



Board Members

Tian Feng, President
Nilza Serrano, Vice President
Robert C. Pearman, Jr., Secretary
Malcolm "Brett" Gladstone
Ronald A. Jones
Mitra Kanaani
Sylvia Kwan
Ebony Lewis
Charles "Sonny" Ward, III

NOTICE OF TELECONFERENCE MEETING

February 18, 2022

The California Architects Board (Board) will meet by teleconference at

10:00 a.m., on Friday, February 18, 2022

NOTE: Pursuant to Governor Gavin Newsom's [Executive Order N-1-22](#), issued January 5, 2022, and Government Code section 11133, this meeting will be held by teleconference with no physical public locations.

The Board May Take Action on Any Agenda Item

Important Notice to the Public: The Board will hold a public meeting via WebEx Events. To participate in the WebEx meeting, please log on to this website the day of the meeting:

To join this meeting, please click on, or copy and paste into a URL field, the link below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m7f32b1ff28949ffa48e9774e981cb940>

If joining using the link above

Event number: 2494 473 5375

Event password: CAB02182022

If joining by phone

+1-415-655-0001 US Toll

Access code: 2494 473 5375

Passcode: 22202182

Instructions to connect to the meeting can be found at the end of this agenda.

Due to potential technical difficulties, please consider submitting written comments by February 11, 2022, to cab@dca.ca.gov for consideration.

(Continued)

AGENDA

10:00 a.m. to 2:00 p.m.
(or until completion of business)

Action may be taken on any item listed below.

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Update on the Department of Consumer Affairs (DCA) – Carrie Holmes, Deputy Director, Board and Bureau Relations, DCA
- D. Public Comment on Items Not on the Agenda

The Board may not discuss or act on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

- E. Review and Possible Action on Board Meeting Minutes:
 - 1. December 10, 2021, Board Meeting Minutes
 - 2. June 19, 2019, Corrected Board Meeting Minutes
- F. Presentation of 2021 Octavius Morgan Distinguished Service Award to Pasqual Gutierrez
- G. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs
- H. Update and Discussion of National Council of Architectural Registration Boards (NCARB):
 - 1. Update and Discussion of Committee Meetings
 - 2. Review and discussion of the 2022 NCARB Regional Summit Agenda
 - 3. Review and discussion of the draft 2022 Resolutions:
 - a) Resolution 2022-A – Mutual Recognition Agreement
 - b) Resolution 2022-B – Responsible Charge
 - c) Resolution 2022-C – Examination
 - d) Resolution 2022-D – Sunset of obsolete resolutions
 - e) Resolution 2022-E – Diversity Collaborative
 - f) Resolution 2022-F – Addition of Northern Mariana Islands
 - g) Resolution 2022-G – NCARB Certification

- I. Discuss and Action on Proposed Regulatory Language for CCR, Title 16, Division 2, Article 7, Section 144 Fees
- J. Discuss and Possible Action on Modified Proposed Regulatory Text for CCR Title 16, Division 2, Article 10, Section 165 (Disability Access Continuing Education) and Responses to Public Comments
- K. Update on Committees
 - 1. January 25, 2022 Communications, Professional Qualifications and Regulatory and Enforcement Committee Meetings
 - 2. January 27, 2022 Landscape Architects Technical Committee (LATC) Meeting
 - i. Discuss and Possible Action on California Code of Regulations Sections 2615 and 2620
 - ii. Discuss and Possible Action on California Code of Regulations Section 2620.5
- L. Review of Future Board Meeting Dates
- M. Closed Session - Pursuant to Government Code Sections 11126(a)(1) and (c)(3), the Board Will Meet in Closed Session to:
 - 1. Perform Annual Evaluation of its Executive Officer
 - 2. Review and Take Action on December 10, 2021, Closed Session Minutes.
 - 3. Review and Take Action on September 10, 2021, Closed Session Minutes
- N. Adjournment – Due to technological limitations, adjournment will not be broadcast. Adjournment will immediately follow closed session, and there will be no other items of business discussed.

The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

The Board plans to webcast the meeting on its website at www.cab.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available. Meeting adjournment may not be webcast if adjournment is the only item that occurs after a closed session.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to it taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at their discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can

neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

This meeting is being held via WebEx Events. The meeting is accessible to the individuals with disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Drew Liston

Telephone: (916) 471-0769

Email: drew.liston@dca.ca.gov

Telecommunications Relay Service: Dial 711

Mailing Address:

California Architects Board

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the Board in exercising its licensing, 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 (Business and Professions Code section 5510.15).

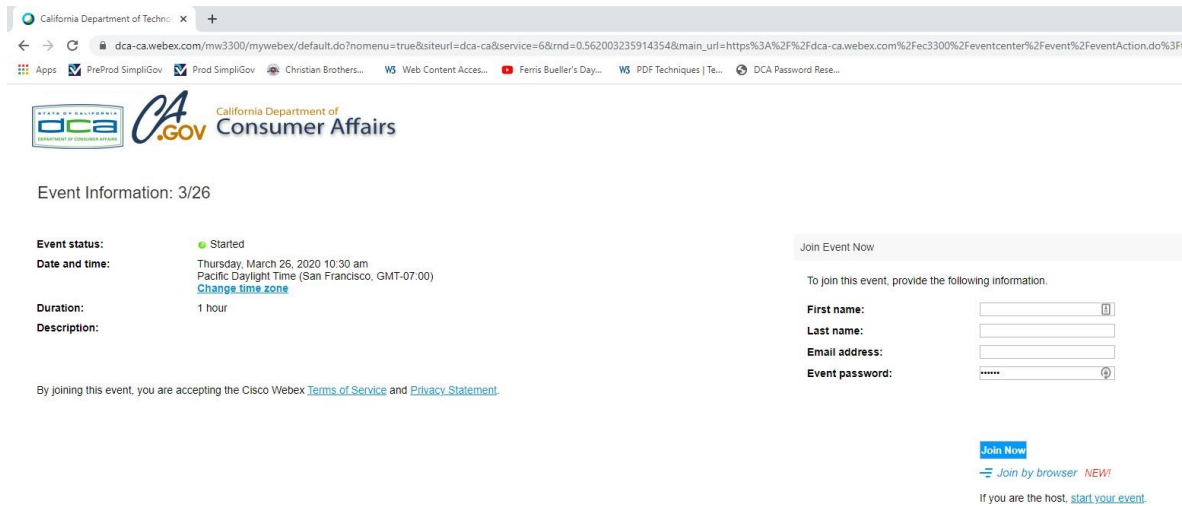
HOW TO – Join – DCA WebEx Event

The following contains instructions on how to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

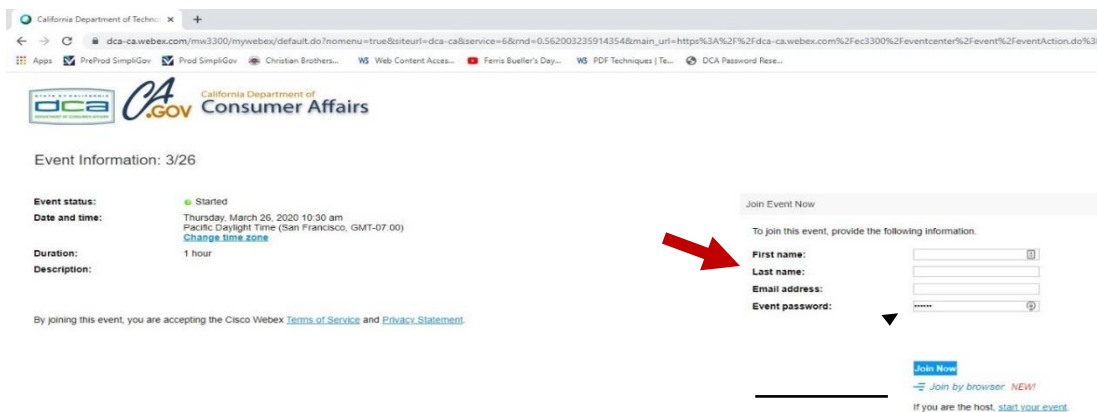
Example link:

<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>



2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.



HOW TO – Join – DCA WebEx Event

3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

Join Event Now

To join this event, provide the following information.

First name:

Last name:

Email address:

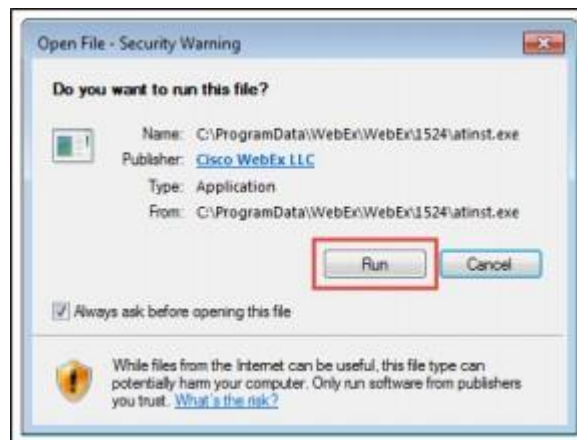
Event password:

Join Now

[Join by browser](#) **NEW!**

If you are the host, [start your event.](#)

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

HOW TO – Join – DCA WebEx Event

- To bypass step 4, click 'Run a temporary application'.

Starting Webex...



Still having trouble? [Run a temporary application](#) to join this meeting immediately.

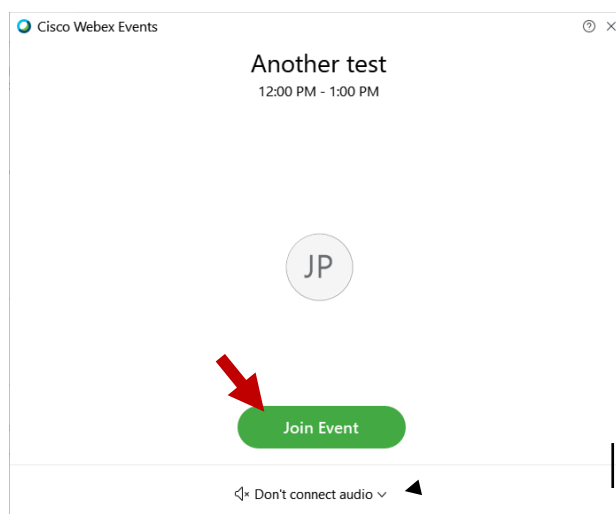
- A dialog box will appear at the bottom of the page, click 'Run'.



The temporary software will run, and the meeting window will open.

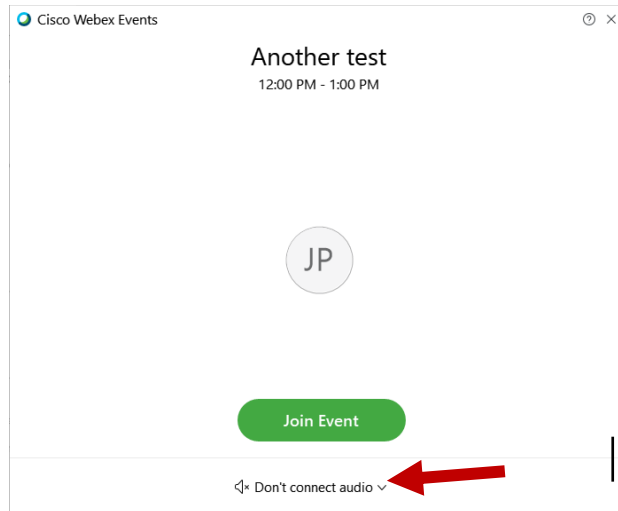
NOTE: The preferred audio connection to our event is via telephone conference or headset. Use of an open microphone and speakers through your computer could result in issue with audio clarity and potential feedback/echo.

- If using a headset plugged into your computer, click the 'Join Event' button.

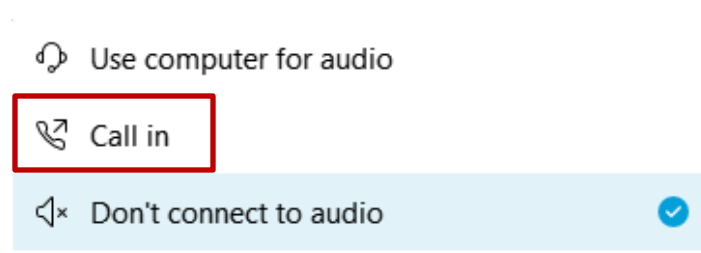


HOW TO – Join – DCA WebEx Event

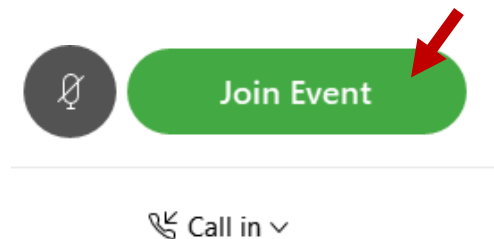
8. If using teleconference via your phone for audio, click the audio menu below the green 'Join Event' button.



9. When the audio menu appears click 'Call in'.

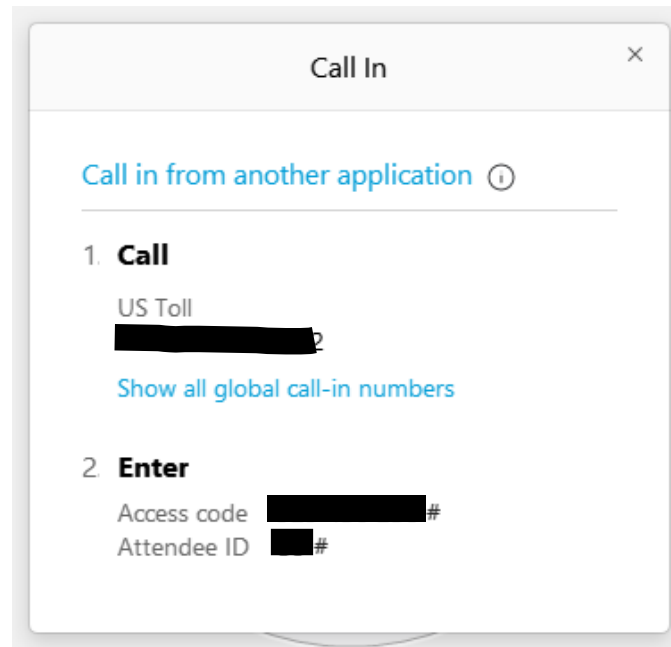


10. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



HOW TO – Join – DCA WebEx Event

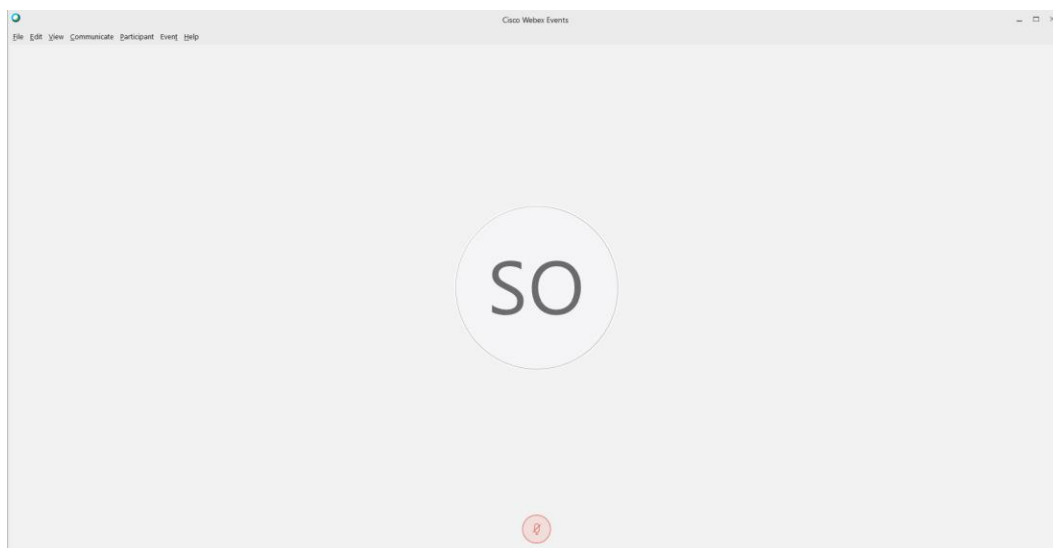
11. Call into the audio conference with the details provided.



NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

Congratulations!

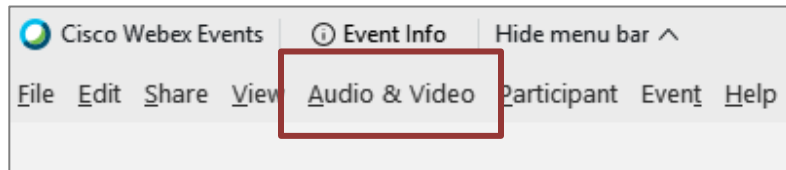


NOTE: Your audio line is muted and can only be unmuted by the event host.

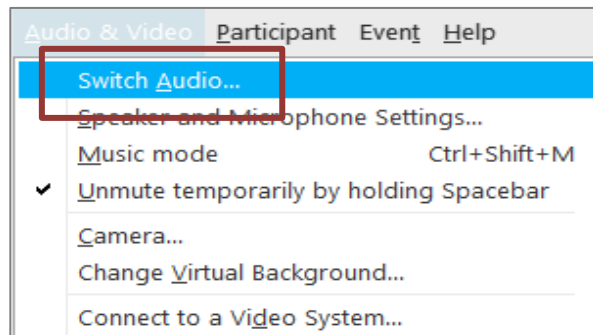
Selecting Audio Connection After Joining

If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

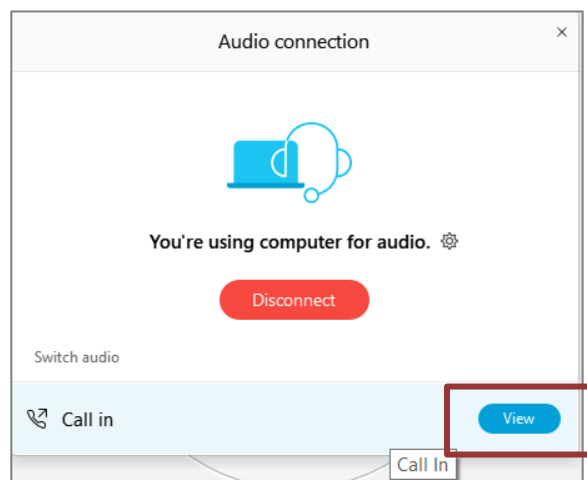
1. Select 'Audio & Video' from the menu bar at the top of your screen.



2. Select "Switch Audio" from the drop-down menu.



3. The 'Call In' information can be displayed by selecting 'View'



You will then be presented the dial in information for you to call in from any phone.

HOW TO – Join – DCA WebEx Event

Participating During a Public Comment Period

At certain times during the event, the facilitator may call for public comment.

Using the Question & Answer feature (Q&A):

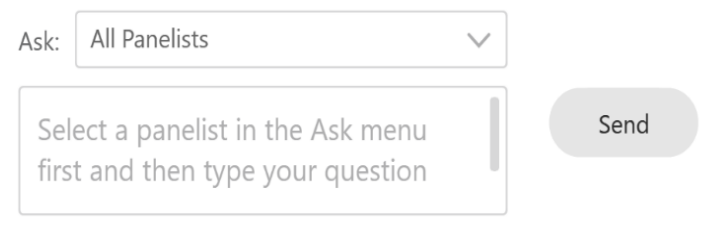
If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

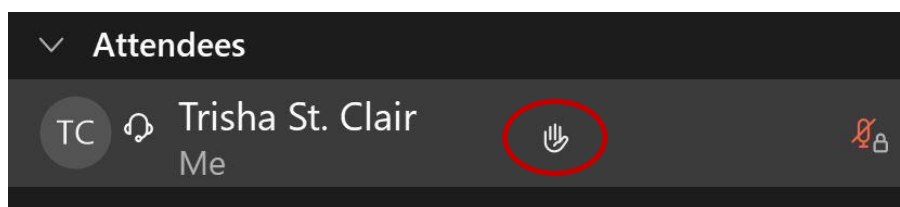
NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

Make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.



Using the hand raise feature:

If the program elects to allow use of the hand raise feature and you would like to make a public comment, click on the hand icon next to your name.



Please click on the hand icon again once your comment has been presented to lower your hand.

HOW TO – Join – DCA WebEx Event

Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

When you are identified as the next commenter, the moderator will unmute your line, sending you a request to unmute yourself. Clicking “unmute me” on the pop-up window will open your microphone. You may then begin providing your public comment.



NOTE: Your line will be muted at the end of the allotted public comment duration. You will be given a warning that your time is about to expire.

AGENDA ITEM A: CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM

Roll is called by the Board Secretary or, in his/her absence, by the Board Vice President or, in his/her absence, by a Board member designated by the Board President.

Business and Professions Code section 5524 defines a quorum for the Board:

Six of the members of the Board constitute a quorum of the Board for the transaction of business. The concurrence of five members of the Board present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board, except that when all ten members of the Board are present at a meeting duly held, the concurrence of six members shall be necessary to constitute an act or decision of the Board.

Board Member Roster

Tian Feng

Malcolm Gladstone

Mitra Kanaani

Sylvia Kwan

Ebony Lewis

Robert C. Pearman, Jr.

Ronald A. Jones

Nilza Serrano

Charles Ward, III

DRAFT

CALIFORNIA ARCHITECTS BOARD

MEETING MINUTES

December 10, 2021
Teleconference Meeting

A. Call to Order / Roll Call / Establishment of a Quorum

On December 10, 2021, Board President, Tian Feng, called the meeting to order at 10:03 a.m. and Secretary, Robert Pearman, called roll.

Board Members Present

Tian Feng, President
Nilza Serrano, Vice President
Robert Pearman, Jr., Secretary
Malcolm "Brett" Gladstone
Ronald Jones
Mitra Kanaani
Sylvia Kwan
Ebony Lewis
Charles "Sonny" Ward, III (joined after roll call)

Six members of the Board present constitute a quorum. There being nine members present at the time of roll, a quorum was established.

Guests Present

Andy Bowden, LATC Member
Jon Wreschinsky, LATC Member
Mark Christian, AIA CA

Staff Present

Laura Zuniga, Executive Officer (EO)
Jane Kreidler, Manager, Administration Unit
Alicia Kroeger, Manager, Enforcement Unit
Marccus Reinhardt, Manager, Examination/Licensing Unit
Idris Ahmed, Enforcement Analyst
Jesse Bruinsma, Continuing Education Analyst
Blake Clark, LATC Examination Coordinator
Darren Dumas, Examination/Licensing Analyst

Coleen Galvan, Communications Analyst
Drew Liston, Board Liaison
Kim McDaniel, Administration Analyst
Kourtney Nation, LATC Special Projects Analyst
Michael Sganga, Enforcement Analyst
Jasmine Steinwert, Enforcement Analyst
Stacy Townsend, LATC Enforcement Analyst

DCA Staff Present

Harmony DeFilippo, Budget Office
Karen Halbo, Regulatory Counsel, Attorney III
Brianna Miller, Board and Bureau Relations
Karen Munoz, Budget Office
Cesar Victoria, Office of Public Affairs
Tara Welch, Board Counsel, Attorney III

B. President's Procedural Remarks and Board Member Introductory Comments

Mr. Feng announced that 1) the meeting is being webcast and pursuant to the provisions of Governor Gavin Newsom's Executive N-08-21, dated June 11, 2021, a physical meeting location is not being provided, and 2) Jon Wreschinsky and Andy Bowden, LATC members, are in attendance.

There were no comments from the public.

C. Update on the Department of Consumer Affairs (DCA) – Brianna Miller, Board and Bureau Relations, DCA

Brianna Miller from DCA's Board and Bureau Relations, provided the following DCA update:

- Weekly COVID-19 testing began in October for state employees who haven't shown proof of vaccination. Board members are considered employees and must follow health and safety protocols if they plan to visit a DCA location or attend an in-person meeting.
- The ability to meet remotely continues until January 31, 2022, after which time meetings need to be in-person. If boards plan to hold in-person meetings, employees and Board/Committee members must follow health and safety protocol. Also, DCA's Board and Bureau Relations must be notified as soon as possible. DCA encourages boards to meet remotely and will send updates on meeting requirements.
- CAB has one Board member vacancy (public member) and those interested in serving as a Board member are encouraged to apply.

- Required Board Member Orientation Training is held in March, June and October of each year and can be reached through DCA's Learning Management System (LMS) on DCA's training portal.
- 2021 is a mandatory sexual harassment training year and all employees and Board/Committee members are required to complete the training. The training is accessed through LMS on DCA's training portal.

In response to an inquiry about why hybrid meetings must be held at the Headquarters 2 building, Ms. Miller indicated that HQ 2 is the only location that has technical capabilities at this time, but other meeting locations are being explored.

Laura Zuniga clarified that our next meeting is scheduled for February 25, 2022 and it will either be in-person or teleconference where we publicly notice the location that Board members call in from and the location must be accessible to the public.

There were no comments from the public.

D. Public Comment on Items Not on the Agenda

There were no comments from the public.

E. Election of 2022 Board Officers

President Tian Feng stated that the Elections Committee consisted of Ron Jones and Brett Gladstone. Mr. Jones explained the process and presented the recommended slate of officers for 2022:

Tian Feng, President
 Sonny Ward, Vice President
 Brett Gladstone, Secretary

Sylvia Kwan moved to elect Tian Feng for President, Sonny Ward for Vice President, and Brett Gladstone for Secretary.

Nilza Serrano seconded the motion.

There were no comments from the public.

Members, Gladstone, Kanaani, Kwan, Jones, Lewis, Pearman, Serrano, Ward, and President Feng voted in favor of the motion.

F. Discussion and Possible Action on Recommendation Regarding 2021 Octavius Morgan Distinguished Service Award

Mr. Feng read the handout on the Octavius Morgan Award nominee, former Board member, Pasqual Gutierrez.

Members provided comments of support for the nominee and his many contributions to the Board and profession of architecture. Ms. Kanaani singled out Mr. Gutierrez' contribution to the Integrated Pathway to Architectural Licensure (IPAL) and credits him for its existence in California.

Nilza Serrano moved to approve the recommendation to award Pasqual Gutierrez the 2021 Octavius Morgan Distinguished Service Award and for Board member funds to be used to purchase the award.

Tian Feng seconded the motion.

Mr. Serrano confirmed that Ms. Zuniga will notify Board members of their share of the award's cost.

There were no comments from the public.

Members, Gladstone, Kanaani, Kwan, Jones, Lewis, Pearman, Serrano, and Ward, and President Feng voted in favor of the motion.

G. Review and Possible Action on September 10, 2021, Board Meeting Minutes

Ron Jones moved to approve the September 10, 2021, Board meeting minutes.

Nilza Serrano seconded the motion.

There were no comments from the public.

Members Gladstone, Jones, Kanaani, Kwan, Lewis, Pearman, Serrano, Ward and President Feng voted in favor of the motion.

Agenda item I. was discussed prior to Agenda item H.

I. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs

1. Budget Update – Harmony DeFilippo, Budget Analyst

Harmony DeFilippo explained the current fund condition and mentioned that the Board currently has 7.5 months in reserve, which means that if the Board did not have incoming revenue, it could sustain itself for 7.5 months. If the Board spends the full appropriation, it will have a negative balance at the end of Fiscal Year 23/24. However, the Board usually has \$450,000 each year in reversion, and the

projection is that the Board will revert approximately \$400,000 this fiscal year. If the Board continues to revert \$200-300,000, it will be solvent through FY 23/24. The Budget office will continue to monitor and provide monthly reports to Ms. Zuniga.

Ms. Kwan asked for an explanation for the negative balance and what the normal number of months are to keep in reserve. Karen Munoz, Budget Manager, assisted with the questions and said that when the months in reserve decline, more expenses are going out than revenue coming in. Fiscal years 22/23 and 23/24 do not show reversions; however, a \$400,000 reversion is shown in the current year. If revenues sustain at \$3.8 million and \$3.4 million, with the expenditures continuing, in the mid- \$400-\$500 million, the fund will maintain a downward trend.

Ms. Kwan asked if this naturally leads to a raise in renewal fees and the cost of becoming an architect. Ms. Zuniga said at some point, we need to look at renewal fees, and the statute currently has a cap of \$400. She mentioned that we are trying to be as conservative as possible with spending, and business modernization costs are taking a chunk of our budget. Additionally, the Assistant Executive Officer position will be held vacant for a longer period for salary savings purposes. Ms. Zuniga will provide budget updates at each board meeting.

Mr. Gladstone stated that the top line of numbers of prior year and current year under program expenditures is 16-17% higher; yet, in the notes section expenditure growth is projected at 3%. Ms. Munoz said that business modernization does increase expenditures. The 3% growth includes annual adjustments such as salary increases, employee compensation and retirement rate changes.

Public Comment

Mark Christian, American Institute of Architects CA (AIA CA), shared that they support the role of CAB and its ability to function fully funded. He mentioned that in 2009, CAB and AIA sponsored legislation to increase the cap to \$400. AIA CA is not opposed to increasing the fee and looks forward to working with CAB staff if a future fee increase is necessary.

2. Business Modernization

Ms. Zuniga shared that we are currently in stage 4 of 4 along with four other DCA programs. New software, InLumon, has been identified. The total projected cost is \$1.4 million for the Board, which puts pressure on our fund. Ms. Zuniga stated that business modernization has been added to the budget, and other costs increase such as personnel and pro rata. She explained that our system is antiquated causing the Board to be paper driven. The new system will allow

licensees to apply, renew, and modify their licenses, and continuing education will be moved online. The automated process will assist staff and licensees.

Business Modernization has been in the works for many years and began when DCA originated a system called BreEZe. Ms. Kanaani asked if the new system would include automation of the California Supplemental Exam, and Ms. Zuniga said the administration of the exam is separate because it is created in the Office of Professional Examination Services (OPES). Candidates are required to go into the test center to take the exam. She doesn't believe that DCA is looking at remote proctoring but will inquire.

Quarterly Report

Ms. Zuniga presented the quarterly report as follows:

- LATC met in August and will meet later this year to adopt its strategic plan. The Communications Committee met in September. The President will appoint new committees by the end of the year.
- Most staff continue to telework and DCA began testing staff who have not shown proof of vaccination in October.
- CSE Analyst, Rikki Parks, accepted a promotion in September, and we are recruiting to refill her position. A new Staff Services Manager I (Specialist) position was created to handle all of the regulations so they will be centralized and streamlined. Kimberly McDaniel, currently an AGPA in the Administration Unit, will be filling the position.
- Ms. Zuniga mentioned that Communications Analyst, Coleen Galvan, has been doing a good job posting on social media since her return from contact tracing.

Regulations Proposals. Our highest priority is the retired license fee, which is currently with the Legislative Affairs Division (LAD). We are making progress and have heard from interested licensees who would like to obtain a retired license.

We are also working on the regulations required for disability access continuing education and AB 1010 continuing education requirements regarding zero net carbon design (ZNCD).

Ms. Kwan asked about outside vendors who will provide ZNCD training and whether there is an approval process. Ms. Zuniga said we don't have authority to approve vendors, but the regulations will specify the CE content. Mr. Jones mentioned that AIA has agreed to provide courses without cost. Ms. Kwan mentioned that ADA CE courses have a certification that has wording that the

course is approved for licensing renewal. Mr. Feng echoed Ms. Kwan's statement that the vendors indicate they are certified. Ms. Zuniga said we don't normally approve providers; however, if licensees have been audited for CE and approved, it may look as an informal approval. She will look into the subject. Ms. Zuniga mentioned that current Board staff will absorb the workload for AB 1010, but we don't have the staff to approve providers.

Marccus Reinhardt, Exam and Licensing Manager, mentioned that we don't approve courses or providers but have a list of providers from whom we accepted coursework when auditing licensees for compliance with this CE requirement. The regulations will specify the content and further requirements such as an assessment and score. The providers would need to arrange their courses to meet regulations requirements.

Mr. Reinhardt stated there are a number of providers who are certified by the Board and the Enforcement Unit has asked them not to say they are approved by the Board. Ms. Kwan said that we may want to discuss this at a future board meeting. She said that since there's no budget for staff to do the certification, there are course providers who are saying they are approved. Mr. Feng said it will be an ongoing discussion between him and Ms. Zuniga. Ms. Zuniga stated the matter will be placed on the next Board agenda.

Ms. Zuniga continued her report and mentioned that licensing statistics have stayed consistent. Also, in the future, additional information will be provided about the types of enforcement cases that we process. Common violations stay the same. This information is also in our newsletter and online.

Mr. Feng asked how the newsletter is distributed because he doesn't receive it. Ms. Zuniga stated there is a list of subscribers that sign up to receive the newsletter, and she can send the newsletter to each Board member.

Mr. Feng addressed committees and committee assignments. He feels the committees need structure. He presented the idea of restructuring the committees before the end of the year with five members per committee: three active board members; one former board member and one public member. Mr. Feng said he would like to have at least two meetings per year and four maximum. Committee assignments should align with our strategic plan's three-year cycle. After three years, new members will be assigned. Ms. Zuniga suggested that we move this discussion to the Strategic Plan item.

There were no comments from the public.

H. Review and Approve Strategic Plan 2022-2024

The following edits and discussion ensued:

The Strategic Plan will cover 2022-2024. On page 2, the spelling of Robert Pearman's name is misspelled.

Professional Qualifications Committee (PQC). Mr. Pearman referred to Item 1.4 which reads, "Communicate to the public what the professional qualifications committee has suggested to the Board to promote the work the committee has done." Mr. Pearman related that we have had discussions about the Communications Committee being overburdened so it seems appropriate that PQC handles this item.

Regulatory and Enforcement Committee (REC).

Discussion began with Item 2.4, which reads, "Educate the public and practitioners regarding their roles when contracts are signed with a third party (contractor/developer)."

Ms. Kwan mentioned that the term "third party" is unclear. Mr. Jones reminded the Board members that the objective is to ensure that both the consumer and practitioner understands their roles when an architect signs with a general contractor to design a home. Mr. Feng offered that when an architect provides a service to a developer, the architect's concern is completing the project. It is important to educate the public and architects about the importance of understanding the written contract requirements before signing. Ms. Zuniga stated that we want to educate the public about their rights, and practitioners about their responsibilities, and Mr. Jones said that the rights and roles wording covers the intent.

Ms. Zuniga restated Item 2.4 will be revised to: Educate the public and practitioners regarding their rights and roles when contracts are signed.

Tara Welch, Board Counsel, said the Board can make a motion to adopt the strategic plan as modified. It was decided to approve the strategic plan today with changes.

Communications Committee. Ms. Zuniga said that much of this can be done easily, and any item with additional costs will be brought back to the Board. Ms. Kwan asked that "other" be removed in Item 3.5, which reads, "Spotlight other ethnicities/minorities in the profession to promote the profession."

Ms. Welch stated that item 3.5 does not capture the Board members' determination to increase diversity in the profession. Along with striking "other," a clearer statement could be "spotlight ethnicities/minorities to increase diversity in the profession."

Mr. Jones stated that we shouldn't overlook gender inclusion and the LBGT community. Mr. Feng said Item 3.5 is missing the reason why we are spotlighting, which is for diversity and inclusion. Ms. Zuniga shared that Mr. Jones made this comment due to his experience in becoming an architect, and the lack of role models in the profession similar to himself. The thought is to spotlight those who are nontraditional to give young people the idea that they can become architects. Mr. Jones said the term "diverse communities" is all encompassing, and that we should challenge ourselves to include and pay homage to the broader community.

Mr. Jones mentioned working with partners such as AIA (which has a diversity committee) regarding newsletter articles. Mr. Feng suggested highlighting in CAB publications. Ms. Lewis recommended sending a survey to the architectural community asking them to nominate themselves to be featured in our communications pieces, thus generating a pool of people for the newsletter and social media. It could be a short clip with their photo, and it should be done once a month.

The revised wording of Item 3.5 is as follows: Publicize architects from diverse backgrounds to promote inclusion.

Ms. Serrano mentioned Item 3.3 does not require a licensed architect to create Alternate Dwelling Units, and we need legal clarification regarding how it affects CAB and licensees.

Ms. Zuniga revised Item 3.3 to: Develop communication regarding the requirements of Senate Bill 9 and its impact on the profession.

Ms. Zuniga said she will get an opinion from LAD and put on the agenda. Mr. Feng stated it will be placed on Communications Committee agenda.

Nilza Serrano moved to adopt the Strategic Plan for 2022-2024 as amended.

Ebony Lewis seconded the motion.

Public Comment: Glenn Gall commented regarding Senate Bill 9, and that it is one of several bills that have been codified. He stated that it's already directly addressed by the Architects Practice Act, and it would be nice if all laws were addressed.

Ms. Serrano thanked him for his suggestion.

Members Gladstone, Jones, Kanaani, Kwan, Lewis, Pearman, Serrano, and President Feng voted in favor of the motion.

J. Update and Discussion of National Council of Architectural Registration Boards (NCARB)

Ms. Zuniga mentioned that updates will be given by Mr. Feng, Ms. Kwan, and Ms. Serrano, who recently attended the recent Committee Summit held in Washington DC, when several NCARB committees met together.

Ms. Kwan is the liaison on the Exams Committee, which met with the Think and Rethink groups. The Think Tank has unlicensed members and Rethink Tank consists of new licensees. The Exams Committee also met with the Responsible Charge Committee that talks about specific processes about responsibilities before putting stamps on drawings. The next group meeting was with the Futures Task Force that projects and plans things 50 years into the future. Additionally, they met with the Diversity Collaborative, and the Licensing Advisory Forum. The Licensing Advisory Forum has a group of outside advisors such as the American Indian Architect Association, American Institute of Architects, American Institute of Architect Students, Association of Collegiate Schools of Architecture, National Architectural Accrediting Board, National Organization of Minority Architects, Society of American Registered Architects, and the Society for Design Administration. She reported the following:

1. People are worried about exam fees when they take it multiple times because it gets expensive.
2. Have a one-day day test because it forces people to take it seriously. Currently, the test is on a rolling clock and can be delayed due to busy lives.
3. Specializations. Take a general exam and then take specialized tests to receive additional certifications for special interests such as health care facilities, educational facilities, environment, etc.
4. Late career licensees. What to do about people who have been practicing 30 years and haven't gotten a license. How do we get them licensed?

Ms. Serrano mentioned that the Diversity Committee was initially created as a task force. The new leadership is pushing diversity, equity and inclusion (DEI) as part of NCARB's culture. They met with every committee to explain why DEI is important and why it would benefit NCARB as a whole--the profession needs to be relevant, especially for younger architects. Ms. Serrano believes it will become a permanent committee.

Mr. Feng said he virtually attended and is a member of the Futures Collaborative which is charged to understand the current trend of practices and to envision the future architecture of practice and regulatory landscape of architectural licensure.

Mr. Feng shared they talked about various approaches to licensure such as only education or examination requirements. His personal view is the experience requirement should always exist, and he made the point that examination provides for reciprocity and a pathway for people without formal education.

Ms. Kwan mentioned the for-profit entity and spin-off of NCARB called Lineup. Lineup has developed propriety software for organizations that organizes volunteers.

There were no comments from the public.

K. LATC Report (Discuss and possible action regarding revisions to previously approved text to amend Title 16, Division 26, Article 1, Section 2630.2 (Appeal of Citations) and authorize rulemaking).

Stacy Townsend reported that to align with the Board, LATC amended its Appeal of Citations language. The Board approved the language last December, but LAD recommended changes. LATC would like the Board to adopt the revised changes and give authorization to initiate rulemaking.

Mr. Feng moved to approve and adopt the proposed regulatory text as modified, direct the Executive Officer to take all steps necessary to initiate the rulemaking process, authorize the Executive Officer to make any technical or nonsubstantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and if no adverse comments are received during the 45-day comment period, and no hearing is requested, adopt the proposed regulatory text as modified and complete the rulemaking process.

Mr. Jones mentioned that LATC's advisory council has invested a lot of time in revision and he fully supports it.

Mr. Feng moved to approve and adopt the proposed regulatory text as modified.

Mr. Jones seconded the motion.

There were no comments from the public.

Members Gladstone, Jones, Kanaani, Kwan, Lewis, Pearman, Serrano, and President Feng voted in favor of the motion.

L. Review of Future Board Meeting Dates

Ms. Zuniga stated the next Board meeting is scheduled for February 25, 2022. Mr. Pearman has a conflict on that date so it will be rescheduled. Other future meeting dates are scheduled for May 20, September 9, and December 9, 2022, and can be changed if necessary.

The Open Session recessed at 12:24 p.m.

M. Closed Session - Pursuant to Government Code Sections 11126(a)(1) and (c)(3), the Board Will Meet in Closed Session to:

- 1. Perform the Annual Evaluation on the Executive Officer.**
- 2. Deliberate and Vote on Disciplinary Matters**

N. Reconvene Open Session

The Board reconvened Open Session at 2:54 p.m. with the following members present:

Tian Feng, President
Robert Pearman, Jr., Secretary
Malcolm "Brett" Gladstone
Ronald Jones
Mitra Kanaani
Sylvia Kwan

O. Adjournment

The meeting adjourned at 2:54 p.m.

MINUTES
BOARD MEETING
CALIFORNIA ARCHITECTS BOARD
JUNE 12, 2019
SAN LUIS OBISPO

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

On June 12, 2019, Board President, Sylvia Kwan, called the meeting to order at 8:47 a.m. and Secretary, Nilza Serrano, called roll.

Board Members Present

Sylvia Kwan, President
Tian Feng, Vice President
Nilza Serrano, Secretary
Denise Campos
Pasqual Gutierrez
Ebony Lewis
Robert C. Pearman, Jr.
Barry Williams

Board Members Absent

None

Guests Present

Mark Christian, Director of Government Relations, American Institute of Architects, California (AIA California)
Karen Nelson, Assistant Deputy Director, Office of Board and Bureau Services, Department of Consumer Affairs (DCA)
Susan Coddington, Vice President Advocacy, International Interior Design Association (IIDA), CID, LEED AP, CDGLA
Robert Kitamura, The Kitamura Company (Kitamura Architecture)

Staff Present

Laura Zuniga, Executive Officer (EO)
Vickie Mayer, Assistant EO
Alicia Hegje, Program Manager Administration/Enforcement
Marccus Reinhardt, Program Manager Examination/Licensing
Trish Rodriguez, Program Manager Landscape Architects Technical Committee (LATC)
Tara Welch, Attorney III, DCA
Gabrial Nessar, Administration Analyst
Mike Sanchez, Television Specialist, DCA

Six members of the Board present constitute a quorum. There being eight present at the time of roll, a quorum was established.

B. PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

Ms. Kwan made the following announcements: 1) the meeting is being webcast, 2) thanked the California Polytechnic State University (CalPoly) for allowing the Board to hold its meeting on their campus, and 3) all motions will be repeated for the record, and votes on all motions will be taken by roll-call.

F.* PRESENTATION OF OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARD TO ROBERT KITAMURA

Ms. Kwan detailed the over 30-year record of distinguished service provided by Robert Kitamura and presented him with the 2018 Octavius Morgan Distinguished Service Award.

C. UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS (DCA)

Assistant Deputy Director Karen Nelson provided an update on DCA to the Board. Ms. Nelson stated that on April 19, 2019, the Director of DCA, Dean Grafilo submitted his resignation. She indicated that the Governor's Office is in the process of identifying a successor and the Office of Board and Bureau Services is working with the Governor's Office to ensure a smooth transition. Ms. Nelson also mentioned that DCA retained KH Consulting Group to conduct the EO Salary Study. She advised the Study is aimed to provide an in-depth analysis of the programmatic and operational complexities of all boards as well as salary comparisons with other states.

Ms. Nelson informed the Board about recent Budget Change Proposals. She mentioned that the Legislature has approved additional resources for DCA's Central Administration Services for the following areas:

- Fiscal reconciliation issues;
- Division of Investigation to address current enforcement timelines;
- Office of Professional Examination Services (OPES) to ensure that there are adequate resources for examination development; and
- Legal with respect to the Regulations Unit.

In addition, Ms. Nelson informed the Board that 2019 is a mandatory Sexual Harassment Prevention Training year; therefore, all employees and board members are required to complete the training regardless if they took it last year.

D. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Susan Coddington, representing the IIDA emphasized her interests on working together with the Board, AIA California, the California Council for Interior Design Certification (CCIDC), and other entities who are interested in exploring how Commercial Interior Designers (CID) operate within the built-in environment. She indicated that CID is a complex profession and it is integral to the architectural process, but most architects refuse to perform the necessary duties to complete the CID portion of projects. She added that there have been some frustrations with that the CID stamp is not uniformly accepted at building departments throughout the State of California. Ms. Coddington stated that her long-range vision is to change the language in the Legislature so that

CID are recognized in the State. She addressed that she would like to continue the conversation with the Board to work out some of the road blocks and hurdles, so that an understanding could be determined on what could be done in the upcoming years.

Ms. Coddington expressed her interest in the Board arranging a face-to-face meeting with CCIDC, AIA California, IIDA, California Building Officials (CALBO), and the Board so that a title act can be achieved for CID. Ms. Zuniga shared that she envisioned a large group to participate in the meeting, but a smaller group may be more efficient due to scheduling difficulties. Mr. Gutierrez applauded Ms. Coddington's efforts.

E. PUBLIC COMMENT ON DESIGN AFTER DISASTER – DOUGLAS W. BURDGE

Public comments on this agenda item were not provided as Mr. Burdge was unable to attend the meeting.

H. REVIEW AND POSSIBLE ACTION ON FEBRUARY 27, 2019 BOARD MEETING MINUTES

Ms. Kwan asked for comments concerning the minutes of the February 27, 2019 Board meeting.

- **Robert Pearman moved to approve the February 27, 2019 Board meeting minutes.**

Pasqual Gutierrez seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams and President Kwan voted in favor of the motion. The motion passed 8-0.

I. EXECUTIVE OFFICER'S REPORT – UPDATE ON BOARD'S ADMINISTRATION / MANAGEMENT, EXAMINATION, LICENSING, AND ENFORCEMENT PROGRAMS*

Ms. Zuniga provided the Board with a brief update on its programs:

- In July 2017, DCA implemented FI\$Cal, the statewide system for budgets, accounting, and procurement that the State of California has implemented for all state departments. While DCA has experienced one full fiscal year (FY) using the system and is fast approaching the end of a second year, the transition continues to pose challenges in the reconciliation and closing of FY 2017-18. Staff continuously monitor the Board's budget with the DCA Budget Office. Once the final reports are available, a budget update will be provided at the September Board meeting.
- Business Modernization is in progress. The initial mapping of "As-Is" business processes is being prepared by DCA Office of Change Management for staff review and approval.
- Board and LATC started accepting credit card payments for license renewals.
- Architect Registration Examination (ARE) contract is in process of being finalized.
- ARE contract will run until June 30, 2022 and supersede the current contract set to expire on June 30, 2019.

Agenda item continued after item G.

G. PRESENTATION ON CALIFORNIA POLYTECHNIC STATE UNIVERSITY, SAN LUIS OBISPO – MARGOT MCDONALD, DEPARTMENT HEAD, COLLEGE OF ARCHITECTURE AND ENVIRONMENTAL DESIGN

Barry Williams explained that part of the third-year curriculum at CalPoly includes completion of a two-quarter studio project. He subsequently introduced Katherine Young and Kaleena Klimeck who (along with students from California State University, Chico and Montana State University) worked to propose a redesign of the City of Paradise that was devastated by the November 2018 Camp fire. Mses. Young and Klimeck provided a detailed presentation on the process they undertook with other students to achieve the community service oriented objectives of the project. They informed the Board how the experience influenced their respective outlook on the architecture profession.

I. EXECUTIVE OFFICER'S REPORT – UPDATE ON BOARD'S ADMINISTRATION / MANAGEMENT, EXAMINATION, LICENSING, AND ENFORCEMENT PROGRAMS (CONTINUED)

Ms. Zuniga continued the update to the Board to include the following:

- Senior Scam Stopper meeting in Paradise
- Changes to the *Disciplinary Guidelines* due to the passage of AB 2138 as well as proposed changes to CCR sections 110 (Substantial Relationship Criteria) and 110.1 (Criteria for Rehabilitation) including two options.

Ms. Serrano opined the ARE pass rates were low and explained the basis for her concerns to other members. The Board discussed the matter and requested the information provided be verified by staff; if accurate the Board requested the Professional Qualifications Committee (PQC) meet prior to the September 11, 2019 Board meeting and ascertain the reason(s) for the low pass rates in key ARE divisions. The Board asked that any findings made by the PQC be presented at the September meeting.

J. UPDATE AND POSSIBLE ACTION ON 2019 SUNSET REVIEW OF BOARD AND LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

Ms. Zuniga briefly indicated that the Sunset Review hearing took place before the Legislature. She advised Board President Sylvia Kwan, LATC Chair Marq Truscott testified, and she and Ms. Rodriguez were present to answer questions. No issues were presented by the Legislature.

K. UPDATE AND POSSIBLE ACTION ON LEGISLATION REGARDING:

1. Assembly Bill (AB) 476 (B. Rubio, 2019) Department of Consumer Affairs: Task Force: Foreign-Trained Professionals

Ms. Zuniga presented this item that requires DCA to appoint a task force with the goal of integrating foreign-trained professionals into the workforce and stated that it was presented for information only and no action was requested. Ms. Serrano commented that she understands the necessity for some professions bringing in foreign trained professionals, but that we have a problem with foreign students taking slots from American students. Mr. Gutierrez suggested this is an ambitious study in scope and timing, and suggested we provide resources such as the Board's *Architect Licensure Handbook* on our requirements to DCA.

2. AB 613 (Low, 2019) Professions and Vocations: Regulatory Fees

Ms. Zuniga presented this item, which authorizes boards within DCA to increase fees according to the increase in the Consumer Price Index, outside of the regulatory process. She stated the Board sent a support letter to the author and requested adoption of the support position.

- **Nilza Serrano moved to approve the recommended support position of AB 613.**

Ebony Lewis seconded the motion.

Members Feng, Gutierrez, Lewis, Serrano, Williams and President Kwan voted in favor of the motion. Members Campos and Pearman abstained. The motion passed 6-0-2.

3. AB 626 (Quirk-Silva, 2019) Conflicts of Interest

Ms. Zuniga presented this item, which provides an exemption to existing conflict of interest provisions for certain work performed by a variety of professions, including architects. She stated that it was a two-year bill. Mark Christian said there was opposition from contractor groups and building trades, and sponsors did not have an adequate response to those concerns. He further suggested the Board review all outstanding issues with the bill before considering whether to take a position. Ms. Zuniga stated that she would add it to the September Board meeting agenda and provide a more detailed analysis.

4. Senate Bill (SB) 53 (Wilk, 2019) Open Meetings

Ms. Zuniga presented this item, which amends the Bagley-Keene Open Meetings Act to require two-member advisory bodies to hold open meetings, and stated that it was presented for information only and no action was requested.

5. SB 601 (Morrell, 2019) State Agencies: Licenses: Fee Waiver

Ms. Zuniga presented this item, which authorizes boards within DCA to waive certain fees in the event of a declared emergency.

- **Barry Williams moved to approve the recommended support position of SB 601.**

Tian Feng seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams and President Kwan voted in favor of the motion. The motion passed 8-0.

6. SB 608 (Glazer, 2019) Architects

Ms. Zuniga presented this item, which extends the Board and LATC's sunset dates and makes additional changes, including requiring new applicants for licensure to be fingerprinted in order to complete a criminal background check. She stated that the Board submitted a letter of support and requested approval of the support recommendation.

- **Ebony Lewis moved to approve the recommended support position of SB 608.**

Barry Williams seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams and President Kwan voted in favor of the motion. The motion passed 8-0.

L. REVIEW AND POSSIBLE ACTION ON EXECUTIVE COMMITTEE'S RECOMMENDED AMENDMENTS TO BOARD MEMBER ADMINISTRATIVE MANUAL

Ms. Mayer presented this agenda item. She advised the members that the *Board Member Administrative Manual* was previously presented to the Board at its February meeting with recommended edits made by the Executive Committee. She added the Board requested a clarification of a sentence in the Out-of-State Travel section, specifically "The Board is prohibited from requiring any of its employees, officers, or members to travel to a state that, after June 26, 2015, has enacted a law that ..."

Ms. Mayer advised after consultation with the Board's legal counsel, a suggestion was made to add "or approving a travel request for" after "requiring" so the sentence would read "The Board is prohibited from requiring or approving a travel request for any of its

employees, officers, or members to travel to a state that..." Ms. Mayer suggested the recommended edit may clarify the sentence in question. She asked the Board to consider all of the tracked changes recommended by the Executive Committee and legal counsel.

Ms. Welch informed the sentence in the manual is quoting the statute which prohibits the Board from requiring or approving a travel request to a banned state which may appear on the surface to allow such travel if the members traveled on their own. She advised the members should take heed to the intent language of the statute which is California must take action to avoid supporting or financing discrimination against lesbian, gay, bisexual, and transgender people. With that intent language, she advised the Legislature does not want the Board to travel to the banned states.

Mr. Pearman requested clarification on page 23 of Appendix B related to the composition of the Executive Committee. Specifically, he referred to the immediate past Board president being appointed to the Committee if the past president was no longer a Board member and gave Matt McGuinness as an example. The Board agreed to amend the sentence in Appendix B to read, "The Executive Committee shall be comprised of the current Board president, vice president, secretary, and past Board president or officer."

- **Tian Feng moved to approve the recommended revisions to the *Board Member Administrative Manual* including the composition of the Executive Committee in Appendix B.**

Pasqual Gutierrez seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams and President Kwan voted in favor of the motion. The motion passed 8-0.

M. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Ms. Zuniga stated that the 2019 NCARB Centennial Annual Business Meeting will be held in Washington, DC, on June 20-22, 2019. She added that the Board must submit a "letter of credentials." She advised the letter must indicate the Board's voting delegate (only one) and be signed on behalf of the Board by any duly authorized person (Board officer or Board executive). She further advised the letter was due to NCARB June 2, 2019 and staff submitted a draft version and will submit a final version of the letter after the Board meeting.

- **Robert Pearman moved to approve the NCARB letter of credentials.**

Barry Williams seconded the motion.

There were no comments from the public.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams and President Kwan voted in favor of the motion. The motion passed 8-0.

N. PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

Mr. Gutierrez summarized the 2019-2021 Strategic Plan objectives that were discussed by the PQC at its April 18, 2019 meeting along with an overview of the resultant outcomes (see the Minutes for the April 18, 2019 PQC meeting for more details). The Plan objectives discussed by the Committee were:

1. Amend existing law regarding continuing education (CE) requirements for license renewal to reflect the evolving practice;
2. Provide licensees the opportunity to submit CE documentation online to increase efficiency in license renewal;
3. Conduct an occupational analysis (OA) of the profession to reflect current practice; and
4. Review and amend California Code of Regulations (CCR), Title 16, Division 2, Article 3, Section 117 (Experience Evaluation) and related regulations to reflect current licensing requirements.

The Board discussed the PQC objective related to CE and asked how it would pursue amending the requirements in the existing law. Ms. Zuniga advised the Board it would need to seek sponsorship of a bill by any member of the Legislature. She also advised that the Board would need to consider at a future meeting the impacts of any PQC recommendation to effect changes to the requirements. Mark Christian advised the Board that the California Commission on Disability Access (CCDA) was created by the existing law and opined that the CCDA may provide the best path to assist in amending the existing law and requirements. Mr. Christian said he could research the matter and provide more information to the Board at a future meeting.

Marccus Reinhardt advised the Board that in the packet was the final draft of the *Architect Licensure Handbook (Handbook)* for its consideration. He added that input from the Committee and collateral entities, such as The American Institute of Architects Emerging Professionals was incorporated into the final draft under consideration. Mr. Reinhardt explained the *Handbook* would be a living document that would remain in alignment with the evolving profession. Ms. Campos requested data be collected regarding downloads of the *Handbook* after it is published on the Board's website. Mr. Gutierrez requested the information regarding the *Handbook* be included in the Annual Brief sent to licensees.

- **Robert Pearman moved to approve the *Architect Licensure Handbook* as presented to the Board.**

Denise Campos seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President Kwan voted in favor of the motion. The motion passed 8-0.

O. DISCUSS AND POSSIBLE ACTION ON RETIRED LICENSE STATUS FOR ARCHITECTS

Mr. Reinhardt reminded members that at its February 27, 2019 meeting, the Board requested staff research whether other DCA entities have a retired license status and the associated cost, if any, for a retiring a license. He explained the process licensees follow to retire their license. Mr. Reinhardt subsequently advised the title “retired architect” is protected and to use the term requires an individual apply for a retired license. Otherwise, he said it would be a violation of the *Architects Practice Act*. Mr. Reinhardt added that applying for a retired license is not a requirement for any other reason – solely use of the term “retired architect.” Ms. Mayer further explained that to apply for the retired license an individual must possess a renewable license and be in good standing with the Board. Mr. Reinhardt detailed the process when a retired licensee decides to return to practice before the license is nonrenewable. Ms. Zuniga advised the Board that if it considers a reduction or elimination of the fee, staff must assess the impact to the budget and whether it would affect other fees. The Board requested staff to research reducing or eliminating the fee for a retired license and determine its impact upon the Board’s budget and processes.

P. UPDATE ON CONTRACT WITH CEDARS BUSINESS SERVICES, LLC FOR DEBT COLLECTION SERVICES TO COLLECT OUTSTANDING ADMINISTRATIVE FINES AND COST RECOVERIES

Ms. Hegje provided an update on the Board’s contract with Cedars Business Services, LLC, for debt collection services. She informed the Board this bid was sent to seven California small business debt collection vendors and three vendors responded with quotes. She added the contract was awarded to the lowest bidder and in accordance with small business preference guidelines. She advised the contract is a combined effort with LATC to collect outstanding administrative fines and cost recoveries. She informed the Board the contract was approved on April 9, 2019 and is effective through April 8, 2022. Ms. Hegje stated that Board staff continue to work with Cedars to clarify expectations outlined in the contract and receive training on the collection portal.

Ms. Kwan questioned if the maximum amount of the agreement is \$54,000. Ms. Hegje responded that the maximum amount would be revisited and confirmed this was the maximum amount based upon percentage of fines collected.

Ms. Campos questioned how the three firms that submitted proposals were vetted—based upon success rate of collections or solely upon lowest bid. Ms. Mayer stated she would verify; however, to her knowledge, the contract was awarded based solely on low-cost bidder. She further said the Request for Proposal (RFP) was modeled after other proposals prepared by DCA boards. Mr. Feng reiterated that it was his opinion that strength of collection amounts should have been considered.

Ms. Hegje asserted that Board staff would continue to refine the reports received by Cedar. She further stated that staff would gather data on uncollected citations, receive training on the collection agency portal, and continually monitor collection efforts.

Ms. Hegje informed Board members that updates on the effectiveness of the collection efforts would be provided at future Board meetings.

Q. REVIEW AND POSSIBLE ACTION ON ARCHITECT CONSULTANT CONTRACT FOR 2019 – 2022

Ms. Zuniga provide an overview of the Board's architect consultant contract for 2019 - 2022. She explained the Board employs two architect consultants and one contract is due to expire on June 30, 2019, with the remaining contract expiring on January 31, 2020. She advised due to the expiration of the contract an RFP for consultant services for three years (July 1, 2019 through June 30, 2022) was released that invited architects that met eligibility criteria to submit a proposal.

Ms. Zuniga informed the Board that the release of the RFP announcement raised considerable public comments and questions; therefore, the RFP advertisement was removed from the eProcure website. She further explained that staff would work on a modified RFP and explore Subject Matter Expert (SME) contracts for the technical enforcement cases that is used for examination development. She indicated the SME contract process has some benefits to the Board including: three-year contract terms and up to a \$50,000 encumbrance; contracts would be used on case-by-case basis; and SME contracts are easier to execute than the former RFP contracts. Ms. Zuniga stated a notification process would be initiated to recruit SME contractors. Additionally, she shared the Board would be updated on the modified RFP and SME process as the end of the three-year contract will lapse on June 30, 2019.

Ms. Serrano inquired if women and minority are recruited through this process. Ms. Zuniga stated the small business and Disabled Veteran Business Enterprise (DVBE) process was followed.

Mr. Christian requested clarification of the new contract requirement that proposers need to provide evidence of liability insurance. He stated the RFP requested the state as an additional insurer and he brought forward a concern that he believes it is not possible to obtain and, therefore, the insurance requirement could not be met.

Ms. Kwan asked if there would be difficulties in outreach with a SME outside the office. Ms. Hegje said that in the past staff relied heavily on the consultants, but over the last several months the enforcement staff are transitioning workload in-house and use consultants as resources and documenting information obtained during this time. She further stated that two seasoned retired annuitant staff are working part-time which greatly assists with maintaining the Board's enforcement knowledge.

R. UPDATE ON MAY 14, 2019 COMMUNICATIONS COMMITTEE MEETING

Ms. Campos, Chair of the Communications Committee, provided an update on a meeting held on May 14, 2019. She expressed that she would like to see the Committee meet more than once a year. Ms. Campos explained the Committee had six objectives to accomplish and felt that meeting once a year may not allow for completion of these objectives.

Ms. Campos complimented Board staff for their work provided for the Communications Committee meeting. She advised Board staff are working with DCA, Office of Public Affairs, Cheri Gyuro, previously television news journalist who provided an informational presentation that demonstrated ways to create a more robust social media presence and communication plan for the Board. In addition, Ms. Campos stated that social media does not require a budget and opportunities exist using earned media.

Ms. Kwan inquired if other committee chairs would like to meet more than once a year to reach deliverables, as it is very ambitious. Ms. Zuniga suggested she would reach out to committee chairs to discuss additional committee meetings.

S. LATC REPORT

1. Update on May 29, 2019 LATC Meeting
2. Review and Possible Action on LATC's Recommendation Regarding Proposed Amendments to California Code of Regulations (CCR), title 16, Division 26, Article 1, section 2620.5 (Requirements for an Approved Extension Certificate Program)
3. Review and Possible Action on 2019-2021 Strategic Plan Objective to Research the Feasibility of Requiring a License Number on All Correspondence and Advertisement Platforms to Inform and Protect Consumers and Proposed Amendments to CCR, Title 16, Division 26, Section 2671 (Public Presentments and Advertising Requirements)

Trish Rodriguez informed the Board that the LATC met on May 29, 2019 and recommended approval of two regulatory proposals provided within the meeting materials for the Board's consideration. She explained that the first regulatory proposal would amend CCR section 2620.5 which outlines the requirements for an approved extension certificate program. Ms. Rodriguez added that in 2010 the LATC extended certification approval of the University of California, Berkeley and University of California, Los Angeles extension programs until a planned site review could be conducted in 2012. She further explained the LATC previously worked to identify procedures for the approval process through regulation; however, those regulations were denied by the Office of Administrative Law (OAL) in 2013. She informed the Board that the LATC appointed an Extension Certificate Program Subcommittee to identify an appropriate review process and set of requirements for approving the extension certificate programs. She added that the Subcommittee's recommendations were incorporated within the proposed regulatory language approved by the LATC at its meeting on May 29, 2019. She advised the Board that the Subcommittee's recommendations, as well as the current proposed regulatory language, were provided in the Board meeting packet for review and possible approval. She noted that input, provided by DCA Legal Counsel, on the proposed changes was also included in the meeting materials for reference. She clarified that the presented regulatory proposal includes determinations made at the last Committee meeting and additional changes, in line with what was discussed by the LATC, as suggested by DCA Legal Counsel Tara Welch. Ms. Rodriguez shared that the Board received approximately 21 public comments in support of the changes from various organizations including the American

Society of Landscape Architects (ASLA), the Association of Professional Landscape Designers (APLD), landscape architecture faculty, and students.

Ms. Welch directed the Board members to the included proposed regulatory language and explained that the changes indicated in yellow highlight were not reviewed by the LATC. She explained that most of these changes are minor apart from the proposed revisions on page three addressing a potential financial conflict of interest regarding individuals who may be designated by the Board to perform a site inspection or review of an education program. Ms. Welch explained that the proposal would establish a site visit review team of Board designees made up of three members that would travel to the extension certificate programs to evaluate whether they are providing appropriate education to the students. She explained that the Subcommittee initially proposed including a faculty member of an education program accredited by the Landscape Architectural Accreditation Board (LAAB); however, because LAAB-accredited programs are in competition with the extension certificate programs, she advised against including that requirement in the proposal. She argued that a faculty member of an LAAB-accredited program should not be involved in these types of site reviews because they could potentially sway a negative recommendation to their direct competition. She expanded that the LATC's reasoning behind suggesting an LAAB faculty member was that they might have experience with the accreditation process. Ms. Welch added that because extension certificate programs are not currently accredited by the LAAB, the provided regulatory proposal aims to develop an appropriate way to review and approve these programs as they are necessary in California for the landscape architect students who can only attend night school and need this kind of alternative education.

Ms. Welch explained that the current regulation is insufficient for several reasons including that it does not specify expiration of the Board approval period. She added that the LATC determined three Board designees should conduct each site visit with at least one designee being an LATC member. She directed the Board members to the provided regulatory proposal and clarified that the current proposed language specifies that the Board designees shall include one member of the Committee and no more than one individual affiliated with the educational program under review, meaning any prior or current faculty member of the educational program or an individual who has taken courses at the educational program.

Ms. Welch explained that after the Board meeting materials were printed she prepared a revised proposal that would prohibit any individual with a current financial interest related to the recommendation of the extension certificate program from serving on a site visit review team. She presented the members with her proposed revisions to CCR section 2620.5(c). Ms. Welch's proposed modifications would strike, starting in the yellow-highlighted section, a portion of the second sentence and all of the third sentence and replace the struck material with a new sentence so that the amended text is changed to add and delete

language so that it reads (in final version with just ms. Welch's changes noted in underline or strike out):

~~“(c) within six months from the date that the self-evaluation report is submitted in compliance with subdivision (b), a minimum of three (3) board designees shall perform a site inspection or review of the educational program. The board designees shall include one member of the committee. No board designee shall have a current financial interest related to the recommendation of the extension certificate program. And no more than one individual affiliated with the educational program. For purposes of this subdivision, “affiliated” means a prior or current faculty member of the education program or individual who has taken course at the education program. Site visits may include meetings with the educational institutional administrator, the educational program director, faculty, students, and alumni.”~~

Ms. Campos asked if there was a general rule that Board and Committee members must recuse themselves if they have any kind of conflict of interest. Ms. Welch responded that this provision would refer to the possible financial interest of an individual designated by the Board to conduct a site review. She added that this provision would exclude any individual with a financial conflict such as an LAAB faculty member trying to eliminate the competition, a current faculty member of the extension certificate program, or a current student of the extension certificate program. Mr. Feng questioned how the Committee could enforce such a high level financial conflict of interest clause without clarifying each possible scenario in regulation. He asked if it would be better to default to the general Board member training. Ms. Welch clarified that the Board designees in question would not necessarily receive the same Board member orientation. She expanded that the proposal would also add reference to section 87100 of the Government Code that further clarifies how the Board designees are subject to conflict of interest prohibitions. Ms. Mayer questioned if the OAL could approve the previously considered proposal that did not outline a possible conflict of interest. Ms. Welch ~~expanded that her proposed modifications would also add to the Note a Reference citation to Section 87100 of the Government Code, the existing conflicts of interest statute” explained that it would be difficult for Board staff to justify using the previous proposal in the rulemaking package; therefore, she recommends referencing the existing conflict of interest statute as proposed.~~

- **Denise Campos moved to approve the proposed regulatory changes, as modified, to CCR section 2620.5.**

Nilza Serrano seconded the motion.

Mr. Feng shared that at the May 29, 2019 LATC meeting, at least one Committee member felt very strongly that the site visit review team should include an expert from the faculty of an LAAB-accredited program. He expressed concern that by voting on the

proposal as presented the Board may contradict the LATC's preference. Ms. Kwan opined that faculty of an LAAB-accredited program should be impartial and that the regulation should not preclude such individuals from serving on a site visit review team. Mr. Feng asked how a financial conflict of interest could exist as such individuals would not personally gain anything by participating in the site review. Ms. Welch clarified that it could be considered a conflict of interest if the site visit review team makes a negative recommendation because the program with which the Board designee is affiliated could thrive if the extension certificate program closes. Ms. Serrano added that the Board must consider that there is the possibility that a Board designee could sway the recommendation for personal benefit and that she supports the staff recommendation. Mr. Pearman questioned how the Board designees would be determined. Ms. Welch responded that Board and Committee staff could work together to either generate a notice to the public so that individuals could effectively apply to be a Board designee, or alternatively, a knowledgeable Board staff person could be assigned to the site visit review team. Ms. Rodriguez added that in the past the Committee has recommended appointees to the site visit review teams. Mr. Pearman questioned if a retired LAAB faculty member would be considered to have a financial conflict of interest. Ms. Welch replied that a retired faculty member may not have a current conflict of interest as they would no longer have a personal association with the program.

Ms. Welch suggested Ms. Campos consider modifying the motion.

- **Denise Campos amended her motion to approve the proposed regulatory changes, as modified, to CCR section 2620.5, direct the EO to take all steps necessary to initiate the rulemaking process, authorize the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes as modified.**

Nilza Serrano seconded the amended motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President Kwan voted in favor of the motion. The motion passed 8-0.

Ms. Rodriguez presented a second regulatory proposal that would amend CCR section 2671 to expand all public presentations to include a license number. She added that this proposal is part of an LATC Strategic Plan objective and at its meeting on May 29, 2019, the LATC voted to recommend to the Board approval of the proposed regulatory amendments to CCR section 2671.

- **Tian Feng moved to approve the proposed regulatory changes to CCR section 2671, direct the EO to take all steps necessary to initiate the rulemaking process, authorize the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period and if no adverse comments are received during the**

45-day comment period and no hearing is requested adopt the proposed regulatory changes as modified.

Nilza Serrano seconded the motion.

Members Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President Kwan voted in favor of the motion. The motion passed 8-0.

T. REVIEW OF FUTURE BOARD MEETING DATES

Ms. Zuniga indicated that the future Board meeting dates are in the packet and an update will be sent regarding the December 11, 2019 Board meeting location.

U. ADJOURNMENT

The meeting adjourned at 12:44 p.m.

**Agenda items for this meeting were taken out of order to accommodate presenters of items. The order of business conducted herein follows the transaction of business.*

AGENDA ITEM F: PRESENTATION OF OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARD TO PASQUAL GUTIERREZ

Summary

Named after the first president of the California Architects Board, the Octavius Morgan Distinguished Service Award recognizes individuals who have over the years significantly contributed to the Board's mission through their volunteerism. The Board annually selects award recipients. Nominations are accepted from Board members and staff.

The Board relies on volunteers to assist in developing the California Supplemental Examination and to serve on many of its committees. The Board, at its December 10, 2021, meeting selected Pasqual Gutierrez.

Board President, Tian Feng will present the award to Pasqual Gutierrez at today's meeting.

Action Requested

None

Attachment(s)

None

Quarterly Report of the Executive Officer

Administrative/Management

Board. The Board met in-person in Sacramento on October 29 to create its 2022-2024 Strategic Plan. The Board's last meeting of the year was held on December 10, 2021 via teleconference. The Board approved the Strategic Plan with modifications.

Meetings. No Committee meetings were held during this period.

Newsletter

The fall/winter issue of the *California Architects* newsletter was distributed and posted on the website in November.

Budget

Staff has held meetings with budget staff and a new fund condition and budget report was provided at the December Board meeting.

The second cohort of the Business Modernization Project for CAB and LATC is in stage 4 of 4 of the California Department of Technology's project approval lifecycle. The software vendor has been identified as InLumon and a solicitation for system integration services was released in Fall 2021. Project start is anticipated to begin in Spring 2022. LATC received an Associate Governmental Program Analyst position to work on the project.

Coronavirus (COVID-19)

Most staff continue to telework. Despite the new highly contagious Omicron variant, the office has maintained consistent staffing and there has been no delays in work processes.

Personnel

Oscar Diaz, Office Technician/Receptionist in the Administration Unit, accepted a position with the Bureau of Automotive Repair effective December 2, 2021. Interviews were held for this position the end of December. Interviews for the vacant California Supplemental Examination (CSE) Analyst position were held the first week of January 2022. Kimberly McDaniel, Associate Governmental Program Analyst (AGPA) in the Administration Unit, was promoted to the newly-created Regulations Manager position and works directly with the Executive Officer (EO) and DCA Legal Affairs Division (LAD). Jeff Olguin, Architectural Registration Examination (ARE) Analyst, accepted a position with the Veterinary Medical Board effective January 1, 2022. Recruitment to refill the position is underway.

Harmony Navarro, Office Technician for LATC, accepted a position with the Department of Motor Vehicles effective January 1, 2022. Recruitment to refill the position is underway. Additionally, LATC is recruiting to fill a new limited-term AGPA position to assist during Business Modernization implementation.

Outreach

LATC staff gave an in-person presentation regarding pathway for licensure to students at the University of California Davis on November 9, 2021.

CAB is finalizing a video for consumers entitled 10 Tips to Hiring an Architect.

Social Media and Website

An increased presence on social media has occurred during the fourth quarter. A video entitled *10 Tips to Hire an Architect* is currently being produced in English and Spanish. Plans are underway to hold online licensing seminars and produce videos for consumers, candidates and licensees.

LATC posted fingerprint requirements that went into effect January 1, 2022, along with FAQs and revised California Supplemental Examination and Reciprocity applications. LATC maintains a Twitter account that currently has 223 followers. CAB's social media accounts are noted in the chart below.

Platform	Q4 Posts	Followers 12/31/21
Twitter	41	1,374
Instagram	21	1,157
Facebook	21	382

Regulatory Proposals

Administration staff meets regularly with Karen Halbo, DCA Regulations Counsel, regarding current regulatory packages. CAB's regulatory packages have been assigned to various attorneys to assist with workload. CAB/LATC staff meet monthly to provide updates on regulatory packages.

Architects

CCR Section 109 (Application Update). This regulatory proposal provides updates to the Application for Eligibility reference to address AB 496, AB 2113, AB 2138, aligns with current Board practices and the National Council of Architectural Registration Boards (NCARB) current requirements, and makes non-substantive changes to the text to increase understanding. Staff are in the process of preparing regulatory text for Board approval.

CCR Section 135 (Architectural Advertising). This regulatory proposal establishes the requirement for architect licensees to include their name and license number on any public advertisement or presentment.

The Board considered REC's recommendation at its February 28, 2020 meeting to adopt a regulation to require architects to include their license number on all forms of advertisement solicitation or other presentments to the public in connection with the rendition of architectural services. During the meeting, staff presented proposed regulatory text for CCR section 135 (Presentment and Advertising Requirements) for the Board's consideration. The Board expressed concern regarding how the regulation would be implemented and whether it would protect consumers and asked the issue to be sent to the REC to find data on how such a regulation would increase consumer protection. At the November 5, 2020 REC meeting staff presented research addressing the Board's concerns and the committee discussed the regulatory package. The Board approved the proposed regulatory language for CCR section 135 at its December 11, 2020 meeting. Board staff submitted the initial regulatory package to DCA Legal Affairs Division (LAD) in April 2021. LAD's suggested changes were presented and approved at the September 10, 2021 Board meeting. The 45-day public comment period ends February 15, 2022. A public hearing has been requested and is tentatively scheduled for February 18, 2022 starting at 3 p.m.

CCR Section 144 (Fees [Retired License]) and CCR Section 109.1 (Retired License Application). After discussing the fee associated with retiring an architectural license at its February, June and September 2019 meetings, the Board approved proposed regulatory language to amend CCR section 144 to set a retired license fee of \$40 at its December 11, 2019 meeting. They delegated the authority to the EO to adopt the regulation, provided no adverse comments were received during the public comment period, and to make minor technical or non-substantive changes, if needed. Some of the initial documents of the regulatory package were submitted to LAD on December 19, 2019. After review, discussion, and revision, staff submitted the regulation package March 2021. In September 2021, LAD sent the package back to CAB with questions about the \$40 fee.

CCR Section 109.1 (Retired License Application). This new CCR section incorporates the Retired Architect License Application, defines the term. During the regulatory process, LAD recommended a corresponding regulation to codify the application. The new CCR section 109.1 establishes and defines the application for a retired license and specifies the requirements for a retired architect to restore their license to active status. The Board approved the language for CCR 109.1 at the September 10, 2021 Board meeting. Staff continues to work with LAD toward completion of the regulatory package.

The Department of Consumer Affairs is currently conducting a review of the public notice documents for the regulation.

CCR Section 144 (Fees – [Increase]). The fees of the Board are required to be sufficient to support the functions of the Board. The fees, as they are currently set, do not adequately support the functions of the Board as they relate to regulating the profession. At the December 10, 2021 Board meeting, the Budget Office's (BO) 2020-24 budget presentation projected that the fund condition would go from having an 11-month reserve to -0.6. The Board discussed the budget and options including a fee increase. To prevent the projected fiscal structural imbalance in its budget, staff are working on a regulatory proposal to increase fees so that the California Architects Board may remain viable.

CCR Section 152 (Citations). This regulatory proposal amends CCR section 152 to enhance the Board's authority to issue citations to unlicensed individuals. The regulatory package was sent to OAL on December 31, 2021 for its 30-day review.

CCR Section 154 (Disciplinary Guidelines). Initial documents for the regulatory package were submitted to LAD on September 19, 2019. Staff incorporated LAD's feedback and the initial budget document was approved by DCA's BO on October 19, 2020. On November 18, 2020, LAD forwarded the initial documents to the next level of review in the process and edits were required. Staff sent documents to LAD on September 8 and October 10, 2021. LAD is currently reviewing the regulatory language.

CCR Section 160 (Rules of Professional Conduct). Completed. Effective date November 4, 2021. These changes without regulatory effect replace gender-specific pronouns with gender-neutral terms and make other non-substantive organizational and grammatical changes as well as amend the title of Division 2 to reflect the current name of the Board.

CCR Section 165 (Disability Access Continuing Education). This is a regulatory proposal to establish requirements for disability access continuing education (CE) courses and providers by January 1, 2023. The Board approved the proposed regulatory language and delegated authority to the EO for adoption of the regulation at the June 5, 2020 Board meeting. The 45-day public comment period ended December 27, 2021 and staff are preparing responses to public comments for the Board.

CCR Section 166 (Zero Net Carbon Design Continuing Education). This is a regulatory proposal to establish requirements for zero net carbon design (ZNCD) CE through the creation of a new CCR section 166. [Assembly Bill 1010](#) (Berman, Chapter 176, Statutes of 2021) amended Business and Professions Code (BPC) to require architects to complete five hours of CE coursework on ZNCD for all renewals occurring on or after January 1, 2023. BPC 5600.05 requires the Board to promulgate regulations by July 1, 2024, that would establish qualifications for ZNCD CE courses and course providers. This regulatory package is in the early stages of development.

Landscape Architects

Landscape Architects—Legislative Proposal BPC section 5659 (Inclusion of License Number—Requirement). LATC set an objective to educate the different jurisdictional agencies about landscape architecture licensure and its regulatory scope of practice to allow licensees to perform duties prescribed within the regulations. Staff worked with LAD to add language to section 5659 to coincide with section 460 specifically referencing landscape architects. The proposed additional language would prohibit local jurisdictions from rejecting plans solely based on the fact they are stamped by a licensed landscape architect; however, they could still reject plans based on defects or public protection from the licensee.

Proposed language to amend BPC section 5659 was presented to LATC on February 5, 2020 and the Board approved LATC's recommendation at its February 28, 2020 meeting. Staff proceeded with the proposal and submitted it to legislative staff in mid-March, 2020; however, the bill proposal was late and not accepted. The bill was resubmitted to legislative staff in January 2021; however, proposed language in the omnibus bill would delay review for other programs, so it was removed. Currently, LATC is planning to find an author for a stand-alone bill and resubmit in 2022.

Landscape Architects—CCR Sections 2611 (Abandonment of Application), 2611.5 (Retention of Candidate Files), and 2616 (Application for Licensure Following Examination).

Completed. Effective date April 1, 2022. This regulatory proposal amends CCR Sections 2611, 2611.5 and 2616. It defines abandonment of an application and gives LATC authority for the retention and purging of candidate files.

Landscape Architects—CCR Sections 2615 (Form of Examinations) and 2620 (Education and Training Credits). This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Board approved LATC's proposed regulatory language at its meeting on September 12, 2018. Staff proceeded with the regulatory process and on April 27, 2021 the package was submitted to OAL to publish Notice of the 45-day comment period which commenced on May 7, 2021 and ended on June 22, 2021. In response to public comment received on June 7, 2021, LATC staff worked with LAD to prepare modified proposed regulatory language for CCR section 2620. This new proposal was provided to the public on June 24, 2021 and the related public comment period ended July 9, 2021. No comments were received regarding the modified regulatory proposal. LATC and the Board approved the modified regulatory proposal at their meetings on August 4, 2021 and September 10, 2021, respectively. On August 25, 2021, the final regulatory proposal was provided to DCA for review.

On January 11, 2022, OAL notified LATC staff of an issue within the rulemaking file that would require a 15-day notice. The regulatory proposal was withdrawn from OAL on January 12, 2022 and staff are working with LAD to prepare the necessary documents to issue the 15-day notice and resubmit the rulemaking file to OAL in early spring 2022.

Landscape Architects—CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program). At the December 6, 2018 LATC meeting, LATC discussed opportunities to address the following in regulation: 1) extension certificate program approval, expiration, reauthorization, and extensions of said approval; 2) possible provisions for site reviews; and 3) the information that shall be provided by the extension certificate program to evaluate the program's compliance with the regulation. Following discussion, the Committee directed staff to form a subcommittee and recommend regulatory changes for LATC's consideration at a later meeting date. The Board approved LATC's proposed regulatory language at its meeting on June 12, 2019. Staff proceeded with the regulatory proposal process and on June 24, 2021 the package was submitted to OAL to publish Notice of the 45-day comment period which began on July 9, 2021 and ended on August 24, 2021. No comments were received. On September 3, 2021, the final regulatory proposal was provided to DCA for review; the final regulatory package was sent to OAL for review on December 27, 2021.

At the December 2, 2020 LATC meeting, the Committee recommend to the Board approval of the extension certificate program within the University of California, Los Angeles effective through December 31, 2025.

Landscape Architects—CCR Sections 2630 (Issuance of Citations) and 2630.2 (Appeal of Citations). To be more in line with the Board's procedures for the appeal of citations, staff proposed edits to LATC's appeal of citations regulation. Legal counsel advised that additional edits were needed. Language has been added clarifying the Board's existing ability to issue orders of corrections to cease unlawful advertising under BPC section 149, clarifying that the 30-day deadlines are counted as calendar days, amending the appeal of citations process. The proposed language was presented to LATC on December 2, 2020 and adopted by the Board at its December 11, 2020 meeting. LAD completed their pre-review on April 5, 2021. In September 2021, amendments were made while in the Initial Analysis phase. The substantial amendments were approved by the Board at its December 10, 2021 meeting. Staff revised the necessary documents and submitted to LAD on January 4, 2022.

Landscape Architects--CCR Section 2651 (Waiver of Fees for Licensure, Renewal, or Replacement of License Upon Declaration of Emergency). Effective January 1, 2020, section 11009.5 of the Government Code allows state licensing entities to reduce or waive licensing fees for people affected by a proclaimed or declared emergency in the previous year. Licensing programs within DCA may, but are not required to, establish a process for reducing or waiving the licensing fees of those impacted by federal, state, or local emergencies.

In February 2021, staff prepared a draft regulatory proposal that would implement an emergency fee waiver by adopting CCR, title 16, division 26, article 1, section 2651. Waiver of Fees for Licensure, Renewal, or Replacement of License Upon Declaration of Emergency. The proposed language was presented to LATC on April 29, 2021, adopted by the Board at its June 11, 2021 meeting, and subsequently submitted to LAD for review. LAD has requested revisions, which will be presented at a future LATC meeting.

Landscape Architects--CCR Section 2671 (Public Presentments and Advertising Requirements). Completed. Effective date January 1, 2022. This regulatory package amends CCR section 2671 and requires a landscape architect include their license number on all forms of advertising.

Landscape Architects—CCR Section 2680 (Disciplinary Guidelines). As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board to review and update LATC's *Disciplinary Guidelines*. Staff worked closely with Board staff to update their respective guidelines to mirror each other wherever appropriate.

At its June 13, 2018 meeting, the Board reviewed and approved the proposed changes to the LATC's *Disciplinary Guidelines* and CCR section 2680 as modified. DCA guidance due to the passage of AB 2138 as well as proposed changes to CCR sections 2655 (Substantial Relationship Criteria) and 2656 (Criteria for Rehabilitation), required staff to revise the *Disciplinary Guidelines*. On February 8, 2019, the Committee made a recommendation to the Board to adopt the proposed regulatory language for section 2655 and option 1 for section 2656 and approve the revised *Disciplinary Guidelines*. During Initial Analysis, LAD found that additional amendments were necessary. LATC and the Board approved the additional amendments to the proposed regulatory language at their meetings on August 4, 2021 and September 10, 2021, respectively. After the Committee's approval and in anticipation of the Board's approval, staff revised documents for the regulatory proposal to incorporate the additional amendments and submitted them to LAD for review on August 26, 2021. Revised fiscal impact statement was sent to the BO on January 10, 2022.

Licensing and Examination Program**Architects**

Performance data for the Architect California Supplemental Examination (CSE) and Architect Registration Examination (ARE) ARE 5.0 for California candidates during the fourth quarter of 2021 are presented in Tables A and B.

Table A
Architect CSE Examinee Performance: October 1 - December 31, 2021

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
Instate First-time	93	72%	37	28%	130
Instate Repeat	27	64%	15	36%	42
Reciprocity First-time	39	78%	11	22%	50
Reciprocity Repeat	13	72%	5	28%	18
Relicensure	2	100%	0	100%	2
Total	174	72%	69	28%	243

Table B
California ARE 5.0 Examinee Performance by Division/Topic: October 1 - December 31, 2021

ARE Division	Pass	Rate	Fail	Rate	Total Exams
Construction and Evaluation	135	53%	118	47%	253
Practice Management	163	52%	150	48%	313
Programming and Analysis	131	51%	128	49%	259
Project Development and Documentation	127	45%	155	55%	262
Project Management	144	58%	105	42%	249
Project Planning and Design	132	44%	165	56%	297

Landscape Architects

The Landscape Architect Registration Examination (LARE) was held December 6-18, 2021. The next LARE will be held March 28 – April 9, 2022, with a February 11, 2022 application deadline.

The pass rates for LARE sections taken by California candidates during December 6-18, 2021 are provided in Table C:

Table C
California LARE Examinee Performance: December 6-18, 2021

Topic	Pass	Rate	Fail	Rate	Total Examinees
Project and Construction Management	17	50%	17	50%	34
Inventory and Analysis	22	41%	32	59%	54
Design	32	49%	33	51%	65
Grading, Drainage, and Construction	21	47%	24	53%	45

Table D
Landscape Architect CSE Examinee Performance by Candidate Status:
July 1-December 31, 2021

Candidate Type	Pass	Rate	Fail	Rate	Total Examinees
First-time	34	71%	14	29%	48
Repeat	5	26%	14	74%	19
Total	39	58%	28	42%	67

Enforcement**Architects**

Since November 2019, the Board has been using a pool of qualified Subject Matter Experts (SMEs) to provide case review, technical evaluation, and courtroom testimony.

Table E
Architects Complaints and Enforcement Actions

Category	Current Quarter Oct.-Dec. 2021	Prior Quarter July-Sept. 2021	FY 21–22
Complaints			
Received	63	63	126
Opened (Reopened)	63	63	126
Closed	69	67	136
Average Days to Close	117	218	168
Pending	139	144	142
Citations			
Issued	0	8	8
Final	2	2	4
Attorney General			
Pending Attorney General	6	6	6
Final	0	0	0

Most Common Violations. The majority of complaints received are filed by consumers for allegations such as unlicensed practice, professional misconduct, negligence, and contract violations, and failure of a coursework audit. The Board collected \$200 in fines during this reporting period, and \$900 in 2021.

Landscape Architects

Table E
Landscape Architects Complaints and Enforcement Actions

Category	Current Quarter Oct.-Dec. 2021	Prior Quarter July-Sept. 2021	FY 21-22
Complaints			
Received	6	7	13
Opened (Reopened)	7	7	14
Closed	7	3	10
Average Days to Close	77	72	75
Pending	9	7	8
Average Age (Pending)	109	91	100
Citations			
Issued	0	1	1
Final	0	0	0
Disciplinary Actions			
Pending Attorney General	0	0	1
Final	0	0	0

Enforcement Actions

Architects

Biayna Bogosian (Los Angeles) – The Board issued a one-count citation that included a \$1,000 administrative fine to Biayna Bogosian, an unlicensed individual, for violations of Business and Professions Code section 5536(a) (Practice Without License or Holding Self Out as Architect) and Title 16, California Code of Regulations section 134(a) (Use of the Term Architect). The action alleged that on and between February 4, 2020 and September 1, 2021, Bogosian used the title “architect” on her personal website which also stated, “Complementary to my academic studies have been my teaching experience and architectural design practice called Somewhere Something.” Bogosian’s LinkedIn profile used the title of “Architect” and listed “Architecture” under her *Skills and Endorsements*. Bogosian’s Woodbury University profile stated “Biayna Bogosian is an architect and interactive media designer.” The citation became final on October 28, 2021.

Shiv Talwar (Chino) – The Board adopted a proposed decision imposing a \$1,000 administrative fine on Shiv Talwar, architect license number C-23417, for violations of Business and Professions Code sections 5536.22 (Written Contract) and 5558 (Business Entity Report). After an administrative hearing it was found that Talwar had used a written contract to provide professional services to a client which failed to

include his license number and a description of the procedure to accommodate additional services. It was also found that Talwar failed to file with the Board the name and address of the business entity through which he provided architectural services. The order of adoption became effective on October 11, 2021.

Cynthia Easton (Sacramento) – The Board issued a two-count citation that included a \$750 administrative fine to Cynthia Easton, architect license number C-10344, for alleged violations of Business and Professions Code section 5536.22(a)(4) (Written Contract) and California Code of Regulations, title 16, section 160(f)(1) (Rules of Professional Conduct – Informed Consent). The action alleged that on or around May 16, 2019, Respondent entered into a written contract to provide Mr. V.A. (client) with architectural and engineering services related to the construction of a new garage, revisions to an existing garage and a new second floor unit above the existing garage for a residence located in Sacramento, California for a total fee of \$20,600.

Provisions were made for additional costs including messenger and other delivery fees, travel expenses, photocopying and other reproduction costs, but the contract did not include a description of the procedure that the architect and the client would use to accommodate additional design services. Respondent's failure to include an additional services provision in the written contract for the above-referenced project constituted a violation of Business and Professions Code section 5536.22(a)(4).

During the course of the project, Respondent invoiced her client for additional design services in the amount of \$5,237.50 when there was no written authorization for them. Billing for a material alteration to the scope of the project without first fully informing her client and obtaining the consent of her client in writing, constituted a violation of California Code of Regulations section 160(f)(1). Easton paid the fine satisfying the citation. The citation became final on November 5, 2021.

Landscape Architects

There were no new enforcement actions for LATC during this period.

AGENDA ITEM H: UPDATE AND DISCUSSION OF NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Summary

Update and Discussion of National Council of Architectural Registration Boards (NCARB):

1. Committee Meetings Update
2. Review and discussion of the 2022 NCARB Regional Summit Agenda
3. Review and discussion of the draft 2022 Resolutions

Action Requested

None

Attachment(s)

1. 2022 NCARB Regional Summit Agenda
2. NCARB Draft Memo of Resolutions dated January 31, 2022
 - Resolution 2022-A – Mutual Recognition Agreement
 - Resolution 2022-B – Responsible Charge
 - Resolution 2022-C – Examination
 - Resolution 2022-D – Sunset of obsolete resolutions
 - Resolution 2022-E – Diversity Collaborative
 - Resolution 2022-F – Addition of Northern Mariana Islands
 - Resolution 2022-G – NCARB Certification



NCARB

REGIONAL SUMMIT

2022 REGIONAL SUMMIT AGENDA

Charlotte Marriot City Center
100 W Trade Street
Charlotte, NC 28202

Thursday, March 3, 2022

Afternoon - Registration Open

Regional Dinners:

- **Region 1:** **Mimosa Grill**
327 S Tyron Street
Charlotte, NC 28202
- **Region 2:** **Eddie V's**
101 S Tyron Street
Suite 100
Charlotte, NC 28280
- **Region 3:** **Bernadins**
435 S Tyron Street
Suite 100
Charlotte, NC 28202
- **Region 4:** **Bernadins**
435 S Tyron Street
Suite 100
Charlotte, NC 28202
- **Region 5:** **No Dinner**
As decided by the Region 5 members, Region 5 will not have a group regional dinner. In lieu of a regional dinner, members are encouraged to self-select into small (or large) groups for dinner on Friday evening. Several restaurant options will be emailed to you however, you are welcome to go anywhere you'd like or have dinner on your own.
- **Region 6:** **Chima**
139 S Tyron Street
Charlotte, NC 28202

Region 1:
New England

Region 2:
Mid Atlantic

Region 3:
Southern

Region 4:
Mid Central

Region 5:
Central States

Region 6:
Western



NCARB

REGIONAL SUMMIT

Friday, March 4, 2022

Breakfast on your own

8 a.m.

Registration Open

9:00 a.m. – 9:30 a.m.

Meetings for:

- *First time attendees*
- *Public Members*
- *Legal Counsels*

10:00 a.m. – 1 p.m.

Regional Meetings

1:00 p.m. – 2:00p.m.

Lunch

2:00 p.m. – 2:45 p.m.

NCARB session

2:45 p.m. – 3:45 p.m.

Plenary Keynote

4:00 p.m. – 5:00 p.m.

Blended Breakout Sessions

6:30 p.m.– 9:30 p.m.

Evening Networking Reception: NASCAR Hall of Fame

Saturday, March 5, 2022

Breakfast on your own

10:00 a.m. – 1:00 p.m.

Regional Meetings

1:00 p.m. – 2:00 p.m.

Lunch

2:00 p.m. – 3:00 p.m.

Closing Plenary

**Region 1:
New England**

**Region 2:
Mid Atlantic**

**Region 3:
Southern**

**Region 4:
Mid Central**

**Region 5:
Central States**

**Region 6:
Western**

MEMORANDUM

TO: Member Board Members, Member Board Executives, and Regional Officers

FROM: Edward T. Marley, NCARB, AIA, LEED AP, NCARB Secretary

DATE: January 31, 2022

SUBJECT: 2022 Draft Resolutions for Consideration

At the NCARB Board of Directors January 2022 Meeting, the Board voted to move seven draft resolutions to the membership for discussion and feedback. These resolutions will remain a draft until the Board of Director's final review in April when it will decide which resolutions move forward to the membership for consideration at the June 2022 Annual Business Meeting.

All seven draft resolutions are enclosed in this packet.

- **Resolution 2022-A** has the membership ratify the Mutual Recognition Arrangement (MRA) development between NCARB and the U.K.'s Architect Registration Board (ARB). The agreement is expected to be signed in Spring 2022, and if the agreement is ratified, it will be implemented by January 1, 2023.
- **Resolution 2022-B** updates the definition of responsible charge to reflect modern practice standards, including changing the term in *Model Law* to "responsible control." The proposed responsible control language expands the existing definition to bring regulation into alignment with current practice, while removing ambiguity and clearly defining the critical components and expectations of architects in responsible control.
- **Resolution 2022-C** sunsets examination-related resolutions passed between 1966-1999 by the membership that no longer align with how NCARB operates today.
- **Resolution 2022-D** sunsets resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on membership, related organizations, and other

misc. policies that were passed between 1980-2020.

- **Resolution 2022-E** turns the Diversity Collaborative into a standing advisory committee in the *NCARB Bylaws* to ensure the continuity of its important work. This update to the *Bylaws* would further demonstrate the Council's ongoing commitment to diversity, equity, and inclusion; send a clear signal that this work is a priority to the organization; and will allow the committee the opportunity to continue to evolve.
- **Resolution 2022-F** updates the *NCARB Bylaws* to add the Northern Mariana Islands to Article VI, Section 2; make minor updates to Article VII, Section 5 for clarity and consistency for elections of like positions; and replace pronouns with gender-neutral alternatives.
- **Resolution 2022-G** is a holistic update to the Requirements for NCARB Certification in the *NCARB Certification Guidelines* for clarity, ease of use by applicants, and alignment with current processes. There are some recommended changes, including removing a five-year grace period for candidates in process as a blanket policy, aligning Section 5 with the Professional Conduct Committee's Rules of Procedure, and removing appendices A and B.

Update on Resolution 2021-H

Last year at its April 2021 meeting, the Board of Directors tabled a resolution proposed by the Diversity Collaborative that would realign the positions on the Board. At that time, the Board indicated that the proposal should undergo further review and discussion. In July, the Council hired DEI and governance consultants to shape discussions by the Board and other key volunteers regarding the various facets of diversity, equity, and inclusion; to provide guidance regarding non-profit governance best practices; and to facilitate membership listening sessions to ascertain DEI impediments in the volunteer culture. Work on exploring these issues remains ongoing as a precursor to any new or reconsidered resolution and will continue into FY23. A separate DEI Status Report message from President Alfred Vidaurri will be issued prior to the March 2022 Regional Meeting.

Next Steps

We hope that you will take the time to review and discuss these resolutions with your fellow board members. We look forward to receiving your feedback and answering questions during the upcoming Regional Summit. Again, these drafts

will undergo further discussion by the Board in April. At that time the Board will review Member Board feedback in determining which resolutions should be forwarded for a membership vote at the June Annual Business Meeting.

In the interim, please feel free to contact Vice President of Council Relations Josh Batkin at jbatkin@ncarb.org if you have any questions or would like to discuss further.



NCARB

Draft Resolutions
to be Acted Upon at the
2022 Annual Business Meeting

JANUARY 2022

National Council of Architectural Registration Boards
1401 H Street NW, Suite 500
Washington, DC 20005
202/783-6500
www.ncarb.org

Draft Resolutions to be Acted Upon at the 2022 NCARB Annual Business Meeting

Table of Contents

FY22 Draft Resolutions Overview 3

RESOLUTION 2022-A: Mutual Recognition Agreement With the United Kingdom..... 5

RESOLUTION 2022-B: *NCARB Model Law and Regulations* Amendment – Definition of Responsible Charge..... 8

RESOLUTION 2022-C: Omnibus Sunset of Resolutions in Conflict With Current Council Examination Policies..... 11

RESOLUTION 2022-D: Omnibus Sunset of Resolutions in Conflict With Current Council Policies..... 14

RESOLUTION 2022-E: *NCARB Bylaws* Amendment – Diversity, Equity, and Inclusion (DEI) Committee 16

RESOLUTION 2022-F: *NCARB Bylaws* Amendment: Omnibus Updates..... 19

RESOLUTION 2022-G: Amendment and Restatement of the Certification Requirements in the *NCARB Certification Guidelines* 21

Appendices 24

Appendix A: Mutual Recognition Agreement Between the National Council of Architectural Registration Boards and the Architects Registration Board..... 25

Appendix B: NCARB Examination Policy Sunset: 1966-2002 35

Appendix C: NCARB Policy Resolutions to Sunset: 1980-2018, Part 2 42

Appendix D: NCARB Bylaws Omnibus Updates..... 47

Appendix E: Updated version of the Requirements for Certification in the NCARB Certification Guidelines..... 55

Appendix F: Mapping of the Current Requirements for Certification to the Proposed Updates 67

FY22 Draft Resolutions Overview

At the January Board of Directors Meeting, the Board reviews proposed resolutions and determines which resolutions they would like to move forward to the membership for consideration. These resolutions are still considered drafts and are shared with Member Boards and Regions so they can provide feedback at the Regional Summit each spring. The Board will make final decisions on which resolutions to put forward at the Annual Business Meeting at the April Board Meeting.

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

Resolution 2022-A: Mutual Recognition Agreement With the United Kingdom


This resolution has the membership ratify the Mutual Recognition Arrangement (MRA) development between NCARB and the U.K.'s Architect Registration Board (ARB). The agreement is expected to be signed in Spring 2022, and if the agreement is ratified, it will be implemented no later than January 1, 2023. The current draft of the MRA is Appendix A.

Strategic Plan Objective:  Program and Service Excellence

Resolution 2022-B: NCARB Model Law and Regulations Amendment – Definition of Responsible Charge

The Responsible Charge Task Force is recommending that the definition of responsible charge be updated to reflect modern practice standards, including changing the term in *Model Law* to “responsible control.” The proposed responsible control language expands the existing definition to bring regulation into alignment with current practice, while removing ambiguity and clearly defining the critical components and expectations of architects in responsible control.

Strategic Plan Objectives:  Stakeholder Systems, Tools, and Resources

 Data Analysis and Thought Leadership

Resolution 2022-C: Omnibus Sunset of Resolutions in Conflict With Current Council Examination Policies

This resolution is part of a multi-year effort to review, and sunset resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on examination policies that were passed between 1966-1999. Appendix B includes the list of resolutions.

Strategic Plan Objective:  Stakeholder Systems, Tools, and Resources

Resolution 2022-D: Omnibus Sunset of Resolutions in Conflict With Current Council Policies

This resolution is part of a multi-year effort to review and sunset resolutions passed by the membership that no longer align with how NCARB operates today. This batch of resolutions focuses specifically on membership, related organizations, and other misc. policies that were passed between 1980-2020. Appendix C includes the list of resolutions.

Strategic Plan Objective:



Stakeholder Systems, Tools, and Resources

Resolution 2022-E: NCARB Bylaws Amendment – Diversity, Equity, and Inclusion (DEI) Committee

This resolution turns the Diversity Collaborative into a standing advisory committee in the *NCARB Bylaws* to ensure the continuity of its important work. This update to the *Bylaws* would further demonstrate the Council’s ongoing commitment to diversity, equity, and inclusion; send a clear signal that this work is a priority to the organization; and will allow the committee the opportunity to continue to evolve.

Strategic Plan Objective:



Future-Focused Research and Development

Resolution 2022-F: NCARB Bylaws Amendment: Omnibus Updates

A holistic review of the *NCARB Bylaws* was completed in FY22, and there are general recommended updates to make, including adding the Northern Mariana Islands to Article VI, Section 2; making minor updates to Article VII, Section 5 for clarity and consistency for elections of like positions; and replacing pronouns with gender-neutral alternatives. The proposed updates are in Appendix D.

Strategic Plan Objective:



Stakeholder Systems, Tools, and Resources

Resolution 2022-G: Amendment and Restatement of the Requirements for Certification in the NCARB Certification Guidelines

The requirements for NCARB certification in the *NCARB Certification Guidelines* are the last document to receive a holistic review as part of a multi-year effort to review the Council’s membership documents for clarity, ease of use by applicants, and alignment with current processes. There are some recommended changes, including removing a five-year grace period for candidates in process as a blanket policy, aligning Section 5 with the Professional Conduct Committee’s Rules of Procedure, and removing appendices A and B. Proposed updates can be found in Appendices E and F.

Strategic Plan Objective:



Program and Service Excellence

Strategic Plan Objective:



Program and Service Excellence

RESOLUTION 2022-A

TITLE: Mutual Recognition Agreement with the United Kingdom

SUBMITTED BY: Council Board of Directors

WHEREAS, the Board of Directors has established a priority to identify ways to assist architects licensed in a U.S. jurisdiction in obtaining reciprocity for international practice; and

WHEREAS, the process to obtain a license in the United Kingdom is significantly similar to the process to obtain licensure in the United States insofar as applicants satisfy prescribed education, experience, and examination requirements; and

WHEREAS, the International Evaluation Committee composed of education, experience, and examination subject-matter experts has thoroughly assessed the licensure requirements in the United Kingdom and determined significant correlation exists between the licensure requirements in the United Kingdom and the United States; and

WHEREAS, staff representatives from NCARB and the Architects Registration Board (ARB) have successfully negotiated an arrangement that is mutually satisfactory to the leadership of each organization; and

WHEREAS, pursuant to the *NCARB Bylaws*, Article V, Section 11, all written international and/or foreign agreements entered into by the Council shall be subject to ratification by majority vote of the Member Boards (28 votes) at an Annual Business Meeting.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Mutual Recognition Agreement between the National Council of Architectural Registration Boards (NCARB), representing the 55 architectural registration boards of the United States, and Architects Registration Board (ARB), representing the United Kingdom, be and hereby is ratified and approved as published in Appendix A in these resolutions.

FURTHER RESOLVED, that upon the approval of this change by a majority of the Council Member Boards, such change will become effective no later than January 1, 2023.

FINANCIAL IMPACT:

- No financial impact.

SPONSORS' STATEMENT OF SUPPORT:

The proposed Mutual Recognition Agreement between NCARB and the United Kingdom's (U.K.) Architects Registration Board (ARB) presented here expands the reach of U.S. architects, enabling them to establish professional contacts, seek work, and perform services as a registered architect in England, Northern Ireland, Scotland, and Wales. This proposed MRA is in its final form and will be signed by NCARB and ARB following ratification by the Member Boards. Once the MRA is approved and signed by both parties, it will become effective January 2023. Thereafter, all Member Boards may grant licensure to NCARB Certificate holders from the U.K. who were certified through the requirements of this MRA. To streamline implementation and ease the burden of participation on Member Boards, this MRA does not require participating Member Boards to sign a Letter of Undertaking and become party to the MRA, as has been required with other MRAs. Instead, following discussion with each Member Board, NCARB will inform ARB as to which Member Boards will offer licensure reciprocity. NCARB will update the list of participating Member Boards from time to time as needed.

NCARB Certificate holders currently have the ability to expand their practices through all of North America due to our long-standing Mutual Recognition Agreements (MRA) with Canada and Mexico. In 2016, NCARB expanded international opportunities for Certificate holders through our MRA with Australia and New Zealand.

The terms of this Agreement are derived from our current arrangements with Canada, Australia, and New Zealand and are strongly founded on accredited education, structured experience, and examination; the mainstays of licensure in our U.S. jurisdictions. In late 2018, then-President Greg Erny appointed education, experience, and examination subject-matter experts to assemble documents and review the requirements for registration in the U.K. Through a substantial comparative analysis, the International Evaluation Committee (IEC) found significant correlation between the required professional competencies for practice and the way those competencies are established and assessed in both countries.

The detailed comparative analysis conducted by the IEC identified that:

- All 26 NAAB student performance criteria were covered at least once across the ARB's General Criteria, Graduate Attributes, and Professional Criteria.
- All 96 AXP tasks were covered at least once across the ARB's General Criteria, Graduate Attributes, and Professional Criteria.
- All 91 ARE assessment objectives were covered at least once across the ARB's General Criteria, Graduate Attributes, and Professional Criteria.

Based on their analysis, the review team found that a rigorous and standardized registration process is in place in the U.K. that parallels NCARB's education, experience, and assessment of competency. The U.K. path is structured somewhat differently from NCARB's path; however, the IEC is confident that an equivalent level of competence is required of the architect at the point of registration.

The IEC's comprehensive review supported a recommendation to the Board to enter into formal negotiations based on the following main principles:

- Proof of current and valid licensure/registration in good standing from the home authority, and
- Lawful authorization to work in the locality (U.S. or U.K.) in which they are licensed/registered.

The credible standards and consistent expectations for initial licensure/registration developed over many years, supported by strong regulatory procedures, have enabled NCARB and the ARB to move forward together. In the end, the Agreement respects each country's well-established, rigorous path to licensure rather than dissecting the individual components.

ADVOCATES:

- Policy Advisory Committee
 - Chair: Lenora A. Isom, NCARB, Nebraska Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Emily Cronbaugh, Wyoming Member Board Executive
 - Brett Foley, Nebraska Member Board Member
 - Melarie Gonzales, New Mexico Member Board Executive
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Margaret Sturgis-Graff Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member
- International Evaluation Committee
 - Daniel D. Bennett, FAIA, NCARB, Alabama Member Board Member
 - Denis A. Henmi, FAIA, LEED AP, NCARB
 - Jeanne M. Jackson, FAIA, NCARB, LEED AP
 - James R. Lev, AIA
 - John P. Rademacher, AIA, NCARB, Ohio Member Board Member
 - Cheryl C. Walker, FAIA, NCARB
 - Terance B. White, AIA, NCARB

RESOURCES:

- Appendix A: Mutual Recognition Agreement Between the National Council of Architectural Registration Boards and the Architects Registration Board

Strategic Plan Objectives:



Stakeholder Systems, Tools, and Resources



Data Analysis and Thought Leadership

RESOLUTION 2022-B

TITLE: *NCARB Model Law and Regulations Amendment – Definition of Responsible Charge*

SUBMITTED BY: Council Board of Directors

WHEREAS, the Board of Directors charged the Responsible Charge Task Force with reviewing and updating the “Responsible Charge” definition within *NCARB Model Law and Regulations*; and

WHEREAS, the Responsible Charge Task Force, upon research and review, recommended that the definition for “Responsible Charge” within *NCARB Model Law and Regulations* be updated to reflect current practice standards that maintain public safety, and all instances of “Responsible Charge” within *NCARB Model Law and Regulations* be updated to “Responsible Control”; and

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

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the definition for “Responsible Charge” in Section 103 Definitions of the *NCARB Model Law and Regulations* be revised as indicated below:

~~“16) Responsible Charge—The control over and detailed professional knowledge of the development and execution of the project, including Technical Submissions, as is ordinarily exercised by an Architect applying the required professional standard of care.~~
Responsible Control – Responsibility for exercising the ultimate authority over, and possessing the knowledge and ability to oversee, delegate, and integrate the design and technical decisions related to the preparation of the project’s instruments of service and the project’s implementation in conformance with the standard of care.”

FURTHER RESOLVED, that all instances of “Responsible Charge” within the *NCARB Model Law and Regulations* be revised to “Responsible Control”; and

FURTHER RESOLVED, that following the approval of the resolutions by and absolute majority of the Council Member Boards, such resolutions will become effective July 1, 2022.

FINANCIAL IMPACT:

- No impact

SPONSORS' STATEMENT OF SUPPORT:

The Responsible Charge Task Force, formed in FY21, was charged with evaluating the existing definition of “Responsible Charge” within the *NCARB Model Law and Regulations* and proposing updates reflecting the continuously evolving practice of architecture. Over the last two fiscal years, the Task Force has conducted extensive research into current jurisdictional regulations, met with liability insurance and construction arbitration and litigation experts, and analyzed results from an independent survey of NCARB Certificate holders on how responsible charge is being maintained within architectural practice today. Based on this research, analysis, and discussions with other NCARB committees, the Task Force believes that the current definition of “Responsible Charge” within *NCARB Model Law and Regulations* is no longer appropriate and inadequately addresses the critical responsibilities of a sealing and signing architect.

Based on research conducted by the Task Force, the current definition does not align with modern practice standards for many architects and firms that are effectively protecting the public. Collaboration and integration are key components of practice today as architects rely on project teams, specialists, consultants, and other building and construction experts to provide detailed knowledge in the development of the instruments of service. As the built environment becomes increasingly more complex, the ability for one sealing and signing architect to possess full detailed knowledge of all aspects of a project is unreasonable for some projects, and in many instances, not possible, specifically on large or programmatically complex projects. Also, the current definition’s generic and simplistic approach does not provide clear guidance and expectations to practitioners, regulatory boards, or consumers when it comes to the responsibilities of the sealing and signing architect.

The proposed definition expands the existing definition to bring regulation into alignment with current practice, while removing ambiguity and clearly defining the critical components and expectations of architects in responsible charge. To bring the definition into alignment with the *NCARB Model Rules of Conduct*, the proposed definition replaces “Responsible Charge” with “Responsible Control.”

The Task Force identified several critical components an architect must maintain to be in responsible control of a project—responsibility, ultimate authority, knowledge, ability to oversee, delegate and integrate, as well as the professional standard of care.

Proposed Definition

Responsible Control – **Responsibility** for exercising the **ultimate authority over**, and possessing the **knowledge and ability to oversee, delegate, and integrate** the design and technical decisions related to the preparation of the project’s instruments of service and the project’s implementation in conformance with the **standard of care**.

The addition of responsibility, ultimate authority, oversight, delegation, and integration to the definition acknowledges that architectural practice has evolved into a collaborative, team-oriented process, while still holding the sealing and signing architect fully responsible for the preparation and implementation of

the project's instruments of service. The sealing architect must also ensure they are exercising ultimate authority and proper oversight throughout the project.

The professional standard of care remains in the proposed definition. To bring the definition into alignment with architectural practice, it states that the architect must possess the knowledge and ability required to execute and implement the project. This allows the definition to remain flexible and applicable to various project types, scales, and firm practices while still measuring the actions of the architect against the professional standard of care.

The Task Force believes the modernization of the responsible charge definition within *NCARB Model Law and Regulations* continues to protect the health, safety, and welfare of the public with a more comprehensive and flexible definition that responds to current architectural practice, provides more coverage and clarity on the responsibilities of the signing and sealing architect, while providing reasonable model language to jurisdictions as they continue to protect their citizens.

ADVOCATES:

- Responsible Charge Task Force
 - Chair: David Hoffman, FAIA, NCARB, Hon. FCARM, Former Kansas Architects Board Member
 - Philip Cerrone, AIA, NCARB, LEED AP, Connecticut Member Board Member
 - Beth Chenette, Vermont Member Board Member
 - Robert Cozzarelli, FAIA, NCARB, PP, CID, New Jersey Member Board Member
 - Debra Dockery, FAIA, NCARB, Texas Member Board Member
 - Gregory Erny, NCARB, FAIA, Hon. FCARM, Nevada Member Board Member
 - Monica Harrison, Nevada Member Board Executive
 - Susan Schaefer Kliman, NCARB, AIA, LEED AP
 - Robert Larrimer, NCARB, AIA, Ohio Member Board Member
 - Thomas Lonardo, NCARB, Rhode Island Member Board Member
 - Anne Muller, Kentucky Member Board Member
 - Marin Pastar, AIA, NCARB, ASHE
 - John Pesa, AIA, NCARB, Massachusetts Member Board Member
 - Sian Roberts, FAIA, NCARB, DBIA, LEED AP, Washington Member Board Member
 - Rick Thompson, NCARB, AIA, Tennessee Member Board Member

Strategic Plan Objective:



Stakeholder Systems, Tools, and Resources

RESOLUTION 2022-C

Title: Omnibus Sunset of Resolutions in Conflict with Current Council Examination Policies

Submitted by: The NCARB Board of Directors

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

WHEREAS, the Policy Advisory Committee has reviewed a batch of resolutions from 1960 to 2020 related to the examination and recommended several to rescind that conflict with current polities; and

WHEREAS, Resolution 1996-12 rescinded all previously enacted policies regarding the Council's examinations;

WHEREAS, Resolution 14 adopted in 2002 purported to rescind Resolution 1978-16 and a compilation of "active" examination-related resolutions was produced, causing uncertainty as to the effect of Resolution 1996-12; and

WHEREAS, the Council desires to clarify that all policies and resolutions regarding the Council's examinations enacted prior to the adoption of Resolution 1996-12 are understood to have been rescinded and are no longer active and the only active policies governing the exam are those located in the *ARE Guidelines*, *Certification Guidelines*, and/or other Board of Director policies adopted after the enactment of Resolutions 1996-12; and

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

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that all policies and resolutions related to Council examinations that were enacted prior to the adoption of Resolution 1996-12 were, and hereby are, rescinded and otherwise deemed inactive. Without limiting the generality of this resolution, this resolution expressly rescinds the following resolutions:

- Resolution 1969-8 (Continuation of Studies Toward the Development of a New Examination)
- Resolution 1970-6 (Acceptance of Examination Grades Between Member Boards)
- Resolution 1971-4 (Eligibility Cut-Off Date for Council Oral Examination)

- Resolution 1971-6 (Phasing Out of Seven-Part Examination and Implementation of New Professional Examination)
- Resolution 1971-16 (Additional Registration and/or Certification Requirements)
- Resolution 1972-2 (NCARB Examinations)
- Resolution 1972-4 (Publication and Distribution of Examination Success Rates)
- Resolution 1972-5 (Implementation of New Examinations)
- Resolution 1975-6 (Publication of Examination Costs)
- Resolution 1975-16 (Prohibition of Examination Interpreters)
- Resolution 1975-20 (Administration of Parts I and II of the Equivalency Examination)
- Resolution 1976-5 (Evaluation of NCARB Examination)
- Resolution 1977-1 (Requirements for Graphics Examination)
- Resolution 1979-5 (Task Analysis and Validation Study)
- Resolution 1979-22 (Sequence of Sections A and B of Professional Examination)
- Resolution 1980-3 (Revision of Passing Procedure for Section B, Professional Examination)
- Resolution 1983-11 (Examination May Be Taken in Parts)
- Resolution 1983-12 (Allow Purchase of the ARE by Parts)
- Resolution 1984-14 (Security of NCARB Examinations)
- Resolution 1984-16 (Alternative Exam Methodologies to Multiple-Choice Exam Items)
- Resolution 1984-19 (Structural Examinations Format)
- Resolution 1985-8 (Recission of 1984 Resolution No. 20 Permitting the Use of Reference Material in the ARE)
- Resolution 1988-7 (Withholding Access to ARE from Member Board Not Administering Examination)
- Resolution 1989-12 (Study the Appropriateness of Terminating the Paper-and-Pencil ARE)
- Resolution 1989-15 (Elimination of Special Seismic Test)
- Resolution 1992-2 (NCARB Written Examination Required for Certification)
- Resolution 1992-5 (ARE in English Requirement for Certification)
- Resolution 1993-1 (Rescind Resolution No. 1 of the 1990 Annual Meeting)
- Resolution 1993-2 (Reporting Scores for the Computerized ARE)
- Resolution 1994-10 (Giving Credit for Pilot Administrations of ARE '97)
- Resolution 1997-12 (Examination Fees)
- Resolution 1999-17 (Comprehensive Testing)

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

Financial Impact

- No financial impact.

SPONSORS' STATEMENT OF SUPPORT:

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

Today, the *NCARB Bylaws* specifically give the NCARB Board of Directors authority to issue rules and policies respecting the development, administration, and grading of examination, which includes setting fees, dates exams may be administered, safeguards to prevent improper disclosure of information respecting the exams, and other matters.

Resolution 1996-12 rescinded previous policies and replaced them with new policies for the computerized exam. The later passage of Resolution 2002-14 to rescind a specific policy, as well as the development of an index of active resolutions in 2002, has caused uncertainty as to the effect of the 1996 resolution. To provide clear direction going forward, the Policy Advisory Committee recommends this resolution be passed so that it is clear that all active policies governing the exam are located in *ARE Guidelines*, *Certification Guidelines*, and/or other Board policies.

ADVOCATES:

- Policy Advisory Committee
 - Chair: Lenora A. Isom, NCARB, Nebraska Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Emily Cronbaugh, Wyoming Member Board Executive
 - Brett Foley, Nebraska Member Board Member
 - Melarie Gonzales, New Mexico Member Board Executive
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Margaret Sturgis-Graff Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member

RESOURCES:

- Appendix B: NCARB Examination Policy Sunset: 1966-2002

Strategic Plan Objective:



Stakeholder Systems, Tools, and Resources

RESOLUTION 2022-D

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

SUBMITTED BY: NCARB Board of Directors

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

WHEREAS, the Policy Advisory Committee has reviewed a batch of resolutions from 1980 to 2020 related to experience, continuing education, membership, related organizations, studies, and other policies and recommended several to sunset; and

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

NOW, THEREFORE, IT IS HEREBY:

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

- Resolution 2000-12: Support the Work of the Collateral Internship Task Force Regarding IDP, Mentorship, and Education
- Resolution 1998-17: International Building Code 2000
- Resolution 1987-1: Continuation of an Education Evaluation Process
- Resolution 1986-11: Lateral Forces Home Study Program
- Resolution 1980-1: List of Licensees
- Resolution 1980-15: Support for IDP

FURTHERED RESOLVED, that following the approval of the foregoing resolution by an absolute majority of the Council Member Boards, such resolution will become effective July 1, 2022.

Financial Impact

- No financial impact.

SPONSORS' STATEMENT OF SUPPORT:

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

This year, the committee has reviewed resolutions dating back to 1980 related to experience, continuing education, membership, related organizations, studies, and other miscellaneous policies. Additional resolutions to clean up NCARB policies are expected over the next several years as the Council works to develop a more user-friendly resolution archive.

ADVOCATES:

- Policy Advisory Committee
 - Chair: Lenora A. Isom, NCARB, Nebraska Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Emily Cronbaugh, Wyoming Member Board Executive
 - Brett Foley, Nebraska Member Board Member
 - Melarie Gonzales, New Mexico Member Board Executive
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Margaret Sturgis-Graff Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member

RESOURCES:

- Appendix C: NCARB Policy Resolutions to Sunset: 1980-2018, Part 2

Strategic Plan Objective:



Future-Focused Research and Development

RESOLUTION 2022-E

TITLE: NCARB Bylaws Amendment – Diversity, Equity, and Inclusion (DEI) Committee

SUBMITTED BY: NCARB Board of Directors

WHEREAS, the Board of Directors has charged the Diversity Collaborative with updating the *NCARB Bylaws* to include a standing committee focused on diversity, equity, and inclusion; and

WHEREAS, the Diversity Collaborative has recommended creating and adding a Diversity, Equity, and Inclusion Committee to Article XII, Section 8 of the *NCARB Bylaws*; and

WHEREAS, pursuant to Article XIV of the *NCARB Bylaws*, the *Bylaws* may only be amended at a special meeting or at the Annual Business Meeting of the Council by resolution approved by the affirmative vote of not less than two-thirds of the Member Boards (37 votes).

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that Article XII, Section 8 in the *NCARB Bylaws* be revised to insert the following language as new subsection I of Article XII, Section 8:

“I. Diversity, Equity, and Inclusion Committee: The Diversity, Equity, and Inclusion (DEI) Committee explores the research and recommends strategies to increase the diversity, equity, and inclusive culture of NCARB to ensure that the organization represents the population it serves.”

FURTHER RESOLVED, that subsections following the insertion in Article XII, Section 8 be re-lettered; and

FURTHER RESOLVED, that following the approval of the resolutions by a two-thirds majority of the Council Member Boards, such resolutions will become effective July 1, 2022.

FINANCIAL IMPACT:

- The Council would incur costs related to hosting in-person, hybrid, and/or remote meetings a few times a year.

SPONSORS’ STATEMENT OF SUPPORT:

To effectively protect the public’s health, safety, and welfare, those who regulate the profession of architecture must reflect, understand, and respect the communities they serve. NCARB is committed to advancing diversity, equity, and inclusion in the architecture profession through our work as a regulatory organization through a number of efforts including research, data, and advocacy. To help achieve this, it is

recommended that NCARB add the Diversity, Equity, and Inclusion Committee into the *NCARB Bylaws* to ensure the continuity of this important work.

As part of a continuation and commitment to the work the Council already has underway, the proposed resolution would codify the Diversity, Equity, and Inclusion Committee as an advisory committee as defined in the *NCARB Bylaws*. Advisory committees are comprised of NCARB volunteers, including Member Board Members, and make recommendations to the Board of Directors. There are currently eight advisory committees outlined in the *Bylaws* that directly impact NCARB program and policies, including:

- Education Committee
- Experience Committee
- Examination Committee
- Policy Advisory Committee
- Professional Conduct Committee
- Member Board Executives Committee
- Regional Leadership Committee
- Credentials Committee

This update to the *Bylaws* would further demonstrate the Council’s ongoing commitment to diversity, equity, and inclusion. Passage of the resolution by membership will also send a clear signal that this work is a priority to the organization and will allow the committee the opportunity to continue to evolve. Lastly, this firmer foundation will also allow future presidents to charge the committee with multi-year initiatives to continue to make progress in the DEI arena.

One of the important efforts NCARB has pursued toward this goal was the establishment of a Diversity Collaborative made up of regional leaders and other engaged volunteers. In 2018, the Collaborative was empowered to research and recommend strategies to increase the diversity of NCARB’s governing bodies and leaders. The path to NCARB leadership—and eventually the Board of Directors—starts when a governor or other appointing authority selects someone to serve on a licensing board.

Last year, the Collaborative successfully put forth a resolution reducing the term limits for regional directors who serve on the NCARB Board of Directors from three years to two years, modestly expediting the pathway to leadership for individuals who wish to serve on the Board.

Additionally, the Collaborative was also charged with reviewing the Board of Directors’ “Policy on Diversity and Inclusion,” which was last amended in 2014. The collaborative recommended updating the policy to better reflect NCARB’s holistic approach to ensuring diversity, equity, and inclusion (DEI) at all levels—including committee volunteers, licensing board members, record holders, and the national Board. The Board of Directors formally adopted these recommendations at the 2021 Annual Business Meeting.

It is recognized by the Collaborative that these milestones are cornerstones of a foundation that will build lasting, sustainable change for NCARB. Diversity, equity, and inclusion is not a time-bound effort; it is continuously evolving. By adding the DEI Committee to the *Bylaws*, NCARB will be positioned to meet these changes for the foreseeable future.

ADVOCATES:

- Diversity Collaborative Task Force
 - Chair: Celestia R. Carson, AIA, LEED AP, Utah Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Nolanda J. Hatcher, Alabama Member Board Member
 - Lenora A. Isom, NCARB, LEED AP BD+C, Nebraska Member Board Member
 - Latoya N. Kamdang, AIA, New York Member Board Member
 - Brenee King, Kansas Member Board Member
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Kate R. Nosbisch, Hon. AIA VA, Virginia Member Board Executive
 - Margaret S. Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Nilza Serrano, California Member Board Member
 - Aelan B. Tierney, AIA, LEED AP BD+C, Massachusetts Member Board Member

RESOURCES:

- [NCARB's Policy on Diversity and Inclusion](#)

Strategic Plan Objective:



Stakeholder Systems, Tools, and Resources

RESOLUTION 2022-F

TITLE: *NCARB Bylaws* Amendment: Omnibus Updates

SUBMITTED BY: Council Board of Directors

WHEREAS, the NCARB Board of Directors has determined upon careful consideration that it is advisable and in the best interests of the Council to amend the *NCARB Bylaws*; and

WHEREAS, the Policy Advisory and Credentials Committees have recommended updates to the *NCARB Bylaws* to address inconsistencies in the document and other general updates; and

WHEREAS, pursuant to Article XV of the *NCARB Bylaws*, the *Bylaws* may only be amended at a special meeting or the Annual Business Meeting of the Council by resolution approved by the affirmative vote of not less than two-thirds of the Member Boards (37 votes).

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the amended Articles and Sections of the *NCARB Bylaws* are adopted in the form attached hereto as Appendix D.

FURTHER RESOLVED, that upon the approval of the changes by an affirmative vote of two-thirds of the Council Member Boards, such changes will become effective July 1, 2022.

FINANCIAL IMPACT:

- No financial impact

SPONSORS' STATEMENT OF SUPPORT:

A few years ago, the Council Board of Directors established a regular review process for NCARB's important governing documents and policies in order to be more thoughtful on how the organization updates and maintains items that are subject to the resolution process. With the last holistic review of the *NCARB Bylaws* completed in FY18, a follow-up review occurred this year that identified a few minor updates that should be made to align and reflect recent recommendations from NCARB committees.

Northern Mariana Islands

The Northern Mariana Islands rejoined the Council and Region 6 in 2019. They need to be readded to Article VI, Section 2.

Gender Neutral Pronouns

As part of NCARB's Diversity Policies, all documents should be written to be gender neutral. The *NCARB Bylaws* currently has several references to "he/her," which should be updated to the appropriate gender-neutral statement.

Election Policies

Last year the Credentials Committee did a review of the Council's election policies for the NCARB Board of Directors. Minor updates are being recommended for clarity and consistency for the different elected positions. A slight modification is also recommended to the deadline to receive a nomination for the president-elect, second vice president, treasurer, secretary, and public member positions so that the Credentials Committee has time to verify a nominee's qualifications prior to the elections taking place. New candidates can still be nominated onsite at the Annual Business Meeting, but nominations will be due earlier than when the election starts during the third business session.

ADVOCATES:

- Policy Advisory Committee:
 - Chair: Lenora A. Isom, NCARB, LEED AP BD+C, Nebraska Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Emily Cronbaugh, Wyoming Member Board Executive
 - Brett P. Foley, Nebraska Member Board Member
 - Melarie Gonzales, MBA, New Mexico Member Board Executive
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Margaret S. Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
- Credentials Committee
 - Chair: Catherine C. Morrison, AIA, NCARB, LEED AP BD+C, North Carolina Member Board Member
 - Sandra M. Matsushima, Hawaii Member Board Executive
 - Allison McClintick, Idaho Member Board Member
 - Charles L. Ward III, California Member Board Member
 - Albert F. Zaccone, AIA, New Jersey Member Board Member

RESOURCES:

- Appendix D: *NCARB Bylaws* Omnibus Updates

Strategic Plan Objective:



Program and Service Excellence

RESOLUTION 2022-G

TITLE: Amendment and Restatement of the Requirements for Certification in the *NCARB Certification Guidelines*

SUBMITTED BY: Council Board of Directors

WHEREAS, the Council Board of Directors has charged the Policy Advisory Committee with reviewing and updating the Requirements for Certification in the *NCARB Certification Guidelines*; and

WHEREAS, the Policy Advisory Committee has recommended that it is advisable to amend and restate the Requirements for Certification in the *NCARB Certification Guidelines*, as described below and reflected in the attached appendices to make them easier to understand and ensure consistency in the Requirements; and

WHEREAS, the Certification Requirements in the *NCARB Certification Guidelines* may only be changed by an absolute majority vote of the Council Member Boards (28 votes), with such change becoming effective at the time specified in this Resolution.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Requirements for Certification in the *NCARB Certification Guidelines* are hereby amended and restated in the form attached hereto in Appendix E; and

FURTHER RESOLVED, that upon the approval of the resolution by an absolute majority of the Council Member Boards, such resolution will become effective July 1, 2022.

FINANCIAL IMPACT:

- No financial impact

SPONSORS' STATEMENT OF SUPPORT:

Over the last several years, the Council has been doing a holistic review of all its documents and policies that are subject to membership review through the resolution process. The requirements for NCARB certification in the *NCARB Certification Guidelines* are the last major set of requirements to receive this review for clarity, ease of use by applicants, and alignment with current processes.

In FY20 and FY21, the requirements were reviewed to identify areas that cause applicants for NCARB certification the most confusion, any inconsistencies in the requirements, and other areas that could be clarified. As such, the Policy Advisory Committee is recommending the following updates to the document:

General Updates/Clarifications Throughout:

- “Registration/registered/registration” to “Licensure/licensed/license”
 - Align this document with other NCARB documents to reflect that “license” is the more understandable/standard term for today’s applicants. A note about registration and licensure will appear at the beginning of the *Certification Guidelines* (which is not subject to resolution) to reflect that the two words tend to be used interchangeably, but do occasionally have different meanings in some jurisdictions.
- “Mutual Recognition Arrangement” to “Mutual Recognition Arrangement/Agreement”
 - We have both agreements and arrangements with international organizations/countries. This provides clarity to something that has caused confusion.
- “You” vs. “Architect/Applicant/Individual”
 - This document mostly uses the second person (“you”) narrative, but over time has occasionally been switched into third person. Updated throughout for clarity and consistency.
- “Shall” vs. “must”
 - According to the Supreme Court, “shall” can mean “may” in certain contexts. In general, and because of this potential ambiguity, the document has been updated to reflect which items are really “musts.”
- Most additional changes in the document are for clarity or grammar, and do not result in policy shifts (except noted below).

Recommended Changes/Clarifications:

- Removal of the five-year grace period for applicants in process of earning NCARB certification when a change is implemented.
 - Leaves room for grandfathering language in a resolution to address candidates in process if the change is significant.
 - In general, five years is too long of window for candidates to still be able to meet old requirements.
 - In addition, the introductory paragraph has been updated to clarify what “in process” means to address applicant confusion.
- Removal of General (Sections 1.6 and 2.6)
 - NCARB staff recommended deleting this section, as it seems like it is no longer relevant to boards and NCARB. It was based on a paper process that doesn’t exist anymore.
- Clarifying Sections 1.3 and 1.4 (to be updated to 1.4 and 1.5)
 - Added language to clarify that if you met the experience and examination requirements at the time of initial licensure, those are considered equivalent for NCARB certification.
- Clarifying Section 2
 - Added note to section 2 clarifying that you may only do the education or experience alternative—not both.
- Clarifying Section 4.2 (to be updated to 4.3)
 - Language around the education requirements for applicants pursuing the Foreign Architect Path was clarified to reduce confusion regarding EESA evaluations.

- Aligning Section 5: Revocation and Reinstatement of the NCARB Certificate
 - Updated language to align with the *NCARB Bylaws* and the Professional Conduct Committee’s Rules of Procedure, which was updated in FY21.
- Removing Appendix A: Architect Registration Examination
 - The content in this appendix applies to all candidates, not just Certificate applicants. As such, it should live in the *ARE Guidelines* with all other ARE policies.
 - Removing Appendix A will mean future updates to the Rolling Clock and extension policies will be done through NCARB Board of Directors action rather than membership vote in accordance with Article X, Section 1 of the *NCARB Bylaws*.
- Removing Appendix B: ARE 5.0 Equivalents
 - Given that changes to the exam happen through Board action rather than resolution, there is currently a (small) risk that the exam and equivalent appendix could become misaligned since the equivalent appendix currently requires a resolution.
 - This document will still exist as an independent document for Member Board reference and will be updated as needed based on how the exam evolves in the future.

Two appendices for this resolution have been developed so that Member Boards can understand all recommended changes to the Requirements for Certification in the *NCARB Certification Guidelines*:

- Appendix E: Clean version of the Requirements for Certification incorporating the recommended updates.
- Appendix F: The current version of the Requirements for Certification with the recommended updates noted.

ADVOCATES:

- Policy Advisory Committee
 - Chair: Lenora A. Isom, NCARB, Nebraska Member Board Member
 - Jennifer R. Arbuckle, NCARB, AIA, LEED AP
 - Emily Cronbaugh, Wyoming Member Board Executive
 - Brett Foley, Nebraska Member Board Member
 - Melarie Gonzales, New Mexico Member Board Executive
 - George Miller, FAIA, NCARB, New York Member Board Member
 - Miguel A. Rodriguez, FAIA, NCARB, Florida Member Board Member
 - Tara Rothwell, AIA, NCARB, LEED AP, New Mexico Member Board Member
 - Margaret Sturgis-Graff Parsons, FAIA, NCARB, ALEP, LEED AP BD+C, Minnesota Member Board Member

RESOURCES:

- Appendix E: Clean version of the requirements for certification with the updates.
- Appendix F: The current version of the requirements for certification with the recommended updates noted.

FY22 Draft Resolution Appendices

- **Appendix A:** Mutual Recognition Agreement between the National Council of Architectural Boards and the Architects Registration Board
- **Appendix B:** NCARB Examination Policy Sunset: 1966-2002
- **Appendix C:** NCARB Policy Sunset: 1980-2018, Pt. 2
- **Appendix D:** *NCARB Bylaws* Omnibus Updates
- **Appendix E:** Updated version of the Requirements for Certification in the *NCARB Certification Guidelines*
- **Appendix F:** Mapping of the Current Requirements for Certification to the Proposed Updates

MUTUAL RECOGNITION AGREEMENT
between the
NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS
and the
ARCHITECTS REGISTRATION BOARD
as executed

XX xx, 2022

The National Council of Architectural Registration Boards (NCARB)
representing the architectural licensing boards of the 50 United States,
the District of Columbia, Guam, Commonwealth of the Northern Mariana Islands, Puerto Rico,
and the U.S. Virgin Islands.

AND

The Architects Registration Board (ARB)
the statutory regulator of architects in the United Kingdom.

This Mutual Recognition Agreement has been designed to recognize the professional credentials and qualifications of architects licensed or registered in the United States of America and its territories (referred to herein collectively as the U.S. or United States), and the United Kingdom (U.K.) and to support their mobility by creating the opportunity to practice beyond their borders.

More specifically, the purpose of this Agreement is to facilitate the registration of an architect licensed in a participating U.S. jurisdiction as a United Kingdom architect; and the licensing of a United Kingdom architect as an architect in a U.S. jurisdiction that participates in the Agreement.

WHEREAS, NCARB drafts model laws and regulations for U.S. jurisdictions and Member Boards to consider adopting for the regulation of the practice of architecture; promulgates recommended national standards for education, experience, and examination for initial licensure and continuing education standards for license renewal to its 55 Member Boards; and establishes the education, experience, and examination requirements for the *NCARB Certificate* in support of reciprocal licensure within the United States;

WHEREAS, the Architects Registration Board is the body established by section 1 of the Architects Act 1997 (UK) that has the statutory responsibility in the UK for prescribing the

qualifications and experience required for the purposes of entering the UK Register, and for registering, monitoring and disciplining all architects in the UK;

WHEREAS, the NCARB Member Boards are empowered by statutes to regulate the practice of architecture and/or the use of the title architect in their respective jurisdictions, including establishing education, experience, and examination/assessment requirements for licensure/registration and license/registration renewal;

WHEREAS, the ARB is empowered by statutes to regulate the profession of architecture in the United Kingdom, including establishing education, experience, and examination/assessment requirements for registration;

WHEREAS, the standards, protocols, and procedures required for the practice of architecture within the United States and the United Kingdom have benefitted from many years of effort by NCARB and ARB;

WHEREAS, NCARB is the national organization supporting individual state and territory licensing authorities and the ARB has the necessary statutory authority for the negotiation of mutual recognition agreements for architects with similar foreign authorities;

WHEREAS, accepting there are differences between the systems in place in the United States and the United Kingdom, nonetheless there is significant and substantial equivalence between the regulatory systems for licensure/registration and recognition of the rights and obligations of architects registered to practice in the United States and the United Kingdom;

WHEREAS, NCARB and ARB are recognized by the profession as mature and sophisticated facilitators of licensure/registration to which the utmost full faith and credit should be accorded and desire to support reciprocal licensure/registration in the respective jurisdictions supported by NCARB and ARB;

WHEREAS, any architect actively engaging or seeking to engage in the practice of architecture in the United States or the United Kingdom must be licensed or registered with an applicable governmental authority, must comply with all practice requirements of the applicable licensing or registration authority, and is subject to all governing legislation and regulations of the applicable authority and jurisdictions in which the architect is licensed or registered;

NOW THEREFORE, NCARB and ARB (collectively, the “Parties” and each a “Party”) agree as follows:

1. PARTICIPANTS IN LICENSURE/REGISTRATION RECIPROCITY

NCARB shall be responsible for maintaining a current list of NCARB Member Boards that provide licensure/registration reciprocity in accordance with the terms of this Agreement (each, a “Participant”). Following the ratification of this Agreement by the NCARB Member Boards, NCARB shall provide ARB with an initial list of Participants, and NCARB shall

Appendix A

provide ARB with an updated list of Participants each time a new Participant is added or removed.

This Agreement shall be implemented in accordance with the *Mechanisms for the Implementation*, attached hereto as Appendix I and incorporated herein by reference.

2. ELIGIBILITY REQUIREMENTS

1. Architects who are able to benefit from the provisions of this Agreement must obtain and continue to have at all times lawful authorization to work in the Locality in which the architect is licensed/registered (i.e., the United States or the United Kingdom—each, a “Locality”).
2. Architects shall not be required to establish citizenship or permanent residency status in the Locality in which they seek licensure/registration under this Agreement.
3. Architects must provide proof of current and valid licensure/registration in good standing from the ARB or a Participant.
4. Architects who have been licensed/registered by means of a program recognizing architect credentials from a foreign country of either the United States or the United Kingdom, or other foreign reciprocal licensing/registration agreement, are not eligible to benefit from the provisions of this Agreement.
5. Each Party to this Agreement and each Participant reserves the right to apply compensation measures or licensing/registration criteria as may be necessary before licensing/registration is granted within their respective jurisdictions.

3. CONDITIONS

A U.S. Architect to ARB

Upon application, the ARB agrees to register as an architect in the United Kingdom any U.S. architect who:

1. meets the eligibility requirements listed in Section 2 of this Agreement;
2. holds a current NCARB *Certificate* issued in accordance with the *Requirements for Certification of an Architect registered in a U.S. Jurisdiction* defined in the *NCARB Certification Guidelines which confirms successful completion of:*
Education Requirement: a professional degree following in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB).
Experience Requirement: completed NCARB’s Architectural Experience Program® (AXP®)
Examination Requirement: Passed the NCARB Architect Registration Examination® (ARE®) or the equivalent.
3. is currently licensed/registered in good standing by one or more NCARB Member Board(s) that is a Party to this Agreement, as confirmed by the NCARB Member Board following checks on an architect’s disciplinary record; and
4. Successfully completes any additional jurisdiction-specific requirements for licensure/registration as specified by ARB.

B United Kingdom Architect to NCARB Member Board

Upon application, NCARB shall issue an *NCARB Certificate* to any United Kingdom architect registered by the ARB meeting the eligibility requirements listed above in Section 2 of this Agreement.

Upon application, a Participant will license/register as an architect in its respective jurisdiction any United Kingdom Registered Architect who:

1. meets the eligibility requirements listed in Section 2 of this Agreement; and
2. has secured ARB-prescribed qualifications issued by schools of architecture in the United Kingdom at Part 1, Part 2 and Part 3 level;
3. holds a current *NCARB Certificate* issued pursuant to this Agreement;
4. is currently licensed/registered in good standing by the ARB, as confirmed by the ARB following checks on an architect's disciplinary record; and
5. successfully completes any additional jurisdiction-specific requirements for licensure/registration as specified by the Participant.

4. MONITORING COMMITTEE

A Monitoring Committee is hereby established to monitor the performance of each Party to this Agreement to ensure the effective and efficient implementation of this Agreement.

The Monitoring Committee shall be comprised of two staff members and no more than three additional individuals appointed by NCARB, and two staff members and no more than three additional individuals appointed by ARB. The Committee shall convene at least one meeting (by phone, video conference, or in person) in each calendar year, and more frequently if circumstances so require.

The Committee shall adhere to the terms of the *Mechanism for Monitoring Committee* guidelines, which is attached hereto as Appendix II and incorporated herein by reference.

5. DATA PRIVACY

Each Party to this Agreement acknowledges that they each act as data controllers of any personal data they process in connection with this Agreement and shall in performing their obligations under this Agreement comply in all respects with applicable data protection and/or privacy laws, regulations, instruments or codes of practice relating thereto, including the United Kingdom General Data Protection Regulation. Each Party to this Agreement agrees that it has all rights and has fulfilled all legal obligations necessary to provide any personal data to any other Party to this Agreement for the other Party's processing in compliance with this Agreement.

6. LIMITATIONS

Nothing in this Agreement limits the ability of a Participant or the ARB to refuse to license/register an architect or impose terms, conditions or restrictions on their license/registration as a result of a complaint or disciplinary or criminal proceedings relating to the competency, conduct, or character of that architect where such action is considered by

Appendix A

the Participant or ARB, as applicable, necessary or desirable to protect the public interest or otherwise in accordance with the jurisdiction's applicable laws and regulations.

Nothing in this Agreement limits the ability of any Party to this Agreement or any Participant to seek appropriate verification of any matter pertaining to the foregoing or the eligibility of an applicant under this Agreement.

The extent of this Agreement relates only to the registration of architects and the Parties to this Agreement note that the governments of or within their respective Localities will have distinct requirements related to matters outside the scope of this Agreement, including without limitation requirements related to immigration and access to the employment marketplace, and the Parties to this Agreement and the Participants may be unable or unwilling to intervene in or advise on such matters.

7. AMENDMENT

This Agreement may be amended only with the written consent of NCARB and ARB.

8. ENTIRE AGREEMENT

Each Party to this Agreement acknowledges that they have read this Agreement, understand it, and agree to be bound by its terms, and further agree that it is the entire agreement between the Parties hereto and it supersedes all prior agreements, written or oral, relating to the international reciprocity of architecture licenses/registrations between the Localities that are the subject matter hereof.

9. NO ASSIGNMENT

No Party to this Agreement can assign its rights under this Agreement without the prior written consent of NCARB and ARB.

10. WITHDRAWAL; DISPUTE RESOLUTION

Should any dispute between ARB and NCARB arise in relation to this Agreement that cannot be settled through negotiations between the Parties within sixty days, the Parties shall attempt to resolve the matter by mediation, or another form of alternative dispute resolution as may be agreed upon by the Parties prior to resorting to litigation.

Any Participant may withdraw its participation. NCARB shall promptly notify ARB in writing of all withdrawals.

In the event of withdrawal, all licenses/registrations and any *NCARB Certificate* granted to architects pursuant to this Agreement shall remain valid as long as all registration and renewal obligations are maintained and all other generally applicable licensure/registration requirements are met or unless registration is revoked pursuant to the rules of NCARB, ARB, or the relevant Participant, as applicable.

11. TERMINATION

NCARB or ARB may invoke termination of this Agreement with 90-days written notice to the other Party to this Agreement and all Participants.

In the event of termination, all licenses/registrations and any *NCARB Certificate* granted to architects pursuant to this Agreement shall remain valid as long as all registration and renewal obligations are maintained and all other generally applicable licensure/registration requirements are met or unless registration is revoked pursuant to the rules of NCARB, ARB, or the relevant Participant, as applicable.

12. ENTRY INTO FORCE

This Agreement shall come into force X [days/weeks/months] after such time as the NCARB Member Boards ratify this Agreement at a duly called meeting at which a quorum is present, so long as such condition is met on or before XXXXX, 2022, or as mutually extended by the NCARB Board of Directors and ARB.

SIGNATURES

NCARB

ARB

President

Chair

CEO

CEO

Witness

Witness

Witness

Witness

Witness

Witness

APPENDIX I

**MECHANISMS FOR THE IMPLEMENTATION
of the
MUTUAL RECOGNITION AGREEMENT
between the
NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS
(NCARB)
and the
ARCHITECTS REGISTRATION BOARD (ARB)**

Month xx, 2022

Whereas NCARB and ARB have agreed to and signed a Mutual Recognition Agreement dated XX XX, 2022 (the “Agreement”), the following terms of reference will govern the implementation of the Agreement. Capitalized terms used and not otherwise defined have the meanings given in the Agreement.

1. Mechanisms for Dialogue and Administrative Co-Operation

The Monitoring Committee will put into place mechanisms and procedures, which will include:

- 1.1 Establishing the rules and procedures necessary for the application, maintenance, and monitoring of the provisions of this Agreement.
- 1.2 Establishing communication mechanisms so that architects within the participating jurisdictions will understand the rights and obligations they will have to meet when they are granted a license or registration to practice their profession in a foreign country.
- 1.3 A means to resolve differences in interpretation of the mechanisms for the implementation of this Agreement. Any proposed changes or irreconcilable disputes must be presented to NCARB and ARB for resolution.
- 1.4 Developing an agreed-upon process to address noncompliance with the Agreement by a Party to this Agreement and a mechanism for rescission of participation rights of a noncompliant Party to this Agreement if necessary. NCARB will be responsible for the official list of NCARB Member Boards that are Participants.
- 1.5 Additional tasks as determined by the Monitoring Committee or as mutually requested by NCARB and ARB.

2. Mechanisms for Application

- 2.1 The point of contact for information for the United States is NCARB and for United Kingdom is ARB.
- 2.2 Once established and operational, actual applications shall be processed within a reasonable period of time from receipt of a completed application.
- 2.3 Documentation forms to be used by local jurisdictions to certify an applicant’s registration/licensure status shall be in uniform format and in English.

3. Application Process

3.1 Eligibility

To be eligible to benefit from this Agreement an architect must meet the requirements of Section 2 of the Agreement.

3.2 Application

The applicant must:

- 3.2.1 File an application and pay the required fees.
- 3.2.2 Secure a *Letter of Good Standing* from the licensing or registration authority that issued the applicant's active license or registration, or a successor authority thereto (the "Competent Body"), stating that the applicant either has no record or notice of a disciplinary action, or if such record or notice exists describing such action and its current status. This statement must be sent directly to the point of contact listed in Section 2.1 herein by the Competent Body.
- 3.2.3 Secure the appropriate forms from the relevant authority (i.e., NCARB or ARB) which will confirm that the applicant's qualifications are within the scope of this Agreement.

U.S. Architects to ARB:

NCARB will transmit to ARB a copy of the architect's application for mutual recognition, *Evaluation of Record and Council Certification issued by NCARB. These documents will confirm that the architect certified by NCARB is licensed by a Participant and meets the requirements for NCARB Certification. NCARB will also transmit to ARB a copy of the Letter of Good Standing issued by the Participant.*

U.K Architects to NCARB

ARB will transmit to NCARB a copy of the architect's application for mutual recognition in a U.S. jurisdiction signatory to the Agreement, *and a Compliance Certificate, issued by ARB. The Compliance Certificate will confirm that the UK architect is registered with ARB, holds ARB-prescribed qualifications issued in the UK, and is in good standing.*

3.3. Conditions

Upon application, applicants must meet the conditions of Section 3 of the Agreement.

4. Disciplinary Sanctions

4.1 NCARB and ARB, respectively, will use reasonable efforts to timely inform the other Party if any architect granted licensure or registration pursuant to this Agreement is subject to any disciplinary action that results in revocation or suspension of the architect's license or registration.

4.2 ARB and each Participant will have the authority to determine whether and to what extent the action will have further effect within their respective jurisdiction.

APPENDIX II

MECHANISMS FOR MONITORING COMMITTEE
Established under the
MUTUAL RECOGNITION AGREEMENT
between the
NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS
(NCARB)
and the
ARCHITECTS REGISTRATION BOARD (ARB)

Month xx, 2022

Whereas NCARB and ARB have agreed to and signed a Mutual Recognition Agreement dated XX XX, 2022 (the “Agreement”), and hereby establish and maintain a Monitoring Committee as set forth in the Agreement (the “Committee”), the following terms of reference describe the role and administration of the Committee contemplated by the Agreement and shall govern the actions of the Committee. Capitalized terms used and not otherwise defined have the meanings given in the Agreement.

1. Monitoring Committee

- 1.1 The Committee is established to facilitate the implementation of this Agreement, to oversee administrative processes, and to monitor the performance of this Agreement, to ensure, insofar as it may, that any issues or disagreements arising hereunder are resolved promptly and in a manner consistent with this Agreement. The Parties to this Agreement acknowledge that NCARB will be responsible for providing the relevant information required to carry out the monitoring arrangements in respect of Participants.
- 1.2 The Committee will also monitor the Agreement’s processes in an effective and nondiscriminatory manner and continue information exchange by whatever means are considered most appropriate, including regular communication and sharing of information, in compliance with all applicable data protection and/or privacy laws as set forth in Section 5 of the Agreement.
- 1.3 The Committee shall maintain regular contact and meet at least annually or as often as required in order to effectively perform its duties, assist in the resolution of disputes, and review the implementation and effectiveness of this Agreement.

2. Meetings

- 2.1 At Committee meetings a representative of the host party (“Host”) shall serve as Chair. Hosting shall be on a meeting-by-meeting alternating basis between NCARB and ARB.
- 2.2 Meeting locations and dates shall be proposed by the Host, subject to agreement by the other Party. Meetings may be hosted virtually, in a hybrid format, or in person as mutually acceptable to ARB and NCARB.
- 2.3 Subject to Section 3 below, the Host is responsible for reserving or securing hotel and meeting room arrangements, catering, dinner reservations, agenda, and post-Committee meeting minutes for its corresponding Committee meeting.

Appendix A

- 2.4 Any in-person Committee meetings and draft agenda require typically three-month's notice. Committee meetings that will be held via virtual means by which all participants can see and hear each other remotely typically require two months' notice.
- 2.5 Minutes must be prepared and distributed to all Committee members by the Host within two months following each Committee meeting.

3. Expenses

- 3.1 NCARB and ARB are responsible for paying for the travel, hotel, and miscellaneous expenses for its own attendees. The Host shall make rooming arrangements for each attendee to be individually charged to such individuals.
- 3.2 Lunches during the meeting day(s) are the responsibility of and will be paid for by the Host.
- 3.3 Dinners during the meeting day(s) will be paid for by the participants, proportionately.

4. Finances

- 4.1 There are no dues associated with membership or participation in the Committee.

SIGNATURES

NCARB

ARB

President

Chair

CEO

CEO

Witness

Witness

Witness

Witness

Witness

Witness

Appendix B:

NCARB Examination Policy Sunset: 1966-2002

Appendix B: NCARB Examination Policy Sunset: 1966-2002

In FY19, Board discussions unveiled a resolution from 2000 that dictated an NCARB position on an issue/policy that, in 2020, no longer aligned with current practice or philosophy. Evaluation of the resolution was assigned to a task force for review and discussion, but led the Board to question the status of other resolutions that dictated official NCARB policy or position. Policies or positions implemented by membership vote remain active unless the membership takes a follow-up action to sunset it, provides a deadline, or includes information granting authority of future adjustments to another party in the resolution. NCARB staff began a research project to evaluate the status of all historical NCARB resolutions, and the Policy Advisory Committee (PAC) has been asked to make recommendations to the NCARB Board of Directors on whether the resolutions should remain NCARB policy or sunset.

Examination Policies: 1966-2002

Today, the NCARB Bylaws specifically give the NCARB Board of Directors authority to issue rules and policies respecting the development, administration, and grading of examination, which includes setting fees, dates exams may be administered, safeguards to prevent improper disclosure of information respecting the exams, and other matters.

Prior to the computerized exam, examination policies were regularly implemented via resolution because the exam was administered by each jurisdiction. In preparation for the change from paper-and-pencil to a computerized exam, the Member Boards passed Resolution 1996-12 that was intended to rescind previous policies and replaced them with new policies. The later passage of Resolution 2002-14 to rescind a specific policy, as well as the development of an index of active resolutions in 2002, has caused uncertainty as to the effect of the 1996 resolution.

To provide clear direction going forward, the Policy Advisory Committee recommends a new resolution be passed so that it is clear that all active policies governing the exam are located in *ARE Guidelines*, *Certification Guidelines*, and/or other Board policies.

Appendix B includes all the resolutions included in the 2002 index of active of resolution:

RESOLUTIONS 1966-2002

III. EXAMINATION FOR REGISTRATION AND CERTIFICATION

RESOLUTION NO. 69-8

Continuation of Studies Toward the Development of a New Examination

RESOLVED, That this convention give its approval to the direction of the studies this past year that reviewed the process of education, internship, examinations, and practice for the architect and commends the NCARB Directors to continue these studies and report to next year's convention the progress; and

RESOLVED, That this report shall include a definitive study by a top level committee of NCARB, the members of Member Boards, and other professionals both in education and practice, toward development of a new NCARB examination and procedure for its use.

RESOLUTIONS 1966-2002

RESOLUTION NO. 70-6

Acceptance of Examination Grades Between Member Boards

WHEREAS, The principal purpose of the NCARB is to facilitate reciprocity between the states; and

WHEREAS, Many candidates for examination move or are transferred from the state of their original examination before its completion; now, therefore, be it

RESOLVED, That the Member Boards agree to accept grades earned by their candidates in other states and allow these candidates to complete the examination in the state of their new location according to the laws and rules and regulations of that state.

RESOLUTION NO. 71-4

Eligibility Cut-Off Date for Council Oral Examination

WHEREAS, At the 1970 Annual Meeting certain changes were incorporated into the Council documents and procedures relative to the "senior" method of Council certification, one very important subject was inadvertently omitted; and

WHEREAS, The requirements for passage of the written examination for initial registration is uniform within the several states, the avenue of awarding registration and certification via the exemption, grandfather or senior method is no longer germane to the best interests of the state registration boards and the National Council. Therefore, it is desirable that a date be established after which no credits would be allowed for experience for admission to the Council Oral Examination for certification via the "senior" procedure; now, therefore, be it

RESOLVED, That the date for the matter discussed above be established as, and become effective on, December 31, 1971. All applicants for certification who have not passed a written examination will be required to do so unless they have completed all currently established criteria for "senior" certification to December 31, 1971. Individual architects who have met the "senior" requirements prior to the above-noted date will be eligible for certification via the Council Oral Examination.

RESOLUTION NO. 71-6

Phasing Out of Seven-Part Examination and Implementation of New Professional Examination

WHEREAS, The purpose of registration is health, safety, and public welfare; and

WHEREAS, Public welfare demands a workable and satisfactorily built environment; and

WHEREAS, Competent architects are needed to meet this goal; and

WHEREAS, Registration is a professional competence identifying process; and

WHEREAS, This process measured educational, training, and examination evidence; and

WHEREAS, This evidence must be related to the wisdom and knowledge of the time, now, therefore, be it

RESOLVED, That the recommendations of the Examination Development Committee for revising the registration process, as detailed below, be accepted:

- 1.a Purpose: To phase out the present 36-hour, seven-part examination for architectural license candidates. To implement, as soon as practicable, the new Professional Examination for candidates holding NAAB-accredited professional architectural degrees and a Qualifying Examination for candidates without NAAB-accredited degrees and/or with combinations of education and experience in accordance with NCARB equivalencies.
- 2.a Prerequisites for New Professional Examinations: A professional architectural degree from an NAAB-accredited school to be required for entrance to the new Professional Examination beginning in June 1973 or a passing grade in the Qualifying Examination to be first offered in December 1972.
 - a For the holders of a master's degree in architecture, one year's acceptable experience in the field to be required.
 - b For the holders of a bachelor of architecture degree, the first professional degree, two (2) years acceptable experience in the field to be required.
- 3.a Presentation: A complete examination process will be presented to the 1972 national convention.

RESOLUTION NO. 71-16

Additional Registration and/or Certification Requirements

WHEREAS, Certification by NCARB is the desirable vehicle for professional mobility throughout the United States, now, therefore, be it

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

RESOLUTIONS 1966-2002

RESOLUTION NO. 72-2

NCARB Examinations

WHEREAS, The goal of the examining procedure is to provide a reliable measure of a candidate's qualifications essential to the practice of architecture; and

WHEREAS, The current seven-part, written examination covers subject matter that can be related logically under three basic areas of architectural knowledge; and

WHEREAS, A candidate's performance in each of these three basic areas provides a measure of his proficiency in the general area; and

WHEREAS, Failure in a single part only of the seven-part examination does not necessarily demonstrate lack of proficiency in the general area; now, therefore, be it

RESOLVED, That the seven parts of the present NCARB written examination be grouped into three categories as follows:

Category 1: Examinations—(C), History and Theory of Architecture; (D), Site Planning; and (E), Architectural Design.

Category 2: Examinations—(F), Building Construction; (G), Structural Design; and (I), Building Equipment

Category 3: Examination—(H), Professional Administration.

RESOLVED, That if a candidate for the written examination attains a grade of 70 or more, but less than 75 in one part only of the entire examination and such failure occurs in either Category 1 or Category 2, then the failing grade shall be averaged with the remaining two parts in the same category and a passing grade be granted provided the averaged total of the category is 75 or greater.

RESOLUTION NO. 72-4

Publication and Distribution of Examination Success Rates

RESOLVED, That NCARB direct ETS to publish examination success rates of candidates of all Member Boards and to distribute these results to all boards.

RESOLUTION NO. 72-5

Implementation of New Examinations

RESOLVED, That the report of the Examinations Committee be approved for implementation as described below:

- (a) That the Equivalency Examination be first administered in June, 1973, and
- (b) That the Professional Examination be first administered in December, 1973, and

RESOLVED, That there be a five-year time limit for the use of the present examination for those Member Boards which cannot, by law, implement the new examination procedure. The five-year time period to begin January 1, 1973.

RESOLUTION NO. 75-6

Publication of Examination Costs

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

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

RESOLUTION NO. 75-16

Prohibition of Examination Interpreters

WHEREAS, The objective of the Member Boards must be to facilitate and permit qualified and competent architects to practice architecture and, thereby fulfilling the legal obligation to protect the public welfare and the public's interests; and

WHEREAS, The complete understanding of the English language is essential to the practice of architecture in that comprehension of codes, rules, regulations, ordinances and the laws of the land is necessary to fulfill professional service verbally, as well as in the instruments of service including contract documents; and

WHEREAS, The architectural candidate, during the course of the examination must demonstrate his comprehension of the English language without the assistance of others; now, therefore, be it

RESOLVED, That the use of an interpreter assisting the candidate during the examination be forbidden.

RESOLUTION NO. 75-20

Administration of Parts I and II of the Equivalency Examination

WHEREAS, All Member Boards recognize and acknowledge progressive improvements in the content of the Professional Examination; and

WHEREAS, A number of boards now require both the Equivalency Examination and Professional Examination of all candidates; now, therefore, be it

RESOLVED, That NCARB Member Boards requiring all candidates to take both the Equivalency and the Professional Examination delete the parts of History and Theory of Architecture and Environmental Planning and Construction Theory and Practice of the Equivalency Examination as a requirement for candidates having an NAAB-accredited, or otherwise approved, professional degree in architecture.

RESOLUTIONS 1966-2002

RESOLUTION NO. 76-5

Evaluation of NCARB Examination

WHEREAS, All Member Boards use examinations prepared by NCARB to assist in determining a candidate's qualification for registration as an architect within each Member Board's jurisdiction, and

WHEREAS, The true intent of the NCARB examination procedure is to register candidates who prove their qualifications to practice the profession of architecture, and

WHEREAS, It is the responsibility of each Member Board to ensure proper registration practices by use of proper testing procedures, and

WHEREAS, It is essential periodically to evaluate those testing procedures to insure that the examinations appropriately and adequately test the education, knowledge and evidence of that experience which represents minimum competence for admission to professional practice; now, therefore, be it

RESOLVED, That the NCARB Board of Directors appoint a distinguished panel comprising both persons with broad architectural practice, knowledge and experience, who will reflect current accepted architectural practice standards and persons expert in testing procedures (none of the foregoing shall have served in the preparation of NCARB examinations), charged with defining standards of minimum competence for professional practice and evaluating the Professional Examination in order to ascertain that it appropriately and adequately tests the education, knowledge, skills and experience necessary to qualify for such minimum competence. The panel shall report its findings and recommendations to the 1977 Annual Meeting.

RESOLUTION NO. 77-1

Requirements for Graphics Examination

RESOLVED, That all candidates for registration be evaluated for design competency as follows:

- (a) That the design section of the Qualifying Test as developed and used in 1977 be administered to all candidates commencing in 1978;
- (b) That grading of the design test be performed on a regional basis, commencing in 1978, or as soon thereafter as a Member Board can adopt the grading procedures;
- (c) That the NCARB Board of Directors continue the Design Committee in 1977-78 to further define the scope, content and procedures of the design test for presentation to the 1978 Annual Meeting for approval and use commencing in 1979.

RESOLUTION NO. 79-5

Task Analysis and Validation Study

(The Board submits the following resolution with the understanding that the committee which it establishes will continue the work of the Task Force on Registration established at the 1978 NCARB Annual Meeting.)

RESOLVED, That NCARB is directed to analyze and to define the knowledge, skills, abilities and functions necessary for minimum competence for the practice of architecture in the United States (hereinafter referred to as "task analysis") and apply these findings to an evaluation of the current NCARB examinations, internship standards, education standards and practice standards, and recommend criteria as necessary and appropriate to conform to those findings (hereinafter referred to as a "validation study").

That a Steering Committee composed of one person and one alternate chosen by each NCARB Regional Conference, and a chairperson and vice chairperson chosen by the president of NCARB, shall be assigned the task of carrying out the foregoing directive and shall further be authorized and directed:

1. To engage, with approval of the Council Board, such independent experts, including testing experts, as the committee deems appropriate;
2. To call upon any standing or special committees of the Council to assist in its work;
3. To report periodically to the Council Board of Directors and all Member Boards on the progress of the Committee's work;
4. To report to the 1980 Annual Meeting its findings and recommendations with regard to the "task analysis" and "validation study."

RESOLUTION NO. 79-22

Sequence of Sections A and B of Professional Examination

RESOLVED, That for purposes of Council certification, an applicant for registration may have passed Section A of the Professional Examination before or after such applicant has passed Section B of the Professional Examination.

RESOLUTION NO. 80-3

Revision of Passing Procedure for Section B, Professional Examination

RESOLVED, That if a candidate fails one part only of Section B of the Professional Examination, and attains passing scores on all other parts, the passing scores will be recorded as the candidate's final grades in those parts of the examination passed. Upon the candidate retaking Section B, only the score in the part first failed will be considered in the retake record; and if that score is a

RESOLUTIONS 1966-2002

pass, the candidate will be deemed to have passed all parts of Section B. If that part is failed a third time, the candidate must take the entire Section B, as hereinbefore stated.

RESOLUTION NO. 83-11

Examination May Be Taken in Parts

RESOLVED, That there shall be no requirement that an applicant for certification must have taken all divisions of the Architect Registration Examination at his or her initial sitting for the examination, nor that he or she must have taken all previously failed divisions at any subsequent sitting for the examination.

RESOLUTION NO. 83-12

Allow Purchase of the ARE by Parts

RESOLVED, That the new ARE, which can be taken in parts, be allowed to be purchased by Member Boards from NCARB in parts for any or all candidates.

AND FURTHER, WHEREAS, The California Board of Architectural Examiners has shown a continuing arbitrary and unilateral disregard for the rules and guidelines established by the NCARB Board of Directors for the administration and grading of the Architect Registration Examination, which has resulted in a breach of fundamental principles of examination grading and administration by causing candidates similarly situated to be treated dissimilarly, and by giving unfair advantage to California candidates, and by seriously affecting NCARB's ability to assess and measure the exam results nationally,

FURTHER RESOLVED, In the interest of the protection of the public's health, safety, and welfare, and also the protection of the rights of exam candidates, all Member Boards shall administer the Architect Registration Examination in strict compliance with the rules and guidelines as established by the NCARB Board of Directors and all Member Boards shall participate in the Regional Grading Sessions using the grading criteria as established by the NCARB Exam Committee, and the determination by the Board of Directors of the failure of any jurisdiction to honor the said rules, guidelines and criteria for the administration and grading of the Architect Registration Examination shall cause the immediate termination of that Member Board's right and privilege to purchase and administer the NCARB Architect Registration Examination.

AND FURTHER, WHEREAS, The California Board of Architectural Examiners has disregarded the rules and guidelines established by the NCARB Board of Directors for the administration and grading of the Architect Registration Examination,

NOW THEREFORE, The Board of Directors is hereby instructed to withhold the right and privilege of the California Board or any other board found to have been in infraction to purchase and administer the NCARB Architect Registration Examination until the Board of Directors shall have received satisfactory assurance from the California Board or any other board found to have been in infraction that the rules and guidelines will be strictly observed.

RESOLUTION NO. 84-14

Security of NCARB Examinations

RESOLVED, That for purposes of test security, all Member Boards seek to provide in their rules for removal of NCARB examinations from any "Freedom of Information Act" or similar public domain laws or regulations.

RESOLUTION NO. 84-19

Structural Examinations Format

RESOLVED, That the structural examinations of the ARE shall continue to test candidates by the use of the questions employing calculations of basic structural design problems, conforming generally to the specifications for the 1984 ARE.

RESOLUTION NO. 85-8

Rescission of 1984 Resolution No. 20 Permitting Use of Reference Material in the ARE

RESOLVED, That Resolution No. 20 as adopted at the 1984 Annual Meeting be revoked and that no reference materials be permitted in the examination, and be it further

RESOLVED, That the examination be published to include all reference material necessary for its administration.

RESOLUTION NO. 88-7

Withholding Access to ARE from Member Board Not Administering Examination

RESOLVED, That the Council withhold all portions of the Architect Registration Examination from any Member Board which has not committed itself to the satisfaction of the Council Board of Directors, to administering the examination to all of its applicants (other than applicants of whom it does not require a written examination) for registration.

RESOLUTIONS 1966-2002

RESOLUTION NO. 89-12

Study the Appropriateness of Terminating the Paper-and-Pencil ARE

RESOLVED, That the Council Board of Directors study the appropriateness of changing from the paper-and-pencil ARE following its administration in June 1992 to a computer ARE for all non-graphic portions of the ARE and that a schedule of the details of the transition and the financial implications of the transition be presented to the 1990 Annual Meeting for its approval.

RESOLUTION NO. 89-15

Elimination of Special Seismic Test

RESOLVED, That the special seismic test be discontinued and that architects who need to be tested on this subject take Division E of the ARE or C/ARE.

RESOLUTION NO. 92-2

NCARB Written Examination Required for Certification

RESOLVED, That all applicants for Council certification be required to pass the NCARB written examination current at the time the applicant sat for the examination and that except as provided in Appendix C of *Circular of Information No. 1* and for CALE-registered persons in Appendix A of *Circular of Information No. 1*, there be no substitute for the written examination.

RESOLUTION NO. 92-5

ARE in English Requirement for Certification

RESOLVED, That the Architect Registration Examination (ARE) may be rewritten in French for Canadian provinces and in Spanish for Puerto Rico for registration purposes so long as all costs and security issues associated therewith are borne by the governmental agency requesting such permission, all in accord with NCARB guidelines.

AND, BE IT FURTHER RESOLVED, That applicants applying for NCARB certification must have passed the NCARB examination in the English language except for applicants under the interrecognition agreement with Canada who passed the examination in French or applicants from Puerto Rico who passed the examination in Spanish.

RESOLUTION NO. 93-1

Rescind Resolution No. 1 of the 1990 Annual Meeting

RESOLVED, That Resolution Number 1 of the 1990 Annual Meeting calling for a computerized ARE in 1995 be and hereby is rescinded, and that the computerized ARE be administered beginning in 1997, and that the implementation plan for the computerized ARE delivery system be in place no later than the 1994 NCARB Annual Meeting and Conference.

RESOLUTION NO. 93-2

Reporting Scores for the Computerized ARE

RESOLVED, That beginning with the first computer-delivered ARE and thereafter, only pass or fail status will be reported for all divisions of the ARE and diagnostic information will be available to boards with respect to every candidate.

RESOLUTION NO. 94-10

Giving Credit For Pilot Administrations of ARE '97

RESOLVED, That a candidate for NCARB certification shall be given full credit for passing a division of the ARE in a pilot administration of the computerized ARE in 1995 and 1996, and that all Member Boards are urged to accept candidates for registration whose certification by NCARB is based in whole or in part upon passing divisions of the ARE administered as part of the pilot administrations in 1995 and 1996.

RESOLUTION NO. 96-12

Examination Policies

RESOLVED, That all previously enacted policies regarding the Council's examinations be rescinded, and in their place, the Council Board of Directors is authorized to adopt the Examination Policies set out in Appendix B of the *Pre-Annual Meeting Report*.

RESOLUTION NO. 97-12

Examination Fees

RESOLVED, That NCARB address the computerized ARE cost concerns by:

- (1) thoroughly reviewing cost components such as the delivery cost, the credit card charges, the tutorials and any other possible cost savings to determine if the financial impact to the candidates of the change to the computerized ARE can be mitigated by reasonable means without diminishing the generally acclaimed improvements in the examination;
- (2) actively monitor the Chauncey Group (including Sylvan) contract for compliance in the delivery of the examination; and
- (3) reporting the results of the review and monitoring efforts at the 1998 NCARB Annual Meeting.

RESOLUTION NO. 99-17

Comprehensive Testing

RESOLVED, That NCARB is directed, in the shortest time possible, to investigate a testing and grading procedure by which a candidate can demonstrate his or her ability to solve individual problems within the context of a broader comprehensive solution.

Appendix C:

NCARB Policy Resolutions to Sunset: 1980-2018, Part 2

Appendix C

NCARB Policy Resolutions to Sunset: 1980-2018, Part 2

Project Background

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

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

The resolutions are being reviewed by category, and the first set of policies were sunset in FY21. This year, the PAC reviewed additional resolutions from 1980-2018 (there were no resolutions in 2019 or 2020) in the following areas:

- Membership
- Related Organization
- Examination (See Resolution 2022-C)
- Misc.

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

Resolutions Recommended for Sunset as part of Resolution 2022-D:

Resolution 2000-12: Support the Work of the Collateral Internship Task Force Regarding IDP, Mentorship, and Education

“RESOLVED, that the member boards of NCARB support the ongoing work of the Collateral Internship Task Force by encouraging acceptance of the following principles:

1. that those enrolled in the IDP program may expect a professional and respectful practice experience, both in terms of the hiring and compensation practices of the employer firm as well as the breadth of experience available during the program. [Implied in this will be an expectation that the intern and the firm will be held to a high standard of accountability for compliance and record-keeping.]

2. that NCARB should maintain its ongoing efforts in developing and publishing Mentor Guidelines as well as encouraging qualified mentors from the profession to participate in the mentor process.
3. that all of the collateral organizations should participate in the successful development of architects by.
 - a. Encouraging more practice-based experience in the formal education process.
 - b. Encouraging continued learning through entire professional career.
 - c. Encouraging the profession to invest both time and financial resources towards the development of emerging architects.
 - d. Encouraging improved communications and awareness among the five collateral organizations so that the entire pathway to career development is clearly and uniformly understood by all.
4. that the culture of learning and practice for architects be of such strength and maturity that it allows consideration of alternative pathways to complete IDP.”

Rationale: Because the “principles” specifically listed are broad ideas on the experience program, it is unclear if they are only something NCARB should be “encouraging” while the task force was actively in existence. While the task force ended in 2005, these were likely intended to have a lasting impact beyond the that. While some of the outlined principles are still relevant, a few are outdated. The Policy Advisory Committee recommends that this resolution is sunset so that more recently developed goals of the Architectural Experience Program (AXP) can take precedence, and then a future committee further discusses what (if any) guiding principles should replace them.

Resolution 1998-17: International Building Code 2000

“RESOLVED, that NCARB strongly supports the development and adoption of a single building code for use by all NCARB jurisdictions, and

FURTHER RESOLVED, that NCARB strongly supports the continued development of the International Building Code to incorporate technological changes that will occur in the future in order to provide for the protection of the health, safety and welfare of the general public, and

FURTHER RESOLVED, that copies of this resolution be forwarded to the International Code Council, Inc.”

Rationale: The resolution is titled International Building Code 2000, but the language is generic and doesn’t mention the code they were working on at the time. Sunsetting this resolution positions NCARB to be neutral in the development of ICC’s building codes, and engage in future code development as appropriate.

Resolution 1987-1: Continuation of an Education Evaluation Process

“RESOLVED, That NCARB continue a process by which the educational credentials of a candidate not holding the NAAB degree can be evaluated by an independent evaluator. Such findings would be

presented as evidence of whether or not the candidate satisfied the educational requirements for architectural licensure. Such evaluation could be considered the equivalent of completion of an NAAB accredited educational program.”

Rationale: The Council developed the *Education Standard* in the early-1980s, which is used to evaluate degrees from non-accredited programs. Today, NCARB uses NAAB’s Education Evaluation Services for Architects (EESA) to evaluate architects’ degrees from non-accredited programs against the *Education Standard*. If a candidate is evaluated through the EESA process and has zero deficiencies, they are considered to have met the education alternative without any additional requirements. The general intent of this resolution has been folded into the NCARB Certification Requirements, which are part the *NCARB Certification Guidelines*. The requirements can only be changed by membership vote; therefore, this resolution is no longer needed and sunsetting it will prevent future conflict of policies.

Resolution 1986-11: Lateral Forces Home Study Program

“RESOLVED, that NCARB develop a Home Study Course on lateral forces similar to an ADVP Monograph. The course shall be prepared to satisfy reciprocity requirements for registered architects who never passed a written examination on lateral forces. An examination of the Home Study Course shall be prepared which can be administered by each member board. The Home Study Course shall be available by July 1, 1987.”

Rationale: This home study course is no longer available and was meant for architects who took the national exam prior to 1965, when lateral forces questions were regularly incorporated into the exam. If there are any remaining architects who are deficient in this area, they can satisfy the requirement through divisions of the ARE in accordance with the ARE 5.0 Exam Equivalence guide, currently included in the *NCARB Certification Guidelines*.

Resolution 1980-1: List of Licensees

“RESOLVED, That each Member Board provide NCARB, annually, a list of all licensees whose primary mailing address is within their jurisdiction.”

Rationale: Due to evolving jurisdictional privacy laws, many Member Boards can no longer provide this information to NCARB, and mailing addresses are no longer the primary way we need to communicate with licensed professionals. A similar request for an annual roster was incorporated in the *NCARB Bylaws* in 1994, and sunsetting this resolution has no impact on that provision. The Policy Advisory Committee recommends this resolution be sunset and that a future committee further examine this issue and update NCARB’s policy.

Resolution 1980-15: Support for IDP

“RESOLVED, That the Council and its Member Boards continue their support of the Intern-Architect Development Program.”

Rationale: This resolution was put forward in the very early days of the Intern Development Program’s (IDP) existence when the Council was still working toward adoption of the program by its Member Boards. It is unnecessary for this resolution to remain active as other follow up actions by the Board of Directors and membership have affirmed the organizations support for IDP’s successor, the Architectural Experience Program (AXP)—including adding the program as a specific requirement for NCARB certification and adding the program to the *NCARB Bylaws*. If, in the future, the Council would want to change direction related to the experience component of licensure, it would require a vote of the membership to update both of those documents. Sunsetting this resolution now ensures the Council will not have a policy conflict in the future.

Appendix D:

Resolution 2022-F *NCARB Bylaws* Omnibus Updates

The following markups to the *NCARB Bylaws* relate to making the document gender neutral and clarifying inconsistencies related to NCARB Board of Directors elections. This appendix relates to Resolution 2022-F. Articles with no changes have been omitted.

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

[Articles I-V omitted. No proposed changes.]

ARTICLE VI—REGIONS

SECTION 1. Purpose. In order to foster closer communication between Member Boards and the Council, as well as among Member Boards, and further to foster the development of future leaders and assist the Council in achieving its stated purpose, six geographical Regions comprising, in the aggregate, all the Member Boards are hereby established. Each Member Board shall be required to be a member of its Region.

SECTION 2. Membership. The membership of the Regions is established as follows:

REGION 1—New England Conference: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.

REGION 2—Middle-Atlantic Conference: Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia.

REGION 3—Southern Conference: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Texas, Virgin Islands.

REGION 4—Mid-Central Conference: Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin.

REGION 5—Central States Conference: Kansas, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Wyoming.

REGION 6—Western Conference: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Nevada, New Mexico, [Northern Mariana Islands](#), Oregon, Utah, Washington.

ARTICLE VII—THE BOARD OF DIRECTORS

SECTION 1. Membership. The Board of Directors shall be comprised of the Elected Officers of the Council, one Regional Director from each Region, the immediate Past President, one Member Board Executive Director, and one Public Director.

SECTION 2. Qualifications and Limitations. The qualifications for serving as a Director shall be as set forth in this Article VII, Section 2, and no entity responsible for nominating any Director shall impose any qualification not set forth herein.

A. A candidate for election to any Director position shall, at the time such person is nominated:

(i.) be a citizen of the United States;

- (ii.) have served at least two (2) years as a member of a Member Board; or, in the case of a candidate for the position of Member Board Executive Director, have served at least two (2) years as an Executive Director;
 - (iii.) (iii) be a current member of a Member Board; be a past member of a Member Board whose service as a member ended no more than one year before nomination; be an officer of a Region; be an incumbent Director; or, in the case of a candidate for the Member Board Executive Director, be a current Executive Director; and,
 - (iv.) (iv) in the case of candidates who are architects, hold an active NCARB Certificate.
- B. With respect to candidates for a Regional Director position, all qualifications relating to current or past membership in a Member Board or Region must be within the Region from which the candidate is nominated.
 - C. If a Member Board regulates professions in addition to the profession of architecture, the candidate will qualify as a member or former member of a Member Board only if the candidate ~~he or she~~ is or was an architect-member or a public member of the architect section of the Member Board.
 - D. A candidate for election as the Public Director shall be at the time of nomination a public or consumer member on a Member Board, or have served in such position no more than one (1) year prior to the time of nomination to the Board of Directors.
 - E. An individual shall qualify to serve as the President/Chair of the Board during the one-year period immediately following their ~~his or her~~ term as First Vice President/President-Elect.
 - F. An individual shall qualify to serve as the Immediate Past President during the one-year period immediately following their ~~his or her~~ term as President/ Chair of the Board.

SECTION 3. Terms of Office and Election. The term of office of a Director shall be one year from the adjournment of the Annual Business Meeting at which they are elected to serve or, in the case of President/Chair of the Board and Immediate Past President, succeeds to office, until the adjournment of the next Annual Business Meeting or until their successor is duly elected and succeeds to office. No person shall serve more than two terms in succession as a Regional Director or three terms in succession as a Member Board Executive Director or Public Director; provided, however, that service as an Elected Officer and Immediate Past President shall not count against such limits. No incumbent shall serve for more than one term in any Elected Officer position or as Immediate Past President; provided, however, that an Elected Officer shall be eligible for reelection for the full term of office if, during the period immediately prior thereto, such Elected Officer had succeeded to or been elected to the office to fill a vacancy.¹

SECTION 4. Removal.

- A. A Director may be removed with cause by a majority vote of the Member Boards at a meeting where a quorum is present, with the meeting notice stating that the purpose, or one of the purposes, of the meeting is the removal of the director.
- B. Director may be removed with cause by the affirmative vote of two-thirds (2/3) of the Board of Directors.

SECTION 5. Nomination and Election of Directors.

- A. Directors shall be nominated as set forth below in this Section 5 of this Article VII. Notwithstanding the various methods of nomination set forth below, all Directors must be elected by a majority vote of the Member Boards at a meeting at which a quorum is present.
- B. Each Region shall select its nominee for Regional Director at a Region meeting. The nominations will be announced by the several Regions prior to and/or at the Annual Business Meeting of the Council.

¹ The pronouns in Article VII, Section 3 were updated as part of Resolution 2021-07, and will be updated as of July 1, 2022.

- C. Any person qualified to serve as an Elected Officer (other than President/Chair of the Board) may be nominated by declaring ~~their his or her~~ candidacy ~~at the time election for such position begins~~ at the Annual Business Meeting by the time determined by the Credentials Committee.
- D. The candidate for Member Board Executive Director shall be nominated by majority vote of the Member Board Executive community comprised of the Executive Director of each Member Board. The nomination will be announced by the community prior to and/or at the Annual Business Meeting of the Council.
- E. Any person qualified to serve as the Public Director may be nominated by declaring ~~their his or her~~ candidacy ~~at the time election for such position begins~~ at the Annual Business Meeting by the time determined by the Credentials Committee.

SECTION 6. Vacancies.

- A. Vacancies in the office of any Regional Director or Member Board Executive Director shall be filled by an appointee nominated by the Region or the Member Board Executive community respectively and appointed by the Board of Directors to hold office from the time of such appointment until the adjournment of the next Annual Business Meeting. Vacancies in the office of the Public Director and Elected Officers other than First Vice President/ President-Elect and President/Chair of the Board shall be filled by an appointee designated by the Board of Directors to hold office from the time of such appointment until the adjournment of the next Annual Business Meeting. Any such appointee shall meet all qualifications applicable to the vacant Director position, as determined by the Credentials Committee.
- B. A vacancy in the office of President/Chair of the Board shall be filled by the First Vice President/President- Elect, who shall serve the remainder of the term as President/Chair of the Board and the following term during which ~~they he or she~~ would have succeeded to the office if not for the vacancy.
- C. A vacancy in the office of First Vice President/President-Elect shall be filled by the Second Vice President, who shall hold such office of First Vice President/President- Elect until the adjournment of the next Annual Business Meeting, at which Annual Business Meeting the Member Boards shall elect both a First Vice President/President-Elect and a President/ Chair of the Board, each of whom shall be subject to the qualifications applicable to candidates for First Vice President/President-Elect.
- D. A vacancy in the office of Immediate Past President shall remain vacant.
- E. Any Regional Director who moves ~~their his or her~~ principal residence to a place outside the Region from which ~~they he or she~~ ~~was/were~~ nominated shall be deemed to have vacated the office of Regional Director, and any Director who ceases to be eligible as provided in ~~this~~ Article VII, Section 2 shall be deemed to have vacated ~~their his or her~~ directorship.

SECTION 7. Duties. The affairs of the Council shall be managed under the authority and direction of the Board of Directors, who shall act by majority vote of the Directors present at a meeting at which there is a quorum, except as otherwise expressly required by these Bylaws or applicable law. It shall exercise all authority, right, and power granted to it by the laws of the State of Iowa and shall perform all duties required by the said laws and by these Bylaws, and, in accordance therewith, it shall not delegate any of the authority, rights, or power or any of the duties imposed on it by these Bylaws or otherwise, unless such delegation is specifically provided for in these Bylaws. All Directors shall serve without compensation; provided, however, that nothing herein shall prohibit the Board of Directors from providing reasonable allowances from time to time to the President/Chair of the Board and to the First Vice President/ President-Elect. Any such allowances shall be included in budget reports furnished to the Member Boards.

SECTION 8. Meetings of the Board. The Board of Directors may meet in any manner allowed by applicable law in regular or special meetings in order to transact business. Unless finances of the Council will not permit, the Board of Directors shall hold a regular meeting immediately prior to the opening of the Annual Business Meeting and a regular meeting immediately following the adjournment of the Annual Business Meeting of the Council. Special meetings may be held upon call of the President/Chair of the Board or the Executive Committee and shall be held upon written request of the majority of the Board of Directors. All Directors shall be given due notice in writing of the time and place of all meetings, although notice of any meeting may be waived in writing by any Director. A majority of the membership of the Board of Directors shall constitute a quorum for the transaction of business.

ARTICLE VIII—OFFICERS

SECTION 1. Elected Officers. The Elected Officers of the Council shall be the President/Chair of the Board, the First Vice President/President-Elect, the Second Vice President, the Treasurer, and the Secretary.

SECTION 2. President/Chair of the Board. The President/Chair of the Board shall be the senior Elected Officer of the Council and shall:

- A. preside at all meetings of the Board of Directors, the Executive Committee of the Board of Directors, and the Annual Business Meeting;
- B. present to the Council at the Annual Business Meeting a report of activities during the President/Chair of the Board's term of office;
- C. develop charges for all committees that will serve during ~~their~~ his or her term as President/Chair of the Board and, following approval of the charges by the Board of Directors, oversee the work of all Committees;
- D. select all members of Committees to serve during ~~their~~ his or her term of office as President/Chair of the Board subject to the terms of Article XII, Section 5;
- E. have the power to make appointments to any unfilled or vacant Committee membership during ~~their~~ his or her term as President/Chair of the Board, subject to the approval of the Board of Directors;
- F. represent the Board of Directors and its policies to all external and internal constituents including to the Chief Executive Officer; and
- G. perform such other duties and powers as the Board of Directors may from time to time decide.

SECTION 3. First Vice President/President-Elect and Second Vice President. The First Vice President/President-Elect and the Second Vice President, in order, shall, in the absence of the President/Chair of the Board, exercise the duties of and possess all the powers of the President/Chair of the Board. In addition, the First Vice President/ President-Elect shall:

- A. develop the Committee charges to be completed during ~~their~~ his or her term of office as President/Chair of the Board, subject to the approval of the Board of Directors;
- B. select the Chair of all Committees to serve during ~~their~~ his or her term as President/Chair of the Board, subject to the approval of the Board of Directors; and
- C. select all members of Committees to serve during ~~their~~ his or her term of office as President/Chair of the Board, subject to the approval of the Board of Directors.

SECTION 4. Treasurer. The Treasurer shall:

- A. oversee the financial affairs of the Council and be the primary liaison of the Board of Directors with the person designated by the Chief Executive Officer as the chief financial officer of the Council;
- B. report to the Board of Directors and at the Annual Business Meeting on financial matters of the Council; and
- C. perform such duties and have such powers additional to the foregoing as the Board of Directors may designate.

SECTION 5. Secretary. The Secretary shall:

- A. record or cause to be recorded all votes, consents, and the proceedings of all meetings of the Council and of the Board of Directors; and
- B. perform such duties as the Board of Directors may designate.

Records of the Council meetings shall be open at all reasonable times to the inspection of any Member Board.

In the absence of the Secretary from any meeting of the Council or from any meeting of the Board of Directors, a temporary Secretary designated by the person presiding at the meeting shall perform the duties of the Secretary.

SECTION 6. Chief Executive Officer. The Chief Executive Officer shall be the senior appointed officer of the Council. Such person shall be appointed by and shall serve at the pleasure of the Board of Directors, and shall have such compensation and benefits as shall be established from time to time by the Board of Directors. The Chief Executive Officer shall have general charge of the management and administration of the Council's affairs, the implementation of policies established from time to time by the Board of Directors and such other duties and powers as the Board of Directors may from time to time determine, subject always to the ultimate authority of the Board of Directors under applicable law and these Bylaws.

ARTICLE IX—COUNCIL SERVICES TO MEMBERS OF THE ARCHITECTURAL PROFESSION

SECTION 1. Council Record. The Council shall, upon request of individual members of the architectural profession, secure, authenticate, and record factual data of an applicant's education, training, examination, practice, and character for purposes of establishing a Council Record. Upon request of the applicant, this Council Record will be forwarded to any Member Board or to any foreign Registration authority with whom the Council has an agreement for mutual reciprocity.

SECTION 2. Council Certification. Council Certification shall be given to an Architect holding a Council Record verifying that the Architect has complied with the Council standards of education, training, examination, Registration, and character. In addition to this verification, the Certification shall carry the recommendation of the Council that Registration be granted the Architect without further examination of credentials. For applicants registered as Architects in countries where formal agreements with the Council exist, the standards and procedures for Certification will be in accordance with such written agreements or as otherwise established by the Council. Architects certified by the Council shall have a Certificate incorporated in their Council Record.

SECTION 3. Annual Renewal. Council Certification shall be in effect for a period of one year. Renewal of the Council Certification shall be predicated upon the submission of an annual fee and an annual report containing such information as the Council deems appropriate. The Council Certification shall lapse if the annual fee and report are not received by the Council within such grace period as the Board of Directors may establish. A lapsed Council Certification may be reactivated by paying delinquent renewal fees, furnishing delinquent annual reports, and paying such fee for reinstatement as the Board of Directors may establish from time to time.

SECTION 4. Revocation of Certification. The Council shall revoke an Architect's Council Certification if:

- A. a Member Board has revoked (without limitation as to time) the Architect's Registration for a cause other than nonpayment of renewal fees or failure to file information with the Member Board; or
- B. facts are subsequently revealed which show that the Architect was actually ineligible for Council Certification at the time of Council Certification.

In addition, the Council may revoke an Architect's Council Certification if:

- C. a Member Board or a court makes a finding, not reversed on appeal, that the Architect has, in the conduct of ~~their~~ ~~his or her~~ architectural practice, violated the law or has engaged in conduct involving wanton disregard for the rights of others; or

- D. the Architect has surrendered or allowed ~~their Registration to~~ lapse ~~his or her Registration~~ with the Member Board in connection with disciplinary action pending or threatened; or
- E. a Member Board has denied the Architect registration for a cause other than the failure to comply with the educational, experience, age, citizenship, or other technical qualifications for registration in such jurisdiction; or
- F. the Architect has willfully misstated a material fact in a formal submission to the Council.

The Council may reinstate a Certification previously revoked, if the cause of the revocation has been removed, corrected, or otherwise remedied.

In order to assist the Council in carrying out its responsibilities under this Section, each Member Board shall (unless prohibited by applicable law) report to the Council the occurrence of any event that qualifies an Architect for revocation of ~~their~~ ~~his or her~~ Council Certification, as described herein.

[Article X Omitted. No proposed changes.]

ARTICLE XI—FINANCES, FUNDS, ACCOUNTING, INVESTMENTS, AND RECORDS OF THE COUNCIL

SECTION 1. Dues and Fees.

- A. Annual membership dues may be changed for any period, by resolution adopted at an Annual Business Meeting with implementation of any increase to take place not less than three years after such resolution is adopted.
- B. The fees to be charged for services to members of the architectural profession shall be established, from time to time, by an affirmative vote of not less than two-thirds of the Board of Directors present and voting.

SECTION 2. Operating Fund.

- A. All membership dues and all fees and other revenues received from any of the activities of the Council shall be placed in the operating fund of the Council. The operating fund shall be administered by the Council's chief financial officer.
- B. As soon as feasible following the Annual Business Meeting, the Board of Directors shall adopt a general budget which shall show the anticipated income and expenditures for the current year.
- C. No Director, Committee, or employee of the Council shall have the right, authority, or power to expend any money of the Council, to incur any liability for and in its behalf, or to make any commitment which will or may be deemed to bind the Council in any expense or financial liability, unless such expenditure, liability, or commitment has been properly incorporated into the budget, and the Board of Directors has made an appropriation to pay the same.
- D. The Fiscal Year of the Council shall be from July 1 of one year to June 30 of the next succeeding year.

SECTION 3. Securities and Investments. In accordance with the Board of Directors' policies and directions by the Board of Directors to the Chief Executive Officer, the Council's chief financial officer shall have charge of the investment of all funds of the Council not held in its operating fund. In accordance with such policies and such directions, such chief financial officer may sell, purchase, transfer, and convey securities and exercise all rights, by proxy or by participation, of the Council with respect to such securities, or may authorize such purchases, sales, transfers, conveyances, and the exercise of any or all of said rights.

SECTION 4. Liabilities of Officers, Directors, and Employees. No Director, officer, or employee of the Council shall be personally liable for any decrease of the capital, surplus, income, balance, or reserve of any fund or account resulting from ~~their~~ ~~his or her~~ acts performed in good faith and within the scope of ~~their~~ ~~his or her~~ authority.

SECTION 5. Disclosure of Records. Upon written request made with reasonable specificity, a Member Board shall have the right to receive from the Council with reasonable promptness copies of any Council record it may reasonably request, but excluding:

- A. information barred from disclosure by an applicable statute;
- B. trade secrets;
- C. information disclosed to the Council in reliance upon its continued non-disclosure;
- D. information that, if released, would give an inappropriate advantage to a competitor or bidder with respect to a request for proposals issued or about to be issued by the Council;
- E. personnel information, the disclosure of which would constitute an unwarranted invasion of personal privacy;
- F. attorney-client communications and attorney work-product materials;
- G. transcripts and personal information respecting Certificate applicants or holders without the permission of such applicant or holder;
- H. contents and results of examinations except to the extent disclosure is provided for in the contract between the Council and the Member Board together with data, methodologies, practices, plans, proposals, records of committee deliberations and other records relating to the content, administration, scoring or security of examinations; and
- I. information arising from investigatory cases.

Any of the excluded records that the Council has already distributed publicly shall, notwithstanding the preceding sentence, be available to any Member Board.

To the extent permitted by applicable law, Council records furnished to a Member Board shall not be distributed by the Member Board other than to members of such Member Board. The Council may charge the Member Board only reasonable costs to comply with the request. Such charges shall be itemized by the Council in an invoice to the Member Board.

[Article XII² omitted. No proposed changes as part of Resolution 2022-G.]

ARTICLE XIII—INDEMNIFICATION

In addition to such further indemnification as may be authorized by the Board of Directors from time to time consistent with applicable law, to the fullest extent permitted by law, including without limitation Section 504 of the Iowa Code known as the Revised Iowa Nonprofit Council Act (“RINCA”) and after the Council’s Board of Directors makes the determination that the standards of Section 504.852 of RINCA (or successor provisions) have been met for the specific proceeding at issue, any present or former Director or employee determined by Board of Directors to be an executive employee, or member of a Committee, or the estate or personal representative of any such person, made a party to any action, suit or other proceeding, civil or criminal, by reason of the fact that such person is or was serving the Council as such, or serving at the Council’s request in any other entity or with respect to the Council’s employee benefit plan, shall be indemnified by the Council against the reasonable expenses, including without limitation amounts paid by way of judgment, fine or penalty and reasonable defense costs including attorney’s fees incurred in connection with the defense of such proceeding whether or not such defense shall be successful in whole or in part, or in connection with any appeal therein, or any settlement of any such proceeding on terms approved by the Board of Directors. Such indemnification shall not be deemed exclusive of any other rights to which such persons may be entitled. Any other present or former employee or agent of the Council may also be indemnified with the approval of the Board of Directors. Expenses incurred of the character described above may, with the approval of the Board of Directors, be advanced to any person entitled to indemnity upon satisfaction of the requirements of Section 504.854 (or successor provisions) of RINCA. The Council shall have the power to purchase and maintain insurance on behalf of any person described above, or any other employee, volunteer or agent of the Council, against liability asserted against or incurred by such person on account of ~~their~~ ~~his or her~~ status as such, whether or not the Council would have the power to indemnify or advance expenses to such persons.

[Article XIV omitted. No proposed changes.]

² Resolution 2022-E proposes additional edits to Article XII, Section 8.

Appendix E:

Updated version of the Requirements for Certification in the
NCARB Certification Guidelines

The following document shows the proposed updated version of the Requirements for Certification in the *NCARB Certification Guidelines*.

Requirements for Certification

The following requirements for NCARB certification may only be changed by an absolute majority vote of the NCARB Member Boards. Changes are put forth for a membership vote via a written resolution and become effective on the date identified in the resolution.

Changes to the NCARB certification requirements apply both to applications for certification in process and new applications. Individuals whose applications are in process at the time of a change will be subject to new requirements for certification unless otherwise stated in the resolution.

Note: In addition to the requirements outlined in this section, NCARB makes changes to its key licensure programs—the *NCARB Education Standard*, the Architectural Experience Program (AXP), and the Architect Registration Examination (ARE)—through other processes. NCARB will provide notice to Member Boards, licensure candidates, and architects at least 60 days prior to the implementation date.

Section 1	Page XX
------------------	---------

Requirements for Certification of an Architect Licensed in a U.S. Jurisdiction

Section 2	Page XX
------------------	---------

Alternatives for Certification of an Architect Licensed in a U.S. Jurisdiction

Section 3	Page XX
------------------	---------

Requirements for Certification of an Architect Licensed in a Foreign Jurisdiction Through an Established Mutual Recognition Arrangement/Agreement With NCARB

Section 4	Page XX
------------------	---------

Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority

Section 5	Page XX
------------------	---------

Revocation and Reinstatement of an NCARB Certificate

ARE 5.0 Exam Equivalents	Page XX
---------------------------------	---------

Applicants for NCARB certification that completed a previous version of the ARE must have passed examination equivalents equal to those of the current ARE as defined in this section.

SECTION 1

Requirements for Certification of an Architect Licensed in a U.S. Jurisdiction

1.1 Good Character

You must be of good character as verified by employers and an NCARB Member Board where you are licensed.

1.2 Licensure Status Requirement

You must hold and maintain a current, active license to practice architecture issued by a U.S. jurisdictional licensing board. Your license must be in good standing at the time of application for certification and remain in good standing while you hold the NCARB Certificate.

1.3 Education Requirement

You must hold a degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian equivalent.

NCARB will consider your program accredited if one of the following conditions is met:

- The program held NAAB accreditation during the entire course of your studies.
- If the program lost NAAB accreditation during your studies, it must have lost accredited status no less than 24 months **before** your graduation date.
- If the program obtained NAAB accreditation after your studies, it must have become accredited no more than 24 months **after** your graduation date.
- You hold a degree in architecture from a Canadian university certified by the Canadian Architectural Certification Board (CACB).

1.4 Experience Requirement

You must have completed the Architectural Experience Program® (AXP®) or the equivalent at the time of initial licensure by meeting the requirements outlined in the *AXP Guidelines* and documenting that experience in your NCARB Record. This includes the previous completion of the AXP for initial licensure through either the hourly reporting method or the AXP Portfolio method. If you are documenting your experience retroactively to complete the AXP, be aware that the reporting requirement identified in the *AXP Guidelines* does not apply to architects already licensed in the United States or Canada.

- Verification of experience: If you were at the time of the activity already a licensed architect and not under the direct supervision of another, the verification must be by an architect who observed the activity and who was your professional partner, a person employed by the same employer, or familiar with your experience who is not your employee. Under no circumstances may you verify your own experience.

For additional information, please refer to the *AXP Guidelines*.

1.5 Examination Requirement

You must have passed the NCARB Architect Registration Examination® (ARE®) or the equivalent at the time of initial licensure, provided all examinations and the pass/fail standards applied were in accordance with NCARB standards current at the time you took the examination.

For additional information, please refer to the [ARE Guidelines](#).

SECTION 2

Alternative Requirements for Certification of an Architect Registered Licensed in a U.S. Jurisdiction

Note: You **may not** do both the Two Times AXP path of the education alternative and the experience alternative outlined in this section. You may do one or the other when seeking NCARB certification.

2.1 Good Character

You must be of good character as verified by employers and the U.S. jurisdiction where you are licensed.

2.2 Licensure Status Requirement

You must hold and maintain a current, active license to practice architecture issued by an U.S. jurisdictional licensing board. Your license must be in good standing at the time of application for certification and remain in good standing while you hold the NCARB Certificate.

2.3 Alternatives to the Education Requirement

If you do not hold a degree in architecture as identified in Section 1.3, NCARB will accept either of the following as satisfaction of the education requirement for certification:

2.3A – Education Alternative to NCARB Certification

- You must have held continuous licensure as an architect for the last three (3) consecutive years in any U.S. jurisdiction with no disciplinary action from any jurisdiction
- You must document additional experience via the Two Times AXP **or** submit a Certificate Portfolio, depending on your education background **as determined by NCARB.**

Two Times AXP

If you hold a four-year bachelor's degree that includes significant coursework in architecture (as determined by NCARB) awarded by a regionally accredited U.S. or equivalent Canadian institution, you must document two times (2x) the experience requirement of NCARB's Architectural Experience Program (AXP).

- Experience earned as part of your experience requirement for initial licensure may count toward the two times AXP requirement.
- You must document twice the required hours in each of the AXP's six experience areas, for a total of 7,480 hours.
- The experience must be verified either by a supervisor who meets the supervisory requirements of NCARB's AXP or by an architect familiar with your work. The architect must have been licensed at the time your work was completed.

- A bachelor's degree that includes significant coursework in architecture refers to any baccalaureate degree from an institution with U.S. or Canadian regional accreditation but without NAAB accreditation resulting from significant architecture coursework. NCARB will review coursework in architecture to determine if it is acceptable for this option. The amount of architecture coursework that is required may vary from institution to institution.

NCARB Certificate Portfolio

If your highest level of education is a high school diploma (or the equivalent), associate's degree, bachelor's or master's degree unrelated to architecture, or a degree earned outside the United States or Canada, you must submit a Certificate Portfolio.

- You must document work experience performed as a licensed architect by building an online portfolio with examples of your work.
- Portfolios must be reviewed and evaluated by a body of peers as established by NCARB.
- Your portfolio must satisfy all subject areas of the *NCARB Education Standard* unless you meet one of the following conditions:
 - If you have 64 or more semester credit hours of postsecondary education, you have the option to obtain an Education Evaluation Services for Architects (EESA) evaluation report to identify specific subject-area deficiencies. Your Certificate Portfolio only needs to address the subject-area deficiencies identified by the EESA.
 - If you hold a U.S. or Canadian bachelor's degree or higher, you do not need to address the *Education Standard's* Liberal Arts subject area in your Certificate Portfolio.

2.3B - Education Evaluation Services for Architects (EESA)-NCARB Evaluation Report

- You may obtain an EESA evaluation report stating that you have met the requirements of the *NCARB Education Standard*, which approximates the requirements of a NAAB-accredited degree program. The EESA evaluation compares your existing post-secondary education to the *NCARB Education Standard* and identifies any deficiencies in your education. You must then complete additional coursework to satisfy those deficiencies and receive a report indicating you have met the *Standard's* requirements.
- The *NCARB Education Standard* is defined in the [Education Guidelines](#).

2.4 Alternatives to the Experience Requirement

If you received your initial license from a U.S. licensing board prior to January 1, 2011, you may provide documentation demonstrating that you have been licensed in an U.S. jurisdiction for at least five consecutive years in lieu of completing the standard experience requirement outlined in section 1.5.

To pursue this alternative, you must:

- Certify that your experience as licensed architect met the intent of the AXP in each of the experience areas.
- Provide verification from at least one additional architect that you obtained such experience.

2.5 Alternatives to the Examination Requirement

If you fail to meet the examination requirement for certification identified in Section 1.5, you may still be certified in the following circumstances:

- A. If your registration was based in whole or in part on having passed previous examination equivalents, you are deemed to have passed the corresponding divisions of the ARE. See the Exam Equivalent Guide for a table of these qualifying equivalents.
- B. If your examination deficiency arose from causes other than having failed a division of an examination under applicable NCARB pass/fail standards, and the deficiency is, in NCARB's judgment, compensated for by your demonstration of competency in the deficient area.

SECTION 3

Requirements for Certification of an Architect Licensed in a Foreign Jurisdiction Through Established Mutual Recognition Arrangement/Agreement With NCARB

NCARB enters into mutual recognition arrangements/agreements (MRA) with countries based on a thorough review of their regulatory standards including the education, experience, and examination requirements for licensure. If you are licensed in a foreign jurisdiction that participates in an NCARB MRA, you may apply for NCARB certification in accordance with the terms and conditions of the MRA.

- Australia
- Canada
- Mexico
- New Zealand
- United Kingdom¹

Eligibility requirements and conditions for certification are established by each arrangement/agreement and may vary from MRA to MRA. The basic provisions include:

- Architecture licensure (or the equivalent) in good standing in a signatory jurisdiction in the home country that was not obtained through any other foreign reciprocal arrangements/agreements;
- Licensure in the home country that was not obtained through any other foreign reciprocal arrangements.

Nothing in this section of the *Certification Guidelines* or the individual MRAs precludes you from independently satisfying the education, experience, and examination requirements for licensure in any U.S. or foreign jurisdiction

After receiving an NCARB Certificate through an MRA, you can apply for licensure in a U.S. jurisdiction that participates in the MRA. The United States does not offer a national license to practice architecture; each U.S. state or territory is responsible for regulating the practice of architecture within its borders and may choose whether or not to recognize NCARB Certificates granted through an MRA. Please check directly with the U.S. or foreign jurisdiction for specific licensure requirements as each jurisdiction is responsible for regulating the practice of architecture within its borders, and the licensure process will differ depending on your chosen jurisdiction.

¹ Inclusion of the United Kingdom is dependent on the passage of Resolution 2022-A, and would not be included in the *NCARB Certification Guidelines* until the MRA's implementation date.

SECTION 4

Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority

A “Foreign Architect” is an individual who holds a current registration in good standing in a country other than the United States or Canada at the point of application, which allows the individual to use the title “architect” and to engage in the unlimited practice of architecture (defined as the ability to provide any architectural services on any type of building in any state, province, territory, or other political subdivision of their national jurisdiction) in that country. A “current registration” may include a license that is eligible for reinstatement upon re-establishment of residency, and/or payment of fees.

Detailed instructions for earning an NCARB Certificate through the Foreign Architect Path can be found on the NCARB website.

4.1 General

You may be granted an NCARB Certificate by meeting the requirements set forth in Section 1, under a mutual recognition agreement ratified by NCARB’s Member Boards (Section 3), or under the procedures set forth in this section. NCARB recommends registration be granted to the NCARB Certificate holder by any U.S. licensing board without further examination of credentials.

All documents submitted as part of the procedures set forth in this section must be provided in English. If a document is not in English, you must arrange to have an official translation submitted on letterhead directly from the issuing authority, a lawyer, translation service, notary, or embassy. You may not provide the translation on their behalf.

4.2 Credential Requirement

You must be credentialed in a foreign country in which the credentialing authority has a formal record-keeping mechanism for disciplinary actions in the practice of architecture. You may be required to describe the process by which you were credentialed or submit information describing the credentialing process from the credentialing authority that granted the credential. You are required to arrange for independent verification by the credentialing authority to be sent directly to NCARB showing that your credential has been granted and is currently in good standing.

You may also be required to describe the process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded, or to submit information provided by the disciplinary authority in this regard. You shall secure a written statement from your credentialing authority stating that you either have no record of a disciplinary action or if such record exists, describing such action and its current

status. This statement must be sent directly to NCARB from the credentialing authority or certified translator if applicable.

4.3 Education Requirement

You must hold a recognized education credential in an architecture program that leads to a license/credential for the unlimited practice of architecture in the foreign country. An official transcript of your educational record must be sent directly to NCARB from the school.

4.4 Experience Requirement

You must complete the NCARB Architectural Experience Program (AXP) by documenting your experience through hours.

The reporting requirement identified in the *AXP Guidelines* does not apply to foreign architects seeking NCARB certification through this option once their application has been reviewed and approved for this option.

4.5 Examination Requirement

You must pass the Architect Registration Examination® (ARE®).

SECTION 5

Revocation and Reinstatement of an NCARB Certificate

Revoking a Certificate

NCARB will revoke your Certificate if:

- A Member Board has revoked (without limitation as to time) your registration for a cause other than non-payment of renewal fees or failure to file information with the Member Board; or
- Facts are subsequently revealed that show you were actually ineligible for the Certificate at the time of certification.

NCARB may revoke your Certificate or impose a disciplinary sanction if:

- A Member Board or a court makes a finding, not reversed on appeal, that you have, in the conduct of your architectural practice, violated the law, or have engaged in conduct involving wanton disregard for the rights of others; or
- You are convicted of a felony or crime involving fraud or wanton disregard for the rights of others; or
- You have surrendered or allowed your registration to lapse in connection with pending or threatened disciplinary action; or
- A Member Board has denied you registration for a cause other than the failure to comply with the education, experience, age, residency, or other technical qualifications for registration in that jurisdiction; or
- NCARB receives evidence of incompetence, dishonesty, or unlawful conduct that is not adequately refuted related to the practice of architecture or involving fraud or wanton disregard of the rights of others; or
- NCARB finds that you have engaged in any behavior—including written, verbal, or physical—that may be considered inappropriate, abusive, disruptive, threatening, discriminatory, prejudicial, or harassing in nature while engaging with NCARB, any Member Board, and/or any vendor working on behalf of NCARB; or
- You have willfully misstated a material fact in a formal submission to NCARB; or
- NCARB's Professional Conduct Committee otherwise finds that you violated the *NCARB Professional Conduct Committee's Rules of Procedure*.

Other sanctions may include:

- Suspending your NCARB Certificate
- Issuing a public reprimand
- Requiring the completion of ethics education courses
- Issuing a warning letter

Reinstating a Certificate

NCARB may reinstate a previously revoked Certificate if the cause of the revocation has been removed, corrected, or otherwise remedied. A Certificate that has been suspended will be automatically reinstated after the period of suspension is over, unless otherwise stated at the time of suspension.

Appendix F:

Mapping of the Current Requirements
for Certification to the Proposed Updates

Certification Requirements

The following requirements for NCARB certification may only be changed by an absolute majority vote of the NCARB Member Boards. Such change becomes effective July 1 following the close of the Annual Business Meeting, or such later date identified in the change, and applies both to applications for certification in process and new applications. If applicants whose applications were in process met all certification requirements that existed prior to the change, they will be eligible for certification.

Applicants who fail to complete the NCARB certification process within five years will not be considered “in process” and will be required to satisfy current certification requirements.

Changes to the NCARB Education Standard and the AXP

A change in the [NCARB Education Standard](#) or the AXP becomes effective on the date of the change as described in a notice given to all Member Boards, at which time such change shall also be posted on NCARB’s website. The effective date shall be a minimum of 60 days after the date of such notice. Any change in the *NCARB Education Standard* and the AXP applies both to Records in process and new Records. An existing Record holder who has satisfied the *NCARB Education Standard* and/or the AXP prior to the effective date of the change shall be treated as having satisfied either or both.

This section is now “Requirements for Certification.” Language was updated to clarify the process for implementing changes to the certification requirements, as well as for programs including the *Education Standard*, AXP, and ARE.

The edited version recommends removing the five-year window for applicants “in process” to become certified under previous requirements:

- Leaves room in individual resolutions to provide a “grandfathering” timeframe
- Five years is often too long of a window

Section 1 Page 10

Requirements for Certification of an Architect Registered in a U.S. Jurisdiction

Sections 1-5 maintain their current structure & align to Sections 1-5 of the edited version.

Section 2 Page 11

Alternatives for Certification of an Architect Registered in a U.S. Jurisdiction

Note: “registration/registered” updated to “licensure/licensed” throughout to align with current standard usage.

Section 3 Page 13

Requirements for Certification of an Architect Registered in a Foreign Jurisdiction Through an Established Mutual Recognition Arrangement With NCARB

Section 4 Page 14

Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority

Section 5 Page 15

Revocation and Reinstatement of an NCARB Certificate

Appendix A Page 16

Architect Registration Examination

Appendix B Page 17

ARE 5.0 Exam Equivalents

The Policy Advisory recommends removing Appendix A. This content does not apply solely to applicants for certification and lives in the *ARE Guidelines*.

The Policy Advisory Committee recommends removing Appendix B from the *Certification Guidelines* and creating a separate “Exam Equivalents Guide” which could be updated independently when needed.

SECTION 1

Requirements for Certification of an Architect Registered in a U.S. Jurisdiction

1.1 Good Character

You must be of good character as verified by employers and an NCARB Member Board where you are registered.

1.2 Education Requirement

VIEW ALTERNATIVES

You must hold a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) not later than 24 months after your graduation, or a program that retained its accreditation without revocation to a time 24 months or less before your graduation, or hold a professional degree in architecture certified by the CACB from a Canadian university.

This is now section 1.3. Language around program accreditation status revised for clarity.

1.3 Experience Requirement

VIEW ALTERNATIVES

You must have completed the Architectural Experience Program® (AXP™). To begin participation in the AXP, an applicant shall have established an NCARB Record and met all requirements for eligibility listed in the [AXP Guidelines](#), which may be revised from time to time by NCARB.

This is now section 1.4. Language added to clarify that meeting experience program requirements that were current at the time of initial licensure is considered equivalent.

The *AXP Guidelines* describes the specific experience requirements including eligibility to begin participation in the AXP, experience settings, categories, areas, hour minimums and maximums, timely reporting and verification of experience¹, and the like.

For additional information, please refer to the *AXP Guidelines*.

The [Reporting Requirements](#) identified in the *AXP Guidelines* do not apply to architects registered in the United States or Canada or to architects credentialed by a foreign registration authority pursuing NCARB certification.

1.4 Examination Requirement

VIEW ALTERNATIVES

You must have passed the NCARB Architect Registration Examination® (ARE®) or the equivalent, as identified in Appendix B, provided all examinations and the pass/fail standards applied were in accordance with NCARB standards current at the time you took the examination.

This is now section 1.5. Language added to clarify that meeting examination requirements that were current at the time of initial licensure is considered equivalent.

For additional information, please refer to the [ARE Guidelines](#).

1.5 Registration Requirement

You must hold a current and valid registration to practice architecture issued by an NCARB Member Board.

This is now section 1.2

1.6 General

In evaluating qualifications, NCARB may, prior to certification, require you to substantiate the quality and character of your experience, even if you have met the technical requirements set forth above.

This section will be removed, as it was based on previous paper application processes that no longer apply.

¹ Verification of experience: If you were at the time of the activity already a registered architect and not under the direct supervision of another, the verification must be by a person who observed the activity and who was your partner or a person employed by the same employer. Under no circumstances may you verify your own experience.

SECTION 2

Requirements for Certification of an Architect Registered in a U.S. Jurisdiction

2.1 Good Character

You must be of good character as verified by employers and an NCARB Member Board where you are registered.

2.2 Alternatives to the Education Requirement

If you do not hold a professional degree in architecture as identified in Section 1.2, NCARB will accept either of the following:

- A. Continuous licensure as an architect for the last three (3) consecutive years in any U.S. jurisdiction with no disciplinary action from any jurisdiction; and Documentation of experience gained pre-licensure and/or post-licensure. The experience must be verified either by a supervisor as allowed by the NCARB Architectural Experience Program or by an architect familiar with the work of the applicant:
 1. Architects who hold a four-year bachelor's degree that includes significant coursework in architecture (as determined by NCARB) awarded by a U.S. regionally accredited institution or the Canadian equivalent must document two times (2x) the experience requirement of the NCARB Architectural Experience Program.

* Bachelor's Degree that includes significant coursework in architecture term refers to any baccalaureate degree from an institution with U.S. regional accreditation that is awarded after earning less than 150 semester credits or the quarter-hour equivalent resulting from significant architecture coursework, in an amount determined to be acceptable by NCARB. The amount of architecture coursework that is required may vary from institution to institution.

This is now section 2.3. Language has been clarified/added to:

- Emphasize that NCARB determines which path is appropriate based on a candidate's background
- Clarify requirements for the Two Times AXP path
- Clarify that applicants who choose to get an EESA must meet any deficiencies identified within the EESA report

In addition, clarification added to Section 2 introduction that applicants can only complete either the education or experience alternative, not both.

2. All other architects whose highest level of education may be high school, associate degree, unrelated bachelor or master degree, or non-U.S. or Canadian degree must:
 - Submit a Certificate Portfolio. Document experience as a licensed architect to satisfy all subject areas of the *NCARB Education Standard* through a portfolio for peer review.
 - i. Architects with 64 or more semester credit hours of postsecondary education have the option to obtain an Education Evaluation Services for Architects (EESA) to identify specific subject-area deficiencies to address through the Certificate Portfolio.
 - ii. The General Education subject area of the Certificate Portfolio is waived for those with a U.S. or Canadian bachelor degree or higher.
- B. Architects may obtain an Education Evaluation Services for Architects (EESA) NCARB evaluation report stating that he/she has met the *NCARB Education Standard*.

The NCARB Architectural Experience Program is described in the [AXP Guidelines](#). The *NCARB Education Standard* is described in the [Education Guidelines](#). These documents may be revised from time to time by NCARB.

2.3 Alternatives to the Experience Requirement

In lieu of completing the Experience Requirement identified in Section 1.3, NCARB will accept registration by an NCARB Member Board for at least five consecutive years together with a certification by the applicant that his or her experience as a registered architect met the intent of the AXP in each of the experience areas, and verification by one or more other architects that the applicant obtained such experience. This alternative shall not apply to applicants initially registered after January 1, 2011.

This is now Section 2.4.

2.4 Alternatives to the Examination Requirement

This is now Section 2.5.

If you fail to meet the examination requirement identified in Section 1.4, you may still be certified in the following circumstances:

- A. If your examination deficiency arose from causes other than having failed a division of an examination under applicable NCARB pass/fail standards, and the deficiency is, in NCARB’s judgment, compensated for by your demonstration of competency in the deficient area.
- B. If your registration was based in whole or in part on having passed previous examination equivalents, you are deemed to have passed the corresponding divisions of the ARE. See Appendix B for a table of these qualifying equivalents.

2.5 Registration Requirement

This is now Section 2.2.

You must hold a current and valid registration to practice architecture issued by an NCARB Member Board.

2.6 General

This will be removed. See note above on Section 1.6.

In evaluating qualifications, NCARB may, prior to certification, require you to substantiate the quality and character of your experience, even if you have met the technical requirements set forth above.

SECTION 3

Requirements for Certification of an Architect Registered in a Foreign Jurisdiction Through Established Mutual Recognition Arrangement With NCARB

This is found in Section 3 of the edited version. Some clarifying language was added, and basic requirements were updated to reflect the proposed MRA with the United Kingdom.

NCARB enters into Mutual Recognition Arrangements (MRA) with countries based on a thorough review of their regulatory standards including the education, experience, and examination requirements for licensure. U.S. jurisdictions that choose to become signatories to an MRA will recognize an NCARB Certificate issued in accordance with the terms and conditions of the MRA.

Eligibility requirements and conditions for certification are established by each Agreement/ Arrangement. The basic provisions include:

- citizenship or lawful permanent residence in a country that is party to the arrangement;
- licensure in good standing in a signatory jurisdiction in the home country;
- a specific period of post-licensure experience in the home country;
- licensure in the home country that was not obtained through any other foreign reciprocal arrangements.

Please refer to the [NCARB website](#) for the detailed requirements of each MRA.

Nothing in this section of the *Certification Guidelines* or the individual Mutual Recognition Arrangements precludes an applicant from independently satisfying the education, experience, and examination requirements for licensure in any U.S. or foreign jurisdiction.

SECTION 4

Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority

This is found in Section 4 of the edited version.

A "Foreign Architect" is an individual who holds a current registration in good standing in a country other than the United States or Canada at the time of application, which allows such individual to use the title "architect" and to engage in the unlimited practice of architecture (defined as the ability to provide any architectural services on any type of building in any state, province, territory, or other political subdivision of their national jurisdiction) in that country. A "current registration" may include a license that is eligible for reinstatement upon re-establishment of residency, and/or payment of fees.

4.1 General

A foreign architect may be granted an NCARB Certificate by meeting the requirements set forth in Section 1, under a mutual recognition agreement ratified by the Member Boards, or under the procedures set forth in this section. NCARB recommends registration be granted to the NCARB Certificate holder by any NCARB Member Board without further examination of credentials.

This is found in Section 4.1 of the edited version. Clarifying language added around translated documents.

4.2 Education Requirement

You must hold a recognized education credential in an architecture program that leads to a license/credential for the unlimited practice of architecture in the foreign country. You are required to describe such program or submit information describing the program from the accreditation/validation/recognition authority. You are required to have an official transcript of your educational record sent directly to NCARB from the school. Where there is doubt about the nature of the professional degree, an Educational Evaluation Services for Architects (EESA) evaluation may be required.

This is found in Section 4.3 of the edited version. Language regarding EESA evaluations was removed to address confusion among applicants.

4.3 Registration Requirement

You must be credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice

This is found in Section 4.2 of the edited version.

of architecture. You are required to describe the process by which you were credentialed or submit information describing the credentialing process from the credentialing authority that granted the credential, and to arrange for independent verification by the credentialing authority directly to NCARB showing that your credential has been granted and is currently in good standing. You are also required to describe the process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded, or to submit information provided by the disciplinary authority in this regard. You shall secure a written statement from your credentialing authority stating that you either have no record of a disciplinary action or if such record exists, describing such action and its current status. This statement must be sent directly to NCARB from the credentialing authority.

4.4 Experience Requirement

You must document completion of the NCARB Architectural Experience Program® (AXP™).

This is found in Section 4.4 of the edited version.

4.5 Examination Requirement

You must pass the Architect Registration Examination® (ARE®).

This is found in Section 4.5 of the edited version.

SECTION 5

Revocation and Reinstatement of an NCARB Certificate

Section 5 has been updated to align with the *NCARB Bylaws* and *Professional Conduct Committee's Rules of Procedure*.

Revoking a Certificate

NCARB will revoke your Certificate if:

- A Member Board has revoked (without limitation as to time) your registration for a cause other than non-payment of renewal fees or failure to file information with the Member Board; or
- Facts are subsequently revealed that show you were actually ineligible for the Certificate at the time of certification.

NCARB may revoke your Certificate if:

- A Member Board or a court makes a finding, not reversed on appeal, that you have, in the conduct of your architectural practice, violated the law, or have engaged in conduct involving wanton disregard for the rights of others; or
- You have surrendered or allowed your registration to lapse in connection with pending or threatened disciplinary action; or
- A Member Board has denied you registration for a cause other than the failure to comply with the education, experience, age, residency, or other technical qualifications for registration in that jurisdiction; or
- You have willfully misstated a material fact in a formal submission to NCARB.

Reinstating a Certificate

NCARB may reinstate a previously revoked Certificate if the cause of the revocation has been removed, corrected, or otherwise remedied.

APPENDIX A

Architect Registration Examination

Description

The content of the Architect Registration Examination (ARE) is based on the knowledge and skills required of a newly registered architect, practicing independently, to provide architectural services. The ARE evaluates an applicant's competence in the provision of architectural services to protect the public health, safety, and welfare.

To begin taking the ARE, an applicant shall have fulfilled all requirements for eligibility established by his or her jurisdiction and shall have established an NCARB Record. To complete the ARE, an applicant must achieve a passing grade on each division.

Five-Year Rolling Clock

For all initial candidates for licensure, a passing grade for any division of the ARE shall be valid for an initial period of five years, plus any extension granted under the rolling clock extension policy, after which time the division will expire unless the candidate has completed the ARE.

Applicants for NCARB certification that completed the ARE or were licensed:

- A. Prior to January 1, 2006, will not have any divisions governed by the five-year rolling clock.
- B. Prior to July 1, 2014, will have only divisions passed after January 1, 2006, governed by the five-year rolling clock.
- C. On July 1, 2014 or later, will have all divisions governed by the five-year rolling clock.

Any applicant for NCARB certification that is determined to be deficient in a division of the ARE will have to test and pass that division, or the then current exam equivalents, to earn NCARB

Appendix A will be incorporated into the *ARE 5.0 Guidelines*, as these policies are relative to all exam candidates, not just Certificate applicants.

certification. Those deficient examinations, standing alone, shall be subject to the five-year rolling clock.

Rolling Clock Extension

NCARB may allow a reasonable extension to a division expiration period in circumstances where completion of the ARE is prevented by the birth or adoption of a child, by a serious medical condition, by active duty in military service, or by other like causes. An applicant may request such an extension by submitting a timely written application and supporting documentation as prescribed by NCARB. Upon proper application NCARB will allow parents of newborn infants or newly adopted children a six-month extension to the end of such division expiration period if the birth or adoption of their child occurs within such rolling clock period.

APPENDIX B

ARE 5.0 Exam Equivalents

ARE 5.0 Exam Equivalents

Applicants for NCARB certification that completed a previous version of the ARE must have passed examination equivalents equal to those of the current ARE as defined below. Applicants that do not achieve all examination equivalents shall be required to pass the unachieved division(s) identified to meet the examination requirement for the NCARB Certificate.

Practice Management (ARE 5.0) AND Project Management (ARE 5.0) are satisfied by successfully completing one examination in each of the following FOUR groups:

GROUP 1:

- | | |
|----------------------------------------------------------------------------------|-------------|
| 1. Construction Documents & Services (ARE 4.0) | (2008-2018) |
| 2. Construction Documents & Services – ARE 3.1 and prior computer-based versions | (1997-2009) |
| 3. Division I of the ARE | (1983-1996) |
| 4. Professional Examination–Section B, Part IV | (1978-1982) |

Appendix B will be removed from the document and made an independent guide to be updated as necessary.

- 5. Professional Examination Part IV (1973-1977)
- 6. Examination Syllabus H (1954-1975)
- 7. Section 6 of the CALE (1987-1989)

GROUP 2:

- 1. Construction Documents & Services (ARE 4.0) (2008-2018)
- 2. Building Technology (1997-2009)
- 3. Division C of the ARE (1983-1996)
- 4. Professional Examination–Section A (1979-1982)
- 5. Qualifying Test E and F (1977-1978)
- 6. Equivalency Examination III (1973-1976)
- 7. Examination Syllabus E (1954-1975)
- 8. Section 9 of the CALE (1987-1989)

GROUP 3:

- 1. Programming, Planning & Practice (ARE 4.0) (2008-2018)
- 2. Pre-Design (1997-2009)
- 3. Division A of the ARE (1983-1996)
- 4. Professional Examination–Section B, Parts I and II (1979-1982)
- 5. Professional Examination Parts I and II (1973-1978)
- 6. Examination Syllabus C (1954-1975)
- 7. Section 7 of the CALE (1987-1989)

GROUP 4:

-
- | | |
|---------------------------------------------------------|--------|
| 1. Programming, Planning & Practice (ARE 4.0)
2018) | (2008- |
| 2. Site Planning
2009) | (1997- |
| 3. Division B (Written and Graphic) of the ARE
1996) | (1988- |
| 4. Division B of the ARE
1987) | (1983- |
| 5. Professional Examination—Section A
1982) | (1979- |
| 6. Qualifying Test E and F
1978) | (1977- |
| 7. Equivalency Examination III
1976) | (1973- |
| 8. Examination Syllabus D
1975) | (1954- |
| 9. Section 8 of the CALE
1989) | (1987- |

Project Planning & Design (ARE 5.0) is satisfied by successfully completing one examination in each of the following SEVEN groups:

GROUP 1:

- | | |
|------------------------------------------------|--------------------------|
| 1. Site Planning & Design (ARE 4.0) | (2008-2018) |
| 2. Site Planning | (1997-2009) ¹ |
| 3. Division B (Written and Graphic) of the ARE | (1988-1996) |
| 4. Division B of the ARE | (1983-1987) |
| 5. Professional Examination–Section A | (1979-1982) |
| 6. Qualifying Test E and F | (1977-1978) |
| 7. Equivalency Examination III | (1973-1976) |
| 8. Examination Syllabus D | (1954-1975) |
| 9. Section 8 of the CALE | (1987-1989) |

GROUP 2:

- | | |
|-----------------------------------------------------|-------------|
| 1. Building Design & Construction Systems (ARE 4.0) | (2008-2018) |
| 2. Building Design/Materials & Methods | (1997-2009) |
| 3. Division H of the ARE | (1983-1996) |

- 4. Professional Examination—Section B, Part III (1978-1982)
- 5. Qualifying Test C (1978-1982)
- 6. Professional Examination Part III (1973-1977)
- 7. Equivalency Examination II (1974-1976)
- 8. Examination Syllabus F (1954-1975)
- 9. Section 5 of the CALE (1987-1989)

GROUP 3:

- 1. Building Design & Construction Systems (ARE 4.0) (2008-2018)
- 2. Building Technology (1997-2009)²
- 3. Division C of the ARE (1983-1996)
- 4. Professional Examination—Section A (1979-1982)
- 5. Qualifying Test E and F (1977-1978)
- 7. Equivalency Examination III (1973-1976)
- 8. Examination Syllabus E (1954-1975)
- 9. Section 9 of the CALE (1987-1989)

GROUP 4:

- 1. Structural Systems (ARE 4.0) (2008-2018)
- 2. General Structures (1997-2009)
- 3. Division D/F of the ARE (1988-1996)
- 4. Divisions D and F of the ARE (1983-1987)
- 5. Professional Examination—Section B, Part III (1979-1982)

- 6. Qualifying Test B (1977-1982)
- 7. Professional Examination Part III (1973-1978)
- 8. Equivalency Examination II (1973-1976)
- 9. Examination Syllabus G (1954-1975)

GROUP 5:

- 1. Structural Systems (ARE 4.0) (2008-2018)
- 2. Lateral Forces (1997-2009)
- 3. Division E of the ARE (1983-1996)
- 4. Professional Examination–Section B, Part III (1978-1982)
- 5. Qualifying Test B (1977-1982)
- 6. Professional Examination Part III (1973-1978)
- 7. Equivalency Examination II (1973-1976)
- 8. Examination Syllabus G (1965-1975)
- 9. Section 2 of the CALE (1987-1989)

GROUP 6:

- 1. Building Systems (ARE 4.0) (2008-2018)
- 2. Mechanical & Electrical Systems (1997-2009)
- 3. Division G of the ARE (1983-1996)
- 4. Professional Examination–Section B, Part III (1978-1982)
- 5. Qualifying Test D (1977-1982)
- 6. Professional Examination Part III (1973-1978)

- | | |
|----------------------------------------|--------|
| 7. Equivalency Examination II
1976) | (1973- |
| 8. Examination Syllabus I
1975) | (1954- |
| 9. Section 4 of the CALE
1989) | (1987- |

GROUP 7:

- | | |
|------------------------------------------------|--------|
| 1. Schematic Design (ARE 4.0)
2018) | (2008- |
| 2. Building Planning
2009) ² | (1997- |
| 3. Division C of the ARE
1996) | (1983- |
| 4. Professional Examination–Section A
1982) | (1979- |
| 5. Qualifying Test E and F
1978) | (1977- |
| 6. Equivalency Examination III
1976) | (1973- |
| 7. Examination Syllabus E
1975) | (1954- |
| 8. Section 9 of the CALE
1989) | (1987- |

Project Development & Documentation (ARE 5.0) is satisfied by successfully completing one examination in each of the following SIX groups:

GROUP 1:

- | | |
|----------------------------------------------------------|--------|
| 1. Construction Documents & Services (ARE 4.0)
2018) | (2008- |
| 2. Construction Documents & Services – ARE 3.1 and prior | |

computer-based versions 2009)	(1997-
3. Division I of the ARE 1996)	(1983-
4. Professional Examination—Section B, Part IV 1982)	(1978-
5. Professional Examination Part IV 1977)	(1973-
6. Examination Syllabus H 1975)	(1954-
7. Section 6 of the CALE 1989)	(1987-

GROUP 2:

1. Construction Documents & Services (ARE 4.0) 2018)	(2008-
2. Building Technology 2009)	(1997-
3. Division C of the ARE 1996)	(1983-
4. Professional Examination—Section A 1982)	(1979-
5. Qualifying Test E and F 1978)	(1977-
6. Equivalency Examination III 1976)	(1973-
7. Examination Syllabus E 1975)	(1954-
8. Section 9 of the CALE 1989)	(1987-

GROUP 3:

1. Building Design & Construction Systems (ARE 4.0) 2018)	(2008-
2. Building Design/Materials & Methods 2009)	(1997-
3. Division H of the ARE 1996)	(1983-
4. Professional Examination—Section B, Part III 1982)	(1978-
5. Qualifying Test C 1982)	(1978-

- 6. Professional Examination Part III (1973-1977)
- 7. Equivalency Examination II (1974-1976)
- 8. Examination Syllabus F (1954-1975)
- 9. Section 5 of the CALE (1987-1989)

GROUP 4:

- 1. Structural Systems (ARE 4.0) (2008-2018)
- 2. General Structures (1997-2009)
- 3. Division D/F of the ARE (1988-1996)
- 4. Divisions D and F of the ARE (1983-1987)
- 5. Professional Examination–Section B, Part III (1979-1982)
- 6. Qualifying Test B (1977-1982)
- 7. Professional Examination Part III (1973-1978)
- 8. Equivalency Examination II (1973-1976)
- 9. Examination Syllabus G (1954-1975)
- 10. Section 1 of the CALE (1989)
- 11. Sections 1 and 3 of the CALE (1987-1988)

GROUP 5:

- 1. Structural Systems (ARE 4.0) (2008-2018)
- 2. Lateral Forces (1997-2009)
- 3. Division E of the ARE (1983-1996)
- 4. Professional Examination–Section B, Part III (1978-1982)
- 5. Qualifying Test B (1977-1982)

- | | |
|-----------------------------------------------|--------|
| 6. Professional Examination Part III
1978) | (1973- |
| 7. Equivalency Examination II
1976) | (1973- |
| 8. Examination Syllabus G
1975) | (1965- |
| 9. Section 2 of the CALE
1989) | (1987- |

GROUP 6:

- | | |
|----------------------------------------------------------|--------|
| 1. Building Systems (ARE 4.0)
2018) | (2008- |
| 2. Mechanical & Electrical Systems
2009) | (1997- |
| 3. Division G of the ARE
1996) | (1983- |
| 4. Professional Examination–Section B, Part III
1982) | (1978- |
| 5. Qualifying Test D
1982) | (1977- |
| 6. Professional Examination Part II
1978) | (1973- |
| 7. Equivalency Examination II
1976) | (1973- |
| 8. Examination Syllabus I
1975) | (1954- |
| 9. Section 4 of the CALE
1989) | (1987- |

Construction & Evaluation (ARE 5.0) is satisfied by successfully completing one examination in each of the following TWO groups:

GROUP 1:

1. Construction Documents & Services (ARE 4.0) (2008-2018)
2. Construction Documents & Services – ARE 3.1 and prior computer-based versions (1997-2009)
3. Division I of the ARE (1983-1996)
4. Professional Examination–Section B, Part IV (1978-1982)
5. Professional Examination Part IV (1973-1977)
6. Examination Syllabus H (1954-1975)
7. Section 6 of the CALE (1987-1989)

GROUP 2:

1. Construction Documents & Services (ARE 4.0) (2008-2018)
2. Building Technology (1997-2009)
3. Division C of the ARE (1983-1996)
4. Professional Examination–Section A (1979-1982)
5. Qualifying Test E and F (1977-1978)
6. Equivalency Examination III (1973-1976)
7. Examination Syllabus E (1954-1975)

8. Section 9 of the CALE (1987-1989)

Programming & Analysis (ARE 5.0) is satisfied by successfully completing one examination in each of the following TWO groups:

GROUP 1:

1. Programming, Planning & Practice (ARE 4.0) (2008-2018)
2. Pre-Design (1997-2009)
3. Division A of the ARE (1983-1996)
4. Professional Examination—Section B, Parts I and II (1979-1982)
5. Professional Examination Parts I and II (1973-1978)
6. Examination Syllabus C (1954-1975)

7. Section 7 of the CALE (1987-1989)

GROUP 2:

1. Site Planning & Design (ARE 4.0) (2008-2018)

2. Site Planning (1997-2009)¹

3. Division B (Written and Graphic) of the ARE (1988-1996)

4. Division B of the ARE (1983-1987)

5. Professional Examination—Section A (1979-1982)

6. Qualifying Test E and F (1977-1978)

7. Equivalency Examination III (1973-1976)

8. Examination Syllabus D (1954-1975)

9. Section 8 of the CALE (1987-1989)

¹ If you hold a professional degree from a NAAB-accredited program, and you passed the four-part Professional Examination between December 1973 and December 1978, and you were registered on or before March 1, 1979, you need not have passed examinations in Site Planning.

² If you hold a professional degree from a NAAB-accredited program, and you passed the four-part Professional Examination between December 1973 and December 1978, and you were registered on or before March 1, 1979, you need not have passed examinations in Building Planning and Building Technology.

AGENDA ITEM I: DISCUSS AND POSSIBLE ACTION ON PROPOSED AMENDMENT OF CCR, TITLE 16, DIVISION 2, ARTICLE 7, SECTION 144 FEES

Summary

At the December 10, 2021 Board meeting, the Budget Office (BO) presented a [budget update covering 2020-24](#). The BO presented that from 2020-21 to 2023-24, CAB's fund condition would decrease, and it would go from having an 11-month reserve to -0.6. The Board discussed the budget and options including a fee increase.

[Business and Professions Code \(BPC\) section 5604](#), subdivision (f) establishes that the renewal fee may not exceed four hundred dollars (\$400). Currently the renewal fee is three hundred dollars (\$300).

BPC section 5604, subdivision (c) establishes the fee for an original license at an amount equal to the renewal fee in effect at the time the license is issued, except that, if the license is issued less than one year before the date on which it will expire, then the fee shall be fixed at an amount equal to 50 percent of the renewal fee in effect at the time the license is issued. The board may, by appropriate regulation, provide for the waiver or refund of the fee for an original license if the license is issued less than 45 days before the date on which it will expire. Currently the original license fee is three hundred dollars (\$300).

[California Code of Regulations \(CCR\), title 16, division 2, article 7, section 144](#) provides a list of the fixed fees associated with application, examination, and licensure with the Board. Staff recommends the Board authorize a regulatory proposal to amend CCR section 144 to increase the fee for biennial license renewal to four hundred dollars (\$400) and the fee for an original license to four hundred dollars (\$400).

Action Requested

The Board is asked to approve the proposed amended 16 CCR 144 text.

Attachment(s)

1. Proposed Amended 16 CCR 144 regulatory text
2. Fund Condition presented at the December 10, 2021 Board meeting
3. Fund Condition Status Quo
4. Fund Condition with Proposed Fee Increase
5. Workload Costs for Original License
6. Workload Costs for Renewal License

CALIFORNIA ARCHITECTS BOARD
PROPOSED REGULATORY LANGUAGE

Article 7. Fees

Changes to the original language are shown in single underline for new text and single for deleted text.

Amend Section 144 of Article 7 of Division 2 of Title 16 of the California Code of Regulations 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 (\$400). 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 (\$400).

(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 \$40.

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

0706 - California Architects Board**(Dollars in Thousands)****2021-22 Budget Act with FY 2020-21 Actual Expenditure and Revenue**

	PY	CY	BY	BY+1
	2020-21	2021-22	2022-23	2023-24
BEGINNING BALANCE	\$5,783	\$4,508	\$3,468	\$1,409
Prior Year Adjustment	-\$77	\$0	\$0	\$0
Adjusted Beginning Balance	\$5,706	\$4,508	\$3,468	\$1,409
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues				
4121200 - Delinquent fees	\$25	\$45	\$25	\$45
4127400 - Renewal fees	\$2,611	\$3,338	\$2,729	\$3,338
4129200 - Other regulatory fees	\$40	\$64	\$73	\$64
4129400 - Other regulatory licenses and permits	\$312	\$336	\$432	\$336
4163000 - Income from surplus money investments	\$25	\$88	\$88	\$88
4171400 - Escheat of unclaimed checks and warrants	\$3	\$0	\$0	\$0
4173500 - Settlements and judgements	\$3	\$0	\$0	\$0
Totals, Revenues	\$3,019	\$3,871	\$3,347	\$3,871
General Fund Transfers and Other Adjustments				
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$3,019	\$3,871	\$3,347	\$3,871
TOTAL RESOURCES	\$8,725	\$8,379	\$6,815	\$5,280

	PY 2020-21	CY 2021-22	BY 2022-23	BY+1 2023-24
EXPENDITURES AND EXPENDITURE ADJUSTMENTS				
Expenditures:				
1111 Program Expenditures (State Operations)	\$3,910	\$4,570	\$5,065	\$5,216
9892 Supplemental Pension Payments (State Operations)	\$95	\$95	\$95	\$95
9900 Statewide Pro Rata	\$212	\$246	\$246	\$246
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$4,217	\$4,911	\$5,406	\$5,557
FUND BALANCE				
Reserve for economic uncertainties	\$4,508	\$3,468	\$1,409	-\$277
Months in Reserve	11.0	7.7	3.0	-0.6

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.

Expenditure growth projected at 3% beginning BY +1.

CY revenue and expenditures are projections based on FM 3 Data.

Prepared 1/28/22

0706 - California Architects Board (dollars in thousands)
2022-23 Governor's Budget w/ CY Projections (status quo)

	PY	CY	BY	BY+1	BY+2	BY+3	BY+1
	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27
BEGINNING BALANCE	\$5,783	\$4,509	\$3,803	\$2,420	\$1,427	\$302	-\$960
Prior Year Adjustment	-\$77	\$0	\$0	\$0	\$0	\$0	\$0
Adjusted Beginning Balance	\$5,706	\$4,509	\$3,803	\$2,420	\$1,427	\$302	-\$960
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS							
Revenues							
4121200 - Delinquent fees	\$26	\$59	\$25	\$45	\$45	\$45	\$45
4127400 - Renewal fees	\$2,611	\$3,707	\$2,729	\$3,338	\$3,338	\$3,338	\$3,338
4129200 - Other regulatory fees	\$40	\$52	\$73	\$64	\$64	\$64	\$64
4129400 - Other regulatory licenses and permits	\$312	\$334	\$432	\$336	\$336	\$336	\$336
4163000 - Income from surplus money investments	\$25	\$14	\$14	\$9	\$9	\$9	\$9
4171400 - Escheat of unclaimed checks and warrants	\$3	\$0	\$0	\$0	\$0	\$0	\$0
4173500 - Settlements and judgements	\$3	\$0	\$0	\$0	\$0	\$0	\$0
Totals, Revenues	\$3,020	\$4,166	\$3,273	\$3,792	\$3,792	\$3,792	\$3,792
General Fund Transfers and Other Adjustments							
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$3,020	\$4,166	\$3,273	\$3,792	\$3,792	\$3,792	\$3,792
TOTAL RESOURCES	\$8,726	\$8,675	\$7,076	\$6,212	\$5,219	\$4,094	\$2,832
EXPENDITURES AND EXPENDITURE ADJUSTMENTS							
Expenditures:							
1111 Program Expenditures (State Operations)	\$3,910	\$4,531	\$4,294	\$4,423	\$4,556	\$4,692	\$4,833
9892 Supplemental Pension Payments (State Operations)	\$95	\$95	\$95	\$95	\$95	\$95	\$95
9900 Statewide Pro Rata	\$212	\$246	\$267	\$267	\$267	\$267	\$267
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$4,217	\$4,872	\$4,656	\$4,785	\$4,918	\$5,054	\$5,195
FUND BALANCE							
Reserve for economic uncertainties	\$4,509	\$3,803	\$2,420	\$1,427	\$302	-\$960	-\$2,363
Months in Reserve	11.1	9.8	6.1	3.6	0.7	-2.3	-5.5

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
CY revenue and expenditures are projections.

0706 - California Architects Board (dollars in thousands)
2022-23 Governor's Budget w/ CY Projections (fee increase eff 1/1/23)

Prepared 1/28/22

	PY 2020-21	CY 2021-22	BY 2022-23	BY+1 2023-24	BY+2 2024-25	BY+3 2025-26	BY+1 2026-27
BEGINNING BALANCE	\$5,783	\$4,509	\$3,803	\$2,420	\$1,961	\$1,718	\$1,537
Prior Year Adjustment	-\$77	-	-	-	-	-	-
Adjusted Beginning Balance	\$5,706	\$4,509	\$3,803	\$2,420	\$1,961	\$1,718	\$1,537
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS							
Revenues							
4121200 - Delinquent fees	\$26	\$59	\$25	\$45	\$45	\$45	\$45
4127400 - Renewal fees	\$2,611	\$3,707	\$2,729	\$3,338	\$3,338	\$3,338	\$3,338
4127400 - Renewal fees increase (effective 1/1/23)	-	-	-	\$553	\$900	\$1,105	\$900
4129200 - Other regulatory fees	\$40	\$52	\$73	\$64	\$64	\$64	\$64
4129400 - Other regulatory licenses and permits	\$312	\$334	\$432	\$336	\$336	\$336	\$336
4129400 - Other regulatory licenses and permits (effective 1/1/23)	-	-	-	\$15	\$35	\$29	\$35
4163000 - Income from surplus money investments	\$25	\$14	\$14	\$9	\$9	\$9	\$9
4171400 - Escheat of unclaimed checks and warrants	\$3	\$0	\$0	\$0	\$0	\$0	\$0
4173500 - Settlements and judgements	\$3	\$0	\$0	\$0	\$0	\$0	\$0
Totals, Revenues	\$3,020	\$4,166	\$3,273	\$4,359	\$4,727	\$4,926	\$4,727
General Fund Transfers and Other Adjustments							
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$3,020	\$4,166	\$3,273	\$4,359	\$4,727	\$4,926	\$4,727
TOTAL RESOURCES	\$8,726	\$8,675	\$7,076	\$6,779	\$6,688	\$6,644	\$6,264
EXPENDITURES AND EXPENDITURE ADJUSTMENTS							
Expenditures:							
1111 Program Expenditures (State Operations)	\$3,910	\$4,531	\$4,294	\$4,423	\$4,556	\$4,692	\$4,833
9892 Supplemental Pension Payments (State Operations)	\$95	\$95	\$95	\$95	\$95	\$95	\$95
9900 Statewide Pro Rata	\$212	\$246	\$267	\$300	\$320	\$320	\$320
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$4,217	\$4,872	\$4,656	\$4,818	\$4,971	\$5,107	\$5,248
FUND BALANCE							
Reserve for economic uncertainties	\$4,509	\$3,803	\$2,420	\$1,961	\$1,718	\$1,537	\$1,016
Months in Reserve	11.1	9.8	6.0	4.9	4.1	3.6	2.3

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
CY revenue and expenditures are projections.

California Architects Board
Original License - Business and Professions Code 5604
(Workload Costs)

Workload Tasks	Per Application	Minutes Per Application	OT	SSA
Application received, processed & distributed	1	30	30	-
Cashiering - Input into IT systems & prepare trial balance	1	30	30	-
Initial review of application - identify eligibility & deficiencies	1	45	30	15
Respond to inquiries, monitor applications & other admin duties	0.5	40	30	10
Contact candidate - request documentation	1	45	30	15
Receive, process & analyze documentation	1	60	45	15
Data entry for required (7) examinations	1	180	150	30
All-Pass processing & transfer to CSE*	1	60	30	30
CSE* completion & data entry	1	15	-	15
Final verification for licensure, fingerprint verification, file organization	1	15	-	15
Prepare & issue license	1	30	30	-
Minutes per Classification			405	145
Hours by Classification			6.75	2.42
Costs by Classification			\$466	\$198
Total Costs:			\$664	

*CSE - California Supplemental Examination

OT - Office Technician @ \$69 per hour

SSA - Staff Services Analyst \$82 per hour

California Architects Board				
License Renewal - Business and Professions Code 5604				
(Workload Costs)				
Workload Tasks	Per Application	Minutes Per Application	OT	SSA
Application received, processed & distributed	1	30	30	-
Cashiering - Input into IT systems & prepare trial balance	1	30	30	-
Initial review of application & identify deficiencies	1	30	-	30
Deficiency letters sent, if applicable	0.5	30	15	-
Continuing Education (CE) review & audit	1	90	-	90
Communication - email, phone, etc.	1	60	30	30
Mailing receipts upon request	1	15	15	-
Prepare & issue license	1	30	30	-
Minutes per Classification			150	150
Hours by Classification			2.50	2.50
Costs by Classification			\$173	\$205
*Total Costs:			\$438	

*Includes enforcement-related cost allocation (\$60)

OT - Office Technician @ \$69 per hour

SSA - Staff Services Analyst \$82 per hour



MEMORANDUM

DATE	February 17, 2022
TO	California Architects Board
FROM	Kimberly McDaniel, Regulations Manager Karen Halbo, Regulations Counsel, Attorney III
SUBJECT	Agenda Item J: Article 10, Division 2, Title 16 of the CCR Regarding Disability Access Continuing Education

Background

The California Architects Board (CAB) Disability Access Continuing Education (CE) regulatory proposal was originally approved by the Board at its June 5, 2020 meeting. It was then brought back to the Board in September 2021 where the Board approved the non-substantive text modification to specify the precise amount of CE required for renewal.

Upon expedited approval by Agency, the package was submitted to the Office of Administrative Law (OAL) on November 2, 2021, and [published](#) on November 12, 2021. The 45-day public comment period closed on December 27, 2021, and the Board received four comments raising concerns (**Attachment 1**). In response to those concerns, staff recommends the Board vote to modify the text and adopt the text with the modifications indicated in **Attachment 2**. The modifications to the text adopt changes recommended in two of the public comments and makes grammatical and numbering revisions to subdivisions (d), (e), and (e)(2). Staff will then send out a Notice of Modification of Text and the Modified Text for a 15-day public comment period. The Board is also asked to adopt the responses to the comments set out below to be included in the Final Statement of Reasons (FSR) in the final rulemaking package.

Summary of Concerns with the Proposal and Proposed Responses

In accordance with Government Code section [11346.9](#), subdivision (a)(3), the Board, in its final statement of reasons supporting the rulemaking, must summarize each objection or recommendation made regarding the specific adoption, amendment, or repeal proposed, together with an explanation of how the proposed action has been changed to accommodate each objection or recommendation, or the reasons for making no change.

The Board received comments from a Glenn Gall, Pete Retondo, Susan Moe, and Janis Kent. expressing concerns with the proposal. The Board is asked to review the

concerns raised in the comments and the proposed responses below for inclusion in the Board's FSR for this rulemaking.

Concerns: Summarized below are the concerns raised in the public comments received by the Board during, and after, the 45-day public comment period.

Comment #1: Glenn Gall

Mr. Gall recommends the Board revise 16 CCR section 165(a)(2)(C) to strike the word "Standards" from the phrase "California Building Standards Code."

Proposed Response: Mr. Gall's comment correctly points out that as written, 16 CCR section 165(a)(2)(C) inaccurately cites to the "CA Building Standards Code" - a reference to all of Title 24, instead of just citing to the "California Building Code" which is Part 2 of Title 24 and the part the Board should be citing in this regulatory language. Staff recommends revising the text to remove the word "Standards" from that citation.

Comment #2: Pete Retondo

Mr. Retondo recommends the Board limit the new CE requirement to two 5-hour courses if an architect is able to pass a written exam after those two sessions. Mr. Retondo opines that requiring additional Disability Access CE courses beyond two 5-hour courses is a waste of time for an architect who is able to pass a written exam after those two sessions and an unreasonable burden that endows upon this particular aspect of code compliance an unwarranted priority above all others. Mr. Retondo also asserts that the ADA was passed in 1990, 31 years ago, and that the Board should not treat it as groundbreaking news.

Proposed Response: In 2010, Business and Professions Code (BPC) section 5600.05 was adopted and it requires, as a condition of license renewal, that architects take 5 hours of coursework related to federal and state laws and regulations on disability access. With the passage of SB 608 (Glazer, Chapter 376, Statutes of 2019) amending BPC section 5600.05, the Board is required to promulgate regulations by January 1, 2023 regarding the disability access CE coursework required for license renewal. The amendments to BPC section 5600.05 also require the Board to audit at least three percent of renewed licenses each year for CE completion. The Board must follow and enforce the law for the protection of the public. Mr. Retondo's comment asks the Board to place a limit on how many times a licensee must attend mandatory disability access CE, an action which would contradict the mandatory CE requirements in BPC section 5600.05.

Comment #3: Susan Moe

Ms. Moe questions the requirement of passing a summative assessment to receive credit for a training session, and recommends the Board use the assessment format employed by the US Access Board in their Accessibility Online training sessions and allow participants in live webinars to receive a certificate of attendance without taking an exam. Ms Moe also urged the Board to reconsider allowing a residential building inspector to instruct disability access CE courses.

Proposed Response: The Board believes that the requirement that architects obtain at least an 80% score on a summative assessment at the conclusion of the course is necessary to both ensure and demonstrate that the licensee has understood and retains the information presented.

The US Access Board has a different objective than the Board. The US Access Board seeks to educate the public which includes individuals of any and all professions about Disability Access standards. The Board is required to protect the public and enforce state and federal disability access laws and regulations applicable to the practice of architecture. The passage of SB 608 required the Board to promulgate regulations regarding the qualifications for CE courses and CE course providers. In passing SB 608, the legislature expressed concern that without the Board establishing standards for CE courses and course providers, architects were not getting the full benefit of the learning opportunity provided by the existing requirement to take Disability Access CE coursework as a condition of license renewal. The Board believes making receipt of credit contingent on obtaining a passing score on a summative assessment of 80% or higher will motivate licensees to get the full benefit of the statutorily mandated training.

As to Ms. Moe's comment about residential building inspectors, staff agrees and recommends revising the text to remove residential building inspectors from the list of approved disability access CE coursework instructors.

Comment #4: Janis Kent

Ms. Kent asserts in her comment that ADA is about civil rights and not strictly limited to the information listed in the applicable codes. Ms. Kent urges the Board to revise the regulation to:

1. Accept on-demand or pre-recorded webinars using a 70% passage rate for the summative assessment (asserting it's AIA's requirement).
2. Accept live webinars both in-person webinars and online
3. Expand required topics from just codes and regulations

4. Expand those who can teach courses to include people who are in the medical professions or who do surveys of the population, and to expand those who can teach courses to include social workers, and people who work with the blind.

Proposed Response: Business and Professions Code (BPC) section [5600.05](#), , requires licensees to complete continuing education coursework as specified in that section as a condition of license renewal. BPC 5600.05(a)(2)(A) concerns five hours of required disability access coursework and reads:

“The coursework shall include information and practical guidance concerning requirements imposed by the federal Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state laws that govern access to public facilities, and federal and state regulations adopted pursuant to those laws. Coursework provided pursuant to this subparagraph shall be presented by trainers or educators with knowledge and expertise in these requirements. The board shall promulgate regulations to establish qualifications for courses and course providers by January 1, 2023.”

Ms. Kent’s first and second points presume that the Board will not accept on-demand or pre-recorded webinars, or live webinars taught in person or on-line. The proposed regulation does not specify how the required material is taught or “delivered” to licensees. The Board has simply established that certificates of completion should only be provided to participants who pass a summative assessment with a passing score of at least 80%. On-demand or pre-recorded webinars and live on-line webinars or in-person seminars are all equally acceptable, because it is up to the providers to determine how they will administer and grade the final summative assessment. On-line on-demand webinars can have the summative assessment at the end, and attendees will only be sent a certificate if they achieve an 80% passing score. Live webinars administered to groups as described in the comment could have proctored exams or could have all participants register on their smart phones and take the summative assessment on their individual phones. It is up to the providers to solve issues with the delivery of the class material and administration of the summative assessment. The 80% passing score was adopted by the Board to address concerns raised by the legislature in passing SB 608. The Board does not find that amendments to the proposed regulation are needed to address this concern raised in Ms. Kent’s public comment.

Ms Kent’s third point urges the Board to broaden the required topics to embrace civil rights and place greater emphasis on teaching licensees about the individual experiences and challenges of different groups of disabled persons. While the proposed regulation specifically lists federal and state laws to be covered, nowhere in the regulation are there limits upon how that information is taught and the inclusion of

Ms. Kent's suggested topics is not forbidden by this rulemaking. In fact, as those topics could be considered relevant as "practical guidance" concerning the laws, the Board could not promulgate regulations that forbid teaching those topics. Ms. Kent urges the Board to amend the regulation to explicitly include a broader view of what is entailed in the CE coursework on disability access laws, which the Board declines to do, as it is already covered in the statute.

Ms. Kent's fourth point urges the Board to place greater emphasis on the "practical guidance" aspect of disability access by amending the list of approved providers to include people in the medical profession, those who survey the population of disabled persons, social workers, or those who work with the blind. While those individuals may provide useful perspectives and insight on the broader topic of "practical guidance" about disability access, the Board believes licensees must have a foundational familiarity with the applicable state and federal laws and regulations; therefore, created the approved providers to reflect this. Any approved provider can, and is encouraged to, integrate "practical guidance" information from the individuals discussed in Ms. Kent's comment. Such a disability access CE course will meet the requirements of this rulemaking, and the Board believes, will have greater appeal to licensees seeking to fulfill this CE requirement. Knowing the applicable laws and regulations is foundational for licensees' understanding of issues within disability access design. That is why the Board has listed persons with expertise in the applicable laws and regulations as acceptable providers on the topic. The regulation as written does not bar a CE provider from supplementing their instruction on the applicable laws and regulations with additional "practical guidance" material from the sources mentioned in Ms. Kent's comment. The Board does not find the regulation needs to be amended to allow a broader variety of additional individuals to teach disability access CE coursework, and thus declines to do so.

Action Requested

The Board is asked to consider the proposed Modified Text and proposed responses to the written comments and entertain a motion to approve the proposed Modified Text to amend CCR, title 16, section 165 and the proposed responses, and direct staff to take all steps necessary to complete the rulemaking process, including preparing the Modified Text for an additional 15-day comment period, and if there are no adverse comments received during that 15-day public comment period, delegate to the Executive Officer the authority to make any technical or non-substantive changes to the proposed regulations that may be required in completing the rulemaking file and adopt the proposed regulatory changes.

Attachments:

1. Comments from: (1) Glenn S.A. Gall, A.I.A. (2) Pete Retondo, AIA; (3) Susan Moe, CASp, and (4) Janis Kent, FAIA, CASp, Architect

2. Proposed Modified Text

From: Glenn Gall <glenn gall@alumni.nd.edu>**Sent:** Tuesday, November 16, 2021 12:44 PM**To:** CAB@DCA <CAB@dca.ca.gov>

Cc: Zuniga, Laura@DCA <Laura.Zuniga@dca.ca.gov>

Subject: Re: Notice of Proposed Regulatory Action CCR 165

[EXTERNAL]: glenn gall@alumni.nd.edu

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

As proposed the language of CCR 165 rulemaking is not correct.

Reference in section 165 (a) (2) (C). Rather than referring to the California Building Standards Code which includes all parts of Title 24 the reference here should be specific to Part 2 which is the "California Building Code".

Thank you in advance.

§ 165. Continuing education coursework regarding disability access requirements.

(a) For purposes of this section, the following terms have the following meanings:

- (1) "Certified access specialist" means a person who is certified pursuant to Government Code section 4459.5.**
- (2) "Disability access requirement" means a provision, standard, or regulation under state or federal law requiring compliance with standards for making new construction and existing facilities accessible to persons with disabilities, including, but not limited to, any provision of, or standard or regulation set forth in, the following:**
 - (A) Civil Code sections 51, 54, 54.1, and 55.**
 - (B) Part 5.5 (commencing with section 19955) of the Health and Safety Code.**
 - (C) California Building Standards Code, section 1.9.1 and chapters 11A and 11B of volume 1 of part 2 of title 24 of the California Code of Regulations.**

Glenn S.A. Gall, A.I.A.

On Fri, Nov 12, 2021 at 1:03 PM California Architects Board <000000069fb8b025-dmarc-request@subscribe.dcalists.ca.gov> wrote:



The Notice of Proposed Regulatory Action Concerning Continuing Education, section 165 of the California Code of Regulations, has been posted to the website. Below is the link:

- [Proposed Regulation](#)

DO NOT reply to this email. If you have any questions or require further assistance, please [contact the Board](#).

Thank you,

California Architects Board



To unsubscribe from the CAB-LEGISLATION list, click the following link:
<http://subscribe.dcalists.ca.gov/cgi-bin/wa?SUBED1=CAB-LEGISLATION&A=1>

-----Original Message-----

From: Pete Retondo <peteretondo@gmail.com>

Sent: Friday, November 12, 2021 1:17 PM

To: CAB@DCA <CAB@dca.ca.gov>

Subject: Continuing accessibility education, proposed changes

[EXTERNAL]: peteretondo@gmail.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

.....
Dear CAB,

Having taken numerous 5 hour courses on accessibility requirements, I can state with authority that these sessions are a waste of valuable time for architects who have taken at least 2 of these courses.

There are not 5 hours worth of changes to be conveyed every two years. The requirement should be limited to two 5-hour courses if an architect is able to pass a written exam after those 2 sessions. Any more is an unreasonable burden, and endows upon this particular aspect of code compliance an unwarranted priority above all others. Although a few individuals make a living from giving the courses, that is not a reason to continue to burden architects with an unnecessary (and, frankly, insulting) requirement.

ADA was passed in 1990, 31 years ago. It is time to stop treating it as groundbreaking news. If CAB would care to do something more useful, coursework on heat pumps, solar power and related energy and thermodynamic competence would be a lot more germane to today's needs.

Best regards,

Pete Retondo, AIA

--

Pete Retondo

510-589-0789

[https://urldefense.proofpoint.com/v2/url?u=http-](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.retondoarch.com&d=DwIDaQ&c=LHIwbLRMLqgNuqr1uGLfTA&r=TsicSqklt9THALH7LUG5cA&m=O-FmbyXwAljJ2QbX35jQ6q-qZ2RT6QDutQyUnqzhendGZ89OyzfxgHIPaQebQ0M&s=BmOxgJlhEg_F4R_J3x6J7sr0iN6pi5GnAbiDnIaAc6k&e=)

[3A__www.retondoarch.com&d=DwIDaQ&c=LHIwbLRMLqgNuqr1uGLfTA&r=TsicSqklt9THALH7LUG5cA&m=O-](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.retondoarch.com&d=DwIDaQ&c=LHIwbLRMLqgNuqr1uGLfTA&r=TsicSqklt9THALH7LUG5cA&m=O-FmbyXwAljJ2QbX35jQ6q-qZ2RT6QDutQyUnqzhendGZ89OyzfxgHIPaQebQ0M&s=BmOxgJlhEg_F4R_J3x6J7sr0iN6pi5GnAbiDnIaAc6k&e=)

[_FmbyXwAljJ2QbX35jQ6q-](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.retondoarch.com&d=DwIDaQ&c=LHIwbLRMLqgNuqr1uGLfTA&r=TsicSqklt9THALH7LUG5cA&m=O-FmbyXwAljJ2QbX35jQ6q-qZ2RT6QDutQyUnqzhendGZ89OyzfxgHIPaQebQ0M&s=BmOxgJlhEg_F4R_J3x6J7sr0iN6pi5GnAbiDnIaAc6k&e=)

[qZ2RT6QDutQyUnqzhendGZ89OyzfxgHIPaQebQ0M&s=BmOxgJlhEg_F4R_J3x6J7sr0iN6pi5GnAbiDnIaAc6k&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.retondoarch.com&d=DwIDaQ&c=LHIwbLRMLqgNuqr1uGLfTA&r=TsicSqklt9THALH7LUG5cA&m=O-FmbyXwAljJ2QbX35jQ6q-qZ2RT6QDutQyUnqzhendGZ89OyzfxgHIPaQebQ0M&s=BmOxgJlhEg_F4R_J3x6J7sr0iN6pi5GnAbiDnIaAc6k&e=)

From: [Susan Moe](#)
To: Bruinsma, Jesse@DCA
Subject: Continuing Education Section 165
Date: Monday, December 27, 2021 4:57:27 PM

[EXTERNAL]: susan@smoearchitect.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

To whom it may concern,

I'm writing in response to the proposed rulemaking that would require a quiz in order to receive credit for a training session.

I propose that you consider the format used by the US Access Board in their Accessibility Online training sessions.

Participants in the live webinars receive a certificate of attendance without taking an exam. When participating in the on-demand training session a pass rate of 80 % is required for two quizzes, one at the start of the session and one at the end.

You can check it out on the following website.

<https://www.accessibilityonline.org/ao>

I also do not feel that a residential building inspector has the qualifications for providing access compliance training.

Accessibility Online

AccessibilityOnline represents a collaborative training program between the ADA National Network and the US Access Board. The AccessibilityOnline Webinar Series is free and offers real-time captioning in all sessions.

www.accessibilityonline.org

Best regards, Susan

Susan R. Moe, Architect - CASp
Access Compliance Consulting
2700 D Street
Sacramento, CA 95816
email: susan@smoearchitect.com

cell: 916-833-6479

From: [Janis Kent](#)
To: [Bruinsma, Jesse@DCA](#); [Reinhardt, Marccus@DCA](#)
Cc: [Frank Bostrom](#); [Paul Bishop](#); [Elizabeth Sorgman](#); [Tom Durbrow](#); [Ernest Wuethrich, CASp](#); [Clair, Ida@DGS](#)
Subject: Testing for architect license renewal
Date: Saturday, November 13, 2021 4:24:11 PM
Importance: High

[EXTERNAL]: janisk@steppingthruaccessibility.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

I would like to make a suggestion and some items for consideration for learning units on Accessibility Education for CA Architects.

1. On-Demand or Pre-Recorded Webinars

the AIA, which is the Architect's professional organization, has a requirement that if an individual has taken an on-demand webinar, that they have to take a test with a 70% passing rate. They have 30 days in order to do this and can retake the test as many times as necessary. There is a complex formula that states the number of test questions per hour of Learning Units, AND they also include the time for taking the self-assessment quiz as part of the Learning Units earned, since they feel that testing is also part of the learning process. Below is the formula (after your brain stops spinning with it, it is not as bad as it sounds)

If the entire self-study program constitutes a video, then the actual video time plus the total number of review questions, exercises, and summative assessment questions multiplied by 1.85, divided by 50.

Formula:

$[\text{actual audio/video duration time} + (\# \text{ of questions} \times 1.85)] / 50 = \text{LUs awarded}$

Example:

53-minute video with 10 summative assessment questions

$53 + 18.5 = 71.5$

$71.5 / 50 = 1.43$

1.43 rounds down to 1.25 LUs.

Below is the AIA's formula for the minimum number of questions required per hour of learning units (which is not stated in the proposed law).

Summative assessment requirements

On-demand programs must require learners to successfully complete a summative assessment during or after the program with a cumulative minimum passing grade of at least 70 percent before issuing LUs for successful completion of the course.

Assessments may contain questions of varying format (for example, multiple choice, essay, and simulations). Summative assessment questions should focus on measuring the outcomes as outlined in the course learning objectives. "True or false" questions are not allowed in the summative assessment.

For the first full Learning Unit (LU) of a program (not including any LU credit based on the number of summative assessment questions), a minimum of 10 assessment questions and scored responses are required. After the first LU and the minimum of 10 questions and scored responses, additional summative assessment questions and scored responses are required based on the additional LUs of the instructional program (not including

LUs awarded based on question count) as follows:

Additional credit:	Additional questions/ scored
0.25	1
0.5	2
0.75	3
Next full credit	4

So with the above calculation, a 5 hour (300 minute) on-demand webinar would require 26 questions. If one had 25 questions, then one would get 6.75 hrs of learning units (6.925 rounded down to the quarter hour).

In reverse, if one were to include the questions with this formula with a 3.75 hr on-demand webinar and 21 questions, would equate to 5.28 LU.

a 3.5 hr with 22 questions (more than the 20 required minimum) it would equate to 5.01 hrs LU

I would highly suggest that consideration be given for aligning the testing with AIA since it has been used and tried for a number of years. Additionally, it would make it very difficult on CA architects to have a different type of calculation than the national organization.

2. Live and In-Person Webinars/Seminars

The other item for consideration is live webinars both in-person and on-line. Currently AIA does not test for this type of learning although I have found that some method of tracking people (sign in at the beginning and sign out at the end) should be implemented. But these courses have to be pre-approved for LU | HSW for Accessibility. The issue on this, I would say, with the proposed new law, is how do you test someone if you have a live Zoom webinar given to an office of 30 people? And for that matter, once we get back to in-person learning, how do we test for that when you have a group of 10 -50 or more people?

I personally believe this is going beyond what should be required. Before we start torturing architects making it even more difficult, perhaps some consideration should be implemented for contractors, engineers, landscape architects, and interiors people who all deal with access and are not necessarily under the Architect AND are not tested for this. And many architects are not even involved in aspects that Access is applicable (ie single family housing)

The other item to consider for live webinars or in-person - what happens if someone was there for half the time and they had to leave? They did attend for a portion - should they get half the learning units? It is an item to consider since it does happen.

3. Topic for Access

I would also suggest expanding the required topics from just codes and regulations. For instance, the State has created a Universal Design outline that local administrative authorities can use as a basis for implementation. Gallaudet University for the Deaf and Hard of Hearing has created architectural design standards for designing for that population which also goes beyond code and regulations and is important to understand, although not regulated. There are studies done on people who are on the Spectrum (autistic) and what designing means for that portion of the population. Understanding the needs of the elderly and for Aging In Place and other topics are important.

Going beyond just code and regulations is something that is very critical. It is understanding that this is about **civil rights** - and I do not believe the Unruh Act was even listed under the applicable codes and regulations other than for seniors.

4. Who can teach these courses

Much of my knowledge on these extended topics are from people who are in medical professions or who do surveys and analysis of the population. It is not just about buildings and code, but how these other topics can affect people and hence how the built environment needs

to accommodate them. A social worker whose specialty is the elderly is much more knowledgeable on the topic than, let's say, a structural engineer. One who works with the blind could be more knowledgeable on path of travel for that portion of the population than a Building Inspector who is aware of the minimum of codes.

I agree there should be a way to limit manufacturers from teaching courses, but even that group has pertinent information, although they may not know all of the regulations.

So, I would urgently appeal to you to consider the above comments before implementing this law as written and proposed. Please do not hesitate to reach out to me to discuss further. And I apologize for the length of this email, but there are a number of items I think should be further considered

Janis Kent FAIA, CASp, Architect

Certified Access Specialist

Stepping Thru Accessibility

phone — 562-426-9363

web site — www.SteppingThruAccessibility.com

email — janisk@SteppingThruAccessibility.com

Our new on-demand webinars are now available - check it out at <https://steppingthruaccessibility.thinkific.com>

Department of Consumer Affairs
TITLE 16. CALIFORNIA ARCHITECTS BOARD

PROPOSED MODIFIED TEXT
Disability Access Continuing Education

<p>Legend: Added text is indicated with an <u>underline</u>. Deleted text is indicated by strikeout. Changes made since the last Board meeting are indicated by yellow high-lighting</p>

Adopt a new Article 10 of Division 2 of Title 16 of the California Code of Regulations as follows:

Article 10. Continuing Education

Adopt Section 165 of Article 10 of Division 2 of Title 16 of the California Code of Regulations as follows:

§ 165. Continuing education coursework regarding disability access requirements.

(a) For purposes of this section, the following terms have the following meanings:

(1) “Certified access specialist” means a person who is certified pursuant to Government Code section 4459.5.

(2) “Disability access requirement” means a provision, standard, or regulation under state or federal law requiring compliance with standards for making new construction and existing facilities accessible to persons with disabilities, including, but not limited to, any provision of, or standard or regulation set forth in, the following:

(A) Civil Code sections 51, 54, 54.1, and 55.

(B) Part 5.5 (commencing with section 19955) of the Health and Safety Code.

(C) California Building **Standards Code, section 1.9.1 and chapters 11A and 11B of volume 1 of part 2 of title 24 of the California Code of Regulations.**

(D) Titles II and III of the federal Americans with Disabilities Act of 1990 (“ADA”) (42 U.S.C. Sec. 12101 et seq.).

(E) Title II of the ADA Standards for Accessible Design (state and local government facilities), consisting of part 35.151 of title 28 of the Code of Federal Regulations (CFR) and the ADA Accessibility Guidelines (36 CFR part 1191, appendices B and D).

(F) Title III of the ADA Standards for Accessible Design (public accommodations and commercial facilities), consisting of subpart D (commencing with section 36.401) of part 36 of title 28 of the CFR and the ADA Accessibility Guidelines (36 CFR part 1191, appendices B and D).

(b) For the purposes of section 5600.05 of the code, a licensee shall complete five hours of continuing education (CE) coursework on the subject of California and federal disability access requirements that meets the criteria specified in this section during each two-year license renewal period prior to the license expiration date, or, if the license is delinquent, during the 24 months immediately preceding the date on which the licensee submits the delinquent renewal application. A licensee shall not have already used the CE coursework to satisfy CE coursework requirements for a prior renewal period. Any CE coursework for which the licensee, in contravention of section 5600.05(b) of the code, does not maintain, or cannot otherwise make available to the board, at the board’s request, either a certificate of completion described in subsection (h), records described in subsection (g), or such other evidence that, in the board’s determination, establishes that the licensee completed CE coursework meeting the criteria specified in this section, shall not qualify as credit toward fulfillment of this CE requirement.

(c) The CE coursework shall have clear and identifiable learning objectives, systematic presentation of material, and be presented by trainers or educators who meet the qualifications in subsection (e).

(d) ~~A provider shall only~~ A licensee shall only receive credit or take courses from a provider who shall only issues a certificate of completion to a participant upon the participant’s passage of a summative assessment of the participant’s understanding of the CE coursework. The assessment shall have a minimum cumulative passing score of at least eighty percent (80%).

(e) A licensee shall only A provider shall use trainers or educators who have knowledge and expertise in disability access requirements and meet one of the following criteria:

(1) Be a certified access specialist or certified by another United States jurisdiction to perform one or more of the services described in section 113 of title 21 of the California Code of Regulations.

(2) Hold a certification from the International Code Council (“ICC”) National Certification as one of the following:

~~(A)~~ Residential Building Inspector.

~~(B)~~ (A) Commercial Building Inspector.

~~(C)~~ (B) Building Plans Examiner.

~~(D)~~ (C) Certified Building Official.

~~(E)~~ (D) Code Specialist.

~~(F)~~ (E) Accessibility Inspector/Plans Examiner.

(3) Hold a certification from the ICC California Certification Program as one of the following:

~~(A)~~ California Residential Building Inspector.

~~(B)~~ (A) California Commercial Building Inspector.

~~(C)~~ (B) California Building Plans Examiner.

(4) Hold a license or registration issued by a United States jurisdiction as an architect or a professional, civil, or structural engineer.

(5) At least two years’ employment by a building department or other building code enforcement agency of any state or local governmental jurisdiction as a plan reviewer, plans examiner, building inspector, building or construction consultant or construction inspector.

(6) At least three years’ employment as a disability access specialist conducting assessment of facilities for specific needs of the disability community.

(b) An architect shall not certify completion of the CE requirement through self-teaching or self-directed activities. Teaching, instructing, or presenting a course on disability access requirements shall not qualify as credit for fulfillment of the CE requirement.

(c) A provider shall maintain for at least three years records of participant attendance and course completion, including the information specified in section 5600.05(b) of the code.

(d) A provider shall issue within five business days of the assessment a certificate of completion to each participant who passes the assessment described in subsection

(d). The certificate of completion shall include the information specified in section 5600.05(b) of the code.

(e) Upon request by a licensee who is the subject of a CE audit, a provider shall issue within five business days of the request a copy of the records specified in subsection (g). It shall be the responsibility of a licensee to obtain those records from the provider if they are requested by the board and make those records available to the board.

(f) A licensee found noncompliant with the CE coursework requirement of subsection (b) is subject to administrative citation. The licensee shall remedy any deficiency during the current renewal period, in addition to completing the CE coursework requirement for the current renewal period. Before the end of the current renewal period, the licensee shall provide the board evidence, as described in subsection (g), that the deficiency is remedied. A licensee who fails to comply with this subsection shall be subject to further administrative citation or discipline.

Note: Authority cited: Sections 5526 and 5600.05, Business and Professions Code.
Reference: Sections 5578 and 5600.05, Business and Professions Code.



NOTICE OF TELECONFERENCE MEETING OF PROFESSIONAL QUALIFICATIONS, REGULATORY AND ENFORCEMENT, AND COMMUNICATIONS COMMITTEES

Committees of the California Architects Board (Board) will meet by teleconference at

10 a.m. on Tuesday, January 25, 2022

NOTE: Pursuant to Government Code section 11133, this meeting will be held by teleconference with no physical public locations.

Important Notice to the Public: The Board will hold this meeting via WebEx events. To participate in the WebEx meeting, please log on to this website the day of the meeting. Members of the public can address the Committees during the public comment session. Public comments will also be taken on agenda items at the time the agenda item is heard and prior to the Committees taking any action on said items.

To access the WebEx event, attendees will need to click the following link and enter their first name, last name, email, and the event password listed below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m44db77c388ad1e7500658c55d5057ce9>

If joining using the link above

Event number: 2483 346 1832

Event password: CAB01252022

If joining by phone

+1-415-655-0001 US Toll

Access code: 248 334 61832

Passcode: 22201252

Instructions to connect to the meeting can be found at the end of this agenda.

Due to potential technical difficulties, please consider submitting written comments by January 20, 2022, to cab@dca.ca.gov for consideration.

PROFESSIONAL QUALIFICATIONS COMMITTEE MEETING AGENDA

(10 a.m.)

Professional Qualifications Committee (Charles “Sonny” Ward, Chair)

A. Call to Order / Roll Call / Establishment of Quorum

B. Chair’s Opening Remarks

C. Public Comment on Items Not on the Agenda

The Committee may not discuss or act on any item raised during this public comment section, except to decide whether to refer the item to the Board’s next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

D. Discussion and Possible Action on March 26, 2021, Committee Meeting Minutes

E. Discussion and Possible Action on 2022-2024 Strategic Plan Objectives to:

1. Amend existing regulations to revise and expand the types of degrees accepted for licensure to remove barriers to licensure.
2. Collaborate with legal to implement AB 1010 in developing regulations and aligning committee findings to provide more consistency and make continuing education requirements more relevant to current licensing requirements.
3. Communicate with staff to include climate resiliency as a priority subject matter for the California Supplementary Exam to protect consumers and licensees.
4. Communicate to the public what the professional qualifications committee has suggested to the Board to promote the work the committee has done.

F. Adjournment

COMMUNICATIONS COMMITTEE MEETING AGENDA

(Upon adjournment of Professional Qualifications Committee meeting)

Communications Committee (Mitra Kanaani, Chair)

A. Call to Order / Roll Call / Establishment of Quorum

B. Chair’s Opening Remarks

C. Public Comment on Items Not on the Agenda

The Committee may not discuss or act on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

D. Discussion and Possible Action on September 1, 2021, Committee Meeting Minutes

E. Discussion and Possible Action on 2022-2024 Strategic Plan Objectives to:

1. Resume regular communication with the American Institute of Architects (AIA) by attending joint meetings once a year to give a consistent message to architects, candidates, and consumers in California.
2. Develop an outreach plan to educate licensees and candidates on information needed to acquire and maintain a license.
3. Develop communication regarding the requirements of SB 9 and its impact on the profession.
4. Develop an outreach plan for academic and private institutions to continuously provide students and educators with relevant information.
5. Publicize architects from diverse backgrounds to promote inclusion.
6. Create social media posts educating licensees on violations to increase compliance within the profession.
7. Survey higher educational institutions for data on their architect student populations to understand their plans for creating space for US resident students to mitigate a possible vacuum of professionals in the future.
8. Provide information in multiple languages to increase accessibility to licensees and candidates.

F. Adjournment

REGULATORY AND ENFORCEMENT COMMITTEE MEETING AGENDA

(Upon adjournment of Communications Committee meeting)

Regulatory and Enforcement Committee (Ron Jones, Chair)

A. Call to Order / Roll Call / Establishment of Quorum

B. Chair's Opening Remarks

C. Public Comment on Items Not on the Agenda

The Committee may not discuss or act on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

D. Discussion and Possible Action on November 10, 2020, Committee Meeting Minutes

E. Discussion and Possible Action on 2022-2024 Strategic Plan Objectives to:

1. Provide more detail on decisions made in enforcement cases in the Executive Officer report during board meetings and inform consumers.
2. Develop narrative discussions and case studies of common violations to educate and inform consumers and architects on what violations to avoid.
3. Better educate practitioners on standards of practice during the renewal process to protect the public.
4. Educate the public and practitioners regarding their rights and roles when contracts are signed.
5. Review the current threshold for fines to determine if they are appropriate to deter violations.
6. Monitor social media to proactively enforce against unlicensed advertising.

F. Discussion and Possible Action on Revising the Building Official Information Guide

G. Adjournment

The California Architects Board plans to webcast the meeting on its website at www.cab.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committees prior to them taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue, but the Committee Chair may, at their discretion, apportion available time among those who wish to speak. Individuals may appear before the Committees to discuss items not on the agenda; however, the

Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

This meeting is being held via WebEx Events. The meeting is accessible to individuals with disabilities. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Drew Liston

Telephone: (916) 575-7202

Email: drew.liston@dca.ca.gov

Telecommunications Relay Service: Dial 711

Mailing Address:

California Architects Board
2420 Del Paso Road, Suite 105
Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the Board in exercising its licensing, 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 (Business and Professions Code section 5510.15).



NOTICE OF MEETING
Landscape Architects Technical Committee

LATC MEMBERS

Jon S. Wreschinsky, Chair
Andrew C. N. Bowden
Pamela S. Brief
Susan M. Landry
Patricia M. Trauth

***Action may be
taken on any
item listed on
the agenda.***

**The Landscape Architects Technical Committee (LATC or Committee) will
meet by teleconference at
10 a.m., on January 27, 2022**

NOTE: Pursuant to Governor Gavin Newsom's Executive Order [N-1-22](#), issued January 5, 2022, and Government Code section 11133, this meeting will be held by teleconference with no physical public locations.

Important Notice to the Public: The Committee will hold a public meeting via WebEx Events. To participate in the WebEx meeting, please log on to this website the day of the meeting:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m59dc5119972018caa257479b038416fa>

Instructions to connect to the meeting can be found at the end of this agenda.

Due to potential technical difficulties, please consider submitting written comments by January 21, 2022, to latc@dca.ca.gov for consideration.

AGENDA

10 a.m. to 5 p.m.
(or until completion of business)

Action may be taken on any item listed below.

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and Committee Member Introductory Comments

(Continued)

- C. Public Comment on Items Not on the Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Update from the Department of Consumer Affairs (DCA) – Board and Bureau Relations, DCA
- E. Review and Possible Action on August 4, 2021, Committee Meeting Minutes
- F. Program Manager's Report - Update on Committee's Administrative/Management, Examination, Licensing, and Enforcement Programs
- G. Discuss and Possible Action on the Committee's Annual Budget – DCA, Budget Office
- H. Review and Discuss 2021 Legislation
 - 1. AB 1010 (Berman) Architects: Continuing Education
- I. Presentation by DCA Office of Professional Examination Services (OPES) on Examination Performance Statistics for Sections 1 and 2 of the Landscape Architect Registration Examination
- J. Discuss and Possible Action on Council of Landscape Architectural Registration Boards' Uniform Standards, and Pre-Approval Process
- K. Review and Discuss 2019-2021 Strategic Plan Objectives
- L. Election of 2022 Committee Officers
- M. Review of Future Committee Meeting Dates
- N. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public.

The meeting will be webcast, provided there are no unforeseen technical difficulties or limitations. To view the webcast, please visit thedcapage.wordpress.com/webcasts/. The meeting will not be cancelled if webcast is not available.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at their discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

This meeting is being held via WebEx Events. The meeting is accessible to the disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Kourtney Nation

Telephone: (916) 575-7230

Email: Kourtney.Nation@dca.ca.gov

Telecommunication Relay Service: Dial 711

Mailing Address:

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the Committee in exercising its licensing, 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 (Business and Professions Code section 5620.1).

AGENDA ITEM K.2.i: DISCUSS AND POSSIBLE ACTION ON CALIFORNIA CODE OF REGULATIONS SECTIONS 2615 AND 2620

Summary

On December 1, 2021, the final regulatory package to amend 16 CCR sections 2615 and 2620, Education and Training Credits, was submitted to the Office of Administrative Law (OAL) for review. On January 11, 2022, the assigned OAL reviewing attorney notified LATC staff of an issue within the proposed text and Initial Statement of Reasons. OAL advised that the change of the word “shall” to “may” in the first sentence of 16 CCR section 2620 (d)(2) had not been sufficiently explained in the Initial Statement of Reasons, and required a 15-day notice to the public of the addition of an Addendum to the Initial Statement of Reasons document to the rulemaking file (Government Code Sections 11346.8, subdivision (d) & 11347.1).

OAL further advised that making the originally proposed change from a mandatory standard to a discretionary standard will require LATC and the Board add additional language to the regulation that sets out the metrics staff will apply when exercising discretion whether or not to purge an application file (to meet the Administrative Procedures Act’s clarity standard). In the alternative, OAL advised that LATC and the Board could choose to change the verb in the first sentence of 16 CCR 2620(d)(2) from “may” back to “shall.” Either choice would require a 15-day notice to the public of the modification to the text to proceed with the rulemaking. The first sentence in 16 CCR section 2620(d)(2) as written in the originally proposed language was:

“(2d) The Board may purge application records after five (5) years of lack of communication or inactivity from candidates.”

As a result, the regulatory proposal was withdrawn from OAL review on January 12, 2022 and staff worked with DCA Legal to prepare the necessary documents and issue the 15-day notice.

Staff concluded that stakeholders and the public will be better served by changing the verb used in the first sentence of 16 CCR 2620(d)(2) from “may” back to “shall.” On December 13, 2021, the Abandonment of Applications (16 CCR sections 2611, 2611.5 and 2616) rulemaking received OAL approval and will become effective on April 1, 2022. Changing the verb from “may” to “shall” will make this rulemaking consistent with the Abandonment of Application rulemaking. Staff also determined that changing the verb back is the most expeditious approach to getting this rulemaking promulgated. The existing language in 16 CCR section 2620(d) had been changed in the original proposed language merely to remove the imposition on staff to monitor

aging files for purging after 5 years of inactivity. The change from “shall” to “may” in 16 CCR 2620(d) was a very minor portion of this rulemaking, the objective of which is updating the education and training credits LATC and the Board will accept. The public comment period for the Notice of Second Modification of Text (changing “may” back to “shall”) and the Addendum to the Initial Statement of Reasons (adding the explanation of the initial change that had been missing in the Initial Statement of Reasons) began on January 24, 2022 and ended on February 9, 2022.

If no comments are received, staff will prepare the necessary documents and re-submit the rulemaking documents to OAL to complete the rulemaking. If comments are received during the rulemaking period, staff will provide the Board with the comments and proposed responses to the comments for Board approval as walk-in materials connected with this Item.

Action Requested

If no public comments were received:

The Board is asked to consider a motion to approve the proposed second modified text to amend 16 CCR section 2620 that was circulated for a 15-day public comment period from January 24, 2022 to February 9, 2022, and if there were no adverse comments received during the 15-day public comment period, delegate to the Executive Officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file and to adopt the proposed second modified text.

If public comments were received:

The Board is asked to consider a motion to approve and adopt the proposed second modified text to amend 16 CCR section 2620 that was circulated for a 15-day public comment period from January 24, 2022 to February 9, 2022, to review the public comments received and adopt the proposed responses to comments, and delegate to the Executive Officer the authority to make any technical or non-substantive changes that may be required in completing the rulemaking file.

Attachment

Second Modified Text to amend CCR, title 16, section 2620 (Education and Training Credits)

**Department of Consumer Affairs
Title 16. CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**SECOND MODIFIED TEXT
Education and Training Credits**

Proposed Amendments are indicated with an underline for new text and a ~~single strikethrough~~ for deleted text.

The second modifications to the proposed regulatory text are shown in *broken line underlined italicized text* for new text and ~~*italicized and double strikethrough*~~ for deleted text.

Yellow-highlighting is also used to spotlight the proposed change.

Omitted text is indicated by (* * * *)

Amend Section 2620 of Article 1 of Division 26 of Title 16 of the California Code of Regulations to read as follows:

§ 2620. Education and Training Credits

* * * *

(2d) The Board shall ~~may~~ purge application records after five (5) years of lack of communication or inactivity from candidates. ~~shall retain inactive applications for a five (5) year period. Thereafter, the Board shall purge these records unless otherwise notified by the candidate. A candidate who wishes to reapply to the Board, shall be required to re-obtain~~ submit the required documents to allow the Board to determine their current eligibility.

Note: Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

AGENDA ITEM L: REVIEW OF FUTURE BOARD MEETING DATES

Summary

A schedule of planned meetings and events for 2022 are provided to the Board.

<u>Date</u>	<u>Event</u>	<u>Location</u>
April 1	Landscape Architects Technical Committee Meeting (LATC)	TBD
May 20	Board Meeting	TBD
June 2-4	Annual Business Meeting - NCARB	Austin, TX
August 2	LATC	TBD
September 9	Board Meeting	TBD
November 1	LATC	TBD
December 9	Board Meeting	TBD

AGENDA ITEM M: CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTIONS 11126(a)(1) AND (c)(3), THE BOARD WILL MEET IN CLOSED SESSION TO:

1. Perform Annual Evaluation of its Executive Officer
2. Review and Take Action on December 10, 2021, Closed Session Minutes.
3. Review and Take Action on September 10, 2021, Closed Session Minutes
4. Deliberate and Vote on Disciplinary Matters