit your appointment and your test fee will not be refunded.

Your test session should begin within 30 minutes of your scheduled appointment. If circumstances arise that delay your test session more than 30 minutes after your scheduled appointment time, you will be given the choice of continuing to wait or rescheduling your appointment.

Upon arrival at the PSI test center, you must review and sign the [PSI Test Center Candidate Security Agreement](#). If you do not sign the agreement, your exam will be canceled, and all exam fees will be forfeited. After signing in with the proctor, you must remain in the test center throughout your exam appointment. Leaving the test center for any reason during your exam, including while on a break, may result in your exam being canceled, and there will be no refund of your test fee.



Personal Belongings at the Test Center

Before beginning the security screening, you will be asked to present a proper form of identification, as outlined in the [Identification Requirements](#) section of this document, and place all personal belongings into a secure storage locker or bag provided by PSI.

Personal belongings include, but are not limited to, the following items:

- **Electronic devices of any type (must be turned off)**, including cell phones, smart watches, computers, calculators, tablets, headphones, earbuds, etc.
- **Bulky or loose clothing or coats** that could be used to conceal recording devices or notes, including all outerwear
- **Hats or headgear not worn for religious reasons**
- **Reference materials, notebooks, paper, and pens**
- **Other personal items**, including purses, wallets, keys, backpacks, large jewelry, food, drinks, etc.

Small lockers or storage bags are provided at test centers for candidates' use to secure small personal items only. Lockers or storage bags **WILL NOT** accommodate large items like briefcases, backpacks, laptops, purses, or other large personal items. Do not bring large items to the testing center. Any personal belonging that does not fit into a secure locker or locker bag may not remain in the test center, with no exceptions. **Failure to comply may result in your exam being canceled, and there will be no refund of your test fee.**

You will not have access to your personal belongings that are placed in secure storage while in the testing room. You may access your personal belongings in secure storage after first completing the check-out procedure with the proctor, either by going on break during your test or by completing your test administration.

Security Screening

To ensure the integrity of the ARE, specific security measures are enforced prior to and during your exam administration. You will be subject to a security screening prior to entering the testing room, including returns from breaks.

During the screening, you will be asked to complete the following:

- Roll up/roll down sleeves
- Roll up pant legs (to the knee)
- Empty all pockets, including back pockets
- Remove glasses for inspection
- Show ears to ensure electronic devices are not in use

Candidates refusing to be scanned may not be permitted to test.

Following the security screening, you will be escorted to a workstation by the proctor. You must remain in your seat during your examination, except when authorized to leave by the test center staff.

Taking a Break During Your Exam

Each division of the ARE includes break time, which may be used all at once or split into multiple breaks throughout your test until you have used up the allotted time. If you need additional breaks beyond your allotted time, you may take a break, but the exam timer will continue to count down. During a break, you must remain within the PSI test center. Leaving the test center during a break may result in your exam being canceled, and there will be no refund of your test fee.

For every break you wish to take during your exam, you will be required to navigate to the “On Break” screen and notify the proctor that you intend to take a break. **Failure to do so may result in your exam being terminated.**

Please make sure to use the following process when taking a break:

- 1) Navigate to the “Exam Summary” page.
- 2) Click the “Break” button in the upper-right corner.
- 3) A pop-up window will appear that asks, “Do you wish to start a break?” Click “Yes” in the lower left corner if you are sure you want to use your break time.
- 4) The “On Break” screen will appear.
- 5) Notify the proctor that you are starting a break.
- 6) You must comply with all PSI re-admittance security procedures each time you return from a break.

Following a break, all items that you have already viewed will be locked, including those marked for later review, and you will not be able to view or edit them again.

Completing Your Exam

When you are finished answering all items within your exam, click the “End Exam” button and confirm through the pop-up that you would like to submit your exam for scoring.

After ending your exam, you will be given the option to view provisional feedback on your exam performance. You can read more about ARE scoring in the [Receiving Your Score](#) section of this document.

When you are finished with your examination, quietly leave the testing room. The test center administrator will dismiss you after completing all necessary PSI check-out procedures.



Technical Issues During Your Exam

If a software or hardware problem occurs before or during your exam administration, please follow the steps outlined below:

1) **Notifying the Proctor**

Immediately raise your hand and notify the proctor that you are experiencing a technical issue. If there is an error message on the screen, do not clear the message.

2) **Troubleshooting the Issue**

Allow the proctor and technical support team sufficient time to troubleshoot and resolve the issue. In the event your computer must be restarted, the exam delivery software has been designed to suspend testing time until the computer is operating again. Most candidates who experience an exam restart are able to complete their exam administration without further interruption.

If the proctor and technical support team are able to resolve the issue within 30 minutes, you are expected to complete your exam administration. If the technical issue delays your test session more than 30 minutes, you will be given the choice of continuing to wait or rescheduling your appointment.

3) **Reporting the Technical Issue**

If your exam administration cannot be administered because of technical issues, please file an incident report with the proctor and [contact NCARB in writing](#). **DO NOT** wait until you've received your test results to contact NCARB. All concerns must be received within 15 days of your appointment date.

Filing an incident report with the proctor does not satisfy the requirements of notifying NCARB directly.

4) **NCARB Investigation**

Upon receiving your communication regarding your exam technical issue, NCARB will investigate the technical issue, including reviewing any logs, documentation, or reports provided by PSI. Following the investigation, which may take up to five business days, NCARB will reach out to you directly.

5) **Resolution**

If it is determined that the technical issue was due to an exam software malfunction or other issue outside of your control, NCARB will provide you with a replacement exam seat and new exam eligibility. NCARB will not provide candidates who experience a technical issue with compensation for lost time.

- If you viewed 75 percent or more of the items on your exam prior to the technical issue occurring, you will be subject to the 60-day retest policy, and your exam will count as a valid, scored exam within your NCARB Record.
- If you viewed fewer than 75 percent of the items on your exam prior to the technical issue occurring, you will be provided immediate eligibility to reschedule your exam, you are exempt from the 60-day retest policy, and your exam score will be invalidated within your NCARB Record.

Candidate Conduct at the Test Center

A candidate who engages in misconduct, unprofessional behavior, and/or does not heed the administrator or proctor's warning to discontinue inappropriate behavior may be dismissed from the test center, have examination results canceled, have examination eligibilities suspended, and/or be referred to NCARB's Professional Conduct Committee for disciplinary review. No refunds will be provided for exams impacted or canceled due to candidate misconduct.

Examples of misconduct in the test center include:

- Failing to follow the instructions of the test center administrator.
- Violating the test center regulations.
- Creating a disturbance of any kind.
- Removing or attempting to remove examination questions and/or responses (in any format).
- Attempting to take the examination for someone else.
- Tampering with the operation of the computer or attempting to use it for any function other than taking the examination.
- Leaving the testing room without permission.
- Using any unauthorized references or devices.
- Accessing, or attempting to access, inappropriate materials during the exam.

Candidates who engage in any form of misconduct are subject to NCARB's [Policy for the ARE: Exam Candidate Conduct](#), which establishes procedures in the case of candidate misconduct.

For more information on candidate misconduct, please reference the [Exam Security and Candidate Misconduct](#) section of this document.

TAKING AN ONLINE-PROCTORED EXAM WITH PSI

Prior to scheduling an online-proctored exam with PSI, please read and understand the following policies, procedures, and requirements surrounding online testing. **By scheduling a division of the ARE in this delivery setting, you are acknowledging that your system and testing environment meet all requirements outlined by both [PSI](#) and NCARB.**

If you believe that you can't meet the requirements for online proctoring outlined within this section, please consider testing in-person at a physical test center. If you schedule an online-proctored appointment but do not meet the requirements and are unable to test because you do not meet the requirements, **you accept responsibility for any fees lost as a result.**

Scheduling a Test Run

Before taking an online-proctored exam, **it is highly recommended that you take a free PSI test run to confirm with a proctor that your computer and testing environment meet the requirements to take an online exam.** You can schedule this appointment through the “Exams” tab within your [NCARB Record](#).

Before you schedule a test run, be aware of the following:

- The test run is designed to help you identify potential problems with your online testing setup. You should schedule your test run far enough in advance of your actual ARE appointment that you are able to implement a solution or reschedule if necessary.
- You should be prepared to use the exact same setup for your test run appointment that you are planning to use for your actual ARE appointment. It's also recommended that you take your test run at the same time of day as you plan to take the ARE.
- The test run will operate on PSI's secure testing browser, Bridge, just like the actual exam.
- During your test run appointment, you'll go through the same check-in process that you can expect during your ARE appointment.

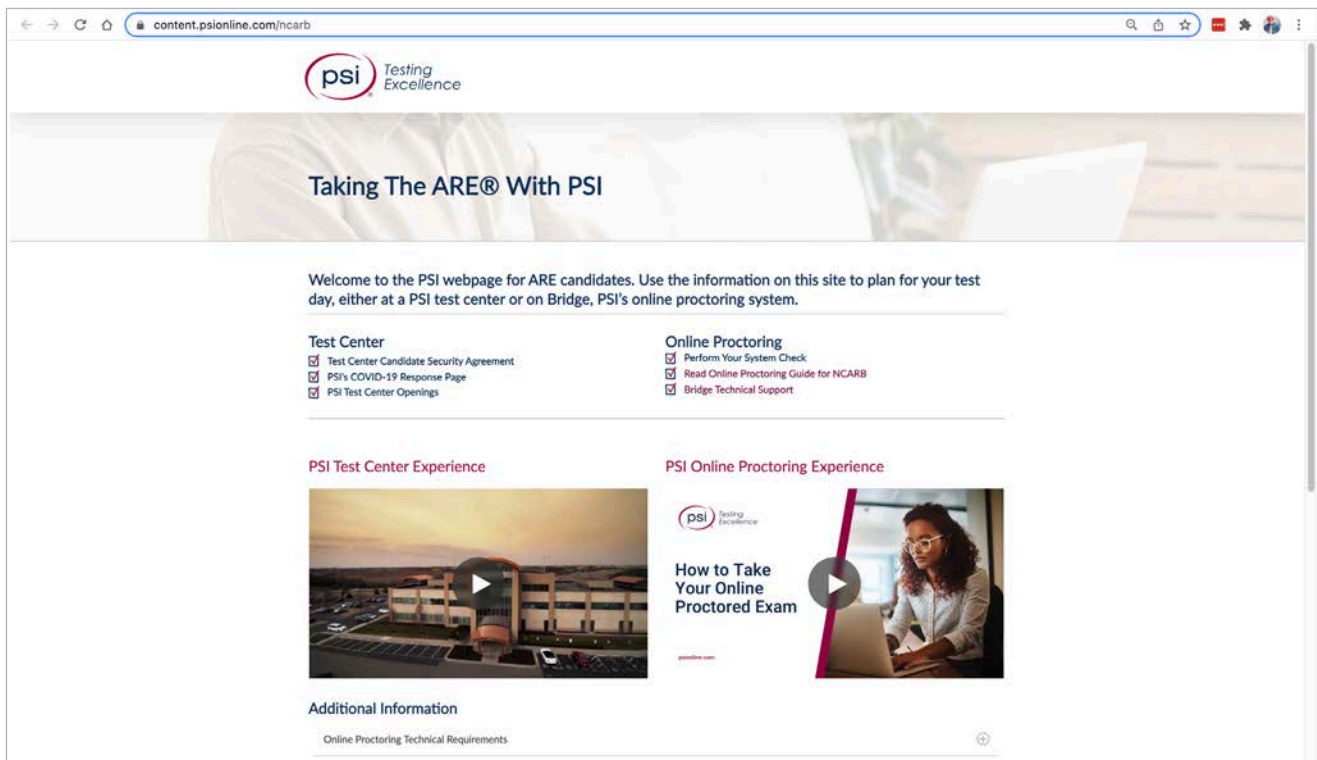
You'll also see a short, unscored “quiz” covering the requirements for online proctoring. If you run into a technical issue during your test run, work with PSI's proctor and technical support team to identify and resolve the issue.

PSI Technical Requirements and Systems Check

Before scheduling an online-proctored exam, please read and understand the requirements and policies within [PSI's Taking the ARE webpage](#), including the [Online Proctoring Guide for NCARB](#).

This PSI documentation includes the following content:

- A link to [perform a systems](#) check and download Bridge. This check typically takes 1-2 minutes. When you run the check, please try to replicate the conditions under which you expect to take your test. Use the same computer, at the same time of day, in the same room, and with the same setup.
- Technical requirements to run Bridge
- Environmental requirements
- Directions on how to check in and launch your exam
- Bridge technical support
- Prohibited items
- Prohibited actions during your exam
- Online proctoring FAQs



NCARB Technical Requirements

In addition to [PSI's requirements](#), NCARB has established the following technical requirements to support the online delivery of the ARE. In instances where PSI's and NCARB's requirements do not align, please adhere to the most stringent requirements.

COMPUTER:

- Laptop or desktop computer in a single monitor configuration. Tablets, Chromebooks, and touchscreen monitors are not acceptable. Tablet/laptop hybrids must be configured in laptop mode with tablet mode disabled. All cables connected to the computer and/or peripheral devices must be accessible and visible for full inspection prior to testing. **You must have administrative permissions on the computer you plan to use for testing. PSI's Bridge secure browser may require you to modify computer settings and close prohibited programs.**

LAPTOP SETUP:

- Laptops are required to be plugged directly into a power source and unattached from a docking station. If you wish to use a single external monitor configuration with your laptop, connect a computer monitor cable directly from your external monitor to your laptop and close the laptop screen. You will not be able to use the laptop's integrated keyboard or trackpad.

WEBCAM:

- You must use an external webcam (even if you are testing from a laptop with an integrated webcam) with the flexibility and cord length to provide a 360-degree view of your testing environment including under your workstation and behind any monitor. **Integrated webcams are NOT acceptable.** Your camera should have the ability to autofocus to allow the proctor to fully visualize your ID, your surroundings, and yourself during the check-in process and throughout testing.

KEYBOARD:

- Laptop or external keyboard. If you test from a laptop plugged into an external monitor, you must close your laptop screen and use an external keyboard. If you use a wireless keyboard, ensure the batteries are fully charged and can last for the duration of the exam.

AUDIO:

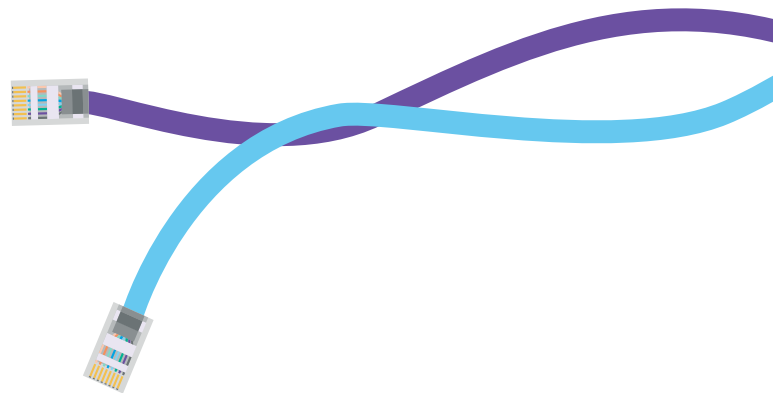
- Your microphone must be enabled at all times, and **headphones, headsets, or earbuds are NOT allowed.** Adjust the speaker volume to a comfortable setting before launching the Bridge software.

MOUSE:

- Laptop trackpad or mouse. If you use a wireless mouse, ensure the batteries are fully charged and can last for the duration of the exam. If you test from a laptop plugged into an external monitor, you must close your laptop screen and use an external mouse.

MONITOR:

- A single 19-inch or larger monitor displaying at 1920 x 1080 resolution is recommended.



INTERNET:

- You will need a minimum of three (3) mbps of dedicated bandwidth connected through an ethernet cable. **A WiFi connection should not be used.** Make sure there is no additional load (video streaming, gaming, music, etc.) on your internet connection during your exam administration. Consider scheduling your exam at a time when other individuals in your household/secure testing location will not be online. **You are responsible for ensuring a stable internet connection throughout the duration of your exam.**

NETWORK AND COMPUTER SECURITY SETTINGS:

- Bridge accesses your computer, including your camera and microphone, which may be identified as a security threat by your system. **Remember, you must have administrative permission on your computer to make changes to security settings.** Prior to your exam, adjust or disable the security settings on your computer, router, and those set through your internet service provider (ISP) to ensure Bridge is not blocked throughout your appointment. If you're unsure how to check your ISP security settings, reach out to your ISP provider directly.

VIRTUAL PRIVATE NETWORK (VPN):

- Connecting your computer through a VPN can impact the performance of the exam delivery software, so you'll need to disable it prior to your exam. If using a company computer, reach out to your company's IT support team for assistance in identifying your VPN and disabling it.

OTHER COMPUTER APPLICATIONS:

- Allowing your computer to run applications in the background while testing via Bridge will impact the performance of the exam delivery software. **To limit technical disruptions, make sure to close all applications prior to launching Bridge.**

As an online tester, you take full responsibility for ensuring your setup meets the requirements for online proctoring. This includes the integrity of equipment, internet connectivity, system performance or other issues related to but not limited to the above that are outside of the control of NCARB, PSI, or NCARB's other test delivery vendors.

NCARB is not able to provide technical support regarding individual setup for online-proctored delivery. Prior to your testing day, review [PSI's Online Proctoring Guide for NCARB](#) and other information on [PSI's Taking the ARE](#) webpage.

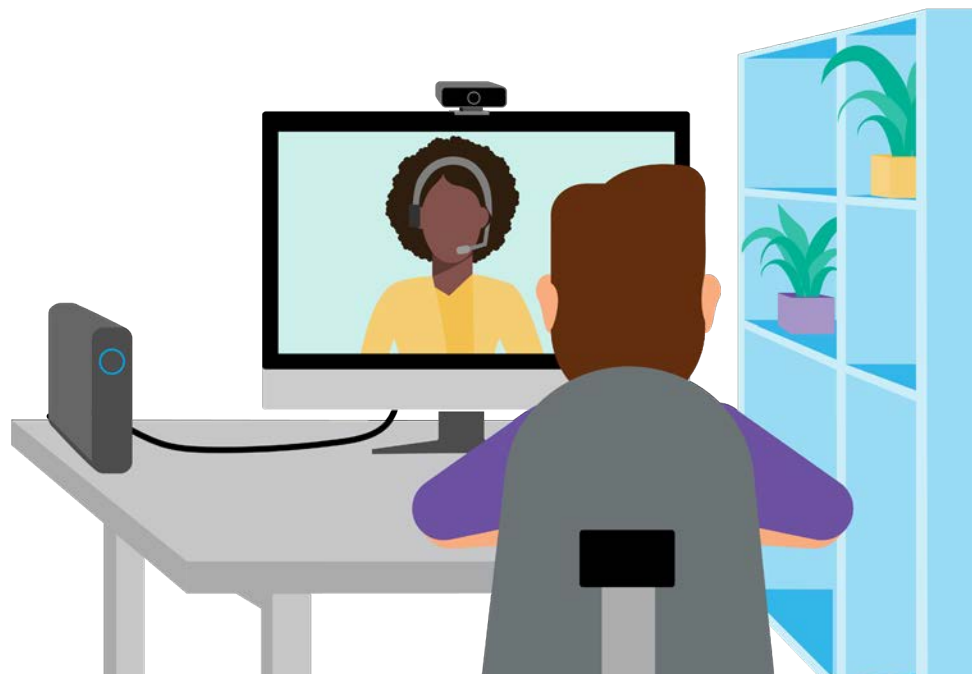
Setting Up Your Testing Space

Whether you test at your home, office, school, or other location, your testing environment must meet the following requirements and any others outlined by [PSI](#):

- **Indoors:** You must test indoors in a walled environment.
- **Privacy:** You must have a private space, preferably with a single closing door. No people or animals can be present in the room while you test. If your testing room does not have a door, you can block the entrance with a bed sheet.
- **Lighting:** Your testing environment must be well-lit.
- **Quiet:** Your room must be free of background noise.
- **Workspace:** Your computer must be placed on a clutter-free table or desk. You cannot test with your computer in your lap.
- **Free from distractions:** The room must be as uncluttered as possible. Your workspace and the surrounding area must be free of:
 - Reference materials, scratch paper, pens/pencils, notepads, or language dictionaries
 - Calculators
 - Cell phones, smart watches, tablets, or other electronic devices
 - Headphones, earbuds, or any in-ear device
 - Baggage, handbags, purses, wallets, or briefcases
 - Food or beverages
 - Tobacco or other smoking products

If the room you plan to test in has other screens (such as a television), a bookcase, or clutter, please cover these areas with a bed sheet.

If you are viewed by the proctor with any prohibited items during your exam administration, your exam will be terminated, and your exam fees will be forfeited.



Launching Your Online Exam

Before launching your online exam, ensure that your testing environment and system are setup to meet all requirements outlined by both [NCARB](#) and [PSI](#). Failure to appropriately meet the online proctoring requirements may prevent you from testing, and any fees will be lost as a result.

To launch your online-proctored exam, follow the steps outlined below:

1) Be Ready 30 Minutes Prior to your Exam

You should be prepared to log into your online exam 30 minutes before your scheduled appointment. If you log in later than 30 minutes after your scheduled appointment time, you may be required to forfeit your appointment and your test fee will not be refunded.

2) Log into your NCARB Record

Navigate to [NCARB.org](#) and log into your [NCARB Record](#). Click on the “Exams” tab to view all scheduled exams.

3) Locate Your Scheduled Exam

Next, you’ll need to locate your scheduled exam and confirm the exam division, date, and time. Next, click the “Launch Exam” button.

4) Download and Install PSI’s Bridge Secure Browser

After clicking the “Launch Exam” button, a PSI page will display and automatically download PSI’s Bridge secure browser. You’ll need to install Bridge on your computer and launch the application.

5) Confirm Your Camera and Microphone

You will be asked to select a webcam and microphone prior to moving to the security screening check-in process. Remember, you will need to have an external webcam with autofocus to successfully take your exam online. This prompt may not appear if you have only one camera or one microphone.

At this point, you have successfully launched PSI’s Bridge secure browser and are prepared to begin the check-in and security screening process. PSI requires all online-proctored candidates to complete the check-in process each time they access their test, including returns from breaks. **Candidates refusing to complete the check-in process will not be permitted to test.**

Security Screening

To ensure the integrity of the ARE, specific security measures are enforced prior to and during your exam administration. You will be subject to a security screening prior to beginning your exam, including returns from breaks.

Prior to your exam, you will be asked to complete a brief check-in process and security screening, requiring you to complete the following:

- Close any prohibited programs or processes you have running on your computer as identified by the secure browser
- Accept [PSI's Online Proctoring Candidate Privacy Agreement](#)
- Authenticate your identity by taking a picture of your photo ID. Your ID must meet the requirements outlined in the [Identification Requirements for Check-in](#) section of this document. **Please note, failure to have an external webcam with autofocus will prevent the software from capturing a clear picture of your ID, which may prevent you from testing.**
- Authenticate your identity by taking a selfie
- Complete a 360-degree scan of your testing environment, including the entire worksurface
- Roll up/roll down your sleeves and show your arms to the camera
- Show ears to ensure electronic devices are not in use
- Remove and show glasses

Candidates refusing to complete the check-in process or security screening may not be permitted to test.

Taking a Break During Your Online Exam

Each division of the ARE includes break time, which may be used all at once or split into multiple breaks throughout your test until you have used up the allotted time. If you need additional breaks beyond your allotted time, you may take a break, but the exam timer will continue to count down.

For every break you wish to take during your exam, you will be required to navigate to the “On Break” screen and notify the proctor via chat that you intend to take a break. **Failure to do so may result in your exam being terminated.**

Please make sure to use the following process when taking a break:

- 1) Navigate to the “Exam Summary” page.
- 2) Click the “Break” button in the upper-right corner.
- 3) A pop-up window will appear that asks, “Do you wish to start a break?” Click “Yes” in the lower left corner if you are sure you want to use your break time.

- 4) The “On Break” screen will appear.
- 5) Notify the proctor that you are starting a break.
- 6) After you have completed your break, please inform the proctor via chat before resuming your exam. You must comply with all PSI re-admittance security procedures each time you return from a break.

Following a break, all items that you have already viewed will be locked, including those marked for later review, and you will not be able to view or edit them again.

Completing Your Online Exam

When you are finished answering all items within your exam, click the “End Exam” button and confirm through the pop-up that you would like to submit your exam for scoring.

After ending your exam, you will be given the option to view provisional feedback on your exam performance. You can read more about ARE scoring in the [Receiving your Score](#) section of this document.

When you are finished with your examination, click the “End Proctoring Session” button inside PSI’s Bridge software and confirm you want to permanently end your exam session.

Technical Issues During Your Online Exam

In the event that a software or hardware problem occurs before or during your exam administration, please follow the steps outlined below:

TECHNICAL ISSUES PRIOR TO LAUNCHING YOUR ONLINE EXAM

1) Review the Online Proctoring Technical Requirements

Failure to meet the online proctoring technical and system requirements outlined by NCARB and [PSI](#) will prevent the Bridge software and your exam from successfully launching.

Prior to contacting PSI Technical Support, ensure your system setup, including internet speed, security settings, and VPN meet all online proctoring requirements. **NCARB is not able to provide technical support regarding individual system setup for online-proctored delivery.**

2) Contact PSI Technical Support

After verifying that your system setup meets all requirements, please reach out to PSI Technical Support at 855-560-3716. Allow the PSI Technical Support team sufficient time to troubleshoot and resolve the issue.

3) Reporting the Technical Issue

If your exam cannot be administered because of technical or software issues, please [contact NCARB](#) in writing within 15 days of your appointment date.

4) NCARB Investigation

Upon receiving your communication regarding your exam technical issue, NCARB will investigate the technical issue, including reviewing any logs, documentation, or reports provided by PSI. Following the investigation, which may take up to five business days, NCARB will reach out to you directly.

5) Resolution

If it is determined that the technical issue was due to an exam software malfunction or other issue, outside of your control, NCARB will provide you with a replacement exam seat and new exam eligibility. The 60-day retest policy does not apply to exams that failed to launch. NCARB will not provide candidates who experience a technical issue with compensation for lost time.

If the investigation determines that your examination could not be administered due to your online proctoring setup, outside of the control of NCARB and its vendors, all exam fees will be lost, and NCARB will not provide you with a replacement exam seat. You will be provided with a new exam eligibility only. The 60-day retest policy does not apply to exams that failed to launch.

TECHNICAL ISSUES DURING YOUR ONLINE EXAM**1) Notifying the Proctor**

Immediately inform the proctor via the chat feature that you are experiencing a technical issue. If there is an error message on the screen, do not clear the message.

If you lose internet connection during your exam and are disconnected, you can restart Bridge when your connection stabilizes, and you will be assigned to the first available proctor. The exam delivery software has been designed to suspend testing time until the computer is operating again.

2) Contact PSI Technical Support

After informing the proctor of the technical issue, please reach out to PSI Technical Support at 855-560-3716. Allow the PSI technical support team sufficient time to troubleshoot and resolve the issue.

If the technical support team is able to resolve the issue within 30 minutes, you are expected to complete your exam administration. If the technical issue delays your test session more than 30 minutes, you will be given the choice of continuing to wait or rescheduling your appointment.

3) Reporting the Technical Issue

If your exam administration cannot be administered because of technical issues, please file an incident report with the proctor and [contact NCARB in writing](#). **DO NOT** wait until you've received your test results to contact NCARB. All concerns must be received within 15 days of your appointment date.

Filing an incident report with the proctor does not satisfy the requirements of notifying NCARB directly.

4) NCARB Investigation

Upon receiving your communication regarding your exam technical issue, NCARB will investigate the technical issue, including reviewing any logs, documentation, or reports provided by PSI. Following the investigation, which may take up to five business days, NCARB will reach out to you directly.

5) Resolution

If it is determined that the technical issue was due to an exam software malfunction or other issue, outside of your control, NCARB will provide you with a replacement exam seat and new exam eligibility. NCARB will not provide candidates who experience a technical issue with compensation for lost time.

- If you viewed 75 percent or more of the items on your exam prior to the technical issue occurring, you will be subject to the 60-day retest policy, and your exam will count as a valid, scored exam within your NCARB Record.
- If you viewed fewer than 75 percent of the items on your exam prior to the technical issue occurring, you will be provided immediate eligibility to reschedule your exam, you are exempt from the 60-day retest policy, and your exam score will be invalidated within your NCARB Record.

If the investigation determines that your examination could not be administered due to your online proctoring setup, outside of the control of NCARB and its vendors, all exam fees will be lost and NCARB will not provide you with a replacement exam seat. You will be provided with a new exam eligibility only. If you viewed 75 percent or more of the items on your exam prior to the technical issue occurring, you will be subject to the 60-day retest policy, and your exam score will remain valid within your NCARB Record.

Candidate Conduct During Your Online Exam

A candidate who engages in misconduct, unprofessional behavior, and/or does not heed the administrator's or proctor's warning to discontinue inappropriate behavior may be dismissed from their online administration, have examination results canceled, have examination eligibilities suspended, and/or be referred to NCARB's Professional Conduct Committee for disciplinary review. No refunds will be provided for exams impacted or canceled due to candidate misconduct.

Examples of misconduct during an online exam include:

- Leaving the testing room or your desk/worksurface without clicking the break button and informing the proctor.
- Accessing, or attempting to access, prohibited items.
- Using any unauthorized references or devices.
- Obstructing the proctor's view.
- Creating noise, unrelated to keyboard typing, including speaking aloud.
- Using your computer for any function other than taking the examination.
- Failing to maintain a private testing environment.
- Eating or drinking.
- Failing to follow the instructions of the proctor.
- Attempting to take the examination for someone else.
- Copying or attempting to copy examination questions and/or responses (in any format).

Candidates who engage in any form of misconduct are subject to NCARB's [Policy for the ARE: Exam Candidate Conduct](#), which establishes procedures in the case of candidate misconduct. For more information on candidate misconduct, please reference the [Exam Security and Candidate Misconduct](#) section of this document.

RECEIVING YOUR SCORE

Score Reporting

All divisions of the ARE are administered and graded by computer on a pass/fail basis. Keep in mind that:

- Validated and official test results are not released at the test center or during online-proctored delivery.
- Provisional feedback is provided following an exam. For more information on this feedback and what it means, see the Provisional Feedback section below.
- All exam results are analyzed using data forensics to detect exam performance abnormalities, anomalous candidate behavior, unusual testing circumstances, candidate misconduct, and other information that might raise questions about the validity of exam results. For more information on this process, review the [Anomalous Exam Performance](#) section of this document.

PROVISIONAL FEEDBACK

At the end of each exam, you will be asked if you would like to view provisional feedback on your exam performance. The provisional feedback displayed on screen will inform you of your overall likelihood to pass or fail the division. **The feedback provided is preliminary, unofficial, and based on unvalidated test results.** A printout of the feedback will not be provided following your exam. To view provisional feedback following your exam administration, follow the steps outlined below:

- 1) When you have answered all questions within your exam, click the “Exam Summary” button and then the “End Exam” button.
- 2) Next, you’ll need to confirm you are ready to submit your results for scoring by clicking the “Yes. End Exam and Submit.” button within the pop-up message.
- 3) You must now navigate through **ALL** closing screens to view provisional feedback. Read the summary of your obligations to maintain the confidentiality of the ARE on the candidate agreement reminder screen and click the “End Exam” button.
- 4) You will then see a screen asking if you would like to view provisional feedback on your performance. You must click on the “Yes, View Feedback” button.

Your provisional feedback will not display if you fail to click this button or respond within the allotted two minutes.

- 5) After clicking the “Yes, View Feedback” button, you will then be presented with your provisional feedback.

Your provisional feedback will not display if you fail to navigate through all the closing screens within the exam software or exit the secure browser application.

OFFICIAL SCORE REPORT

Your official score report will be available in the “Exams” tab in your [NCARB Record](#) within **7-10 days of your test date**. After forensic data analysis has been completed and your score has been processed, you will be notified via email when your results are available for viewing in your NCARB Record. The official score report contains complete information about the appointment and your performance on the exam, as well as rolling clock information if you are seeking licensure from a jurisdiction that has a rolling clock-type requirement. For information on how to read your official score report, review the [Reading Your Official Score Report](#) section of this document. To find out if your jurisdiction has a rolling clock requirement, view the list of jurisdictions on [NCARB’s website](#).

Reading Your Official Score Report

All official score reports are clearly labeled pass or fail along the top of the first page. On passing score reports, the division's expiration date—five years after the date of your exam—is also noted. Reports include a verification link should anyone need to confirm the authenticity of your score. If you are seeking licensure from a jurisdiction that does not have a rolling clock-type requirement, the bottom half of your first page is blank. If you are seeking licensure from a jurisdiction that does have a rolling clock-type requirement, all your rolling clock information and testing history is provided on the lower half of the first page.

All score reports include the division name and score (pass or fail). Passing score reports also include the division's expiration date.

Reports include a link should anyone need to verify the authenticity of your score.


You will need your Record Number when contacting NCARB Customer Service.

This box contains a summary of your score report.

If you are seeking licensure from a jurisdiction that has a rolling clock-type requirement, all of your rolling clock information is in this section. **Otherwise, this section is blank.**

If you are seeking licensure from a jurisdiction that has a rolling clock-type requirement, this is how long you have left to complete remaining divisions before your oldest passing score expires.

If you are seeking licensure from a jurisdiction that has a rolling clock-type requirement, these are the expiration dates for each division you've passed.



Architect Registration Examination®
ARE® SCORE REPORT

Project Management 5.0

PASS

TO AUTHENTICATE THIS SCORE GO TO: <http://verify.ncarb.org>

Expires: 12-04-2026

CANDIDATE NAME: Name

ADDRESS: 1234 J Street NW
Washington, DC 20006

NCARB RECORD NO: 000000

JURISDICTION: DC

DIVISION: Project Management 5.0

TEST RESULT: Pass

REGISTRATION ID: 000000

TEST DATE: 12-04-2021

SCALED SCORE*: 000

*Scaled results range from 100 to 800 with a result of 550 representing the minimum threshold of acceptable performance. This scale allows candidates to have a common metric for interpreting scores across administrations and divisions. Scaled scores are not available for exams taken prior to June 1, 2022.

NCARB ROLLING CLOCK
Status as of 12-17-2021

DIVISION	DATE TESTED/ CREDITED	RESULT/ CREDITED RESULT	EXPIRATION DATE	STATUS
Practice Management 5.0 (ARE50-PCM)	10-18-2021	PASS	10-18-2026	Valid
Project Management 5.0 (ARE50-PJM)	12-04-2021	PASS	12-04-2026	Valid
Programming & Analysis 5.0 (ARE50-PA)				
Project Planning & Design 5.0 (ARE50-PPD)				
Project Development & Documentation 5.0 (ARE50-PDD)				
Construction & Evaluation 5.0 (ARE50-CE)				

You have 4 year(s), 10 month(s), and 1 day(s) to pass ARE50-PA, ARE50-PPD, ARE50-PDD, and ARE50-CE or other divisions may expire.

Please note: In addition to NCARB's Rolling Clock Policy, your jurisdiction may have its own retake limit/exam validity timeframe. Please contact your jurisdiction directly to determine your exam status under its rules and policies.

Failing score reports include a Scaled Score, allowing candidates to have a common metric for interpreting scores across administrations and divisions. Passing score reports do not include a Scaled Score.

The range is the percentage a section is worth toward determining your overall division score.

This information describes the sections tested in this division. These sections are also listed in the chart below.

The information in the table details the composition of this division and your performance within each area.

Your % Correct is the percentage of scored questions you answered correctly in each content area.

Passing Candidates % Correct is the average percentage of scored questions answered correctly by candidates who previously passed this division.

CANDIDATE NAME: Name REGISTRATION ID: 000000

Construction & Evaluation 5.0

TO AUTHENTICATE THIS SCORE GO TO: <http://verify.ncarb.org>

DIVISION STATEMENT

Deliver professional services during project construction; translate construction documents and specifications to communicate and bring clarity to design intent; coordinate construction activities to meet design intent; evaluate completed projects.

**SECTION 1:
PRECONSTRUCTION ACTIVITIES**
(17-23 percent of scored items)

- 1.1 Interpret the architect's roles and responsibilities during preconstruction based on delivery method
- 1.2 Analyze criteria for selecting contractors
- 1.3 Analyze aspects of the contract or design to adjust project costs

**SECTION 2:
CONSTRUCTION OBSERVATION**
(32-38 percent of scored items)

- 2.1 Evaluate the architect's role during construction activities
- 2.2 Evaluate construction conformance with contract documents, codes, regulations, and sustainability requirements
- 2.3 Determine construction progress

**SECTION 3:
ADMINISTRATIVE PROCEDURES & PROTOCOLS**
(32-38 percent of scored items)

- 3.1 Determine appropriate additional information to supplement contract documents
- 3.2 Evaluate submittals including shop drawings, samples, mock-ups, product data, and test results
- 3.3 Evaluate the contractor's application for payment
- 3.4 Evaluate responses to non-conformance with contract documents

**SECTION 4:
PROJECT CLOSEOUT & EVALUATION**
(7-13 percent of scored items)

- 4.1 Apply procedural concepts to complete close-out activities
- 4.2 Evaluate building design and performance

DATE TESTED: 12-10-21

**ARE® SCORE
REPORT**

This division of the ARE contains four sections as described in the score report. The information in the table below details the composition of this division and your performance within each section at the time of the assessment. On this division, candidates must correctly answer between 58% - 65% of the total number of scored questions to receive a passing score. The passing score may vary between different divisions or administrations based on the relative difficulty of the items on each exam form. This ensures that all candidates are held to the same level of competency.

Your scaled score as reported on page 1 is based on the total points you earned across all sections and is more reliable measure than your section performance. The fail decision for this attempt was based on your total score and is a reliable reflection of your expected performance until you gain further competence. You must earn a pass in a single administration as no partial credit is accumulated from this or previous attempts at this division.

Section	Your % Correct ¹	Passing Candidates % Correct ²
Content Area 1: Preconstruction Activities	38%	74%
Content Area 2: Construction Observation	58%	74%
Content Area 3: Administrative Procedures & Protocols	54%	75%
Content Area 4: Project Closeout & Evaluation	57%	78%

1. **Your % Correct** is the percentage of scored questions you answered correctly in each content area.

2. The **Passing Candidates % Correct** is the average percentage of scored questions answered correctly by candidates who previously passed this division.

Information about feedback and scoring is provided here.

Sharing Your Score

NCARB recognizes your right to control any personal information that NCARB (or its third-party service providers) maintain. NCARB policy is designed to safeguard this information from unauthorized disclosure. To protect your right to control score distribution, NCARB will only release your score reports under two circumstances:

- 1) **NCARB will release your score reports to the board of architecture where you are seeking licensure.** A board of architecture may reserve the right to cancel one or more of your test scores, if, in its sole opinion, there is any reason to question its validity.
- 2) **NCARB may release test scores for use in research studies or under compulsion of legal processes.** In the case of research studies, NCARB will ensure that your anonymity is preserved.

The Passing Standard

Passing or failing the ARE depends solely on your level of performance in relation to the established point representing entry-level competence. Careful judgment has been exercised in setting the passing standards for all divisions of the ARE. The passing scores are the same for every board of architecture and are not affected by the number of people who pass or fail each division of the examination. There is no fixed percentage of candidates who pass or fail the ARE.

ARE Scoring

ITEM SCORING

Each item, regardless of item type, is worth one point and is scored as either correct or incorrect. There is no partial credit for completing just part of an item correctly. You'll earn a point if you answer correctly, but you won't lose a point if you answer incorrectly. Because of this, you should answer every question presented. If you are not sure of the correct answer, make your best guess and/or mark the question for later review. All unanswered questions will be counted as incorrect responses.

Every division includes some pretest items, which do not count toward your score. The number of pretest items per division ranges from 6-9, and they're randomly scattered throughout each exam division.

EXAM SCORING

Each division of the ARE has a minimum score, or cut score, that must be met in order to pass. Your total score is determined by adding up the points earned for all correctly answered items, excluding pretest items.

If your score is equal to or greater than the cut score established for the division you are taking, you'll receive a passing score. If your score is less than the cut score, you'll receive a failing score. Your score is based on your performance across the entire division, not section by section. If you do poorly in one section, it's still possible to pass by doing well in other sections.

After an Unsuccessful Attempt

In the event you do not pass a division of the ARE, a new eligibility to test on that division will be created based on the rules of your jurisdiction. Failing score reports will contain feedback on your performance on page two of the score report identifying areas of relative strength and weakness.

- **You can retake a failed division of the ARE as soon as 60 days after the previous attempt of that division.**
- **You may only take the same division of the ARE three (3) times within any 12-month time frame.**

SCORE VERIFICATION

Any candidate can request a score verification, which will involve the review of your performance on all questions by NCARB staff. The process will verify that the score and feedback on your score report accurately represent your performance on the division.

You can request a score verification of a failed division up to 60 days from the date your test was administered by [contacting NCARB](#). The fee for a score verification is \$100. If NCARB determines that the score or feedback reported to you was not accurate, NCARB will refund your score verification fee.

REVIEW AND CHALLENGE

Unlike a score verification, the exam review process is conducted by your jurisdiction's board of architecture. You will have the opportunity to review the question(s) you missed but won't receive the correct answers or any explanations.

You may only initiate the review process [if your board of architecture permits reviews](#) of failed divisions. It is at the sole discretion of each board of architecture whether to administer the review process.

If you wish to pursue the review process, keep in mind the following information:

- **Immediately contact your board of architecture to better understand the procedures and fees involved.** NCARB charges a \$300 fee to review a failed exam. Your board may charge additional fees. The application for review and the review fee must be received by NCARB within four months of the administration of your test, and the review process must be completed within six months of your test date.
- Only those questions you answered incorrectly can be reviewed. The correct answer will not be revealed.
- You may only challenge a question answered incorrectly if your board of architecture allows challenges and appeals. Your challenge will be forwarded to NCARB for review and response.
- **NCARB Review:** If there is a successful challenge to a question(s) on your exam that has been determined by NCARB through the NCARB-facilitated review/challenge process to change your score from fail to pass, NCARB will recognize the new score for the purpose of NCARB certification.
- **State Review:** If your board of architecture (or a court with jurisdiction) changes your score from fail to pass outside of the NCARB-facilitated review/challenge process, ONLY that jurisdiction is required to accept the new score, and NCARB will not recognize the new score for purposes of NCARB certification.

REPORTING TEST CONCERNS

If you have concerns about your test, do not wait to receive your test results before expressing your concerns. NCARB can only respond to complaints received within 15 days of your test date. You must send your complaint to [NCARB in writing via the contact form](#). **PLEASE NOTE: The filing of a report by the test center administrator or online proctor does not satisfy the requirements of notifying NCARB directly.**

Inquiries About Specific Exam Questions

NCARB employs extensive quality control procedures throughout the development of the ARE. However, candidates may encounter typographical errors or flawed questions on rare occasions. If you suspect an error in a specific question, write to [NCARB](#) after taking the test. In your correspondence, include:

- The name of the division
- The test date
- The specific concern(s) about the question

You are not permitted to copy the question before leaving the test center or completing your online exam and are not expected to recreate the entire question in your correspondence. NCARB will review the question, and you will be notified of the findings. The correct answer will not be revealed.

EXAM SECURITY AND CANDIDATE MISCONDUCT

Why ARE Security Matters

As a high-stakes professional licensure exam, the ARE plays an important role in ensuring the health, safety, and welfare of the public by affirming that ARE candidates have the required knowledge and skills to competently practice architecture. Jurisdictional licensing boards also depend on the validity of the ARE to affirm competence. If exam results are obtained by violating ARE security policies, then a jurisdiction may unwittingly license an individual who is not competent to practice architecture. This puts the health, safety, and welfare of the public at risk.

To ensure the validity of the ARE, NCARB and its testing partners enforce specific security policies before, during, and after the administration of your exam. This includes, but is not limited to, direct observation by test center staff and online proctors, audio and video recording of your examination session, and forensic data analysis of all exam results. **Candidates who do not follow ARE security policies will be subject to disciplinary action, which may be severe.**

ARE Candidate Agreement

To maintain the integrity, validity, and security of the ARE, all candidates will be required to read, understand, and accept the [ARE Candidate Agreement](#) before requesting eligibility to test and before scheduling an exam appointment. Additionally, you will be required to reaffirm that you understand and accept the ARE Candidate Agreement at the beginning of all exam administrations.

Accepting the ARE Candidate Agreement means that you agree to be held personally responsible for maintaining the confidentiality of all information relating to the exam. You are also agreeing not to copy, record, or disseminate ARE content through written, verbal, or any other means of communication. And you are agreeing to refrain from discussing what you see on the exam with family, friends, coworkers, supervisors, other examinees, study groups, and test preparation providers. Discussions of exam content on online forums, social media, and websites are also prohibited. **Simply put, the details of what you saw on your exam must remain confidential, and they can't be shared with anyone.**

While you will be required to accept and reaffirm your acceptance of the ARE Candidate Agreement multiple times in order to take the ARE, you are strongly encouraged to familiarize yourself with the agreement before you make arrangements to begin testing.

Violating the terms of the ARE Candidate Agreement may result in severe disciplinary action, including the suspension of testing privileges, invalidation of exam scores, public reprimand, ethics education, and inability to obtain NCARB certification or to become licensed as an architect.

How to Appropriately Discuss the ARE

Limitations on what you can discuss following an exam are necessary to ensure the confidentiality of ARE content. This doesn't mean you can't talk about the ARE at all, though. In study groups and online forums, like the [ARE 5.0 Community](#), **you may discuss and ask questions about general exam content**, study strategies, and ARE policies.

To help you understand the types of comments or questions that are acceptable, as well as those that are unacceptable and in violation of the ARE Candidate Agreement, see the following examples:

Acceptable – Not a Violation

- Discussing **general exam content** with your study groups, coworkers, and others:
 - *Make sure you understand daylighting design for the Project Planning & Design division.*
 - *You'll need to understand brick cavity wall assemblies.*
 - *Can someone help clarify Practice Management objective 1.4, the one that relates to how the standard of care is applied in a given situation?*
 - *Which AIA contracts are covered in the Project Management division?*
- Discussing **study and test-taking strategies**:
 - *What's the best strategy for tackling the case study part of a division?*
 - *When should I take a break during my exam?*
 - *Should I start with the case study items or save them until the end of my exam?*
 - *What is your study strategy for the Construction & Evaluation division?*

Unacceptable – Violation

- Discussing **detailed exam content** with your study groups, coworkers, and others:
 - *What was included in the case study scenarios that you saw on your exam?*
 - *I had a question about sizing an egress stair for a 10,000-square-foot community center.*
 - *Can you describe some of the questions you saw on your exam?*
 - *My exam included a question about selecting window types for a multistory office building in an arid climate.*

Whether you're discussing the ARE in person or online, it's important to always keep conversations at a high level and focused on general content. Discussions about ARE content specifics and details are strictly prohibited.

If you believe you have received ARE content or witnessed an unacceptable discussion through any means of communication, including through programs and materials from third-party test preparation providers, it is your responsibility to immediately report this information to NCARB by emailing ARESecurity@ncarb.org.

Examples of Security Violations

Below are examples of security violations occurring before, during, or after your examination. This is not intended to be an exhaustive list of all ARE security violations.

Before your exam

- Seeking or obtaining ARE questions or other content prior to an exam
- Utilizing shared ARE questions or content to prepare for an exam
- Failing to notify NCARB if you believe you have seen or received exam content through any means of communication, including through third-party study materials, study groups, online forums, social media, coworkers, etc.
- Sharing ARE content that others may have shared with you

During your exam

- Recording or taking screenshots of ARE questions during your exam administration using computer software, cameras, or any other means
- Impersonating another tester
- Authorizing another individual to impersonate you
- Providing or receiving unauthorized assistance during an examination
- Failing to conduct yourself professionally and civilly throughout your test administration
- Failing to follow the directions given by test administrators or online proctors
- Accessing study materials or unauthorized devices like cell phones and smart watches during your examination
- Accessing computer software outside of the exam delivery program
- Taking notes of any kind beyond the use of the digital whiteboard

After your exam

- Attempting to reproduce ARE questions, case studies, or other content through memorization, notes, or any other means for your own later use
- Disclosing or attempting to disclose to anyone, including family, friends, supervisors, coworkers, or other candidates, by any means, including electronic, written, graphic, or verbal, the details of any ARE questions, case studies, or graphics
- Failing to be responsive and truthful with NCARB in any exam-related security or candidate misconduct investigation
- Altering, editing, or misrepresenting the information on an ARE score report

Remember, if you believe you have witnessed a security violation, it is your responsibility to immediately report this information to NCARB.

Anomalous Exam Performance

With support from psychometricians, NCARB will analyze all exam administration results through the use of data forensics to detect exam performance abnormalities, anomalous candidate behavior, unusual testing circumstances, and other information that might raise questions about the validity of exam results. NCARB, at its sole discretion, may elect to hold, delay, not validate, or invalidate one or more exam scores if there is a good-faith reason to question the validity of the exam score. This includes scores that have been initially deemed valid and scores that are below, at, or above the passing standard.

Candidates impacted by an exam score hold, delay, validation, or invalidation through this process will be notified by NCARB within 7-10 days of their exam date and will be provided with specific instructions on how to proceed.

If forensic data analysis leads to concerns about the validity of a candidate's exam score, NCARB will not validate the exam results or will invalidate a previously validated result. Absent additional evidence of misconduct, NCARB will then provide candidates whose scores were above the passing standard with a free retest and immediate exam eligibility to demonstrate competency within the impacted exam division.

Candidates may appeal NCARB's decision to not validate or invalidate an exam score flagged for validity concerns within 14 days of the date of notification from NCARB. The appeal must be emailed to NCARB at ARESecurity@ncarb.org and include supporting evidence and information to clarify or resolve any cited abnormalities or concerns. NCARB, at its sole discretion, may elect to uphold its initial decision or, upon review of the provided evidence and information, validate or revalidate the impacted exam. Candidates will be notified of a final decision within 14 days of the receipt of the appeal.

ARE Candidate Misconduct

Candidates who engage in misconduct by not following the [ARE Candidate Agreement](#) or policies outlined in this document are subject to disciplinary action according to the [Policy for the ARE: Exam Candidate Conduct](#) and the [Professional Conduct Committee: Rules of Procedure](#). ARE candidate misconduct includes, but is not limited to, the violations described in the Policy for the ARE, any violation of the ARE Candidate Agreement, failure to follow test center or online proctoring regulations, inappropriate or unprofessional behavior, or a breach of examination security.

INVESTIGATION PROCESS

NCARB conducts thorough investigations into all incidents of suspected candidate misconduct. NCARB can identify candidate misconduct through various means, including forensic data analysis of exam scores, video and audio recordings, incident reports from our testing vendors, anonymous whistleblowers, and publicly available online research. Upon discovery of suspected candidate misconduct, NCARB, at its sole discretion, has the authority to place a hold on a candidate's Record, which includes pending scores and the ability to schedule, take, and cancel future exams, pending further investigation. If you are involved in a misconduct investigation, NCARB will notify you via email when placing your Record on hold.

Misconduct investigations include discovering and reviewing all available information relevant to the incident, including information obtained through forensic data analysis, a review of a candidate's ARE testing history, videos, audio recordings, log files, online research, and other information from NCARB and third-party sources.

Candidates must be responsive and truthful during any exam-related security or candidate misconduct investigation. Failure to do so is a violation of the ARE Candidate Agreement.

If NCARB determines in the course of its investigation that a candidate may have committed a misconduct or security violation, the candidate's jurisdictional licensing board will be informed, the case will be referred to NCARB's Professional Conduct Committee (PCC) for review, and, if applicable, NCARB's Board of Directors will determine a final disciplinary action. NCARB will address all misconduct and security violations according to the policies and procedures outlined in the [Policy for the ARE: Exam Candidate Conduct](#) and [Professional Conduct Committee: Rules of Procedure](#).

If no action is taken or only a warning letter is issued, NCARB will reopen any closed eligibilities to test and assist the candidate in rescheduling any canceled exam(s) at no additional cost to the candidate.

MISCONDUCT SANCTIONS

Candidates found to have committed misconduct will be subject to the sanctions outlined in the [Policy for the ARE: Exam Candidate Conduct](#) and [Professional Conduct Committee: Rules of Procedure](#).

Sanctions include the following:

- Cancellation of exam scores
- Suspension of test authorization for all divisions
- Prohibit granting of an NCARB Certificate for a period of time
- Suspension of the NCARB Certificate for a period of time
- Revocation of the NCARB Certificate
- Completion of mandatory ethics education
- [Public reprimand](#) of candidate

NCARB's Board of Directors also reserves the right to impose any sanction it believes appropriate, of either more or less severity, than those noted above.

In addition, if a candidate subsequently seeks NCARB certification, their disciplinary record will be considered in deciding whether to grant NCARB certification. When warranted, NCARB may pursue all legal remedies available to recover monetary damages in connection with misconduct.

Finally, all disciplinary actions taken by the NCARB Board of Directors will be forwarded to the candidate's jurisdictional licensing board, which may take additional action, including revoking or suspending the individual's license to practice architecture.

APPEALS

Candidates may appeal disciplinary actions taken by NCARB's Board of Directors per the process outlined in the [Professional Conduct Committee: Rules of Procedure](#).

ARE Security Tip Line

As an ARE candidate, remember: Confidence in the validity of your exam scores is essential to affirming your competence to practice architecture. If frequent occurrences of examinee misconduct lead to doubts about the validity of the ARE, including exam scores, then the validity of ARE results earned by candidates who have abided by the terms of the ARE Candidate Agreement might also be called into question.

Help NCARB protect the integrity of the exam and the validity of exam scores by reporting any and all security concerns or suspected misconduct you might observe on the part of other examinees. Not only is it in your best interest to report security concerns, but it is an obligation you are bound to uphold after accepting the

[ARE Candidate Agreement](#).

By reporting any suspicions or information you might have that another ARE examinee has reproduced, shared, or is in possession of ARE content, you will be protecting the credibility of all candidates who have appropriately demonstrated their abilities on the ARE.

Help protect the public, the ARE, and yourself by reporting even minor concerns to NCARB. Contact our ARE Security Tip Line at ARESecurity@ncarb.org.

All information you share will remain confidential, and NCARB will not disclose your identity unless required to by law.

EXAM DEVELOPMENT AND MAINTENANCE

How ARE 5.0 Was Created

To ensure the exam measures candidates' knowledge and skills in areas that are relevant to current architectural practice, NCARB bases the ARE on the results of a profession-wide study called an analysis of practice. NCARB last completed an analysis of practice in 2012, and the results were used to create ARE 5.0. Subject-matter experts used the [NCARB 2012 Practice Analysis of Architecture](#) to determine the divisions, sections, and objectives needed to evaluate licensure candidates' ability to competently and independently practice architecture.

Development of ARE 5.0

The six ARE divisions are broken down into four to five sections, with each section focusing on a content area. The sections are further divided into objectives, which address the skills and knowledge (also called competencies) identified in the *NCARB 2012 Practice Analysis of Architecture*. Each objective describes one of those competencies. Every item you will see on an ARE 5.0 division is authored to assess competence in the skill or knowledge area described in an objective.

Exam items are authored by [volunteer architects](#). These volunteers are professionals who have been through the licensure process but who are not employed by NCARB. Over 100 volunteer architects gather every year to write and review new items for ARE 5.0 in NCARB's examination development committees. The authoring of each item follows the same multi-step process:

- 1) First, a volunteer architect item writer will use the *ARE 5.0 Guidelines*, which outlines the structure and content of the exam, to make sure that items being authored assess a competency that has an impact on the health, safety, and welfare of the public. The items often draw directly from the author's experience in practice. In many of the items, you'll find terms like "southeastern United States" and "XYZ Architecture." That's because the original place and firm names have been scrubbed from the real-life situations experienced by the author. Item authors are also required to make sure that the information needed to correctly answer the item can be found in a recognized architectural reference, such as *The Architect's Handbook of Professional Practice*; *Sun, Wind, and Light*; or *Mechanical and Electrical Equipment for Buildings*.
- 2) Once the item has been written, a volunteer architect (called a coordinator) who has experience authoring exam items will provide feedback on whether the item is ready to move forward in the development process. If it isn't, the item will be sent back to the author, and they will be required to incorporate the feedback given by the coordinator.

- 3) If the coordinator decides that the item is well-crafted and successfully assesses an objective, the item will be edited by a professional NCARB editor for all non-content-related aspects of the item, including grammar, spelling, form, style, and conformance to ARE item writing standards.
- 4) Next, the items are assessed for validity, relevance, and inarguable correctness by a workgroup of 5-10 architects in a workshop setting called item review. The workgroup will do one of the following for each item up for review:
 - a) Move the item forward to be placed on the exam as a pretest item.
 - b) Recommend minor suggestions for improvement that can be made during the item review process and then move the item forward to be placed on the exam as a pretest item.
 - c) Recommend major suggestions for improvement to be completed prior to the next item review.
 - d) Determine that the item is confusing, flawed, difficult, or irrelevant and has no place on the exam.
- 5) If the item is ready for placement, a professional NCARB editor will give the item a final review before it is ready for pretesting.
- 6) After the ARE 5.0 Item Development Subcommittee finishes writing, reviewing, and editing items, NCARB's third-party psychometricians (or testing experts) assemble an appropriate combination of items for each division of the exam. The psychometricians use an NCARB Board-approved set of guidelines to make sure that the proper balance of content is tested on each exam. These guidelines make it so that each section and objective aren't under- or over-represented. The psychometricians also use statistical analyses of items to make sure that an exam isn't made of too many difficult or easy items.
- 7) After the psychometricians assemble the forms, another group of volunteer architects on the ARE 5.0 Forms Assembly Subcommittee review the items grouped together on a given exam to make sure that they don't test the exact same content or provide clues as to how to answer other items.

ARE 5.0 CASE STUDY DEVELOPMENT

Between volunteer architects and NCARB staff, 15-20 people are involved in the development of each case study item. NCARB's Case Study Subcommittee creates the case studies, where five volunteer architects and two NCARB staff members are involved in developing and editing each case study. NCARB's ARE 5.0 Item Development Subcommittee then uses the case studies to write items, where another five to ten architects and three NCARB staff members are involved in the writing, development, and editing of the items.

You will notice that case studies seem to feature generic place names and firm names. This is intentional. Volunteer architects develop these case studies using the specifics and resources from real-life projects that they've designed. Unique names and places are substituted with generic ones to protect the privacy of firms and clients. What you should know, though, is that the projects and scenarios presented in case studies are far from generic—they actually happened in the world of architectural practice.

Maintenance of ARE 5.0

Items that are ready for placement on the exam spend roughly one year as an unscored, or pretest, item. Between six and nine of the items on each exam division are unscored—whether you get the items wrong or right, they won't count for or against your score. However, you won't know which items are unscored. The reason for all these measures is to make sure that the items on ARE 5.0 exams are statistically and psychometrically valid. NCARB only wants items on the exam that are effective in determining whether a candidate is competent in a particular skill or knowledge area. Items must prove they are effective before they become scored items on the exam.

Psychometricians evaluate the performance of exam items every year, and some of the unscored items are statistically flagged as being poor indicators of competence. These items are then reviewed by another 5-10 volunteer architects, who will make a final determination as to whether the statistical flag is warranted. They will once again assess the content and construction of the item and decide if it should be retired, modified, or allowed to return to the exam as a scored item.

Psychometricians also monitor scored items every year. If their performance dips below an acceptable standard, they are also flagged and reviewed.

EXAM STRUCTURE

Delivery Format

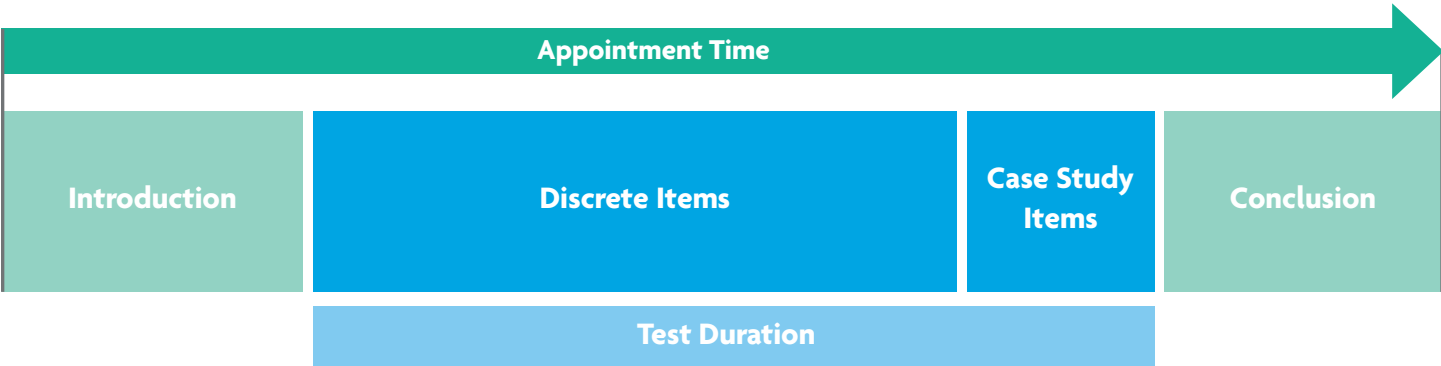
All six divisions of ARE 5.0 are organized the same way. Each exam appointment will begin with a few introductory screens, including a set of final testing reminders. Once you complete the introduction, the content portion of your exam will begin.

The content portion of each division includes standalone questions and case study questions. Standalone questions are located at the beginning of the content portion, and case studies are located at the end. You don't need to answer questions in a specific order, so you may navigate directly to a case study whenever you feel most comfortable by using the "Exam Summary" tool.

Your exam appointment will conclude with a reminder screen and the option to view [provisional feedback](#) on your overall exam performance.

Optional break time is offered during each exam administration. This time can be used for a few short breaks or one long break. You can begin a break at any time. **However, after returning from a break, you will not be allowed to go back to any of the items you have already viewed, regardless of whether you have answered them or not. They will be locked.**

Prior to scheduling your exam, please take the ARE 5.0 Practice Exams, which can be accessed through the Practice Exam Dashboard in your [NCARB Record](#), to familiarize yourself with the structure and delivery of the ARE.



ARE 5.0 Division Structure

Each division’s content is broken down into 4-5 topic-based sections. The sections are further divided into objectives. Each objective addresses a specific knowledge area or skill. [Learn how NCARB determines what should be included on the exam.](#)

DIVISION	SECTIONS	OBJECTIVES
Practice Management	4	12
Project Management	5	17
Programming & Analysis	4	16
Project Planning & Design	5	17
Project Development & Documentation	5	17
Construction & Evaluation	4	12

Cognitive Levels

Every ARE objective is tied to a certain type of mental operation or thinking skill, which is called the cognitive level. ARE 5.0 uses two cognitive levels, and every ARE item is authored to address both the objective and one of the following cognitive levels paired with that objective:

- 1) **Understand/Apply (U/A):** These items will require you to understand a concept and apply it to a scenario.
- 2) **Analyze/Evaluate (A/E):** These items will ask you to analyze a set of concepts or factors and make an evaluative judgment.



Understand/Apply: deduction of meaning from information, demonstration of comprehension of concepts or processes, application of processes or procedures in familiar or unfamiliar situations.

- Requires conceptual understanding to answer
- Focuses on standard, straight-forward application of knowledge
- May require the employment of a mathematical formula



Analyze/Evaluate: reduction of overall concept into component parts, determination of how parts relate to one another and to the overall structure, arrival at judgments based on given criteria.

- Requires integration of new information with existing information
- May require the prioritization of information
- Often focuses on non-standard situations

COGNITIVE LEVELS NOT USED ON THE ARE

While ARE 5.0 uses only the U/A and A/E cognitive levels, there are two other types of cognitive levels: the “Remember” level and the “Create” level. The “Remember” level only requires rote memorization or simple recall, and questions written at this level only ask for definitions and facts. **You will not find “Remember” level items on the ARE.** Nor will you find items that ask you to use the highest cognitive level, “Create.” Items that require the use of these cognitive levels are not appropriate for the ARE’s purpose of assessing competence in a newly licensed architect.

Example of a U/A-Level Item

Below you will find an example of a U/A-level item and a rationale explaining why it is at the U/A level.

U/A SAMPLE ITEM

A residential development is composed of large building lots. On-site sewage disposal for each lot is permitted subject to the suitability of the soil.

Which type of soil investigation should the architect request?

- ☒ Percolation test
- ☐ Evaporation test
- ☐ Test for soil alkalinity
- ☐ Test for soil density

U/A
LEVEL

RATIONALE

*This is a U/A-level item because you are required to **understand** the purpose of a percolation test. After reading the item, you should recognize that the scenario being described is a standard-use situation for a percolation test. In short, you will need to **apply** your understanding of a percolation test to the scenario.*

Example of a A/E-Level Item

Below you will find an example of a A/E-level item and a rationale explaining why it is at the A/E level.

A/E SAMPLE ITEM

A 100% design development cost estimate for a two-story, construction type V-B, three-unit townhouse is completed and comes back higher than expected. The client asks an architect to value engineer the structural design.

What changes should the architect consider as they move forward with construction documentation?

- ☒ Change from a balloon-framed to a platform-framed structural system.
- ☐ Replace wood stud shear walls with glue-laminated columns.
- ☐ Use prefabricated floor elements instead of a site-assembled floor system.

RATIONALE

A/E
LEVEL

This is an A/E-level item because you are required to **analyze** the elements of the project, including construction type, number of stories, and the purpose of the structure, along with the various changes proposed to construction elements in the response options. After your analysis, you will then need to **evaluate** which one of the construction elements would be appropriate to exchange considering the given project information, and of the appropriate exchanges, which one will realize the most cost savings.

ARE 5.0 Item Types

Each division of ARE 5.0 uses the following four item types for both the exam's standalone and case study items: multiple choice, check-all-that-apply, hotspot, and drag-and-place. All items are worth one point and there is no partial credit.

MULTIPLE CHOICE

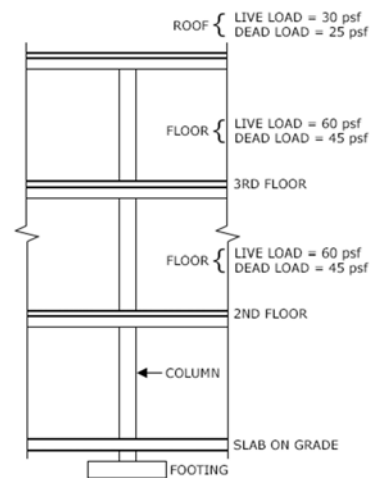
A multiple choice item contains a question followed by either three or four response options. This item type is used when only one correct answer is needed. To respond to this item type, you'll need to select a single response out of the possible response options.

Refer to the exhibit.

The cross section shown indicates an interior column. The tributary area for loading on the column equals 20 feet by 24 feet.

Assuming no live load reductions, which one of the following is the design live load for the footing?

- ☐ 43,200 lb
- ☐ 57,600 lb
- ☒ 72,000 lb
- ☐ 96,000 lb



TIP

Use the strikethrough tool to cross out incorrect options. You can also use the highlight tool to identify key elements in the question or response options. These tools not only work for multiple choice items, but all item types and even case study scenarios.

CHECK-ALL-THAT-APPLY

A check-all-that-apply item, sometimes called a CATA, is similar to a multiple choice item. The main difference is that this item type allows you to select multiple answers. This item type contains a question followed by a prompt to select between two and four responses out of six possible response options. All correct response options must be selected in order to answer the item correctly. There is no partial credit for selecting only some of the correct response options.

Seven months after substantial completion for a new office building, a building owner contacts an architect to report that mold has been found in a basement utility room. It appears a mechanical exhaust fan has malfunctioned.

In which of the following ways should the architect address this issue? **Check the two that apply.**

- ☐ Submit an additional service request to the owner.
- ☒ Meet with the owner to review the building operations.
- ☐ Advise the owner to file a claim for damages.
- ☒ Advise the owner to notify the original contractor about the issue.
- ☐ Advise the owner to hire a new contractor to fix the fan.
- ☐ Specify a new fan for the owner to purchase as a replacement.

TIP

*All correct response options must be selected to correctly answer the item. Pay close attention to the number of correct responses you'll need to check. CATA items will always tell you the number of correct responses to check in bold type, like this: "**Check the two that apply.**"*

HOTSPOT

A hotspot item contains a question followed by an architectural drawing, photograph, diagram, map, or other image. This item type is used to assess competence graphically. To respond to this item type, you'll need to click on an area or object within the provided image. If your answer is located within the acceptable scoring area, it will be scored as correct. Also, be aware of the following features of hotspot items:

- You will never be required to click on a small, extremely precise area on the image.
- Hotspot items are designed in such a way as to require you to click in an *acceptable scoring area*.

During a construction observation visit to a new townhouse development, an architect reviews the contractor's installation of the roof sheathing.

Click on the material in the photo that contributes to the required fire separation between adjacent townhouses.



TIP

You can change your response by clicking on a different area on the image as many times as you would like. The last area on which you click will be recorded as the answer. A crosshair will appear on whatever area you clicked last. This is the response that will be recorded and scored.

DRAG-AND-PLACE

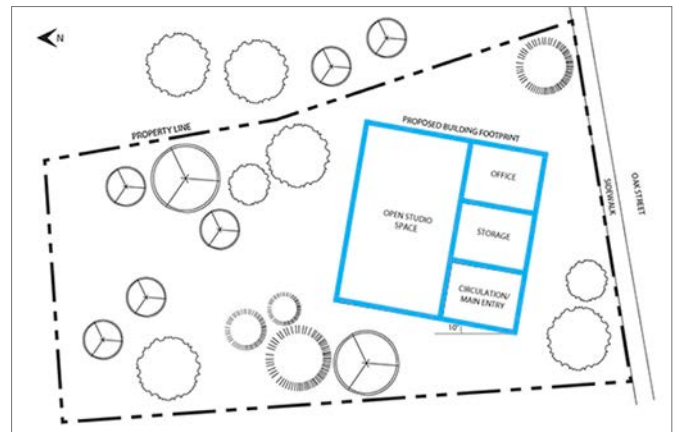
A drag-and-place item contains a question followed by a drawing, photograph, diagram, map, or other image. You will also be presented with a series of tokens along the left side or top of the image. This item type is used to assess competence by requiring a visual solution to a visual problem. To respond to this item type, you'll need to select one or more of the tokens and place them onto the image. If all your tokens are located within the acceptable scoring areas, the item will be scored as correct. You will not receive partial credit for placing some of your tokens correctly. Also, be aware of the following features of drag-and-place items:

- **You may rotate tokens by right clicking on them.** (See next page for instructions.)
- You will never be required to drag a token into or onto a small, extremely precise area on the image.
- Drag-and-place items are designed in such a way as to require you to drag the token into or onto an *acceptable scoring area*.

An architect has been commissioned to design a painting studio in the Southwest region of the United States. The client has provided the following information:

- Daylight must be provided in all spaces.
- The office must receive direct morning sun.
- The open studio space must have a panoramic view of the landscape with limited direct sunlight.
- The storage space must be directly accessible from both the office and open studio space.
- The circulation/main entry space must have a view of Oak Street.

Drag the spaces onto the proposed building footprint to fulfill all client requirements.



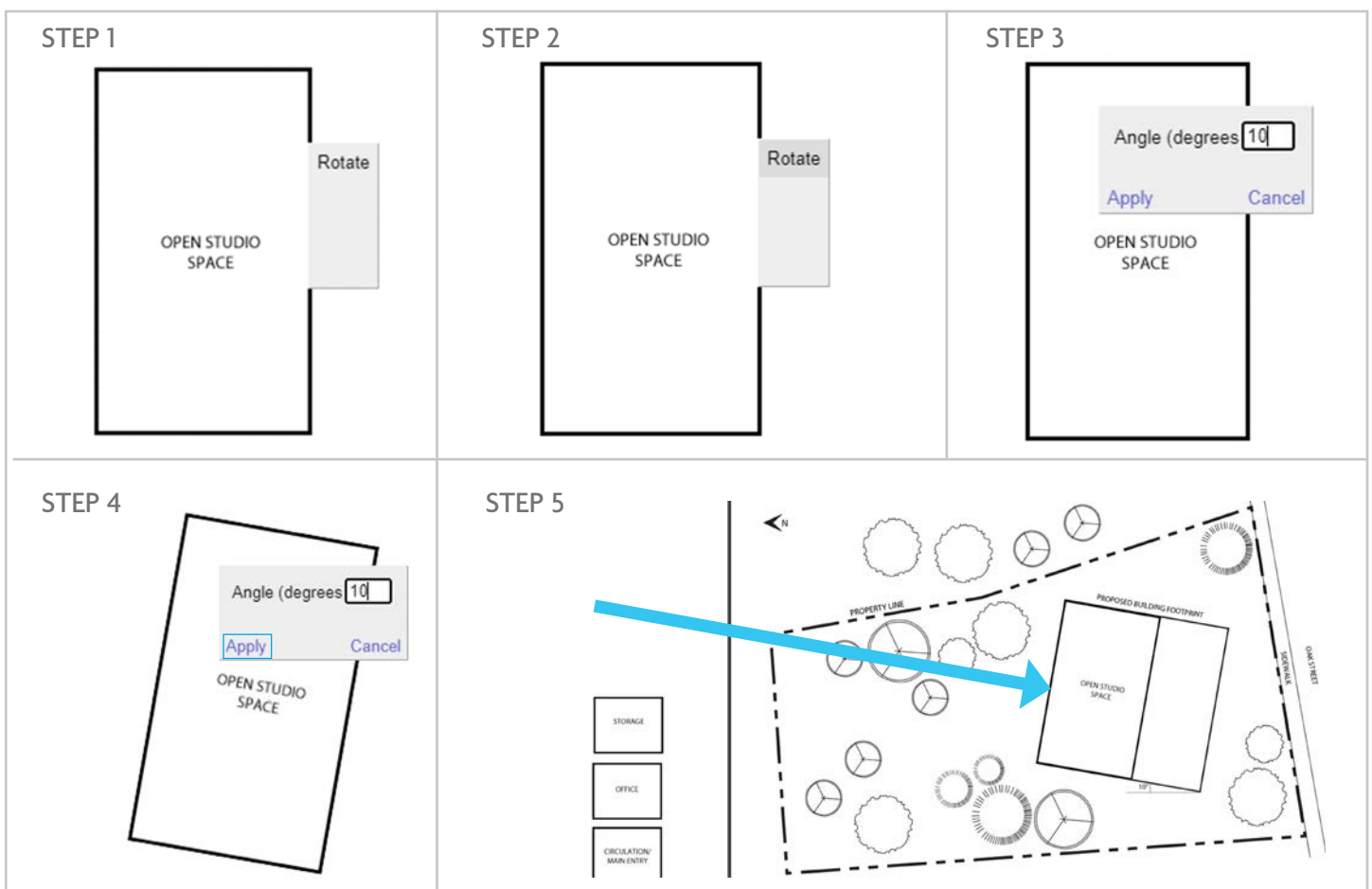
TIP

Some drag-and-place items might not require you to drag and place all the tokens. These items will include an instruction after the question like the following: "Not all tokens will be used." If you do not see this instruction, then all the available tokens must be placed somewhere on the image.

Rotating Drag-and-Place Item Tokens

The sample drag-and-place item above is an example of an item that requires you to rotate tokens. Below you will find step-by-step instruction on how to rotate drag-and-place tokens.

- **Step 1** - In order to rotate a token, it is necessary to right click the token. A gray box will appear.
- **Step 2** - Click “Rotate.”
- **Step 3** - A window will appear. Enter the number of degrees you want to rotate the token.
- **Step 4** - Click “Apply.” The token will rotate in the number of degrees specified.
- **Step 5** - You will then be free to drag the token onto the image and place it on the appropriate area.



ARE 5.0 Case Studies

ARE 5.0 uses case studies to assess your ability to synthesize multiple pieces of information and apply that information or make an evaluative judgment based on that information to select a correct solution. Case studies represent real-world architectural projects. They are intended to be more similar to day-to-day architectural practice than standalone items, as case study items require consideration of many factors.

A case study is a snapshot of a project in a particular point in time. This information is found in the case study scenario, which provides a description of the case study and other key information. Case studies also include three to six resources. These resources might take the form of code excerpts, AIA contracts, architectural drawings, budgets and schedules, or program requirements. A list of the most common case study resources currently used on the ARE is provided [in this document](#).

Each ARE division will include two case studies. Depending on the division, you will have to answer 10-20 items associated with those two case studies. The scenario and resources within a case study will not change from question to question. Questions do not build on each other based on previous responses, so answering one question incorrectly will not impact your ability to answer the remaining case study questions correctly. You will be able to access all the resources associated with a case study while reviewing any of that case study's items.

TIPS FOR ANSWERING CASE STUDY ITEMS

To correctly answer a case study item, you'll need to be familiar with the scenario and use one to three case study resources provided. Usually, you won't be told which resources you will need to use for each item, so you'll have to infer which case study resources and information might be needed from the context of the item. It's a good idea to familiarize yourself with the scenario and all the resources the first time you encounter a case study. After getting a good sense of the project, you can more quickly assess what resources and information might be needed to correctly answer the items. You can then dig into the details as required by each item.

Case study items are not designed to assess whether you can simply find information in a resource. They will require you to find information and then apply or analyze it. For this reason, it will usually take longer to answer case study items than standalone items. This is accounted for in the duration assigned to each division. Though case study items are located at the end of the exam, you don't have to wait until the end to answer them. By using the "Exam Summary" tool, you can begin answering case study items whenever you wish.

Check out sample case studies within the ARE 5.0 Practice Exams, which can be accessed in the Practice Exam Dashboard within your [NCARB Record](#). Use the exams to practice navigating through the various resources, using the search function and bookmarks, and answering the sample case study items.

HOW TO ANSWER A CASE STUDY ITEM

Here is an example of how case study items rely on the case study's scenario and resources.

EXAMPLE CASE STUDY

Case Study 1: Question 1 of 7

Scenario	Site Plan	Program Elements	Geotechnical Report	Zoning Ordinance	IBC Excerpts
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An architecture firm has been selected by a university to design a new Event Center. The purpose of the new Event Center is to provide the university with a flexible space to host a variety of campus events. The primary use of the building is for men's and women's basketball games, although the university would like the flexibility to host other events including women's volleyball, commencement, concerts, featured speakers, and banquets.

The university has developed a program for the Event Center and selected a site near its main suburban campus for the building to be located. The site is bounded by University Drive to the west, a stream to the south, a sidewalk and parking lot to the north, and a service road to the east.

The client has provided the following general information about the project to the architect:

- Programmed building area - 72,350 NSF / 108,525 GSF
- The campus is located in the Northeastern United States (climate zone 5).
- Visitors to the Event Center must be served by the customary amenities typically found in assembly facilities including a main concourse, public restrooms, concessions, and retail.
- Most buildings on the campus use brick as the primary exterior material. Secondary materials include both precast concrete and metal panel. The university would like to create a consistent exterior feel for all buildings on the campus.
- The Event Center should have easy pedestrian access from University Drive.
- Sustainability is a core value of the university.
- All off-street parking for the Event Center will be located on a neighboring site.
- The Event Center must be fully sprinklered.
- A smoke evacuation system must be provided for the main event space and main concourse.
- The heritage trees located on the northern boundary of the site must remain undisturbed.
- The wetland area must remain undisturbed.
- The existing buildings located on the site will be demolished.

The following resources are available for your reference:

Site Plan, showing existing conditions and boring locations
Program Elements, listing the required spaces, space characteristics, and adjacencies
Geotechnical Report, containing excerpts from the geotechnical report
Zoning Ordinance, containing excerpts from the zoning ordinance
IBC Excerpts, containing excerpts from the building code

EXAMPLE CASE STUDY ITEM

What is the minimum number of off-street parking spaces required for the new Event Center?

- ☐ 359 parking spaces
- ☐ 367 parking spaces
- ☒ 1,250 parking spaces
- ☐ 1,273 parking spaces

The correct answer to this item is 1,250 parking spaces. To arrive at this answer, you should familiarize yourself with the case study scenario. The scenario tells you that the project involves the design of a new Event Center for a university that is 108,525 GSF. Being familiar with this context, you can now approach the item with the minimum necessary understanding to answer it correctly.

The item asks you for the minimum number of off-street parking spaces required for the new Event Center. To answer this item correctly, you'll first need to determine which available resource outlines the parking requirements. The Zoning Ordinance resource provides information regarding land use, setbacks, building massing, and parking. Per Section 4, Off-Street Parking Requirements, a theater, auditorium, arena, or stadium requires one off-street parking space per four seats.

Next, you'll need to determine the number of seats proposed for the new Events Center. The Program Elements resource states the building will include 5,000 fixed spectator seats.

The final step is to divide the number of seats defined in the Program Elements by four since the Zoning Ordinance requires one off-street parking space per four seats. The result of this calculation will tell you that the Event Center requires 1,250 off-street parking spaces.

COMMON CASE STUDY RESOURCES

ARE 5.0 case studies feature many of the same types of resources, regardless of the individual scenario. Below you will find a list of the five most common types of resources used for each division. You will find some resource types in multiple divisions.

Practice Management	Project Management	Programming & Analysis
AIA Contracts	AIA Contracts	ADA Excerpts
Firm Financial Statements	Design & Construction Schedules	ICC Excerpts
Requests For Proposals	Program Requirements	Program Requirements
Staff Labor And Utilization Rates	Project Budgets And Cost Estimates	Site Plans
Staff Resumes	Staff Labor Rates	Zoning Ordinances
Project Planning & Design	Project Development & Documentation	Construction & Evaluation
ADA Excerpts	ADA Excerpts	AIA Contracts
Architectural Drawings	Architectural Drawings	Architectural Drawings
ICC Excerpts	Consultant Drawings	Design & Construction Schedules
Program Requirements	ICC Experts	Field Reports
Zoning Ordinances	Specifications Excerpts	Specifications Excerpts

EXAM NAVIGATION AND TOOLS

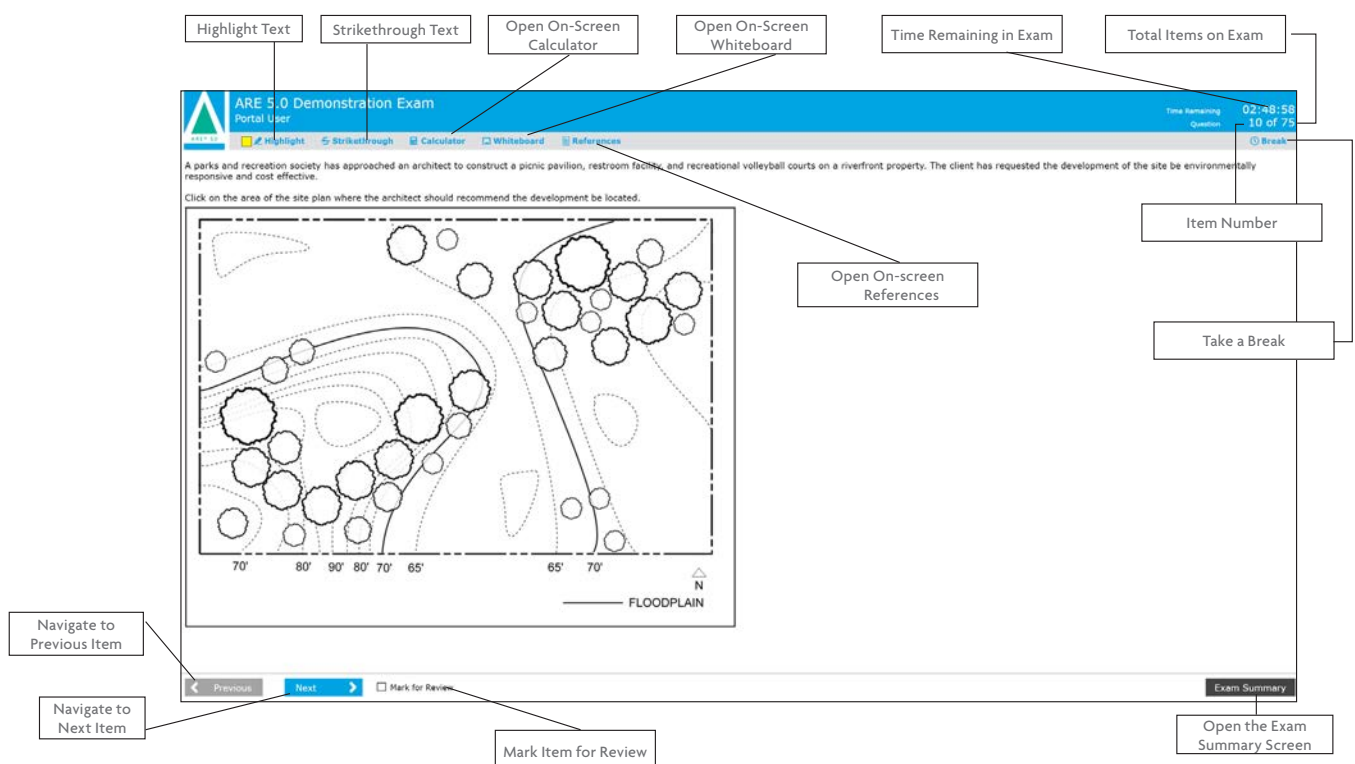
Testing Interface

Within the ARE testing interface, you can navigate between items by clicking the “Next” or “Previous” buttons. If you encounter an item you’d like to answer later or if you want to check your work later, select the “Mark for Review” checkbox at the bottom of your screen. Be sure to return to any marked items before you take a break.

To see the items you have marked for review, click on the “Exam Summary” button in the lower right corner. This will take you to a screen that displays all items, including those marked for review, and allows you to navigate directly to them.

On the top menu bar, there are several tools to assist you throughout your exam. The “Highlight” button allows you to identify useful information within a question or response option. You can also strikethrough text to eliminate information you find distracting by clicking the “Strikethrough” button. You will also have access to an on-screen calculator, whiteboard, and reference formulas throughout your exam.

Optional break time is offered during each exam appointment. You can begin a break at any time by clicking the “Break” button in the upper right corner. A popup message will confirm that you would like to take a break. Once you confirm, your exam time will pause, and a new clock will begin for your break period. When you have completed your break, click “Return to Test” to resume your exam. **When you return from a break, all items that you have already viewed will be locked, including those marked for later review, and you will not be able to view or edit them again. Only items identified as unseen prior to a break will be viewable following a break.**



Exam Summary

The Exam Summary screen can be accessed at any point during your exam administration by clicking on the “Exam Summary” button located in the lower right corner of the screen. This screen provides a summary of all the items on your exam as well as their status. Items will be assigned one of the four following statuses:

- **Locked:** Items that you can no longer access because you’ve taken a break.
- **Completed:** Items you have seen and answered but that are not yet locked. You can go back and change the responses of these items as long as they remain unlocked.
- **Incomplete:** Items that you have seen but have not answered and are not yet locked. If you wish to answer these items, do so before taking a break.
- **Unseen:** Items that you have not yet seen and are not yet locked. You can take a break and still see and answer these items afterward. They will not lock after taking a break.

You can review items from the Exam Summary screen in three different ways by using the buttons in the lower right corner of the screen.

- Click the “Review All” button to return to your first non-locked item. You will be shown all completed, incomplete, and unseen items on your exam.
- Click the “Review All Unanswered” button to return to your first incomplete or unseen item. You will be shown all incomplete and unseen items on your exam.
- Click the “Review Marked” button to return to your first marked item. You will be shown all unlocked items that you’ve marked for review on your exam.

Exams can only be ended from the Exam Summary screen. Once you are satisfied with all responses, you can end your exam by clicking the “End Exam” button. You will be asked if you want to end your exam or return and continue testing. Once you confirm by clicking “Yes. End Exam and Submit,” your test will be submitted for scoring.

The screenshot shows the 'Exam Summary' screen for the 'ARE 5.0 Demonstration Exam'. The top bar indicates 'Time Remaining: 02:58:38'. The main area displays a list of 61 questions, each with a status icon (locked, incomplete, completed, or unseen) and a checkbox. The bottom right corner contains three buttons: 'Review Marked', 'Review All Unanswered', and 'Review All'. The bottom left corner has an 'End Exam' button.

Annotations on the screenshot include:

- Time Remaining in Exam:** Points to the '02:58:38' timer.
- Take a Break:** Points to the 'Take a Break' button in the top right.
- Item Status:** Points to the status icons for questions 22 through 31.
- Incomplete and Completed Items Lock Following a Break:** Points to the 'Locked' status for questions 1 through 17.
- Only Unseen Items Will Be Available Following a Break:** Points to the 'Unseen' status for questions 32 through 61.
- End Your Exam:** Points to the 'End Exam' button in the bottom left.
- Flag Identifies a Marked Item:** Points to the 'Review Marked' button.
- Review All Marked Items:** Points to the 'Review Marked' button.
- Review All Incomplete and Unseen Items:** Points to the 'Review All Unanswered' button.
- Review All Complete, Incomplete, and Unseen Items:** Points to the 'Review All' button.

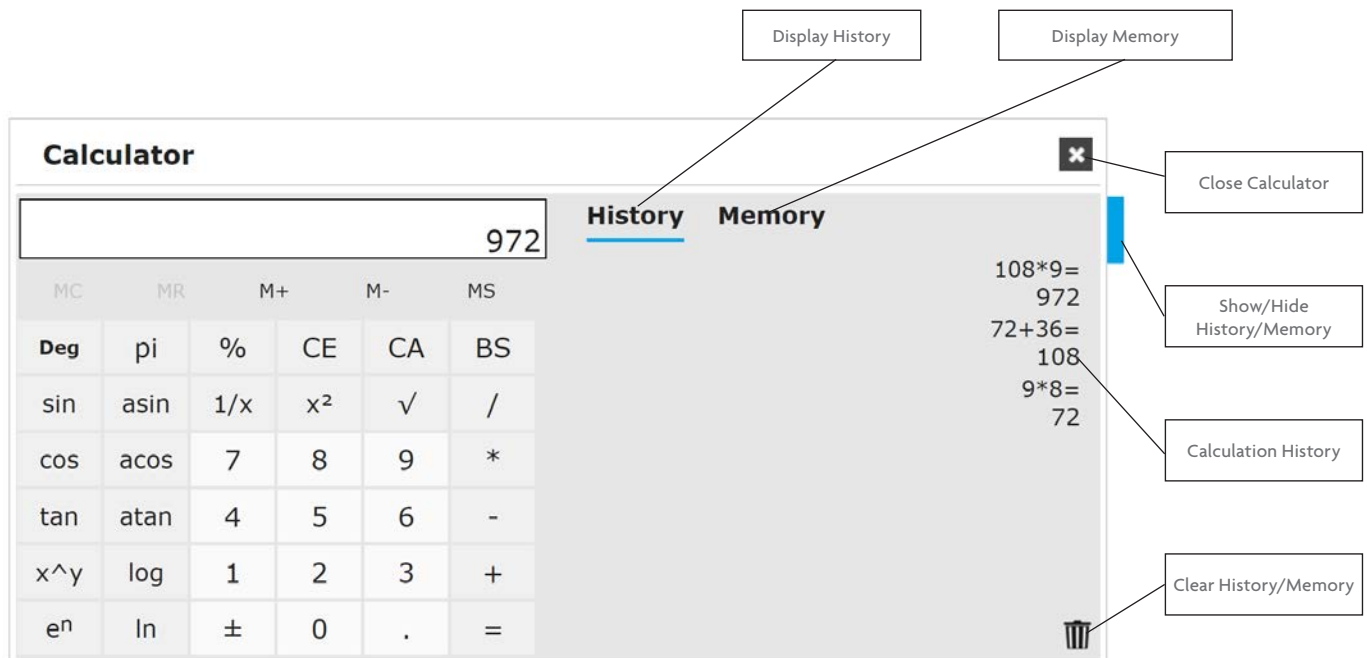
Calculator

ON-SCREEN CALCULATOR

You will be provided with an on-screen calculator throughout your exam administration. The calculator can be opened while viewing an item by clicking the “Calculator” button located on the top menu bar. The calculator provides the functionality required to answer ARE calculation items across all six divisions. When navigating between items, the calculator’s history and memory reset each time you view a new item.

PERSONAL CALCULATORS

ARE candidates are **NOT** permitted to use a personal calculator at the test center or during an online-proctored exam administration. Use of a personal calculator during an exam is strictly prohibited and may result in disciplinary action, including the cancellation of exam scores.

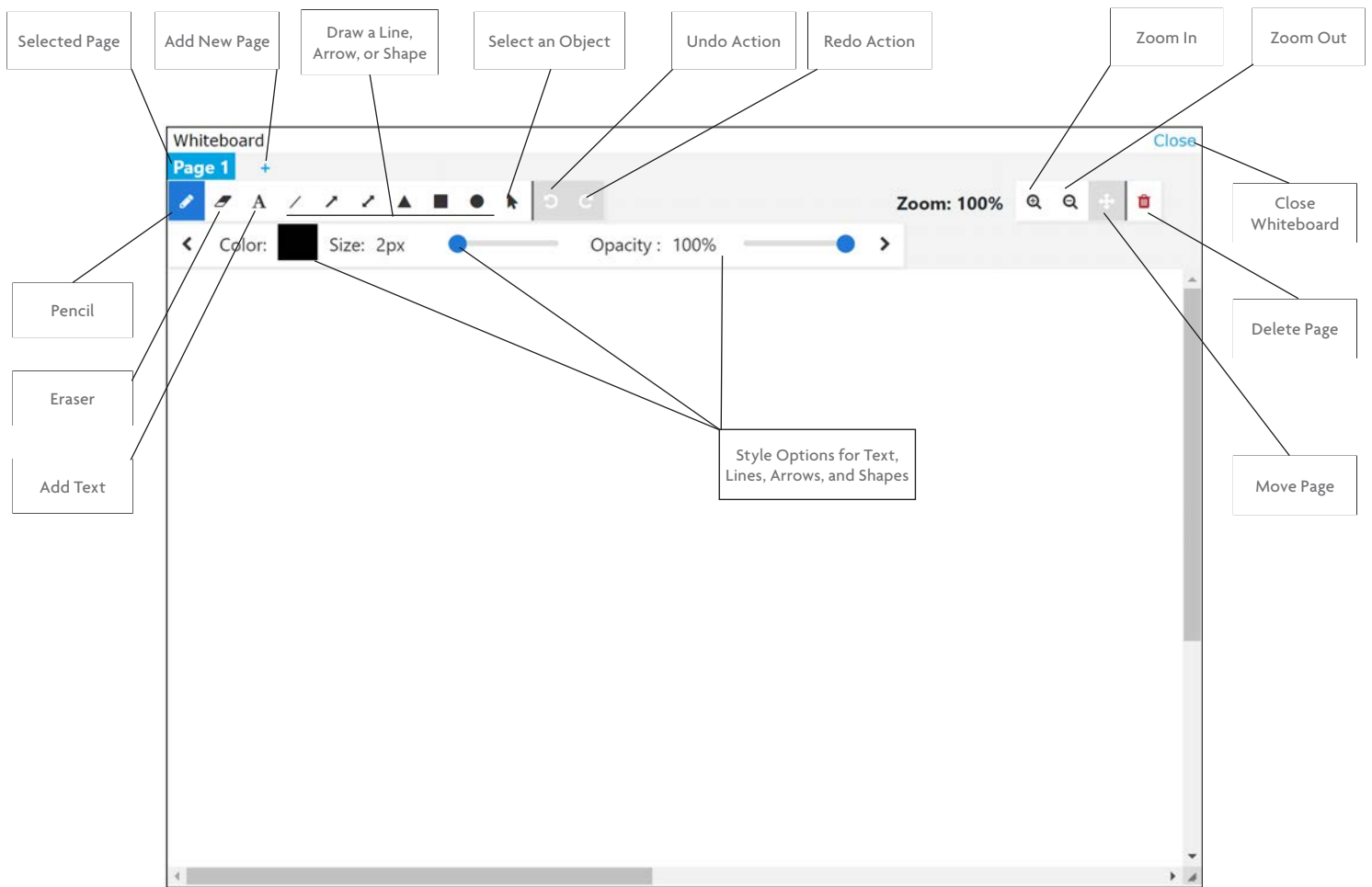


ARE Calculator Buttons & Descriptions	
Button	Description
History	Logs all calculations
Memory	Displays values added to the memory
MC	Clear the memory
MR	Recall the value from the memory
M+	Adds number in input box to value in memory
M-	Subtracts number in input box from value in memory
MS	Store the value in memory
Deg	Calculator mode (degree/radian)
pi	Displays pi
%	Defined percentage of a single number
CE	Erase the last value
CA	Reset the calculator
BS	Erase the last digit
sin	Sine function
asin	Arcsine
1/x	1 divided by current value
X²	Square of current value
√	Square root
/	Divide
cos	Cosine function
acos	Arccosine
*	Multiply
tan	Tangent function
atan	Arctangent
-	Subtract
X[^]Y	Current entry raised to power of next entry
log	Base 10 logarithm
+	Add
eⁿ	e raised to the power of n
ln	Natural log
±	Change sign
=	Equals

Whiteboard

The whiteboard serves as your virtual scratch paper when taking an ARE division. Once you've navigated to an item on your exam, you can open the whiteboard by clicking the "Whiteboard" button on the top menu bar. Information added to the whiteboard is saved and viewable throughout your exam administration, including when returning from a break.

ARE candidates are **NOT** permitted to use physical scratch paper at the test center or during an online-proctored exam administration. Use of physical scratch paper during an exam is strictly prohibited and may result in disciplinary action, including the cancellation of exam scores.



FREEHAND SHAPES

To draw a freehand shape on the whiteboard, simply select the “Pencil” tool, move your mouse to the whiteboard area, and hold down your mouse’s single click option. You’ll have the option to change the color, size, and opacity of the line. To erase pencil lines on the whiteboard, use the eraser tool.

TEXT

To type, click the “Draw a text” button, place the text box on the whiteboard, and type using your keyboard. With the text selected, you can change the font family, color, size, style, and opacity. To delete text, right click on the text box and select “Remove.” Text can also be deleted using the eraser tool.

SHAPES, ARROWS, AND LINES

To draw a shape, arrow, or line, click the associated button, move your mouse to the whiteboard area, and hold down your mouse’s single click option. You can activate the ortho functionality by holding down the shift key while placing an object. You’ll also have the option to change the color, border, opacity, and width of objects. To delete an object, right click on it and select “Remove.” Objects can also be deleted using the eraser tool.

PAGES

The whiteboard allows you to create multiple pages on which to work by clicking the “+” button next to the page designations. You may need to make your whiteboard larger to accommodate the number of tabs if you add several pages. Pages are saved and viewable throughout your exam administration, including when returning from a break. To delete a page, click the trash can symbol in the upper right corner of the whiteboard.

ZOOMING

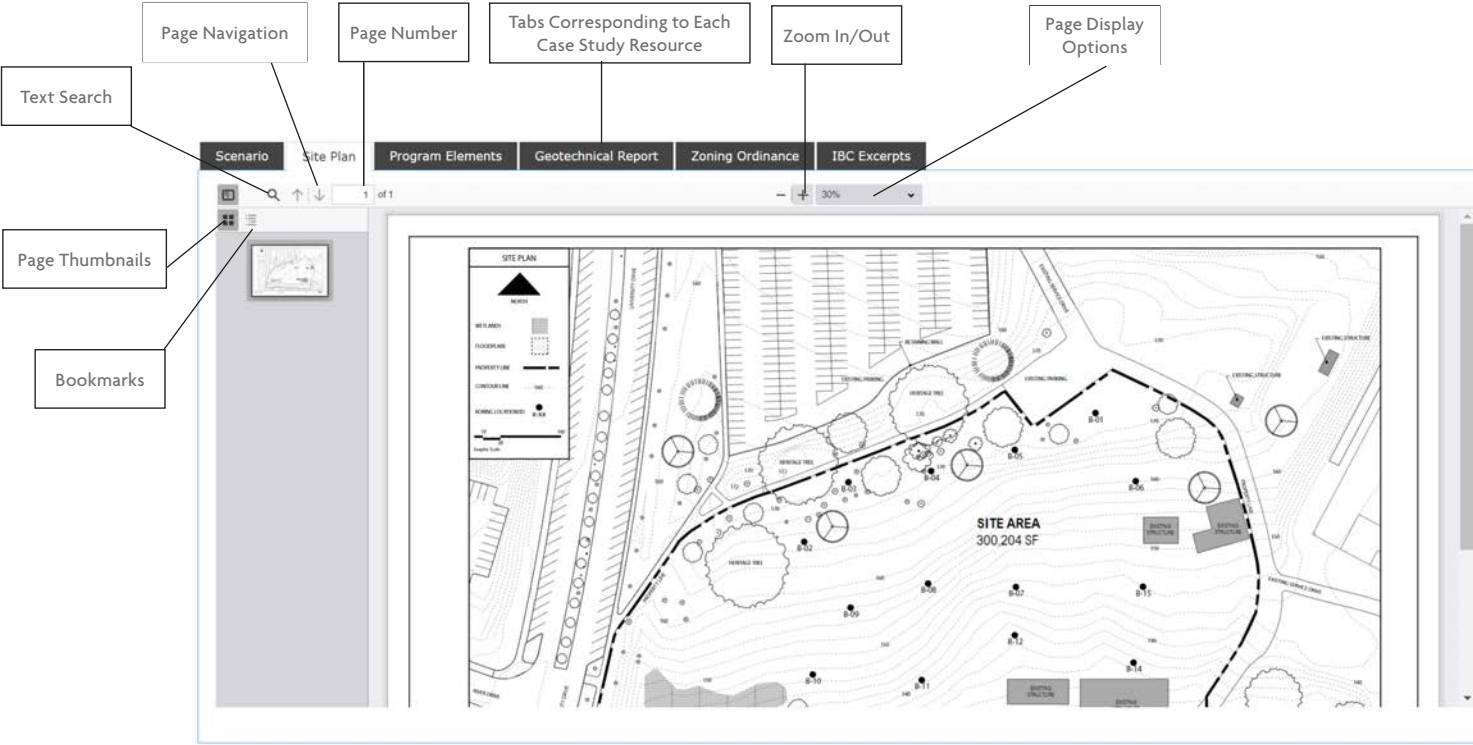
You can zoom in and out of the whiteboard by using the zoom buttons in the upper right corner. If you need to increase the space available on a page or canvas, expand the window size of your whiteboard or create a new page.

UNDO/REDO ACTION

You can undo your last action within the whiteboard by clicking the “Undo” button. If you would like to redo an action within the whiteboard, simply click the “Redo” button.

Case Study Navigation

All ARE 5.0 case studies are formatted the same way. The resources for each case study are displayed as PDFs and include various tools to assist you in navigating the documents. These include a text search function, which allows you to type a word or words and then navigate to the areas of the resource that include it. The bookmarks and page thumbnails will help you navigate through longer resources more efficiently. The zoom and page display functions enable you to see the resources in detail.



EXAM CONTENT

NCARB used the results of the [*NCARB 2012 Practice Analysis of Architecture*](#) when developing ARE 5.0 to determine the critical knowledge and skills an architect must perform competently. These knowledge and skills were organized into **six practice-based divisions**:

PcM Practice Management

PjM Project Management

PA Programming & Analysis

PPD Project Planning & Design

PDD Project Development & Documentation

CE Construction & Evaluation

Each division is broken down into multiple sections, and each section has objectives on which candidates will be assessed. All of the questions on an ARE division are authored to assess candidates based on the objectives in that division. Keep in mind that each of the objectives in a division are paired with a cognitive level appropriate for the type of mental functioning that the objective might require in practice. Every question on the ARE is authored to address one objective and one cognitive level.

Practice Management (PcM)

DIVISION OVERVIEW

This division will assess objectives related to the management of architectural practice, including professional ethics, fiduciary responsibilities, and the regulations governing the practice of architecture. The division will focus on issues related to pre-contract tasks including negotiation, human resource management, and consultant development. Candidates must demonstrate an understanding of and abilities in business structure, business development, and asset development and protection.

Section 1: Business Operations

- 1.1 Assess resources within the practice (A/E)
- 1.2 Apply the regulations and requirements governing the work environment (U/A)
- 1.3 Apply ethical standards to comply with accepted principles within a given situation (U/A)
- 1.4 Apply appropriate Standard of Care within a given situation (U/A)

Section 2: Finances, Risk, & Development of Practice

- 2.1 Evaluate the financial well-being of the practice (A/E)
- 2.2 Identify practice policies and methodologies for risk, legal exposures, and resolutions (U/A)
- 2.3 Select and apply practice strategies for a given business situation and policy (U/A)

Section 3: Practice-Wide Delivery of Services

- 3.1 Analyze and determine response for client services requests (A/E)
- 3.2 Analyze applicability of contract types and delivery methods (A/E)
- 3.3 Determine potential risk and/or reward of a project and its impact on the practice (A/E)

Section 4: Practice Methodologies

- 4.1 Analyze the impact of practice methodologies relative to structure and organization of the practice (A/E)
- 4.2 Evaluate design, coordination, and documentation methodologies for the practice (A/E)

Practice Management

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
65	59	6	2	10-14	2 hr 40 min	30 min	3 hr 20 min

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count against a candidate's final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Applying competent delivery of professional architectural services
- Applying the laws and regulations of architectural practice
- Evaluating legal, ethical, and contractual standards in the performance of architectural tasks

The 65 items will assess you on four sections related to Practice Management. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*	
SECTION 1: Business Operations	13-17	20-26%	
SECTION 2: Finances, Risk, & Development of Practice	19-23	29-35%	
SECTION 3: Practice-Wide Delivery of Services	14-18	22-28%	
SECTION 4: Practice Methodologies	11-15		17-23%

*The percentages shown for each section and objective represent a typical form of this division. The specific form you experience may vary slightly, as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

PcM

SECTION 1

Business Operations

In this section you will need to understand that running a business requires attention to staffing, regulations, insurance, ethics, and the appropriate Standard of Care.

OBJECTIVE 1.1 (8-12%)**Assess resources within the practice (A/E)**

You will need to analyze the staffing needs of a practice and recommend criteria and protocols for hiring, staffing assignments, staff evaluations, staff scheduling, and professional development. You will also need to evaluate capital expenditures, such as hardware, software, or training. These are items that support a firm's current business model or allow a firm to expand into a new practice area, evolve to offer more environmental design, or address other changing needs.

OBJECTIVE 1.2 (4-8%)**Apply the regulations and requirements governing the work environment (U/A)**

You will need to demonstrate your understanding of laws, regulations, and insurance that apply to running a practice, including health insurance, worker's compensation, general liability, and labor laws.

OBJECTIVE 1.3 (2-6%)**Apply ethical standards to comply with accepted principles within a given situation (U/A)**

You will determine the appropriate responses to given situations which demonstrate your understanding of laws, rules of conduct, and ethics in responding to client requests and business practices. This could include issues such as plagiarism, copyright or intellectual property infringement, exaggeration, and libel or slander.

OBJECTIVE 1.4 (1-5%)**Apply appropriate Standard of Care within a given situation (U/A)**

You will need to understand the Standard of Care and its implications on providing professional services, the impact of errors and omissions, the responsibility to appropriately address vulnerabilities and risks associated with climate change, and how to appropriately respond to unknown conditions in order to protect the health, safety, and welfare of the public.

PcM

SECTION 2

Finances, Risk, & Development of Practice

This section is about how running and developing a practice requires attention to finances, mitigating risk and liability, and negotiating services and contracts. This is the largest section within the Practice Management division.

OBJECTIVE 2.1 (11-15%)**Evaluate the financial well-being of the practice (A/E)**

You will need to be able to analyze financial data, business strategies, and the firm's strategic priorities to identify actions that position the practice appropriately.

OBJECTIVE 2.2 (10-14%)**Identify practice policies and methodologies for risk, legal exposures, and resolutions (U/A)**

You will need to understand the implications of various types of projects, client types, and contract terms as they relate to risk, legal exposure, and insurance coverage. The application of conflict resolution and quality management techniques to various situations that arise within a practice is also a necessary component.

OBJECTIVE 2.3 (5-9%)**Select and apply practice strategies for a given business situation and policy (U/A)**

You will need to make decisions, and understand the impact of those decisions, related to negotiations of services, contracts, scope creep, and scope adjustments, as well as protecting intellectual property in a given business situation.

PcM

SECTION 3

Practice-Wide Delivery of Services

In this section you will need to look at projects in the context of their impact on the overall running of a practice.

OBJECTIVE 3.1 (3-7%)**Analyze and determine response for client services requests (A/E)**

One of the most important things you will need to do as an architect is assess the scope of services needed, completeness of requests, public interest conflicts, and fee proposals based on client requests, prior to finalizing a contract with a client.

OBJECTIVE 3.2 (10-14%)**Analyze applicability of contract types and delivery methods (A/E)**

You will also need to differentiate between the appropriate types of contracts and agreements, estimate the impact and risk of changes to contracts, and understand the impact of various delivery options for a given project.

OBJECTIVE 3.3 (6-10%)**Determine potential risk and/or reward of a project and its impact on the practice (A/E)**

You must be able to evaluate projects to assess their value, liability, risk, opportunity, and anticipated benefit to the practice as a whole.

PcM

SECTION 4

Practice Methodologies

In this section you will need to analyze how a practice is structured to achieve its goals and how to coordinate various projects and services within a practice. This section is the smallest of the four sections in the Practice Management division.

OBJECTIVE 4.1 (8-12%)**Analyze the impact of practice methodologies relative to structure and organization of the practice (A/E)**

Architects must be able to examine various ways to structure a practice to achieve the firm goals. This requires you to have an understanding of the various business structures and the role evidence-based design plays in order to achieve the firm goals.

OBJECTIVE 4.2 (8-12%)**Evaluate design, coordination, and documentation methodologies for the practice (A/E)**

You must also be able to evaluate the impact of various methodologies—such as evidence-based design, integrated project delivery, or phasing—and analyze how these methodologies impact quality control and security throughout all phases of a project.

Project Management (PjM)

DIVISION OVERVIEW

This division will assess objectives related to the management of architectural projects, including organizing principles, contract management, and consultant management. The division will focus on issues related to office standards, development of project teams, and overall project control of client, fee, and risk management. Candidates must demonstrate an understanding of and abilities in quality control, project team configuration, and project scheduling. In addition, candidates must demonstrate the ability to establish and deliver project services per contractual requirements in collaboration with consultants.

Section 1: Resource Management

- 1.1 Determine criteria required to assemble team (U/A)
- 1.2 Assess criteria required to allocate and manage project resources (A/E)

Section 2: Project Work Planning

- 2.1 Develop and maintain project work plan (U/A)
- 2.2 Determine criteria required to develop and maintain project schedule (A/E)
- 2.3 Determine appropriate communication to project team – owner, contractor, consultants and internal staff (U/A)

Section 3: Contracts

- 3.1 Evaluate and verify adherence to owner/architect agreement (A/E)
- 3.2 Interpret key elements of, and verify adherence to architect/consultant agreement (U/A)
- 3.3 Interpret key elements of the owner/contractor agreement (U/A)
- 3.4 Interpret key elements of the owner/architect agreement to integrate an owner's consultant's work into the project (U/A)

Section 4: Project Execution

- 4.1 Evaluate compliance with construction budget (A/E)
- 4.2 Evaluate and address changes in scope of work and scope creep (A/E)
- 4.3 Evaluate project documentation to ensure it supports the specified delivery method (A/E)
- 4.4 Identify and conform with the requirements set forth by authorities having jurisdiction in order to obtain approvals for the project (U/A)

Section 5: Project Quality Control

- 5.1 Apply procedures required for adherence to laws and regulations relating to the project (U/A)
- 5.2 Identify steps in maintaining project quality control, and reducing risks and liabilities (A/E)
- 5.3 Perform quality control reviews of project documentation throughout life of project (A/E)
- 5.4 Evaluate management of the design process to maintain integrity of design objectives (A/E)

Project Management

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
75	68	7	2	12-16	3 hr	30 min	3 hr 40 min

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count toward or against your final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Administering contract requirements and competent delivery of project services
- Organizing a team to design and produce contract documents
- Coordinating project team activities and project budget
- Communicating information to all constituents throughout the project delivery process
- Developing a project schedule that defines tasks and meets milestones

The 75 items will assess you on five sections related to Project Management. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*
SECTION 1: Resource Management	5-10	7-13%
SECTION 2: Project Work Planning	13-17	17-23%
SECTION 3: Contracts	19-23	25-31%
SECTION 4: Project Execution	13-17	17-23%
SECTION 5: Project Quality Control	14-19	19-25%

*The percentages shown for each section and objective represent a typical form of this division. The specific form you may experience may vary slightly as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

Resource Management

Once you have a signed contract, it's time to determine what resources will be needed to execute the project. In this section, you will need to determine the composition of the project team and how each team member's time will be managed and allocated in order to execute the project.

OBJECTIVE 1.1 (3-7%)

Determine criteria required to assemble team (U/A)

You will need to determine what internal staff and outside consultants will be needed to complete the project and fulfill the contract. This will include understanding fees related to the project and consultants. You will need to anticipate the specific responsibilities of the team being assembled.

OBJECTIVE 1.2 (3-7%)

Assess criteria required to allocate and manage project resources (A/E)

As the project proceeds, you will also need to assess appropriate levels of staffing relative to the project needs and fees. This will require tracking the progress of the project based on personnel, hours, fees, and schedule.

Project Work Planning

In this section, you will evaluate effective ways to develop and communicate a work plan with the assembled project team in order to complete the project.

OBJECTIVE 2.1 (5-9%)

Develop and maintain project work plan (U/A)

You will need to use resources such as Gantt charts or critical path schedules, to identify key activities and milestones in a project and how they can be achieved. You will also need to be able to modify schedules and work plans to incorporate feedback or changes to the project.

OBJECTIVE 2.2 (5-9%)

Determine criteria required to develop and maintain project schedule (A/E)

Prioritizing tasks and evaluating their impact on a balanced workload is a critical aspect of this section. You will need to assess how outside factors, like client reviews, regulatory submissions, and testing, impact work plans and schedules.

OBJECTIVE 2.3 (4-8%)

Determine appropriate communication to project team – owner, contractor, consultants and internal staff (U/A)

Architects must also determine the type and content of documents needed to communicate during the work planning phase of a project. These include documents such as agendas, meeting minutes, emails, and memos.

Contracts

In this section, you will analyze the contracts that establish relationships between the architect, owner, contractors, and consultants.

OBJECTIVE 3.1 (10-14%)

Evaluate and verify adherence to owner/architect agreement (A/E)

AIA Document B101 is the primary document in this relationship. With a clear understanding of each article, you should be able to differentiate between basic, supplemental, and additional services; determine requisite billing for each phase; and recognize when a phase is completed. You will need to select the appropriate delivery method based on standard contract requirements.

OBJECTIVE 3.2 (5-9%)

Interpret key elements of, and verify adherence to architect/consultant agreement (U/A)

AIA Document C401 is the primary document in this relationship. You will need to identify contract requirements related to completing a project, additional services, and payment schedules.

OBJECTIVE 3.3 (4-8%)

Interpret key elements of the owner/contractor agreement (U/A)

AIA Documents A101 and A201 are the primary documents for this relationship. You will need to understand the architect's role relative to the owner when working with a contractor across various delivery methods.

OBJECTIVE 3.4 (1-5%)

Interpret key elements of the owner/architect agreement to integrate an owner's consultant's work into the project (U/A)

You will need to understand how an owner's consultant's work affects project deliverables. This requires identifying how to sequence, integrate, and coordinate an owner's consultant's work in the overall project.

Project Execution

This section assesses management of the project's execution. It is not about the design-related decisions, but rather the necessary administrative procedures throughout the project.

OBJECTIVE 4.1 (3-7%)

Evaluate compliance with construction budget (A/E)

Architects must confirm all items in construction estimates to ensure they align with the budget. You must also evaluate estimates throughout the course of the project to mitigate changes in material or scope to comply with the budget.

OBJECTIVE 4.2 (3-7%)

Evaluate and address changes in scope of work and scope creep (A/E)

You will need to be able to analyze changes in scope to determine the impact on fees, schedules, and owner financing.

OBJECTIVE 4.3 (5-9%)

Evaluate project documentation to ensure it supports the specified delivery method (A/E)

As an architect, you must be able to determine the appropriate documentation needed for projects, including consultant documents. You must also be able to coordinate close-out and construction administration documentation.

OBJECTIVE 4.4 (1-5%)

Identify and conform with the requirements set forth by authorities having jurisdiction in order to obtain approvals for the project (U/A)

Lastly, you will need to be able to identify which authorities have jurisdiction over projects and determine what submittals are required for project approvals. This includes properly responding to questions or feedback from these authorities. Authorities could include zoning commissions, neighborhood review boards, or plan reviewers.

Project Quality Control

The last section in this division analyzes quality control methods, procedures, and review processes in order to maintain the proper Standard of Care throughout the entire project. As with the previous sections, this section is not about the design-related decisions, but rather the necessary administrative procedures throughout the project.

OBJECTIVE 5.1 (2-6%)

Apply procedures required for adherence to laws and regulations relating to the project (U/A)

You will need to be able to identify the government agencies who have jurisdiction on the project and determine what permits and procedures will be required throughout the project duration. This also includes establishing protocols to maintain compliance on the project site. In addition, you'll need to know the requirements for performing a code analysis and understand the impact of building, zoning, and other jurisdictional codes on design and construction.

OBJECTIVE 5.2 (4-8%)

Identify steps in maintaining project quality control, and reducing risks and liabilities (A/E)

You will need to establish review processes to be utilized throughout the project to evaluate quality control, assess risk and liabilities, and identify level of completion at each phase of the project. Understanding the different types of insurance related to architectural practice and understanding strategies for conflict resolution are also critical ways to manage risks and liabilities.

OBJECTIVE 5.3 (5-9%)

Perform quality control reviews of project documentation throughout life of project (A/E)

You will need to carry out the review steps and procedures identified and established in the previous objective with regards to quality control and risk. This includes coordinating the design work and documentation of consultants. It's critical to assess the impact of design decisions and changes on constructability.

OBJECTIVE 5.4 (3-7%)

Evaluate management of the design process to maintain integrity of design objectives (A/E)

As an architect, you must ensure design objectives are continually monitored and met across all phases of design. In this division, it is not about the design details, but the process of communicating the design objectives through regular collaboration with project stakeholders.

Programming & Analysis (PA)

DIVISION OVERVIEW

This division will assess objectives related to the evaluation of project requirements, constraints, and opportunities. The division will focus on issues related to programming, site analysis, and zoning and code requirements. Candidates must demonstrate an understanding of and abilities in project type analysis, the establishment of qualitative and quantitative project requirements, evaluation of project site and context, and assessment of economic issues.

Section 1: Environmental & Contextual Conditions

- 1.1 Evaluate site-specific environmental and socio-cultural opportunities (A/E)
- 1.2 Evaluate site-specific environmental constraints (A/E)
- 1.3 Determine optimal use of onsite resources by incorporating sustainability principles (U/A)

Section 2: Codes & Regulations

- 2.1 Identify relevant code requirements for building and site types (U/A)
- 2.2 Identify relevant zoning and land use requirements (U/A)
- 2.3 Identify relevant local and site-specific requirements (U/A)

Section 3: Site Analysis & Programming

- 3.1 Evaluate relevant qualitative and quantitative attributes of a site as they relate to a program (A/E)
- 3.2 Synthesize site reports with other documentation and analysis (A/E)
- 3.3 Analyze graphical representations regarding site analysis and site programming (A/E)

Section 4: Building Analysis & Programming

- 4.1 Evaluate relevant qualitative and quantitative attributes of a new or existing building as they relate to the program (A/E)
- 4.2 Evaluate documentation, reports, assessments, and analyses to inform the building program (A/E)
- 4.3 Identify and prioritize components of the building program (A/E)
- 4.4 Assess spatial and functional relationships for the building program (A/E)
- 4.5 Recommend a preliminary project budget and schedule (U/A)
- 4.6 Identify alternatives for building and structural systems for given programmatic requirements, preliminary budget, and schedule (U/A)
- 4.7 Analyze graphical representations regarding building analysis and building programming (A/E)

Programming & Analysis

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
75	68	7	2	12-16	3 hr	30 min	3 hr 40 min

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count toward or against your final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Evaluating qualitative and quantitative project requirements
- Analyzing environmental, social, and economic requirements of a project
- Synthesizing project requirements based on gathered information

The 75 items will assess you on four sections related to Programming & Analysis. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*	
SECTION 1: Environmental & Contextual Conditions	11-16	14-21%	
SECTION 2: Codes & Regulations	12-17	16-22%	
SECTION 3: Site Analysis & Programming	16-20	21-27%	
SECTION 4: Building Analysis & Programming	28-32	37-43%	

*The percentages shown for each section and objective represent a typical form of this division. The specific form you may experience may vary slightly as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

PA

SECTION 1

Environmental & Contextual Conditions

In this section, you'll evaluate a project site and identify both the opportunities and constraints that may impact future development.

OBJECTIVE 1.1 (2-6%)**Evaluate site-specific environmental and socio-cultural opportunities (A/E)**

You will need to analyze a project site and assess opportunities that could be incorporated into future site and building development. These opportunities may include alternative energy resources, natural landscape features, microclimates, and neighborhood context, along with other environmental, social, and cultural conditions.

OBJECTIVE 1.2 (7-11%)**Evaluate site-specific environmental constraints (A/E)**

You will need to analyze a project site and assess constraints and hazardous conditions that could limit a building's location and future site development. These constraints may include issues like a floodplain, unstable soil, radon, lead, a brownfield, abandoned structures, environmental policies and regulations, or vulnerabilities and risks associated with climate change. You will also need to identify strategies that could mitigate adverse site conditions.

OBJECTIVE 1.3 (2-6%)**Determine optimal use of onsite resources by incorporating sustainability principles (U/A)**

After evaluating a site for both opportunities and constraints, you must be able to identify appropriate design responses for a building's location, orientation, massing, footprint, and passive energy use in order to minimize the project's negative environmental impacts and make use of existing natural features.

PA

SECTION 2

Codes & Regulations

In this section, you'll look at the codes and regulations appropriate to the initial analysis and programming phase of a project.

OBJECTIVE 2.1 (5-9%)**Identify relevant code requirements for building and site types (U/A)**

As an architect, you need to be able to determine and understand the codes and regulations that govern a specific project type and geographic region. This includes distinguishing relevant accessibility and ADA requirements, applicable building and energy codes, and sustainability-related standards and guidelines. It's important to conduct an initial code analysis to understand how the codes will affect a project's design.

OBJECTIVE 2.2 (5-9%)**Identify relevant zoning and land use requirements (U/A)**

You need to be able to determine and understand requirements that limit the extent of site and building development. This includes issues like setbacks, footprint limitations, maximum building heights, FAR, parking requirements, easements, and other zoning and land use regulations. Recognizing situations where a special exception or variance is suitable and understanding the process for approval are also included in this objective.

OBJECTIVE 2.3 (3-7%)**Identify relevant local and site-specific requirements (U/A)**

You will need to determine and understand specialty regulations that apply to a particular site. These may include requirements about wetlands, flood plains, design overlay districts, or historic preservation.

PA

SECTION 3

Site Analysis & Programming

In this section, you'll need to analyze a project site relative to the program and project requirements.

OBJECTIVE 3.1 (6-10%)**Evaluate relevant qualitative and quantitative attributes of a site as they relate to a program (A/E)**

This objective assesses your ability to analyze a project site relative to the requirements in the program to determine if it is appropriate and feasible for development. You will need to consider the climate, topography, drainage, soil, built and natural features, utilities, access points, traffic patterns, easements, and other attributes relevant to the project and program.

OBJECTIVE 3.2 (8-12%)**Synthesize site reports with other documentation and analysis (A/E)**

In addition to analyzing the attributes of the site, you will also need to review and interpret site documentation such as geotechnical reports, landscape reports, archaeological studies, utility surveys, topographic maps, demographics, traffic studies, environmental data, historic reports, and other site related reports. This is used to determine the feasibility of a project and verify the selection of site related consultants needed to execute the project.

OBJECTIVE 3.3 (4-8%)**Analyze graphical representations regarding site analysis and site programming (A/E)**

You must be able to evaluate and understand diagrammatic graphics and how they are used to represent and communicate site conditions, relationships, and program requirements. These graphics include topographic, programming, circulation, adjacency, environmental, view, and vegetation diagrams, which communicate site information and relationships.

PA

SECTION 4

Building Analysis & Programming

In this section, you'll analyze new or existing buildings relative to the program requirements, cost, and schedule. This is the largest section in the Programming & Analysis division.

OBJECTIVE 4.1 (3-7%)

Evaluate relevant qualitative and quantitative attributes of a new or existing building as they relate to the program (A/E)

As an architect, you will need to review an existing or new building to determine if the design addresses views, daylight, spatial organization, and other program requirements. You will also need to analyze an existing building to determine if renovation, adaptive reuse, preservation, or demolition are appropriate and feasible to meet project needs. Relevant factors may include a building's MEP systems, structural stability, hazardous materials, historic features, or eligibility for tax credits.

OBJECTIVE 4.2 (3-7%)

Evaluate documentation, reports, assessments, and analyses to inform the building program (A/E)

In addition to analyzing the attributes of a building, you will need to review and interpret technical documentation such as structural assessments, geotechnical reports, neighborhood and regional context, and condition assessment reports. These are used to consider the feasibility of a project and how the building program may be positively or negatively affected.

OBJECTIVE 4.3 (8-12%)

Identify and prioritize components of the building program (A/E)

As an architect, you must be able to review and understand the building program relative to the client's requirements. This includes the consideration of primary vs. subsidiary, back of house vs. front of house, occupied vs. unoccupied, as well as phasing and major circulation components. Understanding the area requirements of a building type relative to the program, including net square footage and gross square footage, is very important, as are how they relate to each other and the overall program requirements.

CONTINUED

OBJECTIVE 4.4 (8-12%)

Assess spatial and functional relationships for the building program (A/E)

Spatial organization is an important aspect of architecture, so reviewing and analyzing the building program relative to both horizontal and vertical spatial and functional relationships is an important assessment. You must consider the vertical relationships of shafts, stairs, conveying systems, atriums, and other multi-level spaces, as well as the horizontal relationships including circulation, entry, loading, assembly, MEP spaces, and other programmed spaces.

OBJECTIVE 4.5 (2-6%)

Recommend a preliminary project budget and schedule (U/A)

As an architect, you must be able to compare available project information (master plans, existing documentation, program requirements, site information, etc.) to determine a preliminary project schedule and cost. If the project budget and schedule have been defined by the client, you should be able to evaluate this information to determine the feasibility of the project and provide appropriate recommendations.

OBJECTIVE 4.6 (1-5%)

Identify alternatives for building and structural systems for given programmatic requirements, preliminary budget, and schedule (U/A)

You will need to understand various building materials as well as civil, structural, and MEP systems to determine the appropriateness of each to meet project needs, based on factors such as building type, function, program, availability, cost, and sustainability goals. Even before the selection of each system, you will need to be able to identify alternative systems that could fulfill the project requirements.

OBJECTIVE 4.7 (2-6%)

Analyze graphical representations regarding building analysis and building programming (A/E)

You will need to understand diagrammatic graphics and evaluate how they are used to communicate building relationships and other requirements. These may include diagrams that depict horizontal and vertical circulation, space adjacencies, solar path, or views.

Project Planning & Design (PPD)

DIVISION OVERVIEW

This division will assess objectives related to the preliminary design of sites and buildings. The division will focus on issues related to the generation or evaluation of design alternatives that synthesize environmental, cultural, behavioral, technical, and economic issues. Candidates must demonstrate an understanding of and abilities in design concepts, sustainability/environmental design, universal design, and other forms of governing codes and regulations.

Section 1: Environmental Conditions & Context

- 1.1 Determine location of building and site improvements based on site analysis (A/E)
- 1.2 Determine sustainable principles to apply to design (A/E)
- 1.3 Determine impact of neighborhood context on the project design (U/A)

Section 2: Codes & Regulations

- 2.1 Apply zoning and environmental regulations to site and building design (U/A)
- 2.2 Apply building codes to building design (U/A)
- 2.3 Integrate multiple codes to a project design (A/E)

Section 3: Building Systems, Materials, & Assemblies

- 3.1 Determine mechanical, electrical, and plumbing systems (A/E)
- 3.2 Determine structural systems (A/E)
- 3.3 Determine special systems such as acoustics, communications, lighting, security, conveying, and fire suppression (A/E)
- 3.4 Determine materials and assemblies to meet programmatic, budgetary, and regulatory requirements (A/E)

Section 4: Project Integration of Program & Systems

- 4.1 Determine building configuration (A/E)
- 4.2 Integrate building systems in the project design (A/E)
- 4.3 Integrate program requirements into a project design (A/E)
- 4.4 Integrate environmental and contextual conditions in the project design (A/E)

Section 5: Project Costs & Budgeting

- 5.1 Evaluate design alternatives based on the program (A/E)
- 5.2 Perform cost evaluation (A/E)
- 5.3 Evaluate cost considerations during the design process (A/E)

Project Planning & Design

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
100	91	9	2	16-20	4 hr 5 min	45 min	5 hr

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count toward or against your final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Evaluating project design alternatives
- Determining if a design meets project parameters, including those defined by the client, the environment, and society
- Selecting the appropriate building systems and material to meet project goals and regulatory requirements
- Integrating technical knowledge and information to develop a design

The 100 items will assess you on five sections related to Project Planning & Design. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*
SECTION 1: Environmental Conditions & Context	10-16	10-16%
SECTION 2: Codes & Regulations	16-22	16-22%
SECTION 3: Building Systems, Materials, & Assemblies	19-25	19-25%
SECTION 4: Project Integration of Program & Systems	32-38	32-38%
SECTION 5: Project Costs & Budgeting	8-14	8-14%

*The percentages shown for each section and objective represent a typical form of this division. The specific form you may experience may vary slightly as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

PPD

SECTION 1

Environmental Conditions & Context

In this section, you'll use the site information gathered in the programming and analysis phase of a project to plan the site and environmental aspects of a project.

OBJECTIVE 1.1 (4-8%)**Determine location of building and site improvements based on site analysis (A/E)**

Based on views, wind, solar path, topography, adjacencies, planning concepts, and vulnerabilities and risks associated with climate change, you will need to locate a new built project on its site. This can include the orientation of one building, the arrangement of multiple buildings, the configuration of an addition to an existing building, or the layout of site improvements.

OBJECTIVE 1.2 (2-6%)**Determine sustainable principles to apply to design (A/E)**

An architect must use sun, wind, temperature, precipitation, and other climatic data to determine building orientation and shape, building envelope design, site features, and active and/or passive building systems. Sustainable principles also include considering recycled content, identifying opportunities to minimize waste when selecting building materials, and other strategies to increase the project's resilience and reduce its negative impact on the environment.

OBJECTIVE 1.3 (1-5%)**Determine impact of neighborhood context on the project design (U/A)**

You will need to consider the character of a site's neighborhood, including proximity to various modes of transit, nearby amenities and public services, utilities, noise pollution, the scale of adjacent buildings, surrounding façade materials, historic precedent, and historic preservation requirements. Understanding how these impact a project is necessary as you determine an appropriate design response for a given architectural context.

PPD

SECTION 2

Codes & Regulations

In this section, you'll look at the codes and regulations relevant to the planning phase of a project.

OBJECTIVE 2.1 (3-7%)**Apply zoning and environmental regulations to site and building design (U/A)**

It is important to understand the regulations that govern the outside of a building, including standard and accessible parking requirements, allowable building size based on FAR, site coverage, property line setbacks, and requirements for managing stormwater runoff.

OBJECTIVE 2.2 (8-12%)**Apply building codes to building design (U/A)**

It is also important to assess the building code requirements that impact a project. This includes building height and area limits, maximum occupant load, fire separation, required egress, accessibility, plumbing fixture counts, and energy usage. Architects must be able to compile this information into a code analysis and incorporate it into the design.

OBJECTIVE 2.3 (2-6%)**Integrate multiple codes to a project design (A/E)**

Multiple codes may govern a project, depending on the jurisdiction, funding stream, or other factors. You will need to understand the use of related codes, like energy, mechanical, and universal design; determine how multiple codes are used together; and discern which code governs when a conflict arises.

PPD

SECTION 3

Building Systems, Materials, & Assemblies

In this section, you'll focus on other disciplines with which an architect must be familiar, along with the various components that make up the building.

OBJECTIVE 3.1 (5-9%)**Determine mechanical, electrical, and plumbing systems (A/E)**

You will need to evaluate mechanical, electrical, and plumbing systems, including their impact on building and site design. Based on function, cost, size, availability, programmatic needs, and energy/water usage, you will need to select the appropriate systems for a building.

OBJECTIVE 3.2 (4-8%)**Determine structural systems (A/E)**

You will need to evaluate different structural systems, including their cost, availability, load capacity, and impact on building design and configuration. Based on these factors, as well as building size and function, you will need to select the appropriate structural system and layout for a building.

OBJECTIVE 3.3 (1-5%)**Determine special systems such as acoustics, communications, lighting, security, conveying, and fire suppression (A/E)**

You will need to evaluate specialty systems and select the appropriate systems for a building based on the building type, function, and programmatic requirements. You will also need to assess the impact of these specialty systems on the overall design of a building.

OBJECTIVE 3.4 (4-8%)**Determine materials and assemblies to meet programmatic, budgetary, and regulatory requirements (A/E)**

You will need to select a building's envelope system, interior materials, and other assemblies based on cost, availability, program requirements, environmental conditions, sustainability requirements, or other factors. You will also need to evaluate the impact of those decisions on building design.

PPD

SECTION 4

Project Integration of Program & Systems

In this section, you'll pull together all the decisions from the previous three sections regarding environmental conditions, code, systems, and assemblies. This is the largest section in the Project Planning & Design division.

OBJECTIVE 4.1 (8-12%)

Determine building configuration (A/E)

As an architect, you will need to resolve the building's configuration based on program and code requirements, selected MEP and structural systems, site and environmental conditions, historic precedent, sustainability requirements, and principles of design logic.

OBJECTIVE 4.2 (10-14%)

Integrate building systems in the project design (A/E)

Within this division is the beginning of systems coordination. You must consider how the selected systems fit together, both spatially and functionally, and how they are coordinated into the architectural design. You will also need to evaluate how changes in one building system impact another system as well as the overall project design.

OBJECTIVE 4.3 (6-10%)

Integrate program requirements into a project design (A/E)

Architects must be able to reconcile the relationships between various program requirements, evaluate the program's impact on cost and building systems, and assess how the program is affected by environmental factors. It's important that you are able to create a building layout that incorporates program requirements for a project.

OBJECTIVE 4.4 (3-7%)

Integrate environmental and contextual conditions in the project design (A/E)

You will need to incorporate various design strategies, including those assessed in Section 1, into the project. This may include elements like view corridors, shading elements, building materials, and landscape design.

PPD

SECTION 5

Project Costs & Budgeting

In this last section, you'll consider the bottom line: how much does this project cost.

OBJECTIVE 5.1 (2-6%)**Evaluate design alternatives based on the program (A/E)**

The first design is not necessarily the best, so analyzing design alternatives against the program requirements, project goals, and project budget, as well as considering the various factors that affect costs, is critical as you determine the most appropriate design option that fits within the project budget.

OBJECTIVE 5.2 (1-5%)**Perform cost evaluation (A/E)**

It is important for you to evaluate various methods of estimating project costs, including those based on program type, square footage, or systems/assemblies. You must be able to create a preliminary cost estimate, adjust the estimate as the design develops, calculate the cost of design alternatives, and reconcile the estimate with the project budget.

OBJECTIVE 5.3 (2-6%)**Evaluate cost considerations during the design process (A/E)**

Architects need to consider client priorities and life cycle costs when selecting materials and systems, and they must evaluate the cost effectiveness of various design decisions. As an architect, you will need to determine if a project design must be modified based on cost evaluations and budgetary needs.

Project Development & Documentation (PDD)

DIVISION OVERVIEW

This division will assess objectives related to the integration and documentation of building systems, material selection, and material assemblies into a project. The division will focus on issues related to the development of design concepts, evaluation of materials and technologies, selection of appropriate construction techniques, and appropriate construction documentation. Candidates must demonstrate an understanding of and abilities in integration of civil, structural, mechanical, electrical, plumbing, and specialty systems into overall project design and documentation.

Section 1: Integration of Building Materials & Systems

- 1.1 Analyze the integration of architectural systems and technologies to meet project goals (A/E)
- 1.2 Determine the size of mechanical, electrical, and plumbing systems and components to meet project goals (U/A)
- 1.3 Determine the size of structural systems to meet project goals (U/A)
- 1.4 Integrate specialty systems such as acoustics, lighting, fire suppression, conveying, security, and communications to meet project goals (U/A)
- 1.5 Determine how to detail the integration of multiple building systems and technologies (U/A)
- 1.6 Coordinate mechanical, electrical, plumbing, structural, and specialty systems and technologies (U/A)

Section 2: Construction Documentation

- 2.1 Determine appropriate documentation of building design (A/E)
- 2.2 Determine appropriate documentation of site features (A/E)
- 2.3 Determine appropriate documentation of detailed building drawings within individual architectural systems (A/E)
- 2.4 Apply standards required to assemble a set of clear and coordinated construction documentation (U/A)
- 2.5 Determine impact of project changes on documentation requirements and methods to communicate those changes to owner and design team (U/A)

Section 3: Project Manual & Specifications

- 3.1 Identify and prioritize components required to write, maintain, and refine project manual (U/A)
- 3.2 Identify and prioritize components required to write, maintain, and refine project specifications (U/A)
- 3.3 Coordinate specifications with construction documentation (U/A)

Section 4: Codes & Regulations

- 4.1 Determine adherence to building regulatory requirements (IBC) at detail level (U/A)
- 4.2 Determine adherence with specialty regulatory requirements at the detail level (U/A)

Section 5: Construction Cost Estimates

- 5.1 Analyze construction cost estimates to confirm alignment with project design (A/E)

Project Development & Documentation

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
100	91	9	2	16-20	4 hr 5 min	45 min	5 hr

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count toward or against your final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Evaluating project documentation for the constructability of a building and site
- Integrating technical knowledge and information to refine a design
- Integrating materials and building systems to meet the project design requirements
- Translating design decisions into appropriate construction documentation

The 100 items will assess you on five sections related to Project Development & Documentation. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*
SECTION 1: Integration of Building Materials & Systems	31-37	31-37%
SECTION 2: Construction Documentation	32-38	32-38%
SECTION 3: Project Manual & Specifications	12-18	12-18%
SECTION 4: Codes & Regulations	8-14	8-14%
SECTION 5: Construction Cost Estimates	2-8	2-8%

*The percentages shown for each section and objective represent a typical form of this division. The specific form you may experience may vary slightly as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

PDD

SECTION 1

Integration of Building Materials & Systems

In this section, you'll focus on resolving and detailing architectural systems and assemblies, building materials, and engineering systems.

OBJECTIVE 1.1 (5-9%)**Analyze the integration of architectural systems and technologies to meet project goals (A/E)**

As an architect you will first need to resolve and detail roof, curtain wall, cladding, window, floor, and other architectural systems, while also considering the detail requirements and capabilities of individual building materials.

OBJECTIVE 1.2 (5-9%)**Determine the size of mechanical, electrical, and plumbing systems and components to meet project goals (U/A)**

You will need to identify and develop mechanical, electrical, and plumbing systems based on system type, system requirements, programmatic requirements, and other factors. This may include tasks such as calculating the size of system components, determining a lighting layout, or incorporating renewable energy systems into a design.

OBJECTIVE 1.3 (5-9%)**Determine the size of structural systems to meet project goals (U/A)**

You will need to identify and develop structural systems, including detailing connections between standard horizontal and vertical structural components and calculating the size of some structural components based on the system type, system requirements, programmatic requirements, and other factors.

CONTINUED**OBJECTIVE 1.4 (1-5%)****Integrate specialty systems such as acoustics, lighting, fire suppression, conveying, security, and communications to meet project goals (U/A)**

You will need to be able to identify, develop, and integrate individual specialty system components based on system type, system requirements, programmatic requirements, and other factors.

OBJECTIVE 1.5 (3-7%)**Determine how to detail the integration of multiple building systems and technologies (U/A)**

You must also be able to detail and resolve the intersection of roof, curtain wall, cladding, window, floor, structural, interior, and other architectural systems as they come together within a building project.

OBJECTIVE 1.6 (3-7%)**Coordinate mechanical, electrical, plumbing, structural, and specialty systems and technologies (U/A)**

You must identify and resolve conflicts between engineering systems (mechanical, electrical, plumbing, and structural) and other specialty systems as they integrate into the project. This also includes coordinating engineering systems with the architectural design to fulfill programmatic, system, and other project requirements.

PDD

SECTION 2

Construction Documentation

In this section, you'll focus on project documentation necessary to assemble a set of drawings and update these drawings over the course of a project.

OBJECTIVE 2.1 (7-11%)**Determine appropriate documentation of building design (A/E)**

Architects must identify a drawing and documentation approach based on project complexity, materials and assemblies, delivery method, and other project or construction related requirements. Throughout project documentation, you must know how to refine, update, and make adjustments to the drawings to align with new or changing project requirements. Documentation must also indicate final selections of building materials, assemblies, and finishes.

OBJECTIVE 2.2 (2-6%)**Determine appropriate documentation of site features (A/E)**

Architects must also coordinate with civil engineers, landscape architects, and other consultants to verify the documentation of site drainage, utilities, pedestrian and vehicular circulation paths, parking, grading, and other site features and structures, including those related to environmental sustainability and resilience. It is critical to ensure site documentation is coordinated with all project disciplines.

OBJECTIVE 2.3 (8-12%)**Determine appropriate documentation of detailed building drawings within individual architectural systems (A/E)**

You will need to resolve, detail, and document individual architectural systems such as partition types, expansion joints, windows, doors, louvers, stairs, and other systems based on constructability, environmental, programmatic, and other building requirements.

CONTINUED

OBJECTIVE 2.4 (5-9%)**Apply standards required to assemble a set of clear and coordinated construction documentation (U/A)**

As an architect, you will also need to determine the necessary drawings required to communicate an architectural design based on the project delivery method. This requires assembling these drawings into a clear set of construction documents and ensuring the quality of the documentation meets the appropriate standard of care.

OBJECTIVE 2.5 (3-7%)**Determine impact of project changes on documentation requirements and methods to communicate those changes to owner and design team (U/A)**

Architects must incorporate value engineering, changes in scope, and owner or project team comments into the drawing set, and determine the impact of these changes on the project delivery method and schedule. You will also need to recognize when changes in scope or owner/project team comments require the architect to perform additional services.

PDD

SECTION 3

Project Manual & Specifications

In this section, you'll focus on the development of documentation beyond construction drawings—the project manual and specifications.

OBJECTIVE 3.1 (1-5%)**Identify and prioritize components required to write, maintain, and refine project manual (U/A)**

You will need to be able to determine and assemble the content of a project manual, including the general conditions; instructions for procurement, bidding, and contracting; and project specific requirements. This also requires the identification and preparation of any additional exhibits or special conditions required for project execution.

OBJECTIVE 3.2 (6-10%)**Identify and prioritize components required to write, maintain, and refine project specifications (U/A)**

You will need to determine the appropriate type of specifications to be used for a project, and you will need to identify which divisions are necessary based on project requirements. You will also need to analyze, select, and specify materials within a project in order to meet project requirements, testing protocols during construction, and common industry standards for materials and methods.

OBJECTIVE 3.3 (2-6%)**Coordinate specifications with construction documentation (U/A)**

You must also coordinate the specifications with information found on the architectural construction drawings and consultant documents. This includes all materials, assemblies, hardware, methods, and other identified information.

PDD

SECTION 4

Codes & Regulations

Codes and regulations appear in several divisions, but in this division, you'll look at codes and regulations at a detail level and determine how they pertain to project documentation.

OBJECTIVE 4.1 (4-8%)**Determine adherence to building regulatory requirements (IBC) at detail level (U/A)**

It is critical to be able to apply the International Building Code to the design and documentation of a project, including means of egress, fire and smoke protection, material and assembly requirements, and the ways in which changes to occupancy, floor size, or other details can impact code requirements.

OBJECTIVE 4.2 (3-7%)**Determine adherence with specialty regulatory requirements at the detail level (U/A)**

It is also important to be able to apply specialty regulations to the design and documentation of a project. This includes accessibility requirements, energy codes, standards for historic preservation, Fair Housing, environmental regulations, and other local or site specific regulations.

PDD

SECTION 5

Construction Cost Estimates

In this last section, you'll consider the construction cost of a project by analyzing an estimate. This section contains only one objective and is the smallest section in the division.

OBJECTIVE 5.1 (2-8%)**Analyze construction cost estimates to confirm alignment with project design (A/E)**

As an architect, you will need to compare and modify a construction cost estimate based on the development of a project, including value engineering, substitution of materials, and alignment with the project documentation and requirements. You will need to utilize appropriate estimating techniques based on the project type, phase, delivery method, or other requirements.

Construction & Evaluation (CE)

DIVISION OVERVIEW

This division will assess objectives related to construction contract administration and post-occupancy evaluation of projects. The division will focus on issues related to bidding and negotiation processes, support of the construction process, and evaluation of completed projects. Candidates must demonstrate an understanding of and abilities in construction contract execution, construction support services (including construction observation and shop drawing or submittal review), payment request processing, and project closeout. In addition, candidates must also demonstrate an understanding and abilities in project evaluation of integrated building systems and their performance.

Section 1: Preconstruction Activities

- 1.1 Interpret the architect's roles and responsibilities during preconstruction based on delivery method (U/A)
- 1.2 Analyze criteria for selecting contractors (A/E)
- 1.3 Analyze aspects of the contract or design to adjust project costs (A/E)

Section 2: Construction Observation

- 2.1 Evaluate the architect's role during construction activities (A/E)
- 2.2 Evaluate construction conformance with contract documents, codes, regulations, and sustainability requirements (A/E)
- 2.3 Determine construction progress (U/A)

Section 3: Administrative Procedures & Protocols

- 3.1 Determine appropriate additional information to supplement contract documents (U/A)
- 3.2 Evaluate submittals including shop drawings, samples, mock-ups, product data, and test results (A/E)
- 3.3 Evaluate the contractor's application for payment (A/E)
- 3.4 Evaluate responses to non-conformance with contract documents (A/E)

Section 4: Project Closeout & Evaluation

- 4.1 Apply procedural concepts to complete close-out activities (U/A)
- 4.2 Evaluate building design and performance (A/E)

Construction & Evaluation

DIVISION DETAILS

TOTAL ITEMS	SCORED ITEMS	PRETEST ITEMS	NUMBER OF CASE STUDIES	NUMBER OF CASE STUDY ITEMS	TEST DURATION	OPTIONAL BREAK DURATION	TOTAL APPOINTMENT DURATION*
75	68	7	2	12-16	3 hr	30 min	3 hr 40 min

*Appointments allow for introductory screens, optional break time, and closing screens. Pretest items don't count toward or against your final score.

This division will test a candidate's ability to protect the public's health, safety, and welfare by:

- Delivering professional services during project construction
- Translating construction documents and specifications to communicate and bring clarity to design intent
- Coordinating construction activities to meet design intent
- Evaluating completed projects

The 75 items will assess you on four sections related to Construction & Evaluation. The number of items from each section will vary based on the targeted percentage of items within each section.

SECTION DETAILS

SECTIONS	EXPECTED NUMBER OF ITEMS	TARGET PERCENTAGE*
SECTION 1: Preconstruction Activities	13-17	17-23%
SECTION 2: Construction Observation	24-29	32-38%
SECTION 3: Administrative Procedures & Protocols	24-29	32-38%
SECTION 4: Project Closeout & Evaluation	5-10	7-13%

*The percentages shown for each section and objective represent a typical form of this division. The specific form you may experience may vary slightly as adjustments are made from form to form to balance factors such as overall form level of difficulty and average time to answer the assembled items.

CE

SECTION 1

Preconstruction Activities

In this section, you'll focus on the construction planning and activities that occur prior to the start of construction.

OBJECTIVE 1.1 (8-12%)**Interpret the architect's roles and responsibilities during preconstruction based on delivery method (U/A)**

Understanding the key elements of bidding is an important aspect of preconstruction activities. This includes the required bidding documents, typical procedures for distributing documents and the pre-bid meeting, prequalification of bidders, selection of the contractor, and applicable standard AIA documents. The architect's responsibilities for each of these may vary depending on the project delivery type.

OBJECTIVE 1.2 (3-7%)**Analyze criteria for selecting contractors (A/E)**

You will need to be able to establish the criteria for reviewing contractors' bids, including accuracy and completeness. Based on these criteria, you will then need to evaluate contractors' bids and compare contractors' qualifications to each other.

OBJECTIVE 1.3 (3-7%)**Analyze aspects of the contract or design to adjust project costs (A/E)**

You must evaluate and prioritize opportunities to reduce the project cost, scope, quality, or schedule. This will include consideration of the contractual implications of the changes, sustainability and life cycle cost goals, and the impact on project design and overall budget.

CE

SECTION 2

Construction Observation

This section addresses visiting the job site throughout the course of construction and the architect's roles and responsibilities.

OBJECTIVE 2.1 (13-17%)**Evaluate the architect's role during construction activities (A/E)**

This objective assesses the architect's responsibilities to the owner during construction site visits and subsequent documentation, including site observations and action items for project team members. You must recognize the contractor's responsibilities to the architect, including change orders, applications for payments, shop drawings and other submittals, and the appropriate level of detail required for the schedule of values, based on project size, scope, phasing requirements, and schedule. You must also know the difference between the architect's design intent and the contractor's means and methods. Finally, you must identify the appropriate limits and extent of the architect's authority and actions during construction.

OBJECTIVE 2.2 (13-17%)**Evaluate construction conformance with contract documents, codes, regulations, and sustainability requirements (A/E)**

You will need to be able to analyze the contractor's completed work against the project requirements and identify non-conforming construction on site. This may also require evaluating the impacts of unforeseen conditions and material substitutions against code, quality, and program requirements. You will need to coordinate your evaluations of construction conformance with that of your consultants and the owner's consultants.

OBJECTIVE 2.3 (3-7%)**Determine construction progress (U/A)**

Construction observation also requires the review of work in place against the contractor's construction schedule and schedule of values, and understanding the impact of delays along the critical path.

CE

SECTION 3

Administrative Procedures & Protocols

The previous section is about the onsite responsibilities of an architect. This section is about the documentation necessary to the construction process. Clear written communication is an essential aspect of the construction process.

OBJECTIVE 3.1 (8-12%)**Determine appropriate additional information to supplement contract documents (U/A)**

As an architect, you will need to evaluate contractor requests for additional information and determine if a request, unexpected disruption, or other situation requires a change in the construction contract. You will need to determine the appropriate documents for communicating requested information and design revisions due to a scope change, schedule delay, or unforeseen condition.

OBJECTIVE 3.2 (8-12%)**Evaluate submittals including shop drawings, samples, mock-ups, product data, and test results (A/E)**

Architects must assess the contractor's understanding of the project scope by reviewing the contractor's submittals against the contract documents. They also must determine appropriate responses to the contractor and evaluate requests for substitutions.

OBJECTIVE 3.3 (3-7%)**Evaluate the contractor's application for payment (A/E)**

Reviewing the contractor's application for payment against the completed work is a critical component of the construction process. This is done based on observations during construction site visits and a concurrent review of the contractor's schedule of values and approved change orders. You will also need to evaluate methods of retainage and their application throughout the project.

OBJECTIVE 3.4 (8-12%)**Evaluate responses to non-conformance with contract documents (A/E)**

After non-conforming work is identified during site observations, you must be able to determine the source of the non-conformance; analyze the cost, schedule, and design implications; evaluate possible resolutions of the non-conformance; and communicate the selected solution to the team. These steps will need to be taken in coordination with your consultants and the owner's consultants.

CE

SECTION 4

Project Closeout & Evaluation

In this section, you'll focus on post-construction activities. This is the smallest section of the division but covers several important aspects of completing a project.

OBJECTIVE 4.1 (3-7%)**Apply procedural concepts to complete close-out activities (U/A)**

As an architect, you will need to be familiar with project close-out documents, which may include warranties, record drawings, a punch list, and a final application for payment, submitted by the contractor. You will also need to review the contractor's completed work and make determinations regarding substantial completion and final completion of a project, understanding the implications of each process.

OBJECTIVE 4.2 (3-7%)**Evaluate building design and performance (A/E)**

You will need to assess a building's performance during its first year of use, with tools such as user surveys and building commissioning, which may include sustainability rating systems. It's critical that you then determine a response to identified building performance issues.

STUDY RESOURCES

NCARB offers many resources you can use to prepare for ARE 5.0. In this section, you will find links to some of those resources, as well as common terms, abbreviations, and formulas found on the ARE. You will also find a list of common architectural references that relate to the topics covered in each of the ARE divisions.

ARE 5.0 Reference Guide

The ARE 5.0 Reference Guide lists key study resources for each division. You do not need to memorize facts and figures from these references; ARE 5.0 does not test your ability to recall memorized information. Instead, focus on understanding the concepts and best practices discussed in the references, and consider how you can apply those principles to other situations. Think about the “why” to help further your understanding as you explore the information in these references.

OTHER STUDY RESOURCES

These references cover many aspects of typical architectural practice and are a valuable source of the information on which you will be assessed. However, this is not a comprehensive list. You are strongly encouraged to supplement your use of these references with other NCARB-provided resources, especially the information about sections and objectives in the [ARE 5.0 Exam Content](#) section of this document as well as the [ARE 5.0 Practice Exams](#). Finally, you may find it helpful to also look to your related real-world experience as you prepare to test.

READING THE GUIDE

For each division, a list of references is provided along with the relevance of each reference to the content of the division. References with “primary” relevance are the most frequently cited by the volunteer architects who author ARE content. These references contain information that is relevant across most objectives within the division. “Supplemental” references offer more specific or focused content related to some objectives in the division. Some references are also applicable to multiple divisions, and that overlap is noted in the final column.

Note that not all publications include edition numbers. For many of these references, information in older editions is often still relevant to current practice and can still be used as a study reference. NCARB recommends that you consider aspects of architectural practice that may change more frequently and seek out more current resources as needed. All content on the exam is regularly reviewed and updated or retired to ensure the ARE continues to represent current architectural practice.

Building codes, professional standards, and AIA contracts are listed together at the end of this Reference Guide as they are highly relevant across multiple divisions. NCARB proactively updates exam content related to these resources; the editions currently used on the ARE are included in the list below.

ARE 5.0 Reference Guide

PcM

Practice Management

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
The Architect's Handbook of Professional Practice <i>The American Institute of Architects</i> John Wiley & Sons	PRIMARY	Project Management Construction & Evaluation
Law for Architects: What You Need to Know <i>Robert F. Herrmann and the Attorneys at Menaker & Herrmann LLP</i> W. W. Norton	SUPPLEMENTAL	None
Professional Practice: A Guide to Turning Designs into Buildings <i>Paul Segal, FAIA</i> W. W. Norton	SUPPLEMENTAL	Project Management Construction & Evaluation

PjM

Project Management

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
The Architect's Handbook of Professional Practice <i>The American Institute of Architects</i> John Wiley & Sons	PRIMARY	Practice Management Construction & Evaluation
Professional Practice: A Guide to Turning Designs into Buildings <i>Paul Segal, FAIA</i> W. W. Norton	SUPPLEMENTAL	Practice Management Construction & Evaluation
CSI Practice Guide: Project Delivery <i>The Construction Specifications Institute</i>	SUPPLEMENTAL	None

ARE 5.0 Reference Guide

PA Programming & Analysis

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
Problem Seeking: An Architectural Programming Primer <i>William M. Peña and Steven A. Parshall</i> <i>John Wiley & Sons</i>	PRIMARY	None
The Architect's Studio Companion: Rules of Thumb for Preliminary Design <i>Edward Allen and Joseph Iano</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	None
Architectural Graphic Standards <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Planning & Design Project Development & Documentation
Site Planning and Design Handbook <i>Thomas H. Russ</i> <i>McGraw-Hill</i>	SUPPLEMENTAL	Project Planning & Design

PPD Project Planning & Design

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
Architectural Graphic Standards <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	PRIMARY	Programming & Analysis Project Development & Documentation
Building Construction Illustrated <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Development & Documentation
Heating, Cooling, Lighting: Sustainable Design Strategies Towards Net Zero Architecture <i>Norbert Lechner and Patricia Andrasik</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Development & Documentation
Mechanical & Electrical Equipment for Buildings <i>Walter T. Grondzik and Alison G. Kwok</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Development & Documentation
Site Planning and Design Handbook <i>Thomas H. Russ</i> <i>McGraw-Hill</i>	SUPPLEMENTAL	Programming & Analysis

ARE 5.0 Reference Guide

PDD

Project Development & Documentation

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
Architectural Graphic Standards <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	PRIMARY	Programming & Analysis Project Planning & Design
Building Construction Illustrated <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Planning & Design
Building Structures <i>James Ambrose and Patrick Tripeny</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	None
Fundamentals of Building Construction: Materials and Methods <i>Edward Allen and Joseph Iano</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	None
Heating, Cooling, Lighting: Sustainable Design Strategies Towards Net Zero Architecture <i>Norbert Lechner and Patricia Andrasik</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Planning & Design
Mechanical & Electrical Equipment for Buildings <i>Walter T. Grondzik and Alison G. Kwok</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Project Planning & Design

ARE 5.0 Reference Guide

CE Construction & Evaluation

REFERENCE	RELEVANCE	OVERLAP WITH OTHER DIVISIONS
Professional Practice: A Guide to Turning Designs into Buildings <i>Paul Segal, FAIA</i> <i>W. W. Norton</i>	PRIMARY	Practice Management Project Management
The Architect's Handbook of Professional Practice <i>The American Institute of Architects</i> <i>John Wiley & Sons</i>	SUPPLEMENTAL	Practice Management Project Management
CSI Practice Guide: Construction Contract Administration <i>The Construction Specifications Institute</i>	SUPPLEMENTAL	None

ARE 5.0 Reference Guide

BUILDING CODES AND PROFESSIONAL STANDARDS

The following are the building codes and professional standards that are referenced on the ARE. These are primarily relevant to the Programming & Analysis, Project Planning & Design, and Project Development & Documentation divisions of the exam. Candidates should be familiar with the concepts and commonly used sections of these resources but are not expected to have specific sections or details memorized.

REFERENCE	TYPE
2010 ADA Standards for Accessible Design <i>U.S. Department of Justice, 2010</i>	Federal Regulation
ICC A117.1-2017 Accessible and Usable Buildings and Facilities <i>International Code Council, 2017</i>	ICC Building Code
International Building Code (2021) <i>International Code Council, 2020</i>	ICC Building Code
International Code Council Family of Codes Including: Mechanical/Electrical/Plumbing/Energy Conservation <i>International Code Council, 2020</i>	ICC Building Code
NFPA Family of Codes Including: Fire/Life Safety/Electric <i>National Fire Protection Association Latest Versions</i>	Construction Code
CSI Master Format <i>Construction Specifications Institute, 2023</i>	Specification Standard
2020 Code of Ethics and Professional Conduct <i>AIA Office of General Counsel The American Institute of Architects, 2020</i>	Professional Standard
<u>Model Rules of Conduct</u> <i>National Council of Architectural Registration Boards Latest Version</i>	Professional Standard

ARE 5.0 Reference Guide

AIA CONTRACT DOCUMENTS

The following are the AIA contracts currently referenced in the ARE. These contracts primarily apply to the Practice Management, Project Management, and Construction & Evaluation divisions of the ARE. Candidates are not expected to memorize any portions of these contracts but should be familiar with their format and overall content. While some candidates may not encounter AIA contracts in their professional experience, it's critical for all candidates to use these contracts to understand typical contractual language concerning professional roles and responsibilities and how to apply these concepts in real-world situations.

REFERENCE	DESCRIPTION
A101-2017	Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum
A133-2019	Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price
A141-2014	Standard Form of Agreement Between Owner and Design-Builder
A201-2017	General Conditions of the Contract for Construction
A701-2018	Instructions to Bidders
B101-2017	Standard Form of Agreement Between Owner and Architect
C401-2017	Standard Form of Agreement Between Architect and Consultant
G701-2017	Change Order
G702-1992	Application and Certificate for Payment
G703-1992	Continuation Sheet
G704-2017	Certificate of Substantial Completion

ARE 5.0 Practice Exams

NCARB offers simulations of full-length ARE 5.0 divisions through the ARE 5.0 Practice Exams. There are seven exams, all of which are available at no cost to licensure candidates. ARE 5.0 Practice Exams feature the same exam format and tools as an actual ARE division and were developed using the same process and guidelines.

EXAM CONTENT

The seven ARE 5.0 Practice Exams include six divisional practice exams and one multidivisional practice exam. There is one ARE 5.0 Practice Exam for each of the six ARE 5.0 divisions, assembled using the same number of items and tied to the same objectives as the actual versions of each division. You can take one of these exams to help prepare for a particular division. The ARE 5.0 Multidivisional Practice Exam is made of 75 total items across all six divisions and features two case studies. The ARE 5.0 Multidivisional Practice Exam is great for candidates who want to become familiar with the exam's delivery and understand a cross-section of the exam's content.

HOW TO ACCESS

Licensure candidates can access the practice exams in an exam administration format, which allows you to experience the exam just like the real thing. AXP supervisors/mentors and architect licensing advisors can access a PDF version of the practice exams. Please read the information below to access the practice exams.

- 1) **ARE candidates with active eligibilities:** ARE candidates with active exam eligibilities can access the ARE 5.0 Practice Exams through the Practice Exam Dashboard. For access to the dashboard, log into your NCARB Record, click the “Exams” tab, and navigate to the “Additional Resources” section of the page.
- 2) **Licensure candidates without active eligibilities:** Licensure candidates without active exam eligibilities can access the ARE 5.0 Practice Exam through their NCARB Record. Navigate to the “Overview” tab and select “Practice the ARE.”
- 3) **AXP Supervisors and Mentors:** Supervisors and mentors can only access the PDF version of the ARE 5.0 Practice Exams. [The PDFs are available on NCARB's website.](#)

HOW TO USE

Though the ARE 5.0 Practice Exams are available in two formats—as an exam administration and as a PDF file—they were designed for ARE candidates to replicate the delivery and content of an actual ARE exam administration. **ARE candidates are strongly encouraged to take advantage of the exam administration option.**

There are two modes of administering the ARE 5.0 Practice Exams. If you want to test your grasp of ARE divisional content while replicating many of the conditions of an actual exam appointment, you can take the practice exam in test mode. If you want to linger over the exam tools and navigation and be provided with correct responses and the rationales behind them, you can take each practice exam in practice mode. Both modes provide an examination results page at the end of the exam, where you can find a record of the items you answered correctly or incorrectly, a percentage breakdown of how you fared in each section, and a list of the correct responses and rationales for every item on the exam. You can print these examination results for later study if you choose.

The PDF form of the ARE 5.0 Practice Exams is recommended for AXP supervisors and mentors working with exam candidates. The PDF will help them understand the content in an ARE division. The PDF includes every item, the correct response, and item explanations that appear on each practice exam. Please note, for case study questions in the practice exams, the case study resources are not reproduced for copyright and other reasons. Each case study question identifies which case study resources should be used to properly answer the question. Any licensure candidate can access the practice exam at no cost and show their supervisor or mentor the resources available within each case study.

AIA Contract Documents and Exam Resources

A link to the ARE resources available through AIA is available on the overview page of your NCARB Record under Quick Links.

<p>Welcome!</p> <p>Your NCARB Record is a detailed, verified record of your education and experience, and is used to establish your qualifications for examination, registration, and/or certification. Your information is secure and confidential and will only be released to registration boards through a transmittal request.</p> <p>Click on the above tabs to see more details about your Record.</p> <p>Profile Update your contact information and manage your subscriptions to NCARB newsletters.</p> <p>AXP Document experience and view your progress for the Architectural Experience Program (AXP).</p> <p>Education Add a degree or check to see if your education has been verified.</p> <p>ARE The home of My Examination, where you can view your exam history, schedule exam appointments, and download new score reports.</p> <p>Registrations View the registration information you have on file or enter new registrations issued from a U.S. jurisdiction, a Canadian province, or another country.</p>	<p>Quick Links</p> <ul style="list-style-type: none"> AXP Guidelines ARE Guidelines ARE 5.0 Transition Calculator Practice the ARE® Certification Guidelines Professional Conduct CE Course Transcript Request Form NCARB's Rules of Conduct AIA Contract Documents Examination Resources
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A link to the free AIA contracts available to ARE candidates is included on the Exams tab of your NCARB Record under Additional Resources.

ARE RESOURCES	
Taking the ARE With PSI	Practice Exam Dashboard
ARE 5.0 Guidelines	ARE 5.0 Community
ARE 4.0 to 5.0 Transition Calculator	AIA Contract Docs

Common Abbreviations

Below you will find a list of common abbreviations you may encounter while taking the ARE. Familiarize yourself with each abbreviation before testing.

PROFESSIONAL ORGANIZATIONS, SOCIETIES, AND AGENCIES	
American Concrete Institute	ACI
American Institute of Architects	AIA
American Institute of Steel Construction	AISC
American National Standards Institute	ANSI
American Society for Testing and Materials	ASTM
American Society of Civil Engineers	ASCE
American Society of Heating, Refrigerating, and Air-Conditioning Engineers	ASHRAE
American Society of Mechanical Engineers	ASME
American Society of Plumbing Engineers	ASPE
Architectural Woodwork Institute	AWI
Construction Specifications Institute	CSI
Department of Housing and Urban Development	HUD
Environmental Protection Agency	EPA
Federal Emergency Management Agency	FEMA
National Fire Protection Association	NFPA
Occupational Safety and Health Administration	OSHA
U.S. Green Building Council	USGBC

Common Abbreviations

AIA CONTRACT DOCUMENTS	
A101-2017, Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum	A101
A133-2019, Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price	A133
A141-2014 Standard Form of Agreement Between Owner and Design-Builder	A141
A195-2008, Standard Form of Agreement Between Owner and Contractor for Integrated Project Delivery	A195
A201-2017, General Conditions of the Contract for Construction	A201
A295-2008, General Conditions of the Contract for Integrated Project Delivery	A295
A701-2018, Instructions to Bidders	A701
B101-2017, Standard Form of Agreement Between Owner and Architect	B101
B143-2014, Standard Form of Agreement Between Design-Builder and Architect	B143
B195-2008, Standard Form of Agreement Between Owner and Architect for Integrated Project Delivery	B195
C401-2017, Standard Form of Agreement Between Architect and Consultant	C401
G701-2017, Change Order	G701
G702-1992, Application and Certificate for Payment	G702
G703-1992, Continuation Sheet	G703
G704-2017, Certificate of Substantial Completion	G704
G709-2018, Proposal Request	G709

Common Abbreviations

CODES AND REGULATIONS	
ADA Standards for Accessible Design	ADA
International Code Council	ICC
International Building Code	IBC
International Energy Conservation Code	IECC
International Existing Building Code	IEBC
International Mechanical Code	IMC
International Plumbing Code	IPC
International Residential Code	IRC
Leadership in Energy and Environmental Design	LEED
National Electrical Code	NEC

Common Abbreviations

COMMONLY USED TERMS	
Above Finished Floor	AFF
Air Handling Unit	AHU
Authority Having Jurisdiction	AHJ
Building Information Modeling	BIM
Concrete Masonry Unit	CMU
Contract Administration	CA
Construction Document	CD
Dead Load	DL
Design Development	DD
Exterior Insulation and Finish System	EIFS
Furniture, Furnishings & Equipment	FF&E
Floor Area Ratio	FAR
Guaranteed Maximum Price	GMP
Heating, Ventilating, and Air Conditioning	HVAC
Insulating Glass Unit	IGU
Indoor Air Quality	IAQ
Indoor Environmental Quality	IEQ
Live Load	LL
Material Safety Data Sheets	MSDS
Mechanical, Electrical, and Plumbing	MEP
Photovoltaic	PV
Quality Assurance	QA
Quality Control	QC
Reflected Ceiling Plan	RCP
Request for Information	RFI
Request for Proposal	RFP
Roof Top Unit	RTU
Schematic Design	SD
Variable Air Volume	VAV
Volatile Organic Compound	VOC

UNITS OF MEASURE	
British Thermal Unit	btu
Cubic Feet per Minute	cfm
Cubic Feet per Second	cfs
Cubic Foot	cu. ft. ft³
Cubic Inch	cu. in. in³
Cubic Yard	cu. yd. yd³
Decibel	dB
Foot	ft
Foot-candle	fc
Gross Square Feet	gsf
Impact Insulation Class	IIC
Inch	in
Net Square Feet	nsf
Noise Reduction Coefficient	NRC
Pound	lb
Pounds per Linear Foot	plf
Pounds per Square Foot	psf
Pounds per Square Inch	psi
Sound Transmission Class	STC
Square Foot	sq. ft. sf ft²
Square Inch	sq. in. in²
Square Yard	sq. yd. sy yd²

Formulas Available While Testing

The following is a list of formulas you may encounter while taking the ARE. Familiarize yourself with the use of each formula before testing. If a formula is required to determine the correct response, it will be provided within the item. You will find the necessary formula after the question under the “[Reference Formula](#)” subheading. All of the formulas listed below will be provided to you during your exam administration.

STRUCTURAL

Flexural stress at extreme fiber

$$f = \frac{Mc}{I} = \frac{M}{S}$$

Flexural stress at any fiber

$$f = \frac{My}{I}$$

where y = distance from neutral axis to fiber

Average vertical shear

$$v = \frac{V}{A} = \frac{V}{dt}$$

for beams and girders

Horizontal shearing stress at any section A-A

$$v = \frac{VQ}{Ib}$$

where Q = static moment about the neutral axis of the entire section of that portion of the cross-section lying outside of section A-A
 b = width at section A-A

ELECTRICAL

$$\text{Foot-candles} = \frac{\text{lumens}}{\text{area in ft}^2}$$

$$\text{Foot-candles} = \frac{(\text{lamp lumens}) \times (\text{lamps per fixture}) \times (\text{number of fixtures}) \times (\text{CU}) \times (\text{LLF})}{\text{area in ft}^2}$$

$$\text{Number of luminaires} = \frac{(\text{foot-candles}) \times (\text{floor area})}{(\text{lumens}) \times (\text{CU}) \times (\text{LLF})}$$

where CU = coefficient of utilization
LLF = Light Loss Factor

$$\text{DF}_{\text{av}} = 0.2 \times \frac{\text{window area}}{\text{floor area}}$$

for spaces with sidelighting or toplighting with vertical monitors

$$\text{watt} = \text{volts} \times \text{amperes} \times \text{power factor}$$

for AC circuits only

$$\text{Demand charge} = \text{maximum power demand} \times \text{demand tariff}$$

PLUMBING

$$1 \text{ ps} = 2.31 \text{ feet of water}$$

$$1 \text{ cubic foot} = 7.5 \text{ U.S. gallons}$$

HVAC

$$\text{BTU/year} = \text{peak heat loss} \times \frac{\text{full-load hours}}{\text{year}}$$

$$\text{BTU/h} = (\text{cfm}) \times (1.08) \times (\Delta T)$$

$$1 \text{ kWh} = 3,400 \text{ BTU/h}$$

$$1 \text{ ton of air conditioning} = 12,000 \text{ BTU/h}$$

$$\text{BTU/h} = (U) \times (A) \times (T_d) \quad \text{where } T_d \text{ is the difference between indoor and outdoor temperatures}$$

$$U = 1/R_t$$

$$U_o = \frac{(U_w \times A_w) + (U_{op} \times A_{op})}{A_o} \quad \text{where } o = \text{total wall, } w = \text{window, and } op = \text{opaque wall}$$

$$U_o = \frac{(U_R \times A_R) + (U_S \times A_S)}{A_o} \quad \text{where } o = \text{total roof, } R = \text{roof, and } S = \text{skylight}$$

$$R = x/k \quad \text{where } x = \text{thickness of material in inches}$$

$$\text{Heat required} = \frac{\text{BTU/h}}{\text{temperature differential}} \times (24 \text{ hours}) \times (\text{DD } ^\circ\text{F}) \quad \text{where } DD = \text{degree days}$$

ACOUSTICS

$$\lambda = \frac{c}{f}$$

where λ = wavelength of sound (ft)
 c = velocity of sound (fps)
 f = frequency of sound (Hz)

$$a = \text{SAC} \times S$$

where a = absorption of a material used in space (sabins)
 SAC = sound Absorption Coefficient of the material
 S = exposed surface area of the material (ft²)

$$A = \sum a$$

where A = total sound absorption of a room (sabins)
 $\sum a = (S_1 \times \text{SAC}_1) + (S_2 \times \text{SAC}_2) + \dots$

$$T = 0.05 \times \frac{V}{A}$$

where T = reverberation time (seconds)
 V = volume of space (ft³)

NRC = average SAC for frequency bands 250, 500, 1000, and 2000 Hz

Structural Resources

Below you will find a list of structural resources and beam nomenclature you may encounter while taking the ARE. Familiarize yourself with the resources and nomenclature before testing. If a resource is required to determine a correct response, it will be provided within the item. You will find the necessary formula after the question under the “Reference Formula” subheading. The structural resources and beam nomenclature will also be provided to you during your exam administration.

Beam Diagrams and Formulas	Source	Pages
<i>Simple Beam: Diagrams and Formulas - Conditions 1-3</i>	A	3-213
<i>Simple Beam: Diagrams and Formulas - Conditions 4-6</i>	A	3-214
<i>Simple Beam: Diagrams and Formulas - Conditions 7-9</i>	A	3-215
<i>Beam Fixed at Both Ends: Diagrams and Formulas - Conditions 15-17</i>	A	3-218
<i>Beam Overhanging One Support: Diagrams and Formulas - Conditions 24-28</i>	A	3-221 & 222

Sources

A

United States. American Institute of Steel Construction, Inc. *Steel Construction Manual*; 14th edition. Chicago, Illinois, 2011.

Structural Resources

Dimensions and Properties	Source	Pages
<i>W Shapes 44 thru 27: Dimensions and Properties</i>	A	1-12 thru 17
<i>W Shapes 24 thru W14x145: Dimensions and Properties</i>	A	1-18 thru 23
<i>W Shapes 14x132 thru W4: Dimensions and Properties</i>	A	1-24 thru 29
<i>C Shapes: Dimensions and Properties</i>	A	1-36 & 37
<i>Angles: Properties</i>	A	1-42 thru 49
<i>Rectangular HSS: Dimensions and Properties</i>	A	1-74 thru 91
<i>Square HSS: Dimensions and Properties</i>	A	1-92 thru 95
<i>Round HSS: Dimensions and Properties</i>	A	1-96 thru 100
Live Loads	Source	Pages
<i>Table 1607.1 - Minimum Uniformly Distributed Live Loads and Minimum Concentrated Live Loads</i>	B	16-8 thru 16-10

Sources

A

United States. American Institute of Steel Construction, Inc. *Steel Construction Manual*; 14th edition. Chicago, Illinois, 2011.

B

United States. International Code Council, Inc. *2021 International Building Code*. Country Club Hills, Illinois, 2020.

Typical Beam Nomenclature

E	Modulus of Elasticity of steel at 29,000 ksi
I	Moment of Inertia of beam, in ⁴
L	Total length of beam between reaction point, ft
M_{max}	Maximum moment, kip-in
M₁	Maximum moment in left section of beam, kip-in
M₂	Maximum moment in right section of beam, kip-in
M₃	Maximum positive moment in beam with combined end moment conditions, kip-in
M_x	Maximum at distance x from end of beam, kip-in
P	Concentrated load, kips
P₁	Concentrated load nearest left reaction, kips
P₂	Concentrated load nearest right reaction and of different magnitude than P ₁ , kips
R	End beam reaction for any condition of symmetrical loading, kips
R₁	Left end beam reaction, kips
R₂	Right end or intermediate beam reaction, kips
R₃	Right end beam reaction, kips
V	Maximum vertical shear for any condition of symmetrical loading, kips
V₁	Maximum vertical shear in left section of beam, kips
V₂	Vertical shear at right reaction point, or to left of intermediate reaction of beam, kips
V₃	Vertical shear at right reaction point, or to right of intermediate reaction of beam, kips
V_x	Vertical shear at distance x from end of beam, kips

W	Total load on beam, kips
a	Measured distance along beam, in
b	Measured distance along beam which may be greater or less than a, in
l	Total length of beam between reaction points, in
w	Uniformly distributed load per unit of length, kips/in
w₁	Uniformly distributed load per unit of length nearest left reaction, kips/in
w₂	Uniformly distributed load per unit of length nearest right reaction and of different magnitude than w ₁ , kips/in
x	Any distance measured along beam from left reaction, in
x₁	Any distance measured along overhang section of beam from nearest reaction point, in
Δ_{max}	Maximum deflection, in
Δ_a	Deflection at point of load, in
Δ_x	Deflection at point x distance from left reaction, in
Δ_{x1}	Deflection of overhang section of beam at any distance from nearest reaction point, in

Excerpted from

A United States. American Institute of Steel Construction, Inc. Steel Construction Manual; 14th edition. Chicago, Illinois, 2011.

Additional Helpful Resources

NCARB has many other resources that can help you prepare for the ARE. You'll want to check the [NCARB Blog](#) and [ncarb.org](#) for the latest testing information in addition to the following resources:

ARE 5.0 COMMUNITY

The ARE 5.0 Community is an online forum where you can post your questions to get help from NCARB and third-party experts, as well as from other candidates. It's also a great place to form study groups, post comments, and engage in dialogue with other candidates who are on the path to licensure.

ARE 5.0 VIDEO SERIES

NCARB offers a collection of videos to help you prepare for ARE 5.0, including the ARE 5.0 Division Video series, which offers exclusive insight into each ARE 5.0 division with information on content, sample questions, and suggested references. Watch each one to learn more about a division.

You can explore several tips and techniques to help you navigate and take a division of ARE 5.0 in the ARE 5.0 Exam Strategies Video. This video includes pointers on item types, scoring, case study navigation, and the use of case study resources.

There's also an ARE 5.0 Exam Navigation Video where an NCARB expert will walk you through the exam's navigation tools and format. Watch to learn more about accepting the Candidate Agreement, using the tools available to you, marking and reviewing items, and exiting the exam when you're finished.

APPENDICES

Appendix A: ARE Candidate Agreement

ARE CANDIDATE AGREEMENT

(Amended February 2024)

I affirm that the information given in my NCARB Record is true, correct, and complete to the best of my knowledge. By clicking 'I Accept', I agree to abide by the following terms and am entering into a binding agreement ("Agreement") between me and the National Council of Architectural Registration Boards (NCARB).

- I have READ, UNDERSTAND, and AGREE to ABIDE BY the Architect Registration Examination® (ARE®) policies and regulations as set forth in the ARE Guidelines, the Policy for the ARE: Exam Candidate Misconduct, and the Professional Conduct Committee: Rules of Procedure ("ARE Policies and Regulations"). Further, I ACKNOWLEDGE and AGREE that NCARB reserves the right to modify or alter at any time any rules, policies, or procedures set forth in the ARE Policies and Regulations, which revisions or modifications shall be binding upon me.
- I UNDERSTAND that disciplinary action for violation of this Agreement and/or the ARE Policies and Regulations may include, without limitation, suspension of my ARE test taking privileges, cancellation of my ARE scores, a public reprimand, ethics education, and/or my potential inability to retain current or obtain future NCARB Certification or to become registered as an architect.
- I UNDERSTAND that NCARB, at its sole discretion, may elect to delay, hold, not validate, or invalidate one or more exam scores if there is a good faith reason to question the validity of the exam score.
- I UNDERSTAND that all content of the ARE is confidential, the property of NCARB, and protected by US copyright laws.
- I AGREE that I will not copy or attempt to reproduce ARE content for my own later use.
- I AGREE that I will not disclose to anyone by any means – electronic, written, graphic, or verbal – the substance or details of any ARE content, including but not limited to questions, exhibits, resources, graphics, and/or alleged answers.
- I AGREE that I have not obtained, nor will I seek to obtain, ARE content disclosed by others.
- I AGREE to notify NCARB if I believe I have received exam content or witness exam content being shared by any means of communication.
- I AGREE that I will not disclose or disseminate ARE content that others may have disclosed to me.
- I AGREE that I will always conduct myself appropriately and civilly throughout my test administration, I will follow instructions given by test administrators and staff, and I will act in an honest and reasonable manner.

Appendix A: ARE Candidate Agreement

- I AGREE to be responsive and truthful in providing answers to any NCARB questions during a candidate misconduct investigation or PCC proceeding.
- I AGREE that any action to enforce this Agreement, the ARE Policies and Regulations, and/or any action for infringement of NCARB's copyright of the ARE may be commenced in or transferred to the United States District Court (or other court of competent jurisdiction) where NCARB's principal office is located, which currently is the District of Columbia, and I hereby consent to the personal jurisdiction of such court. Further, I AGREE that the validity, interpretation, and performance of this Agreement shall be governed by and construed in accordance with the laws of the District of Columbia.
- I UNDERSTAND that a violation of this Agreement or the ARE Policies and Regulations may result in my civil liability to NCARB for its costs and monetary damages, which may be substantial, as well as disciplinary actions taken against me by NCARB.
- I UNDERSTAND that a violation of this Agreement or the ARE Policies and Regulations may result in notification to the registration board responsible for my examination eligibilities, which may lead to further disciplinary action by such board.
- I HEREBY RELEASE, DISCHARGE AND HOLD HARMLESS INDIVIDUALLY AND COLLECTIVELY NCARB AND ITS OFFICERS, DIRECTORS, EMPLOYEES, MEMBERS, VOLUNTEERS, SUBSIDIARIES, AGENTS, SUCCESSORS, AND ASSIGNS, INCLUDING MEMBERS, EMPLOYEES, AND AGENTS OF NCARB, FROM ANY AND ALL CLAIMS OR LIABILITY THAT MAY ARISE, DIRECTLY OR INDIRECTLY, NOW OR IN THE FUTURE, BY REASON OF OR IN CONNECTION WITH ANY DECISION, ACTION, OR OMISSION RELATING TO NCARB'S ADMINISTRATION OF THE ARE.

Appendix B: PSI Online Proctoring Candidate Privacy Agreement

PSI ONLINE PROCTORING CANDIDATE PRIVACY AGREEMENT

For a period of time, PSI's online proctoring platform ("Bridge") will access your computer's camera, microphone, and browser in order to collect video and audio recordings from the start of your exam check-in process until your proctoring session ends. Video recordings may include yourself, your desk, and your workspace. Recording and monitoring is necessary in order to uphold the integrity of the online proctoring process and maintain security of licensure exam content.

The information recorded will not be sold but may be made available, upon request, to NCARB authorized personnel, who may use this information to assess the integrity of the exam, including invalidating exam results or imposing other sanctions when fraud is suspected. Recordings will be retained in secure storage for a period of 30 days or longer as required by law.

To learn more about what information is collected; the purpose of data collection; disclosure, security, and retention procedures; and your legal rights, refer to the full PSI Privacy Policy, which can be found at <https://www.psonline.com/legal/privacy-policy/>.

In order to schedule your test, you must acknowledge, agree, and consent to all of the following:

- You will be audio and video recorded throughout your examination experience.
 - You will be monitored in real-time by PSI's proctoring application and a live proctor throughout your examination experience.
 - You will not have a right to privacy or a right to claim a violation of privacy throughout your examination experience.
- ☐ I affirm that I am at least 18 years of age, and that I am able to consent to the collection and processing of my personal data.
- ☐ I acknowledge, agree, and consent to all of the foregoing.

Appendix C: Policy for the ARE: Exam Candidate Conduct

POLICY FOR THE ARE: EXAM CANDIDATE CONDUCT

(Amended February 2024)

The following policy has been established by NCARB's Board of Directors to provide procedures in the event of exam candidate misconduct prior to, during, or after taking the Architect Registration Examination® (ARE®). Exam candidate misconduct includes, but is not limited to, the violations described below; any other violation of ARE policies or regulations; and any other misconduct, inappropriate behavior, or breach of examination security. The Board anticipates that these procedures will be applicable to most exam candidate misconduct. Nevertheless, the Board reserves the right to impose any sanction it believes appropriate, either more or less than those noted below. In addition, if the individual subsequently seeks NCARB certification, the matter will be considered in deciding whether to grant NCARB certification. Candidates may appeal a Board-imposed sanction as outlined in the [Professional Conduct Committee: Rules of Procedure](#).

The ARE is copyrighted and each candidate, by requesting eligibility to test, enters into the [ARE Candidate Agreement](#) and affirms, among other things, not to copy or disclose any ARE questions or other ARE content. Copying or disclosing test questions or any other test content is a violation of NCARB's copyright and the *ARE Candidate Agreement*. In addition to the sanctions described below, where warranted, NCARB may pursue all legal remedies available to recover monetary damages caused by such conduct and to enjoin violations of its rights with respect to the ARE.

Upon discovery of any exam candidate misconduct in any category below, NCARB shall have the authority to place a "hold" on pending scores and all open eligibilities to test and cancel any scheduled exam(s) pending further investigation, review by NCARB's Professional Conduct Committee (PCC), and action by NCARB's Board of Directors if applicable. If no action is taken or only a warning letter is issued, NCARB will reopen any closed eligibilities to test and assist the candidate in rescheduling any canceled exam(s) at no additional cost to the candidate.

Appendix C: Policy for the ARE: Exam Candidate Conduct

Procedures for Exam Candidate Misconduct

Category 1: Seeking or Failing to Report Disclosed ARE Content

Simply put: A candidate may not attempt to gain access to ARE content disclosed by others. If a candidate is unwillingly exposed to exam content by others or witnesses the sharing of exam content, the candidate shall report the incident to NCARB.

A candidate may not willfully obtain or seek to obtain ARE test questions, ARE exhibits, or ARE resources disclosed by others. If a candidate unwillingly receives or discovers exam content disclosed by others or witnesses the sharing of exam content, the candidate must report all information regarding the incident, including available disclosed content, to NCARB.

Category 2: Inappropriate Conduct

Simply put: Candidates are always required to conduct themselves appropriately and civilly throughout the examination process.

Candidates shall not engage in any behavior, written, verbal, or physical, that may be considered inappropriate, disrespectful, abusive, disruptive, threatening, discriminatory, prejudicial, or harassing in nature. Candidates must conduct themselves appropriately and civilly prior to, during, and after a test appointment, while engaging with NCARB, any NCARB member jurisdiction, and/or any vendor working on behalf of NCARB. Candidates are required to follow instructions given by test administration staff and must be responsive and truthful in providing answers to any NCARB questions during a candidate misconduct investigation.

Category 3: Unauthorized Access to Devices or Materials in the Testing Room.

Simply put: Only authorized electronic devices and other approved materials are allowed in the testing room at any time during the administration.

Unapproved electronic devices or any other unapproved materials may not be accessed in the testing room at any time during the exam administration. This includes both vendor-provided and online-proctored testing rooms. Access to approved accommodated testing devices is allowed. Candidates must allow the proctor to inspect accommodated testing devices.

Category 4: Copying, Recording, or Disseminating ARE Content

Simply put: Candidates may not attempt to reproduce, record, or share the content of any ARE question, ARE exhibit, or ARE resource viewed during their exam appointment, whether through electronic or other means. If someone else discloses what they saw on the ARE, candidates may not forward, re-post, or otherwise disclose that information.

It is prohibited to record or transcribe ARE content, either from memory, electronic, or other means, regardless of whether such ARE content is subsequently disclosed. It is further prohibited to forward, re-post, or otherwise disclose any ARE content that others may have disclosed. It is also prohibited for test-takers to attempt to remove ARE content from the testing room using notes in any form, the use of devices (including

Appendix C: Policy for the ARE: Exam Candidate Conduct

cameras, audio recorders, software, or scanning or digital storage devices) to record or transmit test content at or from the testing room, or by any other means of data recording or information transmission.

Category 5: Attempting to Disrupt or Gain Unauthorized Access to the ARE

Simply put: Candidates may not attempt to disrupt the delivery of or illegally access an administration of the ARE, ARE content, or ARE results using electronic means of any sort.

It is prohibited to attempt to obtain ARE information from a computer through unauthorized access; trafficking in a computer password that can be used to access a computer; transmitting spam; and/or damaging computer data by any means, including a candidate's own ARE administration or the ARE administration of any other candidate, whether the exam was administered at a test center or through online proctoring. It is prohibited to attempt to intentionally disrupt any administration of the ARE, the processing of examination scoring, or the delivery of examination results in any way.

Appendix C: Policy for the ARE: Exam Candidate Conduct

The consequences of exam misconduct may be any or all the following:

Test Administrator Action while Testing:

- Immediate dismissal from the test appointment and termination of exam.
- Ban the candidate from using that test center or online proctoring for all future examination appointments.
- Inspect and/or confiscate unauthorized materials and/or devices.

Initial NCARB Action:

- Issue warning letter to candidate and send copy to candidate's board.
- Initiate proceedings with PCC.
 - Send candidate notification of circumstances that appear to be a violation as set forth above.
 - Send copy of candidate notification to candidate's board.

NCARB PCC Action:

- Following PCC Rules of Procedures, issue, require, or recommend any or all the following sanctions:
 - Issue warning letter to candidate and send copy to candidate's board.
 - Require candidate to complete ethics education.
 - Recommend sanctions to NCARB's Board of Directors including any or all the following:
 - Cancellation of score(s) for exam division(s).
 - Suspension of test authorization for all divisions for a period of time.
 - Prohibit granting of an NCARB Certificate for a period of time.
 - Suspension or revocation of the NCARB Certificate for a period of time.
 - Public reprimand of candidate.
 - Any other sanction permitted under the [PCC Rules of Procedure](#).

NCARB Board of Directors Action:

- Review and come to a final decision on action(s) to take.

When one or more sanctions are issued by the PCC and/or Board of Directors, staff will implement such actions and inform the candidate and the candidate's board.



National Council of Architectural Registration Boards
1401 H Street NW, Suite 500
Washington, DC 20005