

**TITLE 16 California Architects Board
DEPARTMENT OF CONSUMER AFFAIRS**

INITIAL STATEMENT OF REASONS

Hearing Date: The California Architects Board has not scheduled a hearing on the proposed changes. However, a hearing will be scheduled upon request by any interested party if the request is received no later than 15 days prior to the close of the written comment period.

Subject Matter of Proposed Regulations: Experience Evaluation

Section(s) Affected: Section 117 Article 3 of Division 2 of Title 16 of the California Code of Regulations (CCR)

Background and Statement of the Problem:

The California Architects Board (The Board) was created in 1901 by the California State Legislature. The Board licenses, regulates, and investigates complaints against architects in California, totaling approximately 22,000 licensees. It is the Board's duty to enforce and administer the Architects Practice Act, (Business & Professions Code (BPC) Chapter 3 (commencing with section 5500) of Division 3 (Act)). The Board is authorized to establish necessary rules and regulations for the enforcement of the Act and the laws subject to its jurisdiction (BPC section 5526). The Board is responsible for the discipline of architects and enforcement of the Architects Practice Act (Act) (Business and Professions Code (BPC) section 5500 et seq.). BPC section 5510.15 mandates that the protection of the public shall be the highest priority of the Board in its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with the other interests sought to be promoted, the protection of the public shall be paramount.

BPC section 5526 authorizes the Board, in accordance with the Administrative Procedure Act (APA) (Government Code (Gov. Code) section 11400 et seq.), to adopt, amend, or repeal rules and regulations that are reasonably necessary to carry out the provisions under the Act. Gov. Code section 11425.50, subdivision (e), provides that a penalty in an administrative disciplinary action may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the APA.

The Board's experience evaluation regulation, 16 CCR section 117, was created to describe the method by which candidates may obtain the required experience to become eligible for licensure as set forth in BPC section 5552. The existing regulation has a chart of experience followed by explanations of educational, training and practice equivalents as necessary. 16 CCR section 117 was last updated in 2014 when the now non-existent NCARB program was available.

The current regulation references an obsolete program, limits the amount of work experience that can be gained while enrolled in an academic setting and the experience submitted as part of an internship program, and lists specific degrees related to architecture. Amending this regulation to increase the amount of experience allowed for earning a degree related to architecture and to broaden the degrees that are related to architecture will allow candidates to better ensure they receive appropriate credit for those degrees and reduce licensure delays. Additionally, increasing the amount of experience that can be granted for completing degree and internship programs will increase efficiencies for staff and reduce unnecessary delays in licensure for candidates.

Anticipated benefits from this regulatory action:

This proposal would provide increased consistency with national standards for candidates and facilitate licensure for candidates who come through a non-traditional pathway. The Board would remove outdated language and modify the degree names to be more inclusive of degrees related to architecture, which would make it easier for future licensees to understand which degrees or equivalent activities would be accepted.

Specific purpose of, and rationale for, each adoption, amendment, or repeal:

1. Amend 16 CCR section 117, prefatory paragraphs

Purpose: The first sentence is amended to add “for licensure.” The next sentence is amended to strike “four” and add “two” since the Board is reducing the number of columns in the table. Amendments are made that add additional clarification regarding the table by adding “training and educational” striking “and C specify,” adding “specifies” and “for that experience,” and striking “who was determined by the Board to be eligible for the Architect Registration Examination (ARE), the California Supplemental Examination, or licensure prior to January 1, 2005 and who is active in the examination process or to a candidate who is otherwise exempt from the IDP/IAP requirement specified in Section 116(b). Column D specifies the maximum credit that may be granted to a new or inactive candidate who was determined by the Board to be eligible for the ARE on or after January 1, 2005 and who is subject to the IDP/IAP requirement.”

Anticipated Benefit/Rationale: The additions to the introductory paragraphs clarify the Table of Equivalents’ structure and purpose. The language being removed is obsolete, refers to the old table structure, and separates applicants into categories which no longer apply. The proposed amendment would provide a more clear and concise understanding of what the following table will include to make it easier for future licensees to comprehend the requirements for licensure.

2. Amend 16 CCR section 117(a)

Purpose: The structure of the table is being changed, so the proposed amendments remove the second and third columns, “Column B” and “Column C” and the descriptors for those columns “Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement” and “Education Equivalents” and “Max. Credit Allowed”

under former column B, “Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement” and “Training and/or Practice Equivalents” and “Max. Credit Allowed” under former column C. Further amendments strike “D” from former column D and replace it with “B,” and strike “Candidates Eligible January 1, 2005 or After and Subject to IDP/IAP Requirement” and add “imum” to the existing “Max.”

Anticipated Benefit/Rationale: Former columns B and C within the table are struck as they are obsolete and refer to a pathway that no longer exists. Additionally, the language applying to those columns is being struck for similar reasons. Maximum is being clarified so candidates will know the largest amount of credit that can be received for experience submitted to the Board. The proposed amendment would provide a more clear and concise understanding of the acceptable equivalents to make it easier for future licensees to comprehend the requirements for licensure.

3. Amend 16 CCR section 117, subsection (a) paragraph (1)

Purpose: Amendments to subsection (a), paragraph (1) add “credited as set out in (b)(4)” and strike “5 years” under former column B.

Anticipated Benefit/Rationale: These clarifications are made so candidates can clearly locate where additional information about relevant degrees can be found. The “5 years” of credit is being struck as that column is being removed since it is obsolete and therefore no longer beneficial information.

4. Amend 16 CCR section 117, subsection (a) paragraph (2)

Purpose: Amendments to subsection (a), paragraph (2) add “credited as set out in (b)(4)” and strike “4 years” under former column B.

Anticipated Benefit/Rationale: These clarifications are added so candidates can clearly locate where additional information about relevant degrees can be found. The “4 years” of credit is being struck as that column is being removed since it is obsolete and therefore no longer beneficial information.

5. Amend 16 CCR section 117, subsection (a) paragraph (3)

Purpose: Amendments to subsection (a), paragraph (3) strike “Baccalaureus Atrium (BA), Atrium Baccalaureus (AB), Bachelor of Science (BS),” “3 ½ years” from former column B, “3 ½” from column B,” and add “credited as set out in (b)(4)” and “4” to column B as the maximum years of credit.

Anticipated Benefit/Rationale: The degree titles are being deleted as they are unnecessary because completion of a first-degree program (bachelor) would lead to a master’s degree and were inadvertently misspelled. Clarification is being added so candidates can clearly locate where additional information about relevant degrees can be found. The “3 ½ years” of credit is being struck as that column is being removed since it is obsolete and therefore no longer beneficial information. The amount of credit is being increased from 3 ½ to 4 years of credit so candidates are granted one to one credit for

their years of schooling for degrees related to architecture, which will remove an extra burden from architectural licensing candidates.

6. Remove 16 CCR section 117, subsection (a) former paragraph (4)

Purpose: Amendments remove the entire subsection (a) paragraph (4) and corresponding row in the table as it is no longer needed.

Anticipated Benefit/Rationale: This language is duplicative of subsection (a) paragraph (3) and is now obsolete. Candidates will be granted one for one credit for these degrees related to architecture, as stated above in the discussion of Anticipated Benefit/Rationale for #5.

7. Amend 16 CCR section 117, subsection (a) paragraph (4)

Purpose: Amendments to subsection (a), paragraph (4) renumbers the paragraph for consistency, adds “four-year” and “credited as set out in (b)(4),” strikes “which consists of at least a four-year curriculum” and “2 years” from former column B, and replaces “6” with “5” in column A and “2” with “4” in column B.

Anticipated Benefit/Rationale: Clarification is being added so candidates can clearly locate where additional information about relevant degrees can be found. The “2 years” of credit is being struck as that column is being removed since it is obsolete and therefore no longer beneficial information. The amount of credit is being increased from 2 to 4 years of credit so candidates are granted one to one credit for years of schooling for degrees related to architecture, which will remove an extra burden from architectural licensing candidates.

8. Amend 16 CCR section 117 subsection (a) paragraph (5)

Purpose: Renumber for consistency and remove unnecessary text “1 year” from former column B, which is being deleted.

Anticipated Benefit/Rationale: Renumbering for continued consistency of the language. Deleting obsolete language to make the information more concise and clear for candidates to avoid confusion.

9. Amend 16 CCR section 117 subsection (a), paragraph (6)

Purpose: Renumber for consistency and remove unnecessary text “6 months” from former column B, which is being deleted.

Anticipated Benefit/Rationale: Renumbering for continued consistency of the language. Deleting obsolete language to make the information more concise and clear for candidates to avoid confusion.

10. Amend 16 CCR section 117 subsection (a), paragraph (7)

Purpose: Amendments renumber for consistency, add “as defined in subsection (b)(5)” and remove unnecessary text “1 year” from former column B, which is being deleted. Also, replace “1” with “2” and adding “s” to “year” in column B.

Anticipated Benefit/Rationale: Clarification is being added so candidates can clearly locate where additional information about relevant degrees can be found. The “1 year” of credit is being struck as that column is being removed since it is obsolete. The amount of credit is being increased from 1 to 2 years of credit so candidates are granted one to one credit for years of schooling for degrees related to architecture, which will remove an extra burden from architectural licensing candidates.

11. Amend 16 CCR section 117 subsection (a), paragraph (8)

Purpose: Move former subsection (a) paragraph (14) which reads: “A post-professional degree in architecture or with an emphasis on architecture consisting of a Master, Master of Science, or PH.D. degree or units toward such a degree” to become paragraph (8).

Anticipated Benefit/Rationale: Moving degree-related credits to the same area within the table for clarity.

12. Amend 16 CCR section 117 subsection (a), paragraph (9)

Purpose: Amendments renumber for consistency, add “or registered” and “for every hour of work as described in (c)(3),” and remove unnecessary text “5 years” from former column B, “3 years” from former column C. Also, amendments replace “5” with “8” in column B.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found. “5 years” and “3 years” of credit are being struck as those columns are being removed since they are obsolete and therefore no longer relevant. The amount of credit is being increased from 5 to 8 years of credit because the Board does not need to separate out education credit and training credit as it referred to a prior method of application requirements, and the total allowable amount of credit earned by work experience is 8 years.

13. Amend 16 CCR section 117 subsection (a), paragraph (10)

Purpose: Amendments renumber for consistency, add “Primary Source documentation showing certification” and “shall be granted 100% credit for every hour of work as described in (c)(3),” and remove unnecessary text “shall be granted a maximum of eight years credit upon receipt in the Board office of the candidate's current and valid NCARB blue cover file, transmitted by NCARB”. Strikes “5 years” from former column B and “3 years” from former column C.

Anticipated Benefit/Rationale: Primary source documentation is being added to ensure the Board receives correct information related to examination scores and any enforcement actions from the issuing entity so the Board receives complete information regarding candidates. Clarification is added so candidates can clearly locate where

additional information about earned experience can be found and extraneous language is struck. The “5 years” and “3 years” of credit are being struck as those columns are being removed since they are obsolete.

14. Remove 16 CCR section 117 subsection (a), former paragraph (10), subparagraphs (A) – (E)

Purpose: Amendments remove former paragraph (10) and subparagraphs (A) – (E).

Anticipated Benefit/Rationale: Removing the restriction on the amount of work experience candidates could gain while enrolled in an educational program will align the Board with national standards and facilitate licensure. This will in turn make the standards more uniform providing consistency to candidates.

15. Amend 16 CCR section 117 subsection (a), paragraph (11)

Purpose: Amendments add “Primary Source documentation showing completion,” “NCARB administered experience-based program,” “ship in,” and “shall be granted 100% credit for every hour of work as described in (c)(3),” and remove unnecessary text “Intern Development Program (IDP) of the National Council of Architectural Registration Boards,” “shall be granted a minimum of three years credit, upon receipt in the Board office of the candidate's current and valid NCARB IDP file transmitted by NCARB or documentation transmitted by a Canadian provincial architectural association, respectively”, “2 years” from former column B, and “3 years” from former column C. Amendments also replace “5” with “8” in column B.

Anticipated Benefit/Rationale: The requirement of primary source documentation is being added to ensure the Board receives correct information related to examination scores and any enforcement actions from the issuing entity. Clarification is also being added so candidates can clearly locate where additional information about earned experience can be found and extraneous language referencing obsolete programs is being struck. The “2 years” and “3 years” of credit are being struck as those columns are being removed since they are obsolete. Credit is being increased from five (5) to eight (8) as some candidates document all experience through the internship programs. This process results in a similar certificate to what is in subsection (a)(10) and credit is being granted accordingly, removing an unnecessary burden to licensure.

16. Amend 16 CCR section 117 subsection (a), paragraph (12)

Purpose: Amendments renumber for consistency, add “or registered” and “for every hour of work as described in (c)(3) up to the 2-year maximum,” and remove unnecessary text “registered,” “and,” “licensed,” and “2 years” from former column C.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found, sentence structure is reorganized to read more clearly, and extraneous language is being struck to avoid confusion to the reader. The “2 years” of credit is being struck as the column is

being removed since it is obsolete.

17. Amend 16 CCR section 117 subsection (a), paragraph (13)

Purpose: Amendments renumber for consistency and remove unnecessary text “1 year” from former column C.

Anticipated Benefit/Rationale: Renumbering is done for consistency within the table, and the “1 year” of credit is being struck as the column is being removed since it is obsolete.

18. Amend 16 CCR section 117 subsection (a), paragraph (14)

Purpose: Amendments renumber for consistency, add “for every hour of work as described in (c)(3) up to the 1 year maximum,” and remove unnecessary text “1 year” from former column C.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found. The “1 year” of credit is being struck as the column is being removed since it is obsolete.

19. Amend 16 CCR section 117 subsection (a), paragraph (15)

Purpose: Amendments renumber for consistency, add “or registered,” “for every hour of work as described (c)(3) up to the 8-year maximum,” replace “U.S.” with “United States,” and remove unnecessary text “8 years” from former column C.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found, “or registered” is added because some jurisdictions register architects and language acknowledging that was inadvertently left out previously, and United States is spelled out for consistency. The “8 years” of credit is being struck as the column is being removed since it is obsolete.

20. Remove 16 CCR section 117 subsection (a), former paragraph (14) subparagraph (A)

Purpose: Amendments remove former section (a) paragraph (14) subparagraph (A), as it has been moved up to be the new paragraph 8.

Anticipated Benefit/Rationale: The referenced degree credit information has been moved to a more appropriate location in the table for clarity.

21. Amend 16 CCR section 117 subsection (a), paragraph (16)

Purpose: Amendments renumber this item for consistency and remove the unnecessary text “1 year” from former column C.

Anticipated Benefit/Rationale: Renumbering is done for consistency within the table

and the “1 year” of credit is being struck as the column is being removed since it is obsolete.

22. Amend 16 CCR section 117 subsection (a), paragraph (17)

Purpose: Amendments renumber for consistency, add “for every hour of work as described in (c)(3) up to the 7-year maximum,” and remove unnecessary text “5 years” from former column B and “2 years” from former column C. Amendments also replace “5” with “7” in column B.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found. The “5 year” and “2 years” of credit are being struck as the columns are being removed since they are obsolete. The credit is increased from five (5) years to (7) to ensure candidates receive the appropriate credit since there is no longer a differentiation between educational credit and training credit.

23. Amend 16 CCR section 117 subsection (a), paragraph (18)

Purpose: Amendments renumber for consistency, add “for every hour of work as described in (c)(3) up to the 7-year maximum,” and remove unnecessary text “5 years” from former column B and “2 years” from former column C. Amendments also replace “5” with “7” in column B.

Anticipated Benefit/Rationale: Clarification is being added so candidates can easily locate where additional information about earned experience can be found. The “5 years” and “2 years” of credit are being struck as the columns are being removed since they are obsolete. The credit is increased from five (5) years to (7) to ensure candidates receive the appropriate credit since there is no longer a differentiation between educational credit and training credit.

24. Amend 16 CCR section 117 subsection (b)

Purpose: Amendments remove the definition: ““Education equivalents” shall mean Table categories (a)(1) through (a)(9), (a)(10)(A), (a)(11), (a)(13), and (a)(15)(A) and (B).”

Anticipated Benefit/Rationale: This language is obsolete and unnecessary because the Board no longer differentiates between education and training as it refers to a prior method of evaluating candidates.

25. Remove 16 CCR section 117 subsection (b), former paragraph (1)

Purpose: Amendments remove the language: “For the purposes of this section, NAAB shall refer to the National Architectural Accrediting Board, and CACB shall refer to the Canadian Architectural Certification Board.”

Anticipated Benefit/Rationale: This language is unnecessary as the initialisms have been used previously in this regulation section.

26. Amend 16 CCR section 117 subsection (b), paragraph (1)

Purpose: Amendments renumber for consistency and remove unnecessary text “, five year program;” and “2. Bachelor of Architecture for individuals with a prior degree;.”

Anticipated Benefit/Rationale: Unnecessary language is being removed. The degree is what is considered, not how the candidate obtained the degree (whether in a five-year program, or after already obtaining another degree).

27. Amend 16 CCR section 117 subsection (b), paragraph (2)

Purpose: Amendments renumber for consistency and replace “he or she” with “they.”

Anticipated Benefit/Rationale: Gender neutral language is preferred pursuant to Assembly Concurrent Resolution 260, Chapter 190, September 5, 2018. The rationale for gender-neutral language is to avoid word choices which may be interpreted as biased, discriminatory, or demeaning.

28. Amend 16 CCR section 117 subsection (b), paragraph (3)

Purpose: Amendments renumber for consistency, replace “5” with “4,” “(14)(A)” with “(8),” “6” with “5,” “or” with “through,” “7” with “8,” and “5” with “4.”

Anticipated Benefit/Rationale: Renumbering for consistency within the subsection and to correct the references to refer to the correct subparagraphs of the updated table.

29. Amend 16 CCR section 117 subsection (b), paragraph (4)

Purpose: Amendments renumber for consistency, replace “5” with “4,” “(14)(A)” with “(8),” remove “for the categories contained in subsections (a)(1) through (5) or (a)(14)(A)” and “that would have been granted if the candidate had obtained a degree in,” and add “indicated for.”

Anticipated Benefit/Rationale: The amendments renumber for consistency within the subsection and to correct the references to refer to the correct subparagraphs of the updated table, remove obsolete language, and simplify and clarify language.

30. Amend 16 CCR section 117 subsection (b), paragraph (5)

Purpose: Amendments renumber for consistency, remove “shall be evaluated under” and the paragraph: “the following: Architectural Design; Architectural Engineering; Architectural Studies; Architectural Technology; Building Science; City and Regional Planning; Civil, Mechanical, Structural, or Electrical Engineering; Construction Engineering; Construction Management; Environmental Design; Interior Architecture; Landscape Architecture; and Urban and Regional Design,” and add “referenced in,” “(a)(7) are,” “as those degrees identified by the National Center for Education Statistics (NCES) Classification of Instructional Programs (CIP) Series: (A) 04: Architecture and Related Services except 04.10 Real Estate Development; (B) 14.04 Architectural

Engineering; (C) 14.08 Civil Engineering; (D) 14.33 Construction Engineering; and (E) 52.20 Construction Management.” Amendments replace 5 with 4 for consistency due to table renumbering.

Anticipated Benefit/Rationale: The amendments renumber for consistency within the subsection and to refer to the correct subparagraphs of the updated table, to remove obsolete language, and to simplify and clarify language. The specific degrees being removed were too restrictive of the degree programs currently offered by higher education programs. To solve this problem, the National Center for Education Statistics (NCES) Classification of Instructional Programs (CIP) Series codes are being used. The NCES CIP codes are used by all accredited higher education programs and cover degree programs that fall under those naming conventions. Therefore, the Board is not beholden to specific degree naming convention but can accept new or reworded degrees that fall under a related degree name as identified by the relevant NCES CIP code and still provide the candidate with credit, as was intended.

31. Remove 16 CCR section 117 subsection (b), former paragraph (7), subparagraphs (A) – (C)

Purpose: Amendments remove all of former subparagraphs (A) – (C).

Anticipated Benefit/Rationale: The removed language referred to limitations candidates had while gaining work experience while enrolled in a degree program. This language is being struck along with the former referenced portion in subsection (a) former paragraph (10) subparagraphs (A) – (E), and the removal of both of these paragraphs provides consistency with national standards and facilitates the licensure process.

32. Amend 16 CCR section 117 subsection (b) paragraph (6)

Purpose: Amendments renumber for consistency within the subsection and add the language: “All submitted degrees must be from an educational institution that is accredited by a regional or national accrediting body recognized by the United States Department of Education.”

Anticipated Benefit/Rationale: The language is added to ensure that submitted degrees that are eligible to be granted credit are from legitimate educational institutions.

33. Amend 16 CCR section 117 subsection (b), paragraph (7)

Purpose: Amendments renumber for consistency and replace “he or she” with “they” and “(14)(A)” with “(8).”

Anticipated Benefit/Rationale: Gender neutral language is preferred pursuant to Assembly Concurrent Resolution 260, Chapter 190, September 5, 2018. The rationale for gender-neutral language is to avoid word choices which may be interpreted as biased, discriminatory, or demeaning. Updating the reference language to the updated location in the table.

34. Amend 16 CCR section 117 subsection (b), paragraph (8)

Purpose: Amendments renumber for consistency and replace (14)(A) with (8).

Anticipated Benefit/Rationale: The amendments renumber for consistency within the subsection and update the language that refers to the updated location in the table.

35. Amend 16 CCR section 117 subsection (b), paragraph (9)

Purpose: Amendments renumber for consistency.

Anticipated Benefit/Rationale: Renumbering is for consistency.

36. Amend 16 CCR section 117 subsection (b), paragraph (10)

Purpose: Amendments renumber and replace “5” with “4” and “degrees” with “units” for consistency.

Anticipated Benefit/Rationale: Amendments renumber for consistency within the subsection and replace “degrees” for “units” to maintain continuity within the paragraph for clarity to reader.

37. Amend 16 CCR section 117 subsection (c)

Purpose: Amendments remove the language: ““Training equivalents” shall mean Table categories (a)(8) through (a)(15).”

Anticipated Benefit/Rationale: This language is removed as it is obsolete and unnecessary because the Board no longer differentiates between education and training as it refers to a prior method of evaluating candidates.

38. Amend 16 CCR section 117 subsection (c), paragraph (1)

Purpose: Amendments add “possess” and “or high school equivalent degree” and remove “graduate.”

Anticipated Benefit/Rationale: This language is being corrected to include candidates who obtained a high school alternative degree and may have been inadvertently excluded, and provide consistency with national standards.

39. Amend 16 CCR section 117 subsection (c), paragraph (2), subparagraph (A)

Purpose: Amendments add “or registered.”

Anticipated Benefit/Rationale: Adding “or registered” because there are jurisdictions that register licensees and language acknowledging that was inadvertently left out previously. Including this provides a more accurate portrayal of what is acceptable.

40. Amend 16 CCR section 117 subsection (c), paragraph (2), subparagraph (B)

Purpose: Amendments add “or registered” and “the” and replace “8” with “9” and “13” with “15.”

Anticipated Benefit/Rationale: Adding “or registered” because there are jurisdictions that register licensees and language acknowledging that was inadvertently left out previously. Including this provides a more accurate portrayal of what is acceptable. Renumbering is done for consistency within the subsection with the updated table references, and clarifying language is added to avoid confusion.

41. Amend 16 CCR section 117 subsection (c), paragraph (3)

Purpose: Amendments add “Primary source documentation shall mean issued directly from the program or sent from a United States or Canadian regulatory body.”

Anticipated Benefit/Rationale: Adding language to clarify the definition of primary source documentation so that it is unambiguous to the reader.

42. Amend 16 CCR section 117 subsection (c), paragraph (4)

Purpose: Amendments add “or registered.”

Anticipated Benefit/Rationale: Adding “or registered” because there are jurisdictions that register licensees and language acknowledging that was inadvertently left out previously. Including this provides a more accurate portrayal of what is acceptable.

43. Remove 16 CCR section 117 subsection (c), former paragraph (5)

Purpose: Amendments remove the entire former paragraph.

Anticipated Benefit/Rationale: The removed language referenced limitations candidates had while gaining work experience while enrolled in a degree program. This is being struck as is the former referenced portion in subsection (a) former paragraph (10) subparagraphs (A) – (E) which aligns the Board with national standards and provides licensees with more uniformity of the process and requirements.

44. Amend 16 CCR section 117 subsection (c), paragraph (5)

Purpose: Amendments renumber and add the language: ““responsible managing employee,” “responsible managing manager,” or “responsible managing member,” “responsible managing employee, responsible managing manager, or responsible managing member,” and “licensed entity.” Amendments remove “corporate” and “corporation” and replace “(12)(B)” with “(13).”

Anticipated Benefit/Rationale: Renumbering for consistency within the subsection, removing “corporate” and “corporation” so that the language encompasses all contractor entities. Adding “responsible managing employee, responsible managing manager, or responsible managing member” to comply and remain consistent with the language in BPC section 7068.

45. Amend 16 CCR section 117 subsection (c), paragraph (6)

Purpose: An amendment renumbers for consistency.

Anticipated Benefit/Rationale: Renumbering for consistency within the subsection.

46. Remove 16 CCR section 117 subsection (c), former paragraph (8)

Purpose: Amendments remove the entire former paragraph.

Anticipated Benefit/Rationale: The amendments reduce confusion as this paragraph had mentioned a program that no longer exists.

47. Remove 16 CCR section 117 former subsection (d)

Purpose: Amendments remove the subsection heading and definition.

Anticipated Benefit/Rationale: Credit evaluations no longer differentiate between educational credit, training credit, or practice credit. Therefore, this obsolete language is no longer needed and would only cause confusion.

48. Remove 16 CCR section 117 former subsection (d), paragraph (1)

Purpose: Amendments remove entire paragraph (1).

Anticipated Benefit/Rationale: The amendment removes the prohibition of candidates from earning experience credit for non-architectural work until later in the application process. This requirement had unnecessarily caused delays in licensure for candidates and penalized those who may have switched professions or found work as necessary and aligns the Board with national standards, which will provide uniformity within the process making it easier for candidates to understand and follow.

49. Amend 16 CCR section 117 subsection (c), paragraph (7)

Purpose: Amendments renumber for consistency, replace “his or her” with “their,” remove unnecessary “licensed,” “registered,” and “and/,” and add “certified” and the language: “may accumulate experience only after obtaining initial registration, licensure, or certification from the appropriate licensing authority of the relevant political jurisdiction. The candidate.”

Anticipated Benefit/Rationale: Gender neutral language is preferred pursuant to Assembly Concurrent Resolution 260, Chapter 190, September 5, 2018. The rationale for gender-neutral language is to avoid word choices which may be interpreted as biased, discriminatory, or demeaning. Simplifying language by eliminating redundant wording for clarity. The amendments clarify when candidates may accumulate experience to alleviate confusion and provide clarity.

50. Add 16 CCR section 117 subsection (c), paragraph (7), subparagraph (A)

Purpose: Amendments renumber for clarity, remove “complete an” and the language: “(19C-12)(3/2006) available from the Board on his or her own behalf,” and add “Completed” and the language: “as referenced in section 109(b)(2); and.”

Anticipated Benefit/Rationale: The amendments revise the former paragraph (7) to more clearly identify what candidates need to submit and where to locate the form. Removing the form incorporated by reference here as it is incorporated by reference in 16 CCR section 109(b)(2).

51. Add 16 CCR section 117 subsection (c), paragraph (7), subparagraph (B)

Purpose: Amendments renumber for clarity, remove “submit” and the language: “, and attach a list of projects for the time period covered. The list shall include: the names and addresses of the clients, type of projects, construction costs, date project was started, date of completion, and all services provided by the candidate” and add the language: “in each jurisdiction where they possess(ed) a license, registration, or certification.”

Anticipated Benefit/Rationale: The amendments revise the former paragraph (7) to clearly identify what proof of licensure, registration, or certification is required to identify the candidate as licensed, registered, or certified. Removing the required additional documentation as it is unnecessary and burdensome to the candidate. Removing this requirement will streamline the self-reporting of experience for those candidates.

52. Remove 16 CCR section 117 former subsection (e) and paragraphs (1) – (2)

Purpose: Amendments remove the entire former subsection and paragraphs.

Anticipated Benefit/Rationale: The removed language is unnecessary and does not require clarification by the Board. Additionally, former paragraph (2) referenced limitations candidates had while gaining work experience and such limitations are being removed as they caused confusion for candidates and were inconsistent with national standards. Aligning with national standards will add uniformity to the process and make it easier for candidates to follow said process.

Underlying Data

1. April 18, 2019 Professional Qualification Committee (PQC) Meeting Agenda, relevant Materials, and Minutes
2. March 30, 2022 PQC Meeting Agenda, relevant Materials, and Minutes
3. December 1, 2023 Board Meeting Agenda, relevant Materials, and Minutes

Business Impact:

The Board has made the initial determination that the proposed regulations will not have statewide adverse economic impact directly affecting businesses including the inability of California businesses to compete with businesses in other states. The proposed

regulations clarify existing requirements.

Economic Impact Assessment:

This regulatory proposal will have the following effects:

It will not create or eliminate jobs within the State of California because it only clarifies licensing requirements.

It will not create new business or eliminate existing businesses within the State of California because it only applies to individuals who are seeking licensure in the state.

It will not affect the expansion of businesses currently doing business within the State of California because it only applies to individuals who are not yet licensed to practice.

This regulatory proposal will make the licensure requirements in California consistent with the national standards and facilitate the licensure process, which will benefit the health, safety, and welfare of Californians.

This regulatory proposal does not affect worker safety because it does not involve worker safety.

This regulatory proposal does not affect the state's environment because it does not involve the environment.

Specific Technologies or Equipment:

This regulation does not mandate the use of specific technologies or equipment.

Fiscal Impact Assessment

The regulations do not result in a fiscal impact to the state. This regulatory proposal provides consistency with national standards for candidates to get the experience required for licensure and does not impose any new requirements. As a result, the Board does not anticipate additional workload or costs resulting from the proposed regulations.

The regulations do not result in costs or savings in federal funding to the state.

Consideration of Alternatives:

The Board has made an initial determination that no reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Board welcomes comments from the public.