

Department of Consumer Affairs
TITLE 16. CALIFORNIA ARCHITECTS BOARD

PROPOSED REGULATORY LANGUAGE
Retired License Application and Fee

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Adopt Section 109.1 of Article 2 of Division 2 of Title 16 of the California Code of Regulations to read as follows:

§ 109.1. Retired License Application

(a) To be eligible for a retired license, an architect (“applicant”) shall meet the requirements in subdivision (a) of Section 5600.4 of the code and submit a completed application to the board as required by subsection (b).

(b) (1) For the purposes of this section, a completed application for a retired license includes the nonrefundable fee specified in Section 144 and all of the following information from the applicant:

(A) Social security number or individual taxpayer identification number (ITIN),

(B) California architect license number,

(C) Full legal name ((Last Name) (First Name) (Middle Name) and/or (Suffix)),

(D) Month and year of birth,

(E) Contact information including, the applicant’s address of record, phone numbers, and an email address (if any),

(F) Legal name as the applicant wants it to appear on their retired architect license wall certificate,

(G) A statement regarding whether the applicant is engaged in any activity for which an architect’s license is required; and,

(H) A statement signed under penalty of perjury that the information provided on the application is true and correct.

(2) Upon meeting the requirements of this section, the board shall issue a retired license and a wall certificate as evidence of such license status to the applicant.

(c) (1) The holder of a retired license (“holder”) may restore their architect license to active status at any time within five years from the expiration date of their original architect license by:

(A) Paying all accrued and unpaid renewal fees and if appropriate, any delinquency fee specified in Section 144; and,

(B) Completing and submitting the architect license renewal application to the board, which includes the following information from the holder:

(i) Full legal name (Last Name) (First Name) (Middle Name) and/or (Suffix),

(ii) Contact information including address of record, phone numbers and email (if any),

(iii) Original architect license number,

(iv) The statements required by subdivision (c) of Section 5600 of the code,

(v) A statement regarding whether the holder has completed continuing education (CE) coursework requirements provided in Section 5600.05 of the code within the previous two years; and,

(vi) A statement signed under penalty of perjury that the information provided on the application is true and correct.

(2) The holder of a retired license ineligible to restore their license under subsection (c)(1) because more than five years have passed since the expiration date of their original architect license may receive a new license by:

(A) Submitting all of the information and documentation to the board required by Section 109 and complying with Section 124.7. The holder of a retired license shall be considered a new candidate as defined in Section 109(a)(1) for the purposes of compliance with Section 109,

(B) Paying all the application fees for examination and for an original license specified in Section 144; and,

(C) Furnishing to the Department of Justice a full set of fingerprints for the purposes of the board conducting criminal history record checks pursuant to Section 144 of the Code.

(d) For the purposes of determining when a holder of a retired license may restore a license, “expiration date” shall mean the date an active license lapses or is no longer effective, or the date the board issued a retired status license to an architect holding a current and active license.

Note: Authority cited: Sections 5526 and 5600.4, Business and Professions Code.
Reference: Sections 30, 144, 5600.2, 5600.3, and 5600.4, Business and Professions Code.

Amend Section 144 of Article 7 of Division 2 of Title 16 of the CCR as follows:

§ 144. Fees.

Pursuant to Section 5604 of the code, the following fees are fixed by the Board effective January 1, 2011.

(a) The application fee for reviewing a candidate's eligibility to take any or all division(s) of the Architect Registration Examination (ARE) is one hundred dollars (\$100) for applications submitted on or after July 1, 1999.

(b) The application fee for reviewing a reciprocity candidate's eligibility to take the California Supplemental Examination is thirty-five dollars (\$35).

(c) The fee for the California Supplemental Examination is one hundred dollars (\$100).

(d) The fee for an original license is three hundred dollars (\$300). If the license is issued less than one year before the date on which it will expire, the fee is one hundred fifty dollars (\$150).

(e) The biennial renewal fee commencing with the renewal period which begins on or after January 1, 2011 shall be three hundred dollars (\$300).

(f) The delinquency fee is one hundred dollars (\$100).

(g) The fee for a duplicate certificate is fifteen dollars (\$15).

(h) The fee for a retired license is forty dollars (\$40).

Note: Authority cited: Section 5526, Business and Professions Code. Reference: Section 5604, Business and Professions Code.

California Architects Board Meeting

September 10, 2021

Review and Discussion of California Supplemental Exam

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Department of Consumer Affairs



Presentation Topics

- A Definition of Licensure
- Licensure Guidelines and Mandates
- Legal Bases
- Key Concepts
- Examination Validation Cycle
- Description of Practice/CSE
- Questions



Licensure Guidelines and Mandates

- Federal Uniform Guidelines for Employee Selection Procedures (EEOC, DOL, DOJ, & CSC)
- Standards for Educational and Psychological Testing (AERA, APA & NCME)
- Business & Professions Code section 139
- DCA Policies:
 - OPES 18-02 Licensure Examination Validation
 - OPES 20-01 Participation in Examination Development Workshops



Legal Bases

- Constitutional Requirements: The 14th Amendment (equal protection & due process)
- Statutory Requirements: The Civil Rights Acts
- State and Federal Court Decisions
 - *Dent v. State of West Virginia* (1881)
 - *Griggs v. Duke Power Company* (1971)
 - *Chance v. Board of Examiners* (1972)



Definition of Licensure – Revisit

The process by which an **agency of government** grants permission to persons to engage in a given profession or occupation by **certifying** that those licensed have attained the **minimal degree of competency** necessary to ensure that the **public health, safety and welfare will be reasonably well protected** (p. 7).



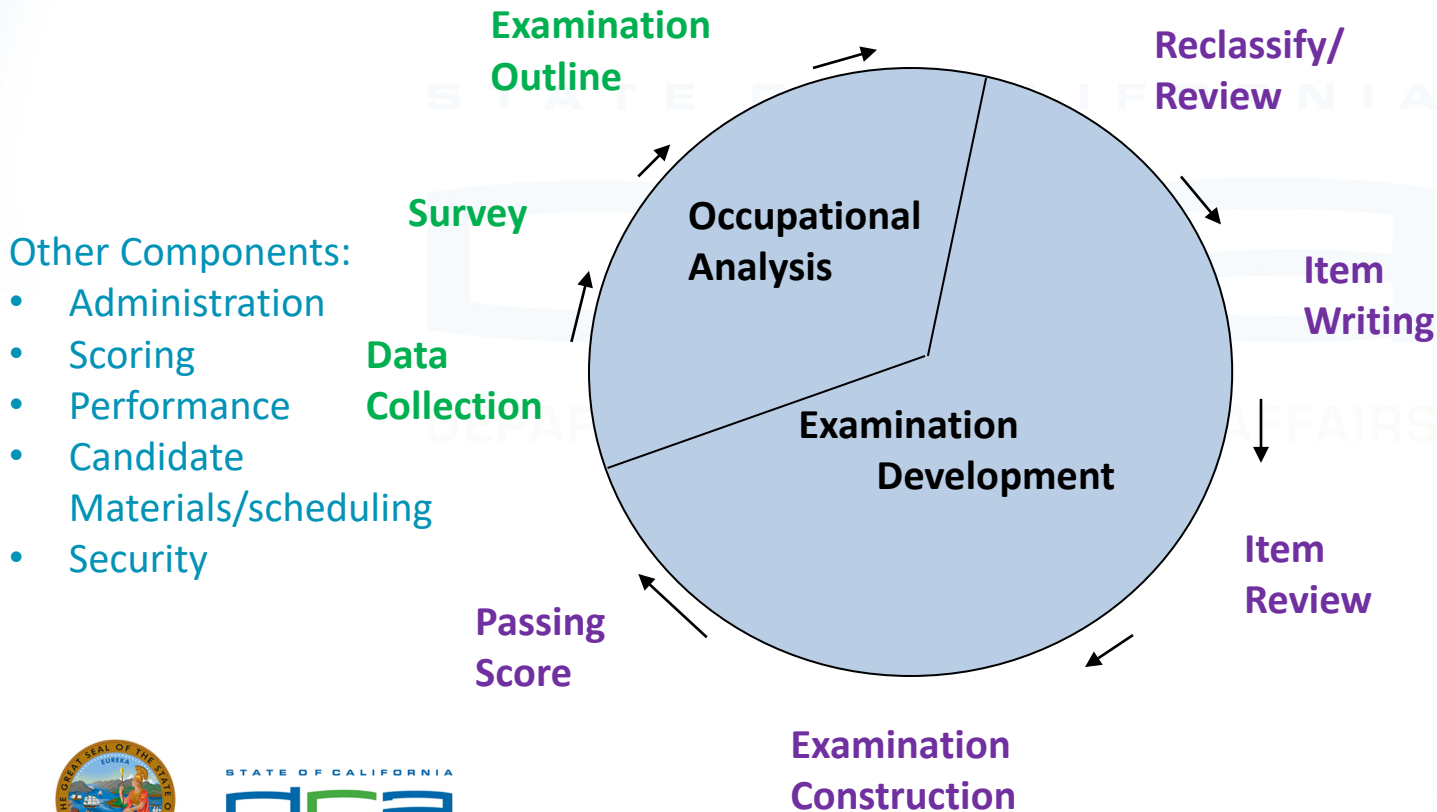
Key Concepts

Key concepts to support legal defensibility:

- **Validity:** Exam measures what is intended.
- **Reliability:** Exam scores are stable.
- **Standardization:** Assessment process is consistent.
- **Fairness:** Exam avoids disadvantageous impacts.
- **Practical:** Exam is reasonable and cost-effective.



Examination Validation Cycle



Description of Practice Content Areas

CONTENT AREA	WEIGHTS
1. Contract Development/Project Planning	15%
2. Project Management	15%
3. Schematic Design/Discretionary Approvals	10%
4. Design Development	15%
5. Construction Documents/Permitting	22%
6. Project Bidding and Construction	23%



California Supplemental Examination Content Areas

CONTENT AREA	WEIGHTS
1. Contract Development/Project Planning	25%
2. Schematic Design/Discretionary Approvals	30%
3. Design Development	15%
4. Construction Documents/Permitting	10%
5. Project Bidding and Construction	20%



