### State of Alaska

# Board of Registration for Architects, Engineers, and Land Surveyors

May 3-4, 2018
Board Meeting Packet

KPB Architects 500 L. Street, Suite 400 Anchorage, AK



## State of Alaska Board of Registration for Architects, Engineers, and Land Surveyors

## **MISSION STATEMENT**

The board adopts regulations to carry out its mission to protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- ensuring that those entering these practices meet minimum standards of competency, and maintain such standards during their practice;
- requiring licensure to practice in the State of Alaska;
   and
- enforcing both the licensure and competency requirements in a fair and uniform manner.

# Bill Walker OFFICE OF THE GOVERNOR

You are here: Home / Services / Boards and Commissions / Roster

#### **ROSTER**

# State Board of Registration for Architects, Engineers, and Land Surveyors

NAME	APPOINTED	REAPPOINTED	EXPIRES
Anderson, Jennifer (Anchorage) Civil Engineer	03/01/2018		03/01/2022
Fritz, Catherine (Juneau) Architect	03/01/2016		03/01/2020
Hale, Dave (Anchorage) Land Surveyor	03/01/2012	03/01/2016	03/01/2020
<b>Johnston, Elizabeth</b> (Fairbanks) Electrical/Mechanical Engineer	03/01/2017		03/01/2021
<b>Jones, Richard</b> (Juneau) Public	10/26/2016	03/01/2018	03/01/2022
<b>Kerr, John</b> (Anchorage) Land Surveyor	03/01/2013	03/01/2017	03/01/2021
Koonce, Jeffrey (Anchorage) Architect	03/01/2013	03/01/2017	03/01/2021
<b>Maynard, Colin</b> (Anchorage) Civil Engineer	03/01/2012	03/01/2016	03/01/2020
Mott, William (Anchorage) Engineer Other Than Those Listed	05/26/2017		03/01/2020
<b>Urfer, Luanne</b> (Eagle River) Landscape Architect	07/01/2013	07/07/2017	03/01/2021

NAME	APPOINTED	REAPPOINTED	EXPIRES
Wallis, Fred (Healy) Mining Engineer	03/01/2016		03/01/2020
Board Fact Sheet			

# Meeting Agenda

#### **AELS Quarterly Meeting Agenda**

May 3-4, 2018

KPB Architects, 500 L. Street, Anchorage, AK

Conference Call Number: 1-800-315-6338 Access Code: 51676

#### Thursday, May 3<sup>rd</sup> Agenda:

- I. Call to Order 9:00 a.m.
- II. Review/Amend Agenda 9:02 a.m.
- III. OnBoard Software Training 9:05 a.m.
- IV. Ethics Reporting 9:20 a.m.
- V. Review/Approve February 2018 Meeting Minutes 9:25 a.m.
- VI. Investigative Report 9:30 a.m.
- VII. Division Update 9:50 a.m.
  - A. FY 18 Quarterly Report
  - B. Annual Report FY 18
  - C. Board Member Self-Evaluations
  - D. Travel Updates & Reminders
- VIII. National Organization Reports 10:05 a.m.
  - A. CLARB
    - 1. NCARB/CLARB Joint Orientation Report
  - B. NCARB
    - 1. Candidacy Announcements
    - 2. NCARB Update February 2018
    - 3. NCARB Fast Facts February 2018
    - 4. NCARB Fast Facts March 2018
    - 5. NCARB Regional Summit Report
    - 6. Board of Directors Preview
  - C. NCEES
    - 1. NCEES Search for Chief Executive Officer
    - 2. News Release: Discontinuation of Software Engineering PE Exam

- 3. News Release: NCEES reaches settlement
- 4. NCEES Western Zone Meeting Report
- 5. Licensure Exchange April 2018
- IX. Outreach Reports 10:15 a.m.
- X. Correspondence Sent 10:20 a.m.
  - A. Response: Relationship between RC and company
  - B. Response: Who is authorized to stamp/seal for company
  - C. Response: Sealing requirements and municipalities
  - D. Response: 3rd party peer review
- XI. Break 10:25 a.m.
- XII. Correspondence Received 10:40 a.m.
  - A. Question: Engineering Scope of Practice
  - B. Question: Mentoring Program
  - C. Question: Licensure requirements for Cathodic Protection Services
  - D. Request: Land Surveyor DOB information
  - E. Feedback: From URISA-Alaska on guidance manual draft language
  - F. Stamping Requirements for AHERA projects
  - G. Request: Recognize Forest Engineering/Logging Engineering
  - H. Question: Sealing change orders
- XIII. Presentation NCARB Education Guidelines 11:30 a.m.
- XIV. Lunch 12:00 p.m.
- XV. Reconvene meeting/Roll call 1:05 p.m.
- XVI. Instructions for Reviewing Applications 1:07 p.m.
- XVII. Public Comment 1:30 p.m.
- XVIII. Application Review 2:30 p.m.
- XIX. Recess for the day 5:00 p.m.

#### Friday, May 4th Agenda:

XX. Reconvene meeting/Roll call - 8:15 a.m.

XXI. Application Review continued - 8:17 a.m.

XXII. Presentation: Alaska Initiative for ID Registration - 10:00 a.m.

XXIII. Old Business - 10:45 a.m.

A. Review February 2018 To Do List

B. Regulation Project Updates

1. Updates to 12 AAC 36.061, .103 and .110

2. Updates to 12 AAC 36.105

3. Updates to 12 AAC 36.185(c)

C. Guidance Manual

XXIV. Lunch - 12:00 p.m.

XXV. Reconvene meeting/Roll call - 1:05 p.m.

XXVI. New Business - 1:07 p.m.

A. Regulation project proposal - terminology revisions

XXVII. Elections of Officers - 1:30 p.m.

XXVIII. Committee Updates - 1:45 p.m.

XXIX. Licensing Examiner Report - 2:00 p.m.

XXX. Read Applications into Record - 2:10 p.m.

XXXI. Review Calendar of Events/ Board Travel - 2:30 p.m.

XXXII. Board Tasks - To Do List - 3:00 p.m.

XXXIII. Board Member Comments - 3:10 p.m.

XXXIV. Administrative Business - 3:15 p.m.

XXXV. Meeting Adjourns - 3:30 p.m.

# Ethics

# Reporting

#### **III. Executive Branch Ethics**

Service on a state board or commission is a public trust and members are expected to conduct the public's business in a way that preserves the integrity of the governmental process and avoids conflicts of interest. The Ethics Act (AS 39.52) doesn't forbid public officers from having opinions, interests, or professional pursuits outside of their service on boards or commissions, but it does require that members disclose certain matters, so that a determination can be made about whether they constitute a conflict of interest.

#### **General Guidance**

All board and commission members and staff should be familiar with the procedures outlined below. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government. Additional information is available from the Alaska Department of Law at <a href="http://law.alaska.gov/doclibrary/ethics.html">http://law.alaska.gov/doclibrary/ethics.html</a>. Much of the information in this section of the manual is taken directly from this site.

#### Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they or an immediate family member have a personal or financial interest;
- coerce subordinates for his/her personal or financial benefit, or
- attempt to influence the outcome of an administrative hearing by privately contacting the hearing officer.

Terry knew that a proposal that was before the board would harm Terry's business partner. Instead of publicly disclosing the matter and requesting recusal, Terry engaged in discussions about the proposal, and voted on the proposal.

Jack serves on a board that regulates parts of the building construction industry. Wearing a nametag that identifies him as a member of the industry board, Jack goes to a contractors' trade show and sets up a booth for his consulting business, called "Building a Future in Alaska."

#### **Improper Gifts (AS 39.52.130)**

A board or commission member may not solicit or accept a gift if it could reasonably be inferred that the gift is intended to influence the member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. All gifts from registered lobbyists

are presumed to be improper unless the giver is an immediate family member of the person receiving the gift.

A gift worth more than \$150 to a board or commission member or the member's family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board or commission.

The receipt of a gift worth less than \$150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board or commission member will be advised as to the disposition of this gift.

A form for reporting gifts is available at <a href="law.alaska.gov/doclibrary/ethics.html">law.alaska.gov/doclibrary/ethics.html</a> or from the board or commission staff.

This restriction on gifts does not apply to lawful campaign contributions.

The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay, since he isn't excluding any of the members.

Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

#### Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board or commission may use or disclose any information acquired through official duties if that use or disclosure could result in a financial or personal benefit to the board member (or a family member), unless that information has already been disseminated to the public.

Sheila has been on the board for several years. She feels she has learned a great deal of general information about how to have a successful business venture. So she sets up her own business and does well.

Delores has always advised and assisted the other doctors in her clinic on their continuing education requirements. After Delores is appointed to the State Medical Board, she discloses this role to the board and continues to advise the doctors in her clinic in her capacity as a private individual, not a board member.

#### Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)

A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member does not take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.

Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at <a href="mailto:law.alaska.gov/doclibrary/ethics.html">law.alaska.gov/doclibrary/ethics.html</a> or from the board or commission staff.

John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years but he figures that it doesn't matter when her grant application comes up before the board; he votes on the grant to his daughter, without disclosing the relationship to the board. (While voting for the grant looks worse than voting against the grant, the Ethics Act prohibits deliberating or voting on the issue regardless of what position the board member takes.)

The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim bids on the contract since she has been on the board for ten years and feels she could do a good job.

#### Improper Representation (AS 39.52.160)

A non-salaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act. So, the member must disclose the fact of the member's involvement in the regulated matter, and abide by the board or commission's finding as to the existence of a conflict of interest.

#### Restriction on Employment after Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, contracts, and similar matters.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member.

With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

The board has arranged for an extensive study of the effects of the Department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the Department's programs.

Andy takes the job, but specifies that he will have to work on another project.

#### Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate this chapter is prohibited.

#### Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

#### Disclosure Procedures (AS 39.52.220-250)

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

#### Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act has several ethics supervisors designated by statute. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director. This does not apply to professional licensing boards and commissions, whose staff are employees for the Department, not the board.
- The Department of Commerce, Community, and Economic Development has assigned a Special Assistant to serve as DES for staff.
- The governor is the DES for a chair. The governor has delegated the DES responsibility to the Director of Administrative Services in the Office of Governor.

#### What Do I Have To Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The staff of a board or commission, as state employees, must also disclose:

• Compensated outside employment or services.

• Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, "Ethics Information for Members of Boards and Commissions." Staff should refer to the guide, Ethics Information for Public Employees." Both guides and disclosure forms may be found on the Department of Law's ethics website: <a href="http://law.alaska.gov/doclibrary/ethics.html">http://law.alaska.gov/doclibrary/ethics.html</a>.

#### How Do I Avoid Violations of the Ethics Act?

- Make timely disclosures
- Follow required procedures
- Provide all information necessary to a correct evaluation of the matter! You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.
- When in doubt, disclose and seek advice
- Follow the advice of your DES

#### What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120. One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

#### Procedure for declaring actual or potential conflicts

Members must declare potential conflicts and other matters that may violate the Ethics Act on the <u>public record</u> and <u>in writing to the chair</u>. Public disclosure only takes the place of a written disclosure if the meeting is recorded, a tape or transcript of the meeting is preserved, <u>and</u> there is a method for identifying the declaration in the record. Boards and commissions that meet these requirements may note the exception below.

*Disclosure on the public record.* Members must identify actual and potential conflicts orally at the board or commission's public meeting <u>in advance</u> of participating in deliberations or taking any official action on the matter.

- A member must always declare a conflict and may choose to refrain from voting, deliberations
  or other participation regarding a matter. In most, but not all, situations, refraining from
  participation ensures that a violation of the Ethics Act does not occur. Abstention does
  not cure a conflict with respect to a significant direct personal or financial interest in a state
  grant, contract, lease, or loan because the Ethics Act prohibition applies whether or not
  the public officer actually takes official action.
- If a member is uncertain whether participation would result in a violation of the Act,

the member should disclose the circumstances and seek a determination from the chair.

Disclosure in writing at a public meeting. In addition to an oral disclosure at a board or commission meeting, members' disclosures must be made in writing.

- If the meeting is recorded, a tape or transcript of the meeting is preserved <u>and</u> there is a method for identifying the declaration in the record, an oral disclosure may serve as the written disclosure.
- Alternatively, the member must note the disclosure on the Notice of Potential Violation disclosure form and the chair must record the determination.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting based on the published meeting agenda or other board or commission activity.

- A member identifying a conflict or potential conflict may submit a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential.
- The chair may seek advice from the Attorney General.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.
- If the chair determines that the member would violate the Ethics Act by taking official action, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- An oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting. In this manner, a member's detailed personal and financial information may be protected from public disclosure.

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The chair states his or her determination regarding whether the member may participate.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- <u>Exception:</u> A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting,

deliberating or participating in the matter. When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

If the chair identifies a potential conflict that he or she has, the same procedures are followed. If possible, the chair should forward a confidential written notice of potential violation to the Office of the Governor or to the Department of Law for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded to the Office of the Governor for review by the chair's DES.

#### **Procedures for Other Member Disclosures**

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the chair for approval. The disclosure forms are found on the Department of Law's ethics website: law.alaska.gov/doclibrary/ethics.html.

Other Disclosures. The DES also reviews other ethics disclosures and either approves them or determines what action must be taken to avoid a violation of the Act. In addition to the disclosures of certain gifts and interests in the listed state matters, state employees must disclose all outside employment or services for compensation.

• The DES must provide a copy of an approved disclosure or other determination to the employee.

#### How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted <u>in writing</u> and <u>under</u> oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written
  determination whether a violation may exist. The DES provides a copy of the notice to the
  employee or board/commission member who is the subject of the notice and may seek input
  from the employee or board/commission member, his or her supervisor and others. The DES
  may seek advice from the Attorney General. A copy of the DES' written determination is
  provided to the subject employee or board/commission member and the complaining party.
  The DES submits a copy of both the notice and the determination to the Attorney General

for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee or board/commission member of the personal or financial interests giving rise to the potential violation.

- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- <u>These matters are confidential</u>, unless the subject waives confidentiality or the matter results in a public accusation.

#### What Are The Procedures for Quarterly Reports?

Designated ethics supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act.

- Reports are due in April, July, October and January for the preceding quarter.
- A sample report may be found on the Department of Law's ethics website.
- An executive director may file a quarterly report on behalf of the chair and combine it with his or her own report.
- If a board or commission does not meet during a quarter and there is no other reportable activity, the DES advises the Department of Law's Ethics Attorney and no other report is required.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

#### How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a <u>written request</u> to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides <u>advice by phone or e-mail</u> to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

#### Complaints, Hearings, and Enforcement (AS 39.52.310-370, AS 32.52.410-460)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also

initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution.

After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. An accusation may result in a hearing.

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member.

If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

#### **Conflict of Interest and Ex Parte Communication**

A conflict of interest occurs when a board or commission member has a direct and substantial personal interest, usually a financial interest, in a matter before the board or commission. The provisions of conflict-of-interest laws are these:

- 1) A member of the board or commission should declare a substantial financial interest the member has in an official action and ask to be excused from a vote on the matter;
- 2) The presiding officer should rule on a request by a member of the board or commission to be excused from a vote; and
- 3) The decision by the presiding officer on a request by a member of the board or commission to be excused from a vote may be overridden by a majority vote of the board or commission.

It is not unusual for board and commission members to have conflicts of interest. Not all conflicts involve a substantial financial interest, however. Some conflicts may only appear to be improper or have the appearance of an unfair advantage. These conflicts should be declared, so the public does not think that board and commission members are self-serving and ignoring public interest. If a board or commission member thinks he or she has a conflict, the conflict should be declared and the presiding officer should be notified to decide whether the board or commission member should vote. A conflict should only be declared when a conflict is really believed to exist, and the determination of the

declaration should be read into the public record of the meeting. A conflict should never be declared to avoid having to vote on a difficult issue.

Conflicts may arise due to improper communication with a stakeholder. "Improper communication" can be any communication with an interested party where the communication is about something on which the board has authority to act, and which comes outside of a publicly-noticed meeting. A familiar example is the contact that a member of a jury could have with people or even news stories that could bias their opinion unfairly. Sometimes it is impossible for juries in high-profile cases to avoid hearing information that is inadmissible in court, so they are sequestered in hotel rooms with no television or public contact. Board and commission members are not likely to be treated to such extremes, but they must take care not to discuss investigations before a vote takes place. This type of discussion should result in the recusal of the member from the vote on that issue.

#### **Ex-Parte Contact**

The foundation of due process is that each side in a dispute has the opportunity to be heard. If one side has the opportunity to make an argument, the other side must have the opportunity to respond. It is sometimes tempting for an applicant, licensee, or attorney to attempt to circumvent the usual application decision-making procedures, to seek information on a pending application, to discuss a pending disciplinary action, or to seek to influence an individual's decision by directly contacting one of the board members. Such communications are called "ex parte" communications.

Ex parte communications are improper. The result of such a communication is that the board member so contacted may be unable to discuss, participate in, or vote on the application or disciplinary action.

The risk to the applicant or licensee who attempts such communication is that a board member who might have been favorably disposed to their license application or disciplinary case may not be able to participate in the decision or vote.

Ex parte communication must be disclosed. Should any individual attempt to contact you to discuss a license application or disciplinary case, please refer them to a staff member (licensing examiner, investigator, or executive administrator) for response.

Should you experience an ex parte communication, please so indicate when that issue is addressed by the board in session. Alert the chair about the contact in writing before the meeting and on the record at the beginning of the meeting so he or she can determine whether it is appropriate that you be recused from the discussion, deliberation, and vote. As the DES for the board, the chair is required to make this determination on the record.

If you are unsure about the nature and extent of the contact, please contact the board's staff for guidance.

Another interesting conflict of interest issue that is gaining awareness is that of the potential for disproportionate influence of "active market participants" on boards. An active market participant is

# Meeting Minutes

These draft minutes were prepared by the staff of the Division of Corporations, Business and Professional Licensing. They have not yet been approved by the Board.

# STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS

#### MINUTES OF THE MEETING February 1-2, 2018

By authority of AS 08/01.070(2), and in compliance with the provisions of AS 44.62, Article 6, a scheduled meeting of the Board of Registration for Architects, Engineers and Land Surveyors was held on Wednesday, November 8 and Thursday, November 9, 2017 at KPB Architects, Anchorage, Alaska.

#### Agenda Item 1 - Call to Order/Roll Call

The meeting was called to order at 9:05am by Chair Dave Hale.

#### Board members present, constituting a quorum:

Dave Hale PS, Surveyor
Brian Hanson, PE, Civil Engineer, Mining Engineer
Catherine Fritz, Architect
John Kerr, PS, Surveyor
Colin Maynard, PE, Civil Engineer, Structural Engineer
Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer
Luanne Urfer, Landscape Architect

The following board member attended telephonically:

Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer

The following board members were excused by the Chair:

Jeff Koonce, Architect

Attending from the Division of Corporations, Business, and Professional Licensing were:

Alysia Jones, Executive Administrator Heather Noe, Licensing Examiner John Savage, Investigator

The following staff attended telephonically:

Janey McCullough, Division Director Melissa Dumas, Administrative Officer

#### Agenda Item 2 - Review/Amend Agenda

The board reviewed the agenda.

Johnston requested items 21 and 22 be moved to this afternoon. The Chair explained guest speakers were coming in for those presentations, so they could not be moved.

A. Jones noted a few grammatical revisions and the addition of agenda items 9.C. Letter requesting clarification of sealing requirements and municipalities and 9.D. Letter regarding third party peer review service. The Chair confirmed that everyone had a copy of the addendum.

## On a Motion duly made by John Kerr seconded by Colin Maynard, and approved unanimously, it was RESOLVED to accept the updated agenda.

#### **Agenda Item 3 - Ethics Reporting**

There were no ethic violations to report.

Urfer met with the interior design group.

Hanson stated that he attended the NCEES UPLG Committee meeting, an NCEES Education Committee meeting, Utah board visit and is scheduled to do a board visit to San Jose while he is still on the AELS Board. All of these trips were covered by NCEES.

Maynard stated that he also attended the UPLG Committee meeting in San Diego, paid for by NCEES.

Fritz stated she recently attended a WCARB Strategic Planning Meeting that WCARB paid for and had one phone call with an interior designer.

Hale stated that he was attending a meeting at UAA with Geomatics students tonight to talk about licensure.

Maynard added that he will be talking to the mechanical engineering wrap up design class in a couple weeks, and did a similar presentation last fall, for no compensation.

Kerr mentioned that agenda item 9.C. Jake Maxwell contacted him prior to writing the letter and explained his concerns. Kerr had advised him to ask the Board.

Hanson added he had made a presentation to the UAA Electrical Engineers earlier this week and mentioned NCEES has an outreach packet with handouts, pens, pencils, screen cleaners, etc. suitable for student level outreach. Hanson explained boards can request a packet from NCEES.

#### Agenda Item 4 - Review/Approve Minutes -Regular Meeting November 8-9, 2017

R. Jones mentioned there was a statement regarding universities requiring "passing" the FE, and clarified that the requirement is to "take" it rather than pass. R. Jones also requested review of information related to Certificate of Authorizations (COA) to ensure it was correct and did not imply a COA was required for a sole proprietor.

Fritz noted a reference on page 6, that she received 3 phone calls to talk about an exemption for SE applications under 12 AAC 36.0208 and requested rephrasing to indicate the calls were from multiple callers.

J. Kerr said page 5 line 42 did not make sense to him and requested rephrasing.

Johnston stated her name was misspelled throughout the minutes. A. Jones apologized and indicated she would correct the misspellings.

On a Motion duly made by Colin Maynard, seconded by Catherine Fritz, and approved unanimously, it was RESOLVED to approve the minutes with minor corrections.

#### **Agenda Item 5 - Investigative Report**

Feb012018\_11:28

Savage announced there is a new Chief Investigator, Greg Francois and said the Chair will be meeting with him in the coming weeks. Savage said the section remains busy with regular workload which has increased with the recent renewal season. Savage explained he still has multiple boards, but it is going in the right direction and cases are being transferred to other staff. Savage explained, per the board's request, he has made changes to the content provided in the board report and noted this is the maximum amount of information he can provide on the investigative report. Savage asked the board

to provide feedback. R. Jones reminded the board not to be involved in complaints and to direct inquiries directly to John. Savage said when a complaint is closed, everyone involved is made aware of the case, and warned the board about defamation of character.

Savage said he would miss Hanson, as this is his last meeting and thanked him for his assistance with case reviews. He requested the board confirm contact information and provide any updates to the A. Jones.

Chair asked if we can retain past board members for case review. Savage said we can and he has recruited some to be expert witnesses over the years. Savage will see if Brian is interested in continuing to assist. Savage mentioned he would be reaching out to several members regarding case reviews and explained the importance of their prompt response in keeping cases moving forward.

The Chair thanked John for his report and all he does for the board and the public.

Maynard asked if the board could talk about HB90, which would lump all investigative costs together. Maynard said Representative Kito would be speaking to APDC at noon today. The Chair asked Maynard to summarize the bill for the board. Maynard explained the bill will take the total cost of investigations, regardless of the program and divide the cost among all licensees. He explained the nurses have the highest costs, with doctors, guides, and then realtors. Maynard added that midwives' fees went up severely due to the small number of licensees and high investigative costs. Maynard suggested grouping a few of the related boards/programs to address the issue. Maynard stated we would end up paying more (approximately \$50/ biennial). Maynard explained the policy of occupational licensing had historically been each program was responsible for their own (direct) costs, and in the past three to four years indirect costs have also been allocated to each program. Maynard stated the argument in support of the bill is that it is insurance, but Maynard disagrees. Fritz asked why Kito is opposed to the idea of grouping similar programs to increase the licensee pool and spread out the investigative cost between similar licensee groups.

Kerr commented the topic had been discussed at a previous meeting and recalled there was a motion to write a letter. The Chair stated the bill had been put on hold and therefore the letter had not been written. Maynard recommend sending a letter. Fritz suggested the letter articulate alternative options for addressing the issue. Maynard added that he was concerned if investigative costs were lumped together that we would also lose our dedicated investigative staff member that by statute should only be handling cases for AELS.

Kerr suggested the letter explain the time and effort that went into getting a dedicated investigator for the board. The Chair clarified that losing our investigator is not what HB90 is about and is only an assumed effect if the bill passed.

Fritz said different professions have made different efforts, i.e. outreach and education to reduce the amount of investigations and stated her concern that this would make it difficult to ensure which programs are continuing that effort.

Maynard explained there was a big back log of AELS cases because the priority was on medical cases. Maynard expressed his concern of the priority shifting back to medical or another program if costs are lumped together again.

R. Jones stated at one time the board had two and a half investigators and now there is only one, but the workload has not changed.

The Chair asked if Maynard would write the letter. Mott suggested relating the issue regarding John's position and time to a public safety issue rather than a complaint of an increase in fees. The board agreed.

On a Motion duly made by Colin Maynard, seconded by John Kerr, and approved unanimously, it was RESOLVED to send a letter to the legislature expressing our opposition to HB90 and recommending a different method of lowering the small boards' fees.

#### Agenda Item 6 - Financial Report

Feb012018 34:44

Director McCullough and Administrative Officer Melissa Dumas joined the meeting telephonically. McCullough mentioned she believed a letter had already been submitted. A. Jones will review correspondence to confirm whether or not a letter was actually sent.

McCullough stated that the board had previously seen the year-end report for FY17 and explained the first quarter of FY18 was available for the board to review. Dumas mentioned revenue from renewals will be reflected in the 2<sup>nd</sup> quarter, which would be available in the coming weeks. Hanson stated the board had previously reviewed the 1<sup>st</sup> quarter report at the November meeting. McCullough explained it was her understanding the board had reviewed FY17 information at the last meeting. A. Jones explained the FY 18 report became available right before the November meeting, so it was provided to the board in the November 2017 meeting addendum.

The Chair asked when the  $2^{nd}$  quarter report will be available and asked if the board can receive that information in between board meetings. Dumas explained it would be available soon and offered to work with A. Jones to send it to the board once it becomes available.

**TASK** – A. Jones will follow up with Dumas to get the 2<sup>nd</sup> quarter report.

Hanson asked if the continuing education audit letters had gone out. A. Jones responded that the letters had not been sent yet. R. Jones offered to assist A. Jones with reviewing the audits to reduce the number that needs to be seen by the board.

#### **Agenda Item 7 - National Organization Correspondence & Meeting Reports**

Feb012018.1\_43:58

7.A. CLARB – Urfer reported they are still concerned about all of the challenges to licensure and a lot of the teleconferences are focused on those issues. Urfer said they are also recruiting for officers. Urfer said they recently sent out a survey to evaluate perceived level of threat/risk to licensure and to determine topics for the annual meeting.

Feb012018.2- 00:02

7.B. NCARB – A. Jones reported that during the Member Board Engagement call, both New Mexico and Utah mentioned that interior designers are seeking registration, but their architectural boards are not being included in the conversations.

Fritz reported that we completed the history project and mentioned some interesting information came out of archives and speaking with former board members.

7.C. NCEES – Hanson explained the Board of Directors report from Boston was included in the packet. Hanson mentioned they made an additional donation to Without Borders. He explained NCEES is looking at a building expansion or possibly moving due to a recent cost benefit analysis. Hanson announced the CEO Jerry Carter is retiring and plans to depart the end of next year. Hanson said there was also a questionnaire on the land surveyor module and he encouraged the Chair and Kerr to get involved in that process.

On a Motion duly made by Colin Maynard, seconded by John Kerr, and approved unanimously, it was RESOLVED to grant Brian Hanson Emeritus Status with NCEES.

Hanson added that there is one candidate for Vice President - Brian Robertson, and one candidate for Assistant Vice President - Scott Bishop, from Utah. The Chair asked about the South Dakota issue. Hanson stated it is related to temporary licensure. Hanson said it is a model for what's going on in other states and added it is just a discussion at this point.

The Chair explained that item 7.C.5., a questionnaire from South Korea regarding interest in a mutual recognition agreement came to the board with a short response window, but that he felt the topic should be discussed by the board as a whole. Maynard stated that we do not offer reciprocity with any other state let alone another country and noted we are not able to do so because of the arctic requirement. The Chair noted the board has not vetted their institutions either.

R. Jones said we don't give straight reciprocity to anyone and asked why we would make an exception. The Chair agreed and reiterated that he wanted it to be a board decision.

TASK: A. Jones will respond indicating the board is not interested in seeking reciprocity with South Korea due to arctic course, and the need to vet education and licensure requirements, etc.

R. Jones mentioned he was disappointed in the presentations at the NCEES annual meeting, stating they were self-serving. Hanson said the Board of Directors had discussed the relevance of some of the presentations and stated all comments are reviewed and opinions are taken into consideration. Hanson added that he made a point of echoing the board's opinion of the UAV presentation to the Board of Directors.

7.D. Outreach Reports – The Chair mentioned he would be talking to geomatics students tonight about licensure and what the board does. Kerr and the Chair will also be talking at the Alaska Surveying and Mapping Conference about licensure requirements, UAVs, etc. Kerr added it is a four day conference on surveying, mapping, GIS. The Chair said we are doing a lot of outreach and believes it helps keep investigations down; keeps people aware of our regulations; and is worth the effort. Kerr added that DNR informed him that the presentation he did last fall has generated a lot of discussion regarding requirements for mappers. Mott asked if the presentation to DNR was specific to surveyors. Kerr responded it was on licensing requirements related to mapping activities.

TASK: A. Jones asked the board to email her with any outreach activities, so she can better track the board's outreach efforts and include it in the annual report.

The Chair asked if anyone else is doing outreach. Maynard said he's been talking to the civil engineering wrap up course each semester for the past four years and is now being asked to speak during similar wrap up courses for other disciplines, including mechanical. Hanson said the engineering society student chapter sent a request directly to NCEES and didn't realize the board had been to the university in November.

Feb012018.2 21:05

Fritz requested that the board return to the discussion on HB90. She said she reviewed the minutes of the April meeting and stated there was a motion that the Legislative Liaison Committee would draft a letter, but believed since the bill went silent, the letter had not been drafted.

#### **Agenda Item 8 - Correspondence Sent**

8.A. Response Letters RE: Deadline extension for SE application under 12 AAC 36.108. – The Chair explained the board had received several of requests to extend the deadline for application for structural engineer license by grandfathering. Staff provided documentation showing all notification requirements were met, and mentioned in the response letters. The Chair stated that in the letter he encouraged the registrants to sign up for the listserv to stay informed. He asked the board how else we can notify people.

R. Jones said there is always ten percent of registrants that do not get the word and it is an ongoing issue. A. Jones asked if there is a way to work more closely with the local chapters to help get the word out. Maynard said he mentioned it every monthly meeting of the Anchorage chapter of the Structural Engineers of Alaska. Maynard added it was also in the APDC newsletter. Fritz explained the three individuals she spoke with, were still expecting a hard copy in the mail and had not transition fully to electronic communications. Fritz said encouraging the listserv and highlighting the listserv on the website is sufficient.

Feb012018.2\_25:19

8.B. Response Letters RE: Playgrounds and Landscape Architects

Chair asked if there had been any comments or responses from these letters. A. Jones indicated no response or additional correspondence had been received regarding this issue.

#### 8.C. Response Letter to Jesse Engineering Co.

The Chair explained the request to use engineering in the company's name was denied and the board's position had been if you have been using it forever then we won't stop them from using it, however new corporations need to comply. The Chair suggested everyone read the Oregon issue regarding an individual who did not have an engineering license, did a traffic light study and claimed he was an engineer. The Oregon board took exception to that and the board was sued. The courts claimed it was free speech. The board discussed the case and believed it would not have been something the AELS board would have pursued.

#### **Agenda Item 9 - Correspondence Received**

Feb012018.2 29:56

9.A. Relationship between responsible charge designee and company – The question posed to the board was "Does the responsible charge on the business license [Certificate of Authorization] have to be an employee of that company?" The board began a long discussion on the topic.

Maynard commented that yes, a person in responsible charge should be an employee, if not an owner, in the company and that if you are offering services and want a COA, you should have a qualified employee. Mott brought up sub-contracting to the discussion and the board discussed the difference between being on a design team vs. what services a company offers. R. Jones said he does not disagree that they should be an employee, but stated the regulations do not require it. Savage asked about "direct knowledge and supervisory control".

Hanson said he believed the intent of the regulation, was yes, you were going to be in that office, but added that the regulation was created in a time when there were small companies, with everyone working in that same office and there was no email, fax machines, etc. He explained people work all over the place now and supervise people remotely. Hanson stated it is no different than hiring legal counsel for your corporation, which is not on their staff, but is hired to represent the company.

Maynard said if a company is offering services, they should have someone on staff in responsible charge of that field of practice, otherwise, they should hire the other company as a subcontractor to be part of their team and provide expertise in another field of practice or discipline as required for a particular project.

R. Jones ask how someone can provide direct knowledge and supervisory control without ever visiting the site. Several members indicated it was possible and explained the persons' in responsible charge review all of the information, numbers, etc. Hanson said the board regulates the individual and title, not the process and the responsibility is on the professional to ensure the accuracy.

The board discussed how a company might turn that authority over to an individual that is not an employee or owner of a company. Hanson posed the question of being on a company's board of directors and the group discussed the use of the term employee and the fact another term to define the relationship may be more appropriate.

The board then discussed a scenario involving a licensed professional getting a professional quality product from someone else and taking responsibility for that work. Fritz stated that is legal, although it may not be advisable. Hanson said that it is no less legal than a licensed professional sending an unlicensed crew out, creating a product and then the licensed professional stamping it. Hanson added if they are doing work that *has* to be done by a licensed professional that is a different issue.

The Chair stated the issue becomes grayer as to whether or not the registrant can actually take responsibility when he or she is not part of the company. Kerr said the person in responsible charge needs to be able to demonstrate direct knowledge and supervisory control whether they are in the office or remotely, and the responsibility remains with the individual.

The board circled back to the original question and paused the discussion to prepare for the Office of Administrative Hearings (OAH) training scheduled for 11:00a.m.

#### Agenda Item 10 - OAH Training w/ Judge Christopher Kennedy

Feb012018.3 01:43

Judge Kennedy introduced himself as the Deputy Chief at OAH and stated he was filling in for Judge Kathleen Frederick. Kennedy explained one of his roles is speaking with clients such, as the AELS board, and ensuring boards understand the role of OAH. Kennedy stated OAH was created in 2005 reaction to public perception of unfairness. Every agency had a hearing officer buried in it and there were concerns regarding their objectivity. Other issues with the framework included isolation from other professionals. In 2005, the hearing officers were put together in a separate independent office. Kennedy said there are ten to eleven administrative law judges who hear cases from all different parts of state government, some are generalists and others are specialists. Kennedy said they used to get quite a few cases from this board, but they have not seen any from AELS in more recent years.

Kennedy described the process for getting cases, using the example of an application for licensure. Kennedy explained the board may reject the application, the applicant is then given 30 days to appeal and then the case is referred to OAH. The OAH then has 120 days to run a full appeal on their application. Kennedy explained OAH is required to start over in a sense, reviewing all documentation the board reviewed, as well as any additional information the individual wants to provide. He added often times the individual wishes to testify and provide a fuller picture of their story and/or situation, which may involve a live hearing where witnesses are put up and cross-examined. Within the 120 days, the OAH is supposed to issue a proposed decision to the board. Kennedy explained once a proposed decision has been made both the applicant and the Attorney General's Office can comment on it by submitting a proposal for action. OAH then packages the proposed decision and proposal for action and submits it to the board liaison, typically for inclusion on the next quarterly meeting agenda. Kennedy stated at the next meeting the board will be in deliberative session and would invite the administrative law judge to the session to discuss the matter. The board then has the option to accept, reject, modify, (i.e. granting with conditions). Kennedy explained the AELS board has rejected the proposed decision and in another case granted with different conditions than recommended. Kennedy explained the next steps would be to come out of executive session and vote on the ultimate decision. Kennedy said if different than recommendation, then then board needs to articulate why and the administrative law judge will work with the Chair to draft the explanation, which is then circulated to the rest of the board and finally signed off on by the board.

Kennedy explained the intent of this process is to have a new set of eyes on the situation, give people due process, while keeping the board at the top of pyramid regarding discipline, etc. Kennedy added it is also designed to spare the board from having a hearing themselves.

Kennedy said the minute someone appeals and sends it to OAH, your AG turns into a representative or party in the case, and your board liaison also becomes a party in the case. He added that board liaisons typically are aligned with Corporations, Business and Professional Licensing (CBPL) staff and they get on one side and the appealing party gets on the other side of the case and argue the case. OAH is in the middle, as is the Board, which can be considered the jury. Kennedy explained the board cannot talk to the AG or CBPL staff about the case. Once the case is over, Kennedy recommended discussing lessons learned and provide feedback for future consideration.

Kennedy mentioned the board can decide an item is too trivial and delegate the OAH to make the final decision. Kennedy provided an example regarding a technical dispute about whether or not continuing education requirements were met and stated the Chair would be able to decide. Kennedy said it is an option, but advised against delegating anything that is very important to the board and/or related to policy.

Kerr asked for clarification about when the staff cannot be contacted. Kennedy explained that procedural questions are allowed, however nothing regarding the content or substance of the case can be discussed.

The Chair asked if OAH would review the Guidance Manual and/or consider the board's history on a particular type of ruling. Kennedy said OAH is supposed to apply the law which is your statutes and regulations, whereas a guidance manual is controversial. He added they may look at it, but the information in the manual cannot be followed as the law. Kennedy stated OAH has documentation of prior decisions and will review that information to see what the board did in the past. The Chair asked if it was possible to get a copy of previous cases since the board is always looking for precedence. The board discussed having A. Jones review the documentation of prior decisions as time allows and bringing that information to the board.

TASK – A. Jones will contact OAH to schedule a time to review documentation of prior decisions.

Maynard asked if there was a transcript to see how the administrative law judge came to that decision or are we supposed to just take the recommendation? Kennedy responded there typically is not a transcript, but that they would be able to play specific pieces of the recording.

Kennedy mentioned a prior case with the AELS board where the board rejected the administrative law judge's decision, and the case went up to superior court. He explained it came back to the board for reconsideration and the board then granted the license with conditions that were different than what the judge recommended. Hanson said the board did not realize there were options available to the board to consider. Kennedy said there are options for boards to ensure you are getting the right assistance. Kennedy recommended someone review the decisions from the 80s and 90s and explained that everything issued as a full decision since 2005 is available online, but the board does not have a lot of cases in recent years. Kennedy offered to send over the three decisions of the Ward case, Fritz said she was able to pull them up online.

Kerr asked who follows up with stipulations of the board's ruling. Kennedy responded that the CBPL paralegal staff are responsible for that work.

Maynard said there is a perception in our licensing community that we are involved in all of the investigations and it is good awareness for us to know how it works. Kerr asked if there was an opportunity for consultation from the OAH for advisement on a matter before it has the potential to reach an appeal. Kennedy indicated OAH can do information gathering, but are not supposed to advise outside of a specific case and stated the AG's office is the more appropriate contact for that service.

R. Jones requested Kennedy talk about ex parte communications. Kennedy explained that during investigations, you are still a regulatory board, executive ethics does not prevent individuals from contacting individual board members about their potential case, however as a good practice you may want to decline speaking with the individual. Kennedy stated once the case is appealed, then it is against the law for you to talk with the individual. Kennedy explained people will try to lobby board members and advised the board to shut those types of conversations down because board members are supposed to act as the jury. Kennedy recommended board members notify the Chair if someone shares information. The Chair can then talk with the administrative law judge to decide if they want to know that information. Kennedy added one potential solution would be to circulate the information to all sides.

Board thanked Judge Kennedy for the training. Kerr suggested this training be provided every two years.

The board recessed for lunch at 12:05 p.m.

The board reconvened at 1:41 p.m.

#### **Agenda Item 15 – Public Comment**

Feb012018.04 00:03:34

Chris Miller of Fairbanks thanked the board for their outreach efforts. Miller agreed with industrial boundaries information and point of view provided in the November meeting minutes. In regards to the interior designer initiative to seek registration, Miller stated that in general he does not object to the idea, but mentioned based upon his brief review, the interior designers do not appear to have the same bar that we do. Miller added if there were similar requirements - the same three legs (education, experience and examination), and the definition specified the interior design work was related to code work, then he would be open to it.

James Hall from Kenai called in to observe.

Hanson mentioned he had visited the Utah board and they are dealing with exemptions in general and how they were unfairly applied to the profession of engineering within Utah. He stated they have a similar catch all phrase as Alaska which states if it is within your expertise you can continue doing it, but they did not have that for surveying, and he wanted to see that go in to their description. We had some items written into the regulations where land surveyors can do

some work that civil engineers do, but Utah does not have that. Hanson stated he just wanted to throw that out there for consideration.

**Returned to discussing Agenda Item 9** A & B. Chair asked the board members to reread the regulations and come back with comments tomorrow to keep the discussion more focused. Johnston stated she would not be able to attend tomorrow and asked to have the discussion now. The Chair invited Johnston to provide comments.

Johnston stated that she interprets 08.48.241 to read a company must have at least one person for each field, but that a company can designate more than one. Johnston went on to explain that the board uses the term "responsible charge" in several ways, including applicants who are not licensed by giving them credit for responsible charge and therefore "responsible charge" doesn't just mean stamping each person's work. Johnston explained it is an unreasonable burden for a company to have to update their COA every time it hires someone or someone leaves. Johnston said her interpretation of the person in "responsible charge" is the individual making sure people are licensed and properly trained, and doing quality control - not that you are stamping everything. Johnston explained that was her comments based upon the board's earlier discussion, but that if the discussion went deeper she would write a letter to the board on each of the points.

Maynard read 08.48.241(h) "Drawings, specifications, designs, and reports, when issued in connection with work performed by a corporation, limited liability company, or limited liability partnership under its COA, shall be prepared by or under the responsible charge of and shall be signed by and stamped with the official seal of a person holding a certificate of registration under this chapter." Maynard stated he was unsure if that means anybody who is registered or not and said the board might want to consider changing the wording to "supervisory control" or some other term to improve clarity. Maynard stated responsible control means you are overseeing the work, not just making sure that the person doing the work is licensed.

Mott stated that was in conflict with Johnston's point of giving people credit for responsible charge before they get their professional license and the way Maynard was interpreting it would result in no one getting their professional license unless they were designated in responsible charge.

Kerr re-read the last portion of 08.48.241(h) "shall be signed by and stamped with the official seal of a person holding a certificate of registration under this chapter" and said his interpretation was any registrant rather than the person indicated on the COA. Several other members agreed.

The Chair requested that the board consider the burden to the corporation. Maynard stated that he did not care whether or not it was burdensome, the priority is public safety. Johnston argued that having the actual registrant stamp the drawings vs. only the person designated in responsible charge protects the public even more, because then you know exactly who did the work. Fritz and Hanson commented that their interpretation of the regulation was that the person stamping the drawing did not have to be the person designated in responsible charge on the COA and looked at 08.48.241(3) which specifies a company must designate a person in responsible charge for each major branch that can be held accountable, but not that they are required to stamp all drawings.

Maynard said he still felt the person stamping the drawings should be listed as a person in responsible charge. Fritz responded these were separate issues and explained the person listed on the COA provides a legitimate framework for the corporation to offer those services, not necessarily for that individual to be for every drawing that comes out of that organization.

The Chair read 08.48.241(1) which states the purpose of the COA is to determine if the corporation is qualified to offer the practice. The Chair stated "responsible charge" is a separate issue.

Maynard read 08.48.241(b)(1) "the bylaws of the corporation, the articles of organization or operating agreement of the limited liability company, or the partnership agreement of the limited liability partnership contain provisions that all architectural, engineering, land surveying, or landscape architectural decisions pertaining to architectural, engineering, land surveying, or landscape architectural activities in this state will be made by the specified architect, engineer, land surveyor, or landscape architect in responsible charge, or other registered architects, engineers, land surveyors, or

landscape architects under the direction or supervision of the architect, engineer, land surveyor, or landscape architect in responsible charge;" and stated that in his opinion they need to be under the direct supervision of the person in responsible charge, not just work for corporation.

Kerr stated his interpretation of the statue was that the COA designates someone in responsible charge of the practice of a particular field, which is different than responsible charge on a project. The responsible charge in 08.48.241(h) is to ensure each project gets stamped, rather than "rubber stamped". Kerr added his interpretation of (h) was that it did not necessarily need to be the person that has the corporate authority. Maynard re-read portions of 08.48.241(b) (1) reiterating the "under direction or supervision of..."

Mott pulled up information on several large companies on the Division's Professional License Search database and noted that the majority had a single person listed in responsible charge for a particular field of practice. Maynard stated that he didn't understand how someone could be making final decisions if they were not qualified/ authorized to do so. Mott said if you interpret it to mean that only the person designated by the corporation on the COA can stamp, then why have multiple PEs working for a company. He believed that would encourage a company to have one PE and hire lots of EITs.

Johnston stated she has full authority to make final decisions regarding electrical engineering, but explained it does not mean she has to make *all* electrical engineering decisions. She has the authority to override decisions of other engineers when a final decision needs to be made by the corporation.

Hanson said if you are in the corporation and are a principal, he believes you should be listed and that Maynard's model is more appropriate, however he added that he personally doesn't believe that a person has to be listed on the COA in order to stamp a project.

The Chair said there may be some conflict between Maynard's interpretation and some of the regulations regarding stamping and sealing drawings. The board discussed the multiple ways the term "responsible charge" is used in the statues and regulations and how the terminology is causing confusion.

Maynard shared a scenario in which a licensed individual who is not listed on the COA screws up and stamps a drawing with an issue. Maynard stated not only would that individual lose his license, but the person on the COA could also lose his license for not properly overseeing that person. Maynard added that in his corporation that would not happen, because the person in responsible charge of the project is also in responsible charge for the corporation.

Hanson referred the board to (c) of the statue, which specifies the board's right to refuse to issue, suspend or revoke a COA and noted that it did not say "employee". The Chair directed the board to 12 AAC 36.185 Use of Seals, which indicated "direct professional knowledge" and "direct supervisory control" of the work. The Chair stated either the statute and regulations are in conflict, or they go hand in hand with one related to the COA and the other relating to the responsibility for a single product.

Fritz asked if it would be appropriate to contact the AG's office to get their interpretation. The board discussed the option, but decided to continue the discussion. Fritz commented that there appears to be multiple levels of authority or responsibility.

The Chair asked the board to step back and revisit the initial question, which asked if the person in responsible charge had to be a full time employee of the company. The majority of the board felt it did not need to be an employee. Maynard asked if a company would really want to give that authority to someone who didn't work for the company. Several said that is up to the company. The board discussed registrants who are listed as the person in responsible charge for multiple companies and insurance coverage.

The Chair requested that the board pause their discussion in order to return to public comment.

Returned to Public Comment

Feb012018.4\_00:52:21

Dale Nelson from APDC Legislative Committee arrived and requested the opportunity to testify. Nelson informed the board, the group is preparing for Legislative Fly-in in Juneau next week. Nelson mentioned Sam Kito called in for HB 50 QBS and HB 90. Nelson reported there wouldn't be any further action on HB90. Nelson said they will be discussing HB 50 at tonight's teleconference and that they would not be doing anything further with HB 90.

Nelson reported 24 people, 19 professionals and 5 students (UAA and UAF) will attend the fly-in and have meetings scheduled with their representatives. Nelson said they will be talking with representatives about capital funding for deferred maintenance and repairs and University of Alaska funding for lab equipment. In regards to the UA funding, Nelson said the group would stress the importance of education and students having the appropriate tools.

Hanson asked if APDC was aware of the State's travel restrictions. Hanson explained the AELS board is required to meet in the most cost effective location and prohibited from traveling to Juneau and Fairbanks, unless there is a justifiable reason for the meeting to be held in another location. Hanson mentioned the outreach the board conducted in Juneau with the Chamber of Commerce and ASEA Infrastructure Report Card in February 2017 and at UAF in April 2017. Hanson said as a long time board member, the travel restrictions were disappointing. The Chair said the board needs to justify travel to hold the meeting in other locations, and need to consider other options for people to be involved.

Nelson stated APDC keeps moving their meetings around so younger professionals and students, who don't have the money to travel are able to connect with the group.

R. Jones encouraged local chapters to voice their desire to have more AELS presence outside the Anchorage area.

Nelson asked if the board had a mission, the board members and staff showed him a hard copy of the mission statement contained in the board packet and directed him to the AELS website.

The board thanked Nelson for his comments.

#### The board returned to Agenda Item 9 - Correspondence Received:

Feb012018.4\_01:07:00

#### Agenda Item 9.C. Letter requesting clarification of sealing requirements and municipalities

The Chair summarized the request indicating the individual was looking for clarification on stamping of legal descriptions and requested a letter from the board.

Kerr and Hanson stated the answer to the first question "Does the creation of final legal descriptions and exhibits require a professional seal?" is yes.

In regards to the second question regarding whether Municipality of Anchorage and private utility companies were exempt from professional licensure requirements related to land surveying, Hanson stated exemption 10 does not apply because they provide a service to the public. Kerr suggested the Chair write two letters – one that talks specifically about land surveying and the other that addresses professional licensing for all disciplines.

TASK – The Chair will write two letters in response to Mr. Maxwell's questions.

Feb012018.4 01:13:19

#### Agenda Item 9.D. Letter regarding 3<sup>rd</sup> party peer review service

Maynard provided background on this item, stating someone directing initial work on a number of projects for local non-profits, school districts, etc. recently retired and is interested in putting together a group of retired architects and engineers to do work setting scope, design criteria, and/or review comments, but final design will be done by someone who is licensed. Both Maynard and Hanson stated they had spoken with Mr. Fredeen regarding this matter. Hanson encouraged the board to make a decision on whether this was acceptable or not, so future board members and investigative staff would have that information.

Talking to the practice of architecture, Fritz felt it was okay to have someone help draft an RFP in terms of what the scope should be. In regards to peer review, Fritz read AS 08.48.341 (12), which states:

"Practice of architecture" means professional service or creative work in the design of buildings, the teaching of advanced architectural courses in institutions of higher learning, consultation, investigation, evaluation, planning, design, and professional observation of construction of public or private buildings, works, or projects..."

Fritz stated when you are doing peer review you are evaluating, consulting, and providing your professional opinion which falls under the practice of architecture. Mott agreed with Fritz's interpretation.

Maynard & Hanson said there are people who do reviews who are not licensed and discussed client/owner comments, and comments provided by an engineer on areas that are not within their expertise. Hanson added there is a fine line between the engineering aspect and the review aspect. Maynard added he did not believe the programming work would harm the public. Fritz agreed, but reiterated her concern of peer review and promoting a capacity to work professionally. Hanson said he did not realize they were doing RFPs, and said he had an issue if they get into the weeds. Maynard stated his understanding was that the RFPs the group would be doing are not design-build RFPs, but rather RFPs to acquire design services by licensed professionals. Fritz said she does not like the use of the word "planning" and Kerr added peer review is a problematic term. The board discussed comments and reviews by unlicensed individuals and the responsibility of the design professional to respond appropriately to those comments and whether any requested changes can or cannot be done.

TASK: The Chair asked Maynard to write a letter responding to Mr. Fredeen.

#### **Agenda Item 16 - Application Review**

Feb012018.4\_01:38:50

The board began review of 101 applications. Applications included six architect registrations, eighty-nine engineer registrations and six land surveyor registrations. There were forty comity applications, sixty exam applications and one by grandfathering (12 AAC 36.108).

The board recessed for the day at 5:03 p.m.

Feb012018.4\_03:22:25

#### Friday, February 2, 2018

#### Agenda Item 18 – Reconvene meeting /Roll Call

The Chair called the meeting to order at 8:19a.m.

Feb022018.1 00:00:01

#### Board members present, constituting a quorum:

Dave Hale PS, Surveyor
Brian Hanson, PE, Civil Engineer, Mining Engineer
Catherine Fritz, Architect
John Kerr, PS, Surveyor
Colin Maynard, PE, Civil Engineer, Structural Engineer
Bill Mott, PE, Chemical Engineer, Metallurgical and Materials Engineer
Luanne Urfer, Landscape Architect

The following board members were excused by the Chair:

Elizabeth Johnston, PE Electrical Engineer, Fire Protection Engineer Jeff Koonce, Architect

Attending from the Division of Corporations, Business, and Professional Licensing were:

Alysia Jones, Executive Administrator Heather Noe, Licensing Examiner John Savage, Investigator

#### Agenda Item 19. Application Review continued.

#### Agenda Item 21 - Discussion: Alaska Initiative for ID Registration

Feb022018.1 01:17:11

Barbara Cash, Dana Nunn, Cara Rude, Kelsey Davidson, and Mary Knopf joined the board to provide an update on the Alaska Initiative for Interior Design Registration. Cash thanked the board for their feedback following Nunn and Davidson's presentation at the November meeting. Cash explained the information provided in the board packet had been updated from what was provided previously, noting the addition of supporter names and some additional bullet points regarding the petition. Cash explained the group followed up with supporters via email after meeting with the AELS board about the possibility of changing direction to a title act versus a voluntary title act. Ninety-eight percent of supporters agreed, so the group decided to pursue a practice act.

In response to some of the board's previous questions, Cash provided information on the evolution of interior design. Cash stated from her perspective, the basis for university education and national examination has evolved over the past forty years based upon demand and need for education that directly focused on interior design.

Cash stated the NCIDQ exam is the benchmark covering basic requirements to practice interior design in code impacted environments. Cash explained code impacted environments broadly means environments within buildings that are designed to protect the public safety. The group discusses various elements including exiting/access within a tenant space. Nunn clarified they do not handle building system exiting, which would be within an architects purview, but non-loadbearing partitions, ADA accessibility, wayfinding (signage), flame spread are within the scope of interior design.

Cash acknowledged the board's earlier questions concerning free trade, and asked Nunn to speak. Nunn stated the shift from a voluntary title act to practice act has an effect on free trade by limiting the potential pool of professionals the public can engage for services. Nunn explained the practice act would provide consumers with confidence and supports local business by providing a framework within which those working outside of Alaska must comply with before entering our marketplace. Nunn added that it supports small businesses and sole practitioners, enabling them to continue to do what they are doing within the law, without requiring over stamping by another professional.

Cash summarized the group's interest in continuing the dialogue with the board and asked the board for a formal letter of support.

The Chair asked if the group had had discussions with the legislature. Cash responded the group has not had any direct conversations with legislators yet and are waiting until it is launched to begin discussions. Cash added the group is working with Dave Parrish and finding a sponsor. Davidson added that the group is also working on draft language.

Hanson asked if the group was interested in pursuing their own board. Cash replied their petition indicated they would fall under the AELS board similar to landscape architects.

Mott asked how many states currently licensure interior designers. Cash directed the board to the map provided in the packet, which indicated 27 states as having some type of recognition for interior designers. Fritz asked how many have a practice act. Cash believed at least twelve states have a practice act, but mentioned variations between the states. The board reviewed the graphic provided in the packet. Kerr asked if there was a particular state, the group was trying to emulate. Cash said they looked at language from several states including Massachusetts and North Carolina, and trying to take what is applicable. Kerr asked if there were any states the group would direct the board to look at as a good example. Cash responded there are elements from some states that are a good basis and Nunn added they have not found a jurisdiction that operates exactly how they would envision operating within the AELS board. Nunn said the closest would probably be Texas, but reiterated key differences between Alaska and Texas.

Urfer asked how many of the states that are gray (currently do not have licensure) are pursuing registration for interior designers. The group indicated several states are in a similar process. Cash explained ASID has a national campaign to provide additional support to states over a five year plan, and Alaska is currently in the second year of that support from ASID.

In terms of board make-up, Cash said the group wants to be regulated by the AELS board and is not interested in creating its own board. She added several states have architecture and interior design combined, but few encompass additional design professions. Nunn explained the group is only interested in having code-impacted interior designers regulated and would want to have a seat on the board. Nunn said prior to the board's November meeting, they had been looking at states with title acts and now that the group is pursuing a practice act, they are looking at states that have practice acts.

Fritz asked what was unique to interior design that is not already covered in the practice of architecture. She explained her issue with the initiative is that a practice act stems from the need to address a problem with current practices not fulfilling a public safety need. Cash explained she sees interior design as dovetailing and having developed as a specialty practice, similar to landscape architecture, which has a focus that is unique to that education, exam, and practice. Cash stated the initiative is not in response to something the scope of architecture is not already addressing, but is a supplemental, emerging profession that is ready to be regulated because it involves protecting the public. Fritz indicated she had thought a lot about this topic and had a long conversation with Knopf. Fritz said, in her opinion, the unique difference with landscape architecture for the State of Alaska was that it was crossing between two disciplines – architecture and civil engineering in an area of work that wasn't clearly done by either group, in addition to the points made related to it being an emerging profession. Fritz encouraged the group to define uniqueness of the practice to show a public safety need that is not being met.

Cash said the group sees a value in having a close eye on public safety issues at the tactile level. Knopf said several interior designers work in architectural firms, but have other stand-alone projects as well. She added the architectural community has embraced interior design as its own entity. Nunn said interior designers are part of a project team on a daily basis and are constantly working to elevate the level of design and service to the public, and call on specialties to accomplish that. Rude added there are emerging specialties and explained more and more firms are relying on interior designers for their expertise in material health/ material chemistry, which could be practiced by an architect, but are predominantly done by interior designers.

Mott asked what the current requirements are for interior designers. Cash responded currently there is no requirement to take the NCIDQ exam and it is entirely voluntary.

Maynard stated there is no problem with architecture, but there is a group of professionals doing work that do not have the background to pass an architectural exam and likened it to someone doing control work who does not have the background to take the electrical engineering exam, and so they become control system engineers. Maynard explained there was nothing wrong with electrical engineers and the work they were doing, but there was a subdivision and now there are control system engineers. Maynard encouraged the group to develop a clear definition of the practice of interior design because we are a discipline-specific state. Several board members also commented on the importance of having it be well-defined to aid investigative staff should an issue arise.

Dunn stated at the previous board meeting Koonce provided an interesting perspective regarding the scope of architecture including interior design, but the scope of interior design not including the scope of architecture. Dunn added where there is overlap, there is quite a bit of impact on public safety. Dunn expressed her concern that people who do not have the education, experience, or credentials are practicing in that overlap and there is nothing preventing an interior decorator from making that transition.

Kerr asked if interior designers work with lighting. Cash explained interior designers work closely with an electrical engineer on lighting, and are involved in selecting fixtures based on requirements, location of switches, etc. Davidson clarified lighting is within the space they are working and would not be for exiting a building or parking lots.

Kerr asked how many people have NCIDQ certifications. Davidson said there are 50 individuals in Alaska who passed the NCIDQ, but not all are affiliated with ASID Alaska Chapter.

In regards to registration numbers, Davidson anticipates twenty-five individuals would pursue registration and noted there thirteen are in the queue, but are not yet eligible to take the exam. The group and board discussed the education and experience requirements (education and experience) to be eligible to take the NCIDQ.

Hanson asked if their national organization had model law or rules that could be adopted or evaluated. Cash responded the national organizations model law is what the group is using as a basis. Kerr asked is they would develop a state-specific exam to address Alaska's uniqueness. Cash clarified the uniqueness she previously referred to was in regards to the make-up of the board and not the practice. The group discussed the possibility of requiring interior designers to take an arctic engineering course and whether the course is relevant to the practice of interior design.

Hanson explained adding a discipline is a statute change and then regulations would need to be developed. The board encouraged the group to work on defining interior design and code-impacted environment. Hanson recommended the group provide more tangible benefits so the board can write a letter that includes specific benefits and distinguishable points versus a generic statement of support.

Task – A. Jones will provide CBPL's regulation checklist to Davidson.

The group thanked the board for the discussion.

#### Agenda Item 22 - Discussion: DOT Standard Drawings – Sealing Requirements

Feb022018.1 02:05:28

Mark Neidhold, DOT Chief Design and Construction Standards introduced himself and thanked the board for the opportunity to speak. Neidhold explained utilizing standard drawings is a common practice in Alaska and the United States, and DOT's practice of incorporating the use of sealed standard drawings in their construction documents is critical to their process, as it is for other organizations providing engineering and construction services throughout Alaska. He stated DOT has over 35 years of history with this process and have not had any previous issues with this process. Neidhold stated the standard drawings are based on science and engineering and unless there is a change to a design standard, to engineering principles, or a determined need to revise a design, the department feels there is no need to change the original registrants seal. Neidhold explained, the Chief Engineer requested the Alaska Department of Law (LAW) review the current practice of DOT's use of standard drawings and LAW came back with the determination that DOT's practice of using sealed standard drawings is consistent with Alaska statutes and regulations. Neidhold respectfully requested the board take no further action on this item as DOT's current practice effectively addressed public safety; is

consistent with Alaska's statutes and regulations; and allows DOT to effectively manage the public funds for which the department are fiduciary responsible.

The Chair asked if the board had any comments. Hanson asked for a copy of LAW's determination. Neidhold replied the determination was provided via a phone conversation, but indicated he would request a written statement. The board requested a copy of the rationale and regulations the lawyer looked at to be included as well. The Chair explained the board is bound by the statutes and regulations and need to consider them if LAW is interpreting them differently than we are.

Hanson asked if there were examples from other states or entities that are stamped to help justify DOT's position. Neidhold reminded the board he had surveyed several states and mentioned that at the November meeting. Neidhold offered to pass along those communications to the board. Hanson recalled that of those that testified during the November meeting, only DOT stamps their standard drawings, other entities indicated they have standard drawings, but that they are not physically stamped by an engineer.

TASK – Neidhold will request a written statement from LAW that includes rationale and references the statutes and regulations reviewed and submit it to the board. Neidhold also agreed to provide data from other states regarding the use of stamped standard drawings to further support DOT's position.

Fritz asked for clarification on why DOT wants a stamp on the standard detail as opposed to the plan set being stamped with reference to those details. Neidhold explained it is based in the responsible charge criteria and there are elements that get incorporated into a project and are outside an engineers areas of expertise, so the engineer does not have the expertise to stamp or seal those elements. The elements are stamped by a registered engineer that meets the board's expectations and has the required expertise. Neidhold added that if he is required to go through the exercise of having it re-verified for each project, it is an expensive exercise that provides no additional value. Mott asked if you are using a component that you don't have the expertise to verify, how you would verify it is applicable for that particular instance. Mott stated someone with those expertise has to verify the applicability. Neidhold stated the expectation of everyone who sealed a standard drawing intended it would be used verbatim/ standard throughout Alaska and if there were restrictions, those are noted on the drawings.

Maynard explained that the person who references the standard detail is taking responsibility for that by referencing it, not the person who stamped the detail, because that person may be deceased, retired, or unaware it is being used. Neidhold said the State of Alaska ultimately assumes that responsibility and understands the board's concern. Neidhold explained DOT believed they were in compliance and that is why they went to LAW. Neidhold said they explained what DOT's process was to LAW, as well as the reasoning behind their process.

Hanson said he understands Neidhold's point, but offered the example of light control, which a civil engineer can specify, but said he personally would never stamp a sheet calling out a traffic control device, even though it is a standard detail that is used throughout Alaska. Hanson said he would rely on an electrical engineer or civil engineer who has that expertise to know if that is the right application of that standard drawing or not. In response to Neidhold's comment on reengineering, Hanson said there are multiple entities throughout Alaska that do not have stamped drawings that consultants happily use on their projects. Neidhold said responsible charge occurred when that document was sealed with the intent of standard application.

The board discussed due diligence and an engineer's responsibility to ensure all the components meet codes and project requirements. Maynard suggested having the person reviewing stamp a cover letter, instead of putting a stamp on a detail you expect someone else to incorporate, so there is a record of who was responsible.

Fritz commented the discussion is analogous to discussions with the Department of Education (EED) and prototype buildings. She explained EED wanted to establish a prototype for a school of a particular size and stick it in various locations throughout the state, have a design team hired to design that prototype, stamp them, and prepare for bid. Fritz stated that is not appropriate, even if the sites are similar. Fritz said if a prototype is going to be used, it has no stamps on it and the firm that accepts it as a basis for the design, reviews it and stamps all the sheets as necessary to send out to bid.

Hanson offered the example of pre-manufactured buildings. Regulations say you must hire an Alaska-registered engineer. Hanson stated it does add cost, but it also puts someone registered in Alaska in responsible charge and ensuring it is appropriate. The Chair, Fritz, and Maynard discussed taking responsibility for the specific application, but that the intent was not to reinvent the wheel.

Neidhold assured the board there are elements he is very much in alignment with the board on and others where his position differs. Neidhold again requested the board take no action and asked the board to look at the issue historically. Neidhold explained this change of a brand new responsible charge each time has a monetary cost that will result in less safety improvements.

Kerr said that he personally would feel better if they were stamped by someone who was alive, employed, and accessible to contact if there is a question concerning whether or not it is appropriate for a particular application.

Hanson said AELS does not seek out issues, but would like to continue the dialogue, get the opinion of the lawyer DOT consulted and keep the lines of communication open. Neidhold confirmed the board's requests of him, which included a written statement from LAW regarding their determination and the specific statutes and regulations reviewed, and a list of states/ entities that use sealed standard drawings.

Neidhold requested the board consider cost as it relates to public welfare. Neidhold said safety of our public is his top priority and reiterated a change in DOT's process would have a negative impact on public safety. The Chair explained if there is a difference in opinion regarding a statute or regulation we are bound to change it, rather than just go with it just because it has a detrimental economic effect downstream. The Chair stated if we need to change a regulation, then we need to change it.

Fritz staid if the economic impact has not been determined, there is no basis for Neidhold's concern. Neidhold said DOT has looked at the economic impact. He explained DOT incorporates 1,000 standard details each year. Neidhold said they looked at their in-house costs to develop cost estimates and numbers.

Neidhold thanked the board again for the opportunity and reiterated the importance of this discussion to DOT. The board thanked Neidhold for speaking with them.

The board returned to **Agenda Item 19. Application Review continued**.

Feb022018.1 02:41:04

#### The board returned to discussions on 9.A. and 9.B.

Feb022018.1 03:01:05

The Chair said he re-reviewed Sec. 08.48.241, and directed the boards attention to Sec. 08.48.241(b)(1) which specifically references professionals under the "direction or supervision" of the person in responsible charge.

Maynard posed the scenario of a person in responsible charge for the corporation assigning a project to a registrant, the registrant does his design, and then during review, the person in responsible charge tells the registrant to make changes. Maynard asked if that registrant doesn't want to make those changes do they have to, or can they just stamp it? And if they do have to make changes based upon what the person in responsible charge for the corporation is telling him to do, who is really in responsible charge of that project? Maynard stated his point was the person in responsible charge for the corporation is the one that makes the final decisions on what is going out from that corporation, so they are in responsible charge. Hanson stated the person in responsible charge can also make the decision to allow another registrant to stamp a particular project, even though they are the one in responsible charge. R. Jones mentioned in our ethics there is a statement that if you are required to do something by a higher authority that you don't feel comfortable with then you are supposed to report it.

The Chair asked the board if they felt Sec. 08.48.241(b)(1) gave people the authorization to have people under them stamp. Fritz stated she believe it does and believes it is an important clause. Hanson said it is up to the corporation to decide who they want to have stamping drawings. The board discussed various scenarios regarding who stamps drawings for a corporation, if that person needs to be listed on the Certificate of Authorization (COA), and the purpose of the

requirement to designate a person in responsible charge in order to offer and practice within a particular field. Several members felt the cleanest way was to have everyone who is stamping drawings listed on the COA, others argued that approach may not be practical for all corporations and referenced Sec. 08.48.241(b)(1) as allowing registrants under the direction or supervision of the person designated in responsible charge to stamp drawings even though that person may not be listed on the COA. Fritz directed the board to consider Sec. 08.48.241(h), which also contains language that suggests drawings may be stamped by a registrant that is not the person designated on the COA.

Feb022018.1 03:23:59

On a Motion duly made by Brian Hanson, seconded by Bill Mott, and approved by a majority, it was RESOLVED that in response to Item 9.B., an Alaska licensed design professional may stamp documents even if they are not on the Certificate of Authorization.

Board members Fritz, Hale, Hanson, Jones, Kerr, and Mott voted in favor of the motion. Maynard, Urfer and Wallis voted against the motion. Johnston and Koonce were not in attendance.

Feb022018.1 03:24:46

The board returned to Item 9.A., an email asking if the responsible in charge on the COA has to be an employee of that company. The board discussed various relationships with a company including employee, owner, stockholder, and member. Mott stated that in his opinion the person in responsible charge should be associated with the firm as an employee, owner, or otherwise. Fritz restated the question presented to the board and they discussed "offering of service". Referencing 12 AAC 36.185(c), Hanson explained, if we apply similar logic as discussed for Item 9.B. the person should be regularly employed by the corporation. Maynard stated you could have somebody who is not an employee be listed in responsible charge, but you would still need to have a registrant in every office who is under the direction of that person. Jones referenced a previous discussion regarding satellite offices and said as long as there was a registrant in that office, other people could do work under him. Kerr said whoever is designated in responsible charge needs to be able to demonstrate sufficient control over the scope, schedule, budget, and staff, but that it does not necessarily need to be an employee. The Chair asked the board if, in the context of the question, it would be adequate to respond that it is possible to incorporate with a person who is not an employee although you have to adhere to the regulations 12 AAC 36.185(c). Maynard said there is nothing in regulations that requires the person in responsible charge to be a full-time employee of the corporation, however, the corporation must have a registrant regularly employed in each office that is producing drawings and they would need to be under the direction of the person designated in responsible charge on the COA. Mott stated he agreed, but asked how that gets rolled out if it is not clearly stated in the statutes and regulations. The Chair said they can incorporate, but they may not be able to practice unless they can adhere to the regulations. Hanson provided a scenario where one office may have a CE, while another has an SE and we do not require each office have one of each, only that a registrant is in each office. The Chair said he would draft something and run it by Maynard. Kerr asked that it be sent to all board members, so we all know what is being said. The Chair stated he would work with the A. Jones to run it by the board before responding.

Feb022018.1\_03:46:21

In coming board member Jennifer Anderson stopped by the meeting to introduce herself. The board took a brief recess to speak with Anderson.

#### **Agenda Item 25. Executive Session**

On a Motion duly made by Brian Hanson, seconded by John Kerr, and passed unanimously, it was RESOLVED to go into Executive Session in accordance with AS 44.62.310 (c)(3) to review four requests for exemption from continuing education per 12 ACC 36.530. We invite Heather Noe and Alysia Jones to join.

The board came out of executive session at 1:42 p.m.

Feb022018.2\_00:01:32

On a Motion duly made by Colin Maynard, seconded by Fred Wallis, and passed unanimously, it was RESOLVED to deny the exemption request by Terrance Cheatham (AELM9168) and grant him 90 days to provide documentation of 24 hours of continuing education. Any continuing education used may not also be used for the 2019 renewal.

On a Motion duly made by Colin Maynard, seconded by Richard V. Jones, and passed unanimously, it was RESOLVED to deny the exemption request by Larry R. McGinnis (AELM1861) and grant him 90 days to provide documentation of 24 hours of continuing education. Any continuing education used may not also be used for the 2019 renewal.

On a Motion duly made by Colin Maynard, seconded by Fred Wallis, and passed unanimously, it was RESOLVED to deny the exemption request by Tumen Badarch (AELN14689) and grant him 90 days to provide documentation of 24 hours of continuing education. Any continuing education used may not also be used for the 2019 renewal.

The board requested staff follow up with Hancock and request additional supporting documentation be provided for the board to consider his request for exemption from continuing education requirements.

#### **Agenda Item 26 - Old Business**

Feb022018.2 00:03:42

26. A. Review November 2017 To Do List - The Chair asked everyone to provide more timely responses to questions following board meetings. The board reviewed outstanding items and discussed progress on tasks.

- Kerr and A. Jones are still working on a brochure regarding UAVs.
- Maynard will write a letter to the UAA regarding taking the FE exam and indicated he would request information from NCEES.
- Urfer and A. Jones said they had done a lot of clean up on the Guidance Manual and encouraged everyone to review and comment on the updates.
- Hanson stated he had forgotten about the letter to DEC and agreed to draft a response next week.
- Fritz and Hanson clarified the intent of the To Do item referring to education and work experience. Fritz stated Hanson was interested in viewing how the NCARB record is used to satisfy requirements and determining if there was language that would be appropriate to add on the engineer/land surveyor side.
- The Chair will make an appointment with the Chief Investigator next week to discuss John's assignments.
- Maynard said he had not received any input regarding his proposed updates to regulations 12 AAC 36.185(c).
- Hanson said he met with the investigator regarding the letter of response to Mr. Giessel and agreed to draft the letter
- In response to laptop issues, A. Jones announced the Division recently purchased a web-based software specifically designed for board meetings. She said would provide additional information and training as the board transitions to using the software.
- Guidance manual updates are on-going.
- A. Jones will draft a response to IACET stating the board does not pre-approve courses.
- The Chair asked everyone to review Kerr's UAV presentation.

Feb022018.2\_00:15:23

26. B. Regulation Project Updates: B.1. Updates to 12 AAC 36.061, .103 & .110 –Fritz explained this was the continuation of the discussion about modifying the architect registration by comity regulations to close a loop hole that makes comity easier to obtain than initial licensure in the State of Alaska. Fritz reminded the board she had previously provided two options, one which required the NCARB certificate or use the NCARB criteria, and the board determined using the NCARB standard was a better use NCARB's expertise and the board's time. Fritz stated that we need to build in an effective date, so older applicants would not get stuck in new requirements they could not reasonably attain. The board reviewed the proposed revisions. R. Jones explained when regulation updates were made in 2011, the board decided to keep the NCARB record requirement for initial applicants, because eventually everyone would have an NCARB record.

Maynard expressed his concern with requiring applicants to go through their system. Fritz said NCARB sets a standard and it is a lot of information for a board to manage, and encouraged the board to consider taking advantage of their comprehensive program and expertise. Fritz noted a previous concern had been that the process was onerous for older applicants, however she explained NCARB now has a reasonable alternative path so the board does not have the responsibility or liability of trying to assess differences between older applicants and newer applicants. R. Jones said he could accept this compromise, but agrees with Maynard that we should not require applicants to pay another entity money to do our job. Urfer asked if applicants are required to go through NCARB to take the exam. Fritz responded yes. The board debated requiring applicants to go through a third party. Fritz stated she thought the board had determined a direction at the last (November) meeting and were just discussing an effective date at this point. Mott said, having gone through the process with NCEES, he is a huge fan of establishing a record. Maynard responded that it is great for those who want to, but felt the board should not be forcing people to do so. Fritz reiterated her main concern is an inequity between initial and comity licensure. Fritz said we are trying to grow the profession in our state and we should be supporting initial licensure. Fritz commented that it should be equal if not harder to get in by comity. R. Jones pointed out that comity applicants have already been vetted by another jurisdiction.

Fritz explained the required resources to determine an equivalent to the NCARB standard for initial licensure is extensive and did not believe the board was interested in pursuing that option. R. Jones stated the only reason we should be questioning a comity applicant that has been vetted by another jurisdiction is if they have marks against their license. Kerr added that standards in some jurisdictions are not equivalent to ours. Several other members agreed with Kerr's comment.

The Chair asked A. Jones to read the minutes from the November meeting regarding this topic. A. Jones read:

The board reviewed the options Fritz and R. Jones provided. Currently an NCARB Certificate is required for initial registration in Alaska. The board discussed standards of licensure. Maynard argued that people licensed 20-30 years ago, were licensed under different regulations and will likely not meet today's standards. Fritz said the initial application standards are more robust and argued for more equality between the requirements. Maynard disagreed, saying we need to evaluate based upon when you were licensed. Several members indicated saying "shall" requires NCARB Certificate may not be appropriate. Koonce and Hanson recommended including a date after which an NCARB Certificate will be required going forward. For those licensed before that date, the board would evaluate their experience on a case by case basis.

Fritz confirmed the board prefers the second option provided with the addition of a date. Fritz stated she would revise and bring back an updated option 2 at the February meeting.

The Chair then asked the board what's changed and asked for a reason why we were re-hashing the issue. A. Jones read an additional excerpt from the November meeting minutes:

Fritz explained what would be involved if the board chose to evaluate the architectural experience (AXP), including the six areas versus having NCARB evaluating. Koonce said this is part of NCARB's process and felt the board should not be the ones evaluating the experience.

Maynard stated that we don't do that for engineers, we check that they have a degree; that they have passed their exams; are licensed in another state; have two letters of recommendation or verification forms; and review any disciplinary actions. The Chair asked if the architects needed to follow that model. Maynard responded, no, but that he believes it works well us and did not feel that we need to go back in and check all the experience (architectural experience including the six areas) if they are already licensed in another state. Maynard continued, we can accept that, check the three legs of the stool and if appropriate, approve them. Fritz stated she can see the desire for consistency, particularly as we are a combined board, but noted there are distinctions and there are different education, experience, and examination requirements.

Kerr asked if one of the concerns was that an applicant would seek initial licensure in another state and then apply by comity to Alaska. Fritz said she has signed off on two such applications. The board returned to the discussion of the

proposed effective date. Fritz explained she selected the date because it was the date the board began requiring the NCARB certificates.

The Chair expressed his concern around circular conversations when work is being done in between meetings.

TASK: The Chair asked Fritz and Koonce to present on this topic at the next meeting so all board members can have a better understanding of the information and feel comfortable to make an informed decision. Fritz agreed to work with Koonce and asked the board to send any specific questions to her so she can address them in the presentation.

Feb022018.2\_00:56:53

- 26. B. Regulation Project Updates: B.2. Updates to 12 AAC 36.105 Maynard stated that he had not gotten to this item and would have an update at the next meeting.
- 26. B. Regulation Project Updates: B.3. Updates tp12 AAC 36.185(c) Maynard said (c) needs to be moved and that the board needs to make sure its interpretation is clear. Maynard explained there were several issues that needed to be addressed including: requiring a licensee in each office, ability to manage projects remotely, and how to deal with branch offices that don't have a licensee.

TASK: The board was asked to provide comments to Maynard by next Friday (2/9/2018) and Mott will work with Maynard to provide proposed language by the next meeting.

26. C. Update on Guidance Manual – A. Jones explained Urfer and her had completed their first round of reorganization and clean up. Kerr said he had added language for the definition of surveying and sent it to Alaska Society of Land Surveyors as well as URISUS and GIS user groups for comments. He urged board members to provide feedback so that it comes from the whole board. Kerr expressed his frustration at not being able to move forward with the updates. Urfer recommended accepting all changes in the Guidance Manual and moving forward with a clean version.

TASK: A. Jones requested board members provide comments within two weeks (2/16/2018).

TASK: Kerr will email the information to A. Jones for distribution to the board for comments.

Feb022018.2 01:04:12

Fritz interjected, asking if she could provide an update on HB 90. Fritz said she participated in the APDC call last night and noted that Representative Kito is upset with the AELS Board and the decision to write a letter in opposition of the bill. Fritz said we were out of order yesterday as it was not on our agenda to discuss. Fritz said we did make motion in April and yesterday's discussion was consistent with that motion, but stressed the importance of not alienating our legislators, and giving legislators an opportunity to provide more information on what they are doing and why.

The Chair said we should all be working together in a friendly manner, even if our positions differ.

Maynard said he personally sent a letter to the Senate Finance Committee outlining possible alternative approaches without increasing our fees. Fritz said she personally plans to talk with Rep. Kito about keeping the lines of communication open and feels very badly that he feels "stabbed in the back" by this board.

#### Agenda Item 27. New Business

27.A. Regulatory Outreach – Mott stated the Fire Marshall attended our August meeting and said there were several comments regarding the fact that a lot of the investigations stem from the Fire Marshall's feedback. Mott said there are a lot of other regulatory bodies that review design data and may not be aware of the AELS Board or that there is a point of contact for looking into issues related to unethical or incorrect work. Mott provided FIMS as an example of an entity that reviews engineering data including stability, erosion control, NFPA compliance issues, control issues, pipeline hydraulic studies, corrosion studies, etc. and mentioned they are not aware they can file a complaint when they see engineering that is being done in a sub-standard way, or by non-licensed companies. Mott also suggested we improve communications

with the U.S. Coast Guard and help them understand what it is that we do. Mott said there are smaller companies that are doing some significant work and don't believe they need to have licensed professional to do the work. Mott asked the board how we raise our visibility both to the regulatory agencies and incoming companies.

The Chair stated it is an ongoing process and said he looks for opportunities to do outreach at conferences and working it into conversations with clients.

Fritz asked if it truly is a case of not knowing or is it that they don't want to bother. Mott said in some instances he believes it is a lack of awareness. Mott also expressed concerns with other State agencies not being aware of our requirements. Maynard commented that if we see something in writing, then the board could respond and explain the requirements. Mott agreed that would work on a case-by-case basis, but asked about raising the visibility in general. Mott asked if there were fliers or other educational materials board members can handout or forward. The Chair said he has found the most effective tool to be a board member showing up at a seminar or meeting and giving a short spiel about the board. The Chair cautioned everyone to make sure what they are saying is coming from the board and our regulations rather than an individual member's personal opinion.

Fritz said we have a modest budget for outreach and if the board feels developing a brochure would be beneficial we can pursue that, and/or we can identify something that may require a larger effort and put that in our next budget year. Mott suggested a handout that could be transmitted electronically as well. He mentioned the Resource Development Council Annual Conference and AGC conference as potential opportunities to reach large audiences and asked the board to consider giving a seminar or hosting a booth.

The Chair said he is presenting with Kerr at the Survey and Mapping conference. Maynard suggested offering a one-hour seminar on when is licensing required, what is the industrial exemption, or other topics. The Chair stated the more outreach we do and the more educated people are the easier our job as a board becomes because they understand the regulations and compliance goes up.

Fritz suggested creating a general outreach committee to consider the issue. Kerr recommended we compile a list of meetings we'd like to participate in. Fritz asked about staff resources to help develop a handout or short PowerPoint presentation on what is licensing in Alaska. Kerr believed the presentations needed to be tailored. Fritz agreed, but suggested a base presentation that could be modified depending upon the audience.

TASK: A. Jones said she would ask staff for other licensing programs if they have anything to use as a template and is also checking with the Division on the possibility of purchasing software to develop outreach materials.

A. Jones suggested having a dedicated page on the website where educational materials could be housed and accessible. The board discussed providing a letter of support to use outreach funds to purchase Adobe InDesign or other appropriate software for staff to be able to develop education materials. A. Jones stated the board used approximately \$400 of their outreach budget to cover Kerr's trip to Fairbanks to present at the UAV conference.

TASK: MOTT will compile a list of meetings we'd like to attend.

The Chair said it is up to board members to follow up and request to be on the agenda, and added that meeting organizers are usually very receptive. A. Jones offered to assist with coordinating presentations.

Maynard reminded the board to pass along any issues to A. Jones, or to Investigator Savage so they can be addressed properly. R. Jones explained that if they select certain NAICS codes when applying for their business license, it alerts staff that a professional license is required, however some companies select a generic code that does not raise flags and can skirt the system.

Feb022018 2 01:27:14

27.B. Discussion of 08.48.241(3) – A. Jones explained with the recent renewal cycle ninety percent of the corporations submitting amendments were well outside of the required 30 days from the effective date. A. Jones asked the board's opinion on how best to address the issue and whether or not a letter of advisement was needed.

Maynard recommended submitted an article to the APDC newsletter, several other members agreed the newsletter would be a good delivery method, and much more cost-effective than a letter. The Chair and Fritz suggested utilizing the AELS listserv and website as well.

Maynard asked about elections. The board agreed to do elections at the April meeting as it was not included on the February agenda.

#### **Agenda Item 28 - Committee Updates**

Feb022018 2 01:32:08

- Licensure Implementation Maynard stated there were no updates.
- Land Surveying Outreach The Chair stated this had been covered previously. Other members of the committee did not have anything further to add.
- Investigative Advisory Committee This topic was covered during Investigator Savage's report.
- Licensure Mobility No update to report.
- Guidance Manual Urfer stated this was previously covered.
- Legislative Liaison Kerr asked for clarification based upon earlier discussions regarding a letter. The Chair said the board would hold off on the letter at this point. Fritz stated she would personally reach out to Representative Kito.
- Emeritus Status The Board approved Brian Hanson for Emeritus Status.
- Budget Committee No update to report.
- Continuing Education No update to report.

#### **Agenda Item 29 - Licensing Examiner Report**

Feb022018 2 01:35:16

Noe read through the Licensing Examiner report, stating there were a total of 101 applications reviewed at the February 2018 meeting, including 59 exam and 41 comity.

#### Agenda Item 30 - Read Applications into Record

Feb022018 2 01:39:52

On a Motion duly made by Maynard, seconded by Fritz and approved unanimously, it was RESOLVED to APPROVE the following list of applicants for registration by comity, examination, and in additional branches of engineering with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

STEVE	BERRY	RANJAN	SATYAMURTHY
KERRY	BRUGGEMANN	GARY	SOMMERFELD
JEFFREY	BUCHOLC	COLIN	WAGONER
RYAN	ELLIOT	COURTNEY	WASSOM
CRAIG	HANSON	DAVID	WILLIAMS
ANDREW	JOCA	CLIFTON	HYDER
MARION "KEITH"	KAUFMAN	ERIK	MARTIN
KEVIN	MATAKIS	GARY	CONNER
ERIK	MOORE	GARY	STOWE
AARON	MORRISON	SANJAY	MEHTA
GARY	OLSEN	WILLIAM	WEAVER

On a Motion duly made by Maynard, seconded by Wallis and approved unanimously, it was RESOLVED to CONDITIONALLY APPROVE the following list of applicants for registration by comity, examination, and in additional branches of engineering with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

DUCTY	A115N	DEDECCA	FLVAINI OLIVED
RUSTY	ALLEN	REBECCA	FLYNN OLIVER
JUDY	ANUNCIACION	LESLIE	GALBRAITH
ANDREA	AXMANN	ANDREW	GALLAGHER
RICHARD	BAILEY	THOMAS	GILL
CHARLES	BANG	ANDREW	GRAY
BRITTANY	BARKSHIRE	JAMES	HALL
ISAAC	BRONNIMAN	HEIDI	HALVERSON
SARAH	BUTTERER	PALOMA	HAWN
JAIME	CATHCART	KAGEN	HEWITT
SITHA	CHHUM	TRAVIS	HOGINS
ELIZA	CINK	CURTIS	HUFFMAN
IAN	CLARKE	ANDREW	HUMPHREY
CURTIS	CLUTE	JOEL	IMMARAJ
ANDREW	CONRAD	ANDREW	IVY
AUSTIN	DANIELSON	JENNIFER	JONES
LANCE	PARADIS	THOMAS	JOSEPHSON
JUSTIN	PENFIELD	JUSTIN	KANOUSE
WILLIAM	PRICE	GATES	KESLER
JOSH	RIPPLINGER	NOAH	KING
FRANK	ROBERTS	JACOB	KOPPLOW
HEIDI	ROBUCK	SUSAN	KOUGIAS
JONATHAN	RODER	DANIEL	LAMBSON
MATTHEW	RYANS	DENNIS	LONG
ZAQUEO	SALAZAR	JONATHAN	LUND
TIMOTHY	SAMUELSON	LAURA	LUPARDUS
MELODY	SHANGIN	BRYCE	MAHN
RYAN	SMILEY	FRANK	MCGUIRE
MICHAEL	SMITH	SAMUEL	MCINTOSH
ERIC	SOUDERS	JESSE	MOE
NATHAN	STEPHAN	REED	PAITICH
TADEUSZ	TOMASIC		
JONATHAN	TYMICK		
COREY	WARDROPE		
MATTHEW	WUESTENFELD		
·	<u> </u>		

On a Motion duly made by Maynard, seconded by Wallis and approved unanimously, it was RESOLVED to find the following list of applicants for registration by comity, examination, and in additional branches of engineering INCOMPLETE with the stipulation that the information in the applicants' files will take precedence over the information in the minutes.

ALLEN
ATAIYAN
BURWASH
CASEY
CULVER
DAVIDSON
EVANS
FORTNER III
HEBERT
LEITH
MYERS
NEWINS
REGO
ROOS
WOODS

#### Agenda Item 31 - Review Calendar of Events/ Board Travel

The board discussed dates of upcoming board meetings. The Chair asked if there was a reason to go to Fairbanks. Several members indicated they would do outreach again. A. Jones reminded the board had previously discussed coordinating outreach with local chapters since May 3-4 is finals week at UAF, and students would not be available. Kerr suggested researching other events to determine potential opportunities to coordinate. Fritz recommended engaging architects and landscape architects since we don't have schools in Alaska. Maynard asked about working with one of the societies to host a luncheon similar to what APDC has done in Juneau.

TASK: A. Jones will work with Johnston for determining appropriate contacts.

The board tentatively agreed the next two board meetings will be held in Anchorage on the following dates:

- August 2-3, 2018
- November 1-2, 2018

The board reviewed the following upcoming national organization meetings:

- NCARB/CLARB New Member Orientation, February 8-10, Washington, D.C. B. Mott, E. Johnston and A. Jones will be attending.
- NCARB Regional Summit, March 8-10, Wichita A. Jones reported the travel was approved as of today, February 2, 2018. D. Hale, C. Fritz, R. Jones and A. Jones will be attending.
- NCEES Western Zone April 5-7, Honolulu A. Jones reported the travel was approved as of today, February 2, 2018. D. Hale, J. Kerr, and C. Maynard will be attending.
- NCARB Annual Meeting, June 28-30, Detroit C. Fritz, J. Koonce, R. Jones and A. Jones tentatively plan to attend.

Fritz asked about submitting all travel requests for the year to make the process more efficient. A. Jones explained the process and that a travel request cannot be submitted until the official invitation, tentative agenda, etc. from the national organization is provided.

#### 31. Board Tasks - To Do List

The board reviewed tasks from the February meeting. A. Jones will compile and send out a To Do List reminder next week.

**BOARD MEMBER TASKS** 

Ψ.

ALL - notify Alysia when you conduct any outreach

ALL - provide input to Colin regarding proposed updates to seal regulations. Bill to assist. (Feb Al 26.B.3)

ALL - review guidance manual and provide comments to Alysia (Feb Al 26.C.)

Bill will compile a list of potential meetings/ outreach opportunities

Brian will write a letter to DEC regarding their regulations (Nov AI 7.E.)

Brian will write a response letter to Peter Giessel (Apr - Al 7.F)

Catherine and Brian will coordinate on language (Nov AI 14.A.1&2 / Feb AI 26.B.

Catherine and Jeff will make a presentation related to regulation project 12 AAC 36.103 (Feb AI 26.B.1)

Catherine will follow up with Rep. Kito RE: HB90

Colin will write a letter to UAA regarding taking of FE exam

Colin will write a response to C. Fredeen (Feb Al 9.D)

Dave will call chief investigator regarding John's time and our statutes

Dave will complete Update Traveler Info. form

Dave will write a reponse to question regarding who may stamp for a company (Feb AI 9.B)

Dave will write a response to J. Maxwell (Feb AI 9.C)

Dave will write a response to question regarding RC and company (Feb AI 9.A)

Elizabeth and Alysia will work on obtaining support of local chapters for an outreach event in Fairbanks

Fred will complete Updated Traveler Info. form

John will work with Alysia on UAV info./ brochure for website (Nov AI 14.D)

Luanne will complete Update Traveler Info. form

#### STAFF TASKS

Alysia will draft a response letter regarding IACET (AI7.G)

Alysia will respond re: MRA w/ South Korea (Feb Al 7.C.5)

Alysia will send regulation checklist to Kelsey Davidson / Interior Designers

Alysia will check with legal department regarding changing renewal status for those requesting CEU exemptions

Alysia will work with board members to produce an updated version of the Guidance Manual for May meeting

Alysia will work w/ Sara on laptop issues

Alysia will review Office of Administrative Hearing documentation of prior decisions

#### 32. Board Member Comments

The board thanked Hanson for his service on the board and wished him well. Several members commented on the robust discussions and thanked each other for the providing different perspectives.

The meeting adjourned at 3:44 p.m.

Feb022018\_2\_02:03:10

# Investigative Report



## Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

550 West Seventh Avenue, Suite 1500 Anchorage, Alaska 99501-3567 Main: 907.269.8160 Fax: 907.269.8195

#### **MEMORANDUM**

DATE:

April 12, 2018

TO:

Alaska State Board of Registration for Architects, Engineers and Land Surveyors

THRU:

Greg Francois, Chief Investigator

FROM:

CACID #

John Savage, Investigator

RE:

Investigative Report for the May 3-4, 2018 Meeting

The following information was compiled as an investigative report to the Board for the period of January 16, 2018 through April 12, 2018. This report includes all investigations, complaints, and intake matters handled since the last report. The Division opened 25 matters and closed 23 matters. 16 matters remain on-going and under active investigation or are pending litigation (as indicated by italics).

Matters opened by the Paralegal in Juneau, regarding continuing education audits and license action resulting from those matters are not covered in this report.

CASE #	OPENED	<b>COMPLAINT/INVESTIGATION</b>	PROFESSION
2016-001384	12/02/2016	Unlicensed Practice/No COA Engineer.	CORP AUTHORIZATION
2016-001387	12/05/2016	Unlicensed practice/Land Surveyor	LAND SURVEYOR
2016-001389	12/05/2016	Unlicensed Practice/No COA Surveyor.	CORPAUTHORIZATION
2016-001391	12/06/2016	Unlicensed Practice /No COA Surveyor.	CORP AUTHORIZATION
2017-000138	02/14/2017	Unethical conduct/Engineer	ENGINEER
2017-001073	10/09/2017	Unlicensed Practice /Engineering	ENGINEER
2017-001122	10/26/2017	Unlicensed Practice/No COA Surveyor.	LAND SURVEYOR
2017-001125	10/26/2017	Violation of licensing regulation/Engineer	ENGINEER
2018-000025	01/05/2018	License Application Problem/Engineer	ENGINEER
2018-000224	02/22/2018	License Application Problem/Engineer	ENGINEER
2018-000228	02/23/2018	License Application Problem/Engineer	ENGINEER
2018-000229	02/23/2018	License Application Problem/Engineer	ENGINEER
2018-000266	03/08/2018	Violation of Licensing Regulation/Engineer	ENGINEER
2018-000282	03/15/2018	License Application Problem/Land Surveyor	LAND SURVEYOR
2018-000314	03/28/2018	Unlicensed Practice/Architect	ARCHITECT
2018-000367	04/10/2018	Violation of Licensing Regulation/Engineer	ENGINEER

**OPEN:** TOTAL = 16 (including intakes)

#### **INVESTIGATIVE ACTIONS CLOSED SINCE LAST MEETING**

2016-001300	Advisement Letter	ELECTRICAL ENGINEER
2017-000084	No Action – No Violation	ENGINEER
2017-000332	Review Complete	ARCHITECT
2017-001117	Review Complete	ENGINEER
2017-001118	No Action - No Violation	ENGINEER
2018-000146	Review Complete	ENGINEER
2018-000151	Review Complete	ENGINEER
2018-000155	Review Complete	ENGINEER
2018-000182	Review Complete	ENGINEER
2018-000187	Review Complete	CORPORATE AUTHORIZATION
2018-000190	Review Complete	ENGINEER
2018-000193	Review Complete	CORPORATE AUTHORIZATION
2018-000197	Review Complete	ENGINEER
2018-000203	Review Complete	CORPORATE AUTHORIZATION
2018-000206	Review Complete	CORPORATE AUTHORIZATION
2018-000208	Review Complete	ENGINEER
2018-000215	Review Complete	CORPORATE AUTHORIZATION
2018-000217	Review Complete	ARCHITECT
2018-000218	Review Complete	ENGINEER
2018-000263	Review Complete	CORPORATE AUTHORIZATION
2018-000264	Review Complete	ENGINEER
2018-000300	Review Complete	ENGINEER
2018-000341	Review Complete	CORPORATE AUTHORIZATION

**CLOSED TOTAL** = 23 (including intakes)

**PROBATION CASES:** TOTAL = 0

END OF REPORT

## CBPL

## Reports

#### Board of Architects, Engineers, and Land Surveyors Schedule of Revenues and Expenditures

	FY 12		FY 13	FY 14	FY 15	FY16	FY17	1s	FY18 t - 3rd Qtr
						-			
Licensing Revenue	\$ 845	,362 \$	162,223	\$ 1,983,134 \$	309,524	\$ 1,312,092 \$	201,239	\$	847,835
Allowable Third Party Reimbursement		=	<u> </u>	 5,931	7,156	 6,302	13,376	\$	3,483
Total Revenue	845	,362	162,223	1,989,065	316,680	 1,318,394	214,615		851,318
Direct Expenditures									
Personal Services	260	,469	248,834	287,835	283,855	324,968	287,705		192,481
Travel	48	,940	41,597	53,408	42,799	35,307	32,347		16,447
Contractual	59	,439	32,998	88,077	54,433	70,609	38,973		20,522
Supplies	2	,922	6,779	2,054	1,075	1,221	631		499
Equipment		-		 -	-	 -			-
Total Direct Expenditures	371	,770	330,208	431,374	382,162	432,105	359,656		229,949
Indirect Expenditures*	396	,542	431,349	290,377	198,407	304,894	320,400		240,300
Total Expenses	768	,312	761,557	 721,751	580,569	 736,999	680,056		470,249
Annual Surplus (Deficit)	77	,050	(599,334)	1,267,314	(263,889)	581,395	(465,441)		381,069
Beginning Cumulative Surplus (Deficit)	262	,319	339,369	(259,965)	1,007,349	743,460	1,324,855		859,414
Ending Cumulative Surplus (Deficit)	\$ 339	,369 \$	(259,965)	\$ 1,007,349 \$	743,460	\$ 1,324,855 \$	859,414	\$	1,240,483

<sup>\*\*</sup> For the first three quarters, indirect costs are based on the prior fiscal year's total indirect amount on a percent of year completed basis.

Appropriation	(AII)	
Sub Unit	(AII)	
Activity Code	AEL1	

Sum of						
Expenditures		Object Type Code				
	<b></b>	1000 - Personal			4000 -	
Object Code	Object Name	Services	2000 - Travel	3000 - Services	Commodities	Grand Total
1011	Regular Compensation	100,118.15				100,118.15
1023	Leave Taken Alaska Supplemental Benefit	18,168.35 6,986.91				18,168.35 6,986.91
1029	Public Employee's Retirement System Defined Benefits	20,917.56				20,917.56
1030	Public Employee's Retirement System Defined Contribution	20,917.56				959.08
1034	Public Employee's Retirement System Defined Contribution  Public Employee's Retirement System Defined Contribution	849.79				849.79
1035	Public Employee's Retirement System Defined Cont Retiree Medical	191.55				191.55
1037	Public Employee's Retiremnt Sys Defined Benefit Unfind Liab	2,088.86				2,088.86
1039	Unemployment Insurance	344.71				344.71
1040	Group Health Insurance	30,975.22				30,975.22
1041	Basic Life and Travel	46.67				46.67
1042	Worker's Compensation Insurance	1,098.85				1,098.85
1047	Leave Cash In Employer Charge	2,625.52				2,625.52
1048	Terminal Leave Employer Charge	1,364.17				1,364.17
1053	Medicare Tax	1,557.60				1,557.60
1077	ASEA Legal Trust	115.90				115.90
1079	ASEA Injury Leave Usage	7.24				7.24
1080	SU Legal Trst	0.28				0.28
1970	Personal Services Transfer	4,064.46				4,064.46
2000	In-State Employee Airfare	.,	1,424.19			1,424.19
2001	In-State Employee Surface Transportation		350.63			350.63
2002	In-State Employee Lodging		1,142.00			1,142.00
2003	In-State Employee Meals and Incidentals		626.35			626.35
2005	In-State Non-Employee Airfare		1,665.02			1,665.02
2006	In-State Non-Employee Surface Transportation		235.20			235.20
2007	In-State Non-Employee Lodging		1,943.00	1		1,943.00
2008	In-State Non-Employee Meals and Incidentals		960.00	ı		960.00
2009	In-State Non-Employee Taxable Per Diem		192.00	ı		192.00
2010	In-State Non-Employee Non-Taxable Reimbursement		804.10			804.10
2012	Out-State Employee Airfare		1,869.03			1,869.03
2013	Out-State Employee Surface Transportation		72.00	1		72.00
2014	Out-State Employee Lodging		415.02			415.02
2015	Out-State Employee Meals and Incidentals		589.00	1		589.00
2017	Out-State Non-Employee Airfare		1,197.72			1,197.72
2020	Out-State Non-Employee Meals and Incidentals		1,219.50			1,219.50
2022	Out-State Non-Employee Non-Taxable Reimbursement		1,742.33			1,742.33
2970	Travel Cost Transfer		-			-
3000	Training/Conferences			950.00	)	950.00
3001	Test Monitor/Proctor			-		-
3002	Memberships			16,150.00		16,150.00
3035	Long Distance			490.96	5	490.96
3045	Postage			86.81		86.81
3046	Advertising			591.23		591.23
3057	Structure, Infrastructure and Land - Rentals/Leases			63.58		63.58
3066	Print/Copy/Graphics			13.00		13.00
3067	Honorariums/Stipend			448.00		448.00
3069	Commission Sales			113.00		113.00
3088	Inter-Agency Legal			1,557.67		1,557.67
3094	Inter-Agency Hearing/Mediation			57.60		57.60
4001	Equipment/Furniture/Tools/Vehicles				54.2	
4002	Business Supplies	******	,		444.9	
Grand Total		192,480.87	16,447.09	20,521.85	499.1	.3 229,948.94

# Annual Report Fiscal Year 2017

### STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS



#### DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

This annual performance report is presented in accordance with Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

#### **Table of Contents**

Identification of the Board	Page 1
Identification of the Staff	Page 3
Narrative Statement	Page 4
Budget Recommendations	Page 7
Proposed Legislative Recommendations	Page 16
Regulatory Recommendations	Page 17
Goals and Objectives	Page 18
Sunset Audit Recommendations	Page 20

#### **Identification of the Board**

Board Member	<b>Duty Station</b>	Date Appointed	Term Expires
Brian R. Hanson, Chair  • Civil Engineer  • Mining Engineer	Anchorage	Mar 01, 2014	Mar 01, 2018
Dave Hale, PS, Vice Chair • Land Surveyor	Anchorage	Mar 01, 2016	Mar 01, 2020
Jeffrey Paul Koonce, Secretary • Architect	Anchorage	Mar 01, 2013	Mar 01, 2021
Catherine Fritz, • Architect	Juneau	Mar 01, 2016	Mar 01, 2020
Elizabeth Johnston, PE • Electrical Engineer • Fire Protection Engineer	Fairbanks	Mar 01, 2017	Mar 01, 2021
John Bruce Kerr, PS • Land Surveyor	Anchorage	Mar 01, 2013	Mar 01, 2021

#### **Identification of the Board** (continued)

Board Member	<b>Duty Station</b>	Date Appointed	Term Expires
Colin Maynard, PE  • Civil Engineer  • Structural Engineer	Anchorage	Mar 01, 2016	Mar 01, 2020
William Mott  • Chemical Engineer  • Metallurgical & Materials Engineer	Anchorage	May 25, 2017	Mar 01, 2020
Luanne Urfer, PLA  • Landscape Architect	Palmer	Mar 01, 2016	Mar 01, 2021
Fred Wallis, PE • Mining Engineer	Healy	Mar 01, 2016	Mar 01, 2020
Richard "Vernon" Jones • Public Member	Juneau	Oct 01, 2016	Mar 01, 2020

#### **Identification of Staff**

#### Alysia Jones – Executive Administrator

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing Post Office Box 110806 Juneau, Alaska 99811-0806 (907) 465-1676

#### Sarena Hackenmiller – Licensing Examiner

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing Post Office Box 110806 Juneau, Alaska 99811-0806 (907) 465-2540

#### John Savage - Investigator

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing 550 W 7<sup>th</sup> Ave., Suite 1500 Anchorage, Alaska 99507 (907) 269-8176

#### Jun Maiguis – Regulations Specialist

Department of Commerce, Community & Economic Development Division of Corporations, Business and Professional Licensing Post Office Box 110806 Juneau, Alaska 99811-0806 (907) 465-2550

#### **Narrative Statement**

The Board of Registration for Architects, Engineers, and Land Surveyors held four, in-person, 2-day meetings in FY 2017 to conduct normal business activities which included working on regulation projects; reviewing and approving applications for licensure by examination and comity; and discussing national trends related to the professions the Board regulates. All meetings were public noticed and a copy of the agendas were made available to the public in advance of the meeting dates. Minutes are approved at the following meeting and draft versions are posted on the AELS website in the interim.

#### Highlights from FY 2017 include:

- House Bill 48 (HB48) which extends the AELS board until 2025 and makes the landscape architect seat permanent after 19 years as a temporary seat passed on April 13, 2017, signed by the Governor on June 16, 2017 and will go into effect on July 1, 2017.
- Training sessions on complaint and investigative process and continuing education audits were conducted by Senior Investigator Al Kennedy (August 2016 meeting) and Assistant Attorney General Megan Greider (November 2016 meeting) respectively.
- Regulation updates:
  - 12 AAC 36.050 Changed application deadline to 30 days prior to board meetings (effective 8/7/2016)
  - 12 AAC 36.108 Added application for registration as a structural engineer (effective 9/9/2016)
  - 12 AAC 36.990 (44) Added a definition for significant structures and changed requirements for structural engineering license in accordance with national trends (effective 9/9/2016)
  - 12 AAC 36.180 Seal, .185 Use of Seal Updates related to changes regarding structural engineering (effective 9/9/2016)
  - 12 AAC 36.060, .061, .990(29) Updated language to be consistent with National Council of Architectural Registration Board's terminology (effective 5/25/2017)
  - 12 AAC 36.062, .063, .064 and .065 Repealed the requirement to apply to AELS for the Fundamentals of Engineering and Fundamentals of Surveying examinations (effective 5/25/2017)
  - 12 AAC 36.105 Added "comparable branches" to engineer registration by comity (effective 5/25/2017)

There were three new board appointments and three re-appointments in FY17:

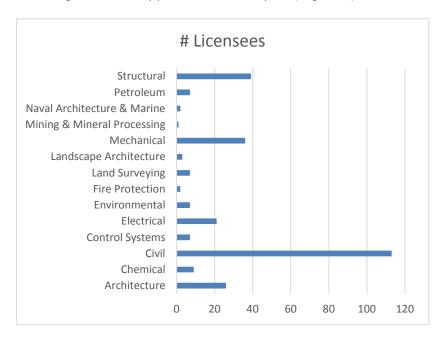
- Elizabeth Johnston was appointed to the Electrical/Mechanical Engineer seat.
- William Mott was appointed to the Engineer from another branch of the profession of engineering seat.\*
- Jeffrey Koonce was re-appointed to one of the Architect seats.
- John Kerr was re-appointed to one of the Land Surveyor seats.
- Richard "Vernon" Jones was re-appointed to the Public Member seat.
- Luanne Urfer was appointed to the permanent Landscape Architect seat.\*\*

<sup>\*</sup>Previously the "one engineer from another branch of the profession of engineering" seat had been a mechanical engineer, however in filling the vacancy left by Kathleen Schedler's resignation (March 2017), the Department of Law explained the statutory language restricts the appointment of a mechanical engineer to this seat stating "this seat must be filled by an engineer representing a branch of professional engineering other than those already listed in AS 08.48.011(b): Civil, Mining, Electrical and Mechanical".

<sup>\*\*</sup>With the passing of HB48 the Landscape Architect seat changed from a temporary, non-voting seat to a permanent, voting seat. The required solicitation and application process was followed. On July 7, 2017 the Governor appointed Luanne Urfer, who previously held the temporary Landscape Architect seat to the permanent Landscape Architect seat with a term end date of March 1, 2021.

#### FY 2017 Narrative Statement (continued)

During FY 2017, AELS reviewed 316 applications for registration and/or examination and verified 255 licenses. AELS licensed 280 professionals and 60 firms (33 corporations and 27 LLCs). Please see the chart and table below for a detailed accounting of licensees by profession and discipline (engineers).



Field of Practice	#
Architecture	26
Chemical	9
Civil	113
Control Systems	7
Electrical	21
Environmental	7
Fire Protection	2
Land Surveying	7
Landscape Architecture	3
Mechanical	36
Mining & Mineral	1
Naval Architecture & Marine	2
Petroleum	7
Structural	39

The Board considers investigations and enforcement of their statutes and regulations to be a key responsibility in protection of the public. The majority of cases tend to be related to individuals working outside the scope of their field of practice (e.g. engineers that think they are architects or vice versa) and continuing education audits. AELS investigator John Savage continues to work with the board to review cases and is trying to spread out the reviews more evenly among the board members. Savage also developed a form for board members to complete when reviewing a case to record what was discussed and the agreed upon course of action that should be taken.

To keep abreast of national standards for registration, trends, and issues board members and staff attend regional and national meetings sponsored by the following organiations:

- National Council of Architectural Registration Boards (NCARB)
- National Council of Examiners for Engineering and Surveying (NCEES)
- Council for Landscape Architect Registration Boards (CLARB)

Following the meetings, attending board members and staff write in-depth reports which are then presented to the entire board at the next quarterly meeting so all members are aware of national issues and the activities of these national organizations. In addition to attending meetings, several board members also serve as officers and/or committee members for these organizations. Currently, AELS Chair Brian Hanson is the Vice President of the Western Zone of NCEES. AELS continues to revise and update the Guidance Manual with the intent to publish an updated version following review at the August 2017 meeting. The Board is also working on three regulation projects:

- 1. Update education requirements for architects
- 2. Incorporate the use of the NCEES record in applications
- 3. Implement a licensure pathway for software engineers

FY 2018 will be the bi-annual renewal for Alaska architects, engineers, land surveyors and landscape architects. The Board is currently conducting a fee analysis with the Division of Corporations, Business and Professional Licensing and anticipate a modest reduction in fees for the upcoming renewal period.

#### FY 2017 Narrative Statement (continued)

The following statement provides additional details about each of the AELS board's quarterly meetings to highlight key, non-monetary aspects to be considered when reviewing potential travel expenditures.

#### **August Meeting (Anchorage)**

The August meeting is typically held in Anchorage as the majority of board members reside here or in the vicinity. Historically, the number of applications to be reviewed are highest during the August and February meetings since it is the last opportunity for applicants to be approved for exams offered by the National Council of Examiners for Engineering and Surveying (NCEES) in October and April.

#### **February Meeting (Juneau)**

The February meeting is typically held in Juneau since it occurs during the legislative session. Having the meeting in Juneau allows board members to meet with representatives to collaborate on legislation that supports the board mission. Additionally, as noted above, this meeting sees a high volume of applications given the timing before NCEES exams and Alaska Land Surveyors Exam, which is only offered in April.

#### **April Meeting (Fairbanks)**

In prior years, this meeting was held in May, however due to a schedule conflict the meeting was held at the end of April. This provided the board with an opportunity to meet with engineering students, faculty, and staff at UAF before the end of the school year and discuss next steps for students and what resources are available to them as they work towards their professional license. This type of outreach is essential especially considering the board recently repealed the requirement for Fundamentals of Engineering and Fundamentals of Surveying exam applicants to apply to the AELS board. Additionally, meeting minutes indicate individuals from the Fairbanks area frequently attend AELS board meetings in Anchorage and Juneau via teleconference and appreciate the ability to attend at least one of the four meetings in person and interact with the board face-to-face.

#### November (Anchorage)

Although ranked #4 in the annual report, the board maintains ALL of their meetings are equally important for carrying out its mission. The November meeting provides an opportunity to conduct outreach to UAA students, which cannot be done during the August meeting due to the school calendar and board's focus on application review. Additionally, the board may participate in training sessions during the November meeting.

The board acknowledges the State's request to conduct meetings in a digital format, however the AELS board has found application review, which occurs at each meeting to be extremely difficult and ineffective via teleconference and looks at other ways to minimize travel costs:

- · Two out of the four quarterly meetings are held in Anchorage, the most cost-effective location
- The board utilizes their own office spaces in Anchorage and Fairbanks and the Division's conference room in Juneau
- Start and stop times for meetings are scheduled to allow for same day travel by the majority of the board members to keep lodging and per diem costs to a minimum
- · The board schedules outreach activities and/or training opportunities to maximize travel costs.

#### **Budget Recommendations for FY 2018**

The Budget Recommendations section anticipates the board's fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as "other" so they may be tracked appropriately.

(Rank board meetings in order of importance)			
Location	# Board	# Staff	
Anchorage	11	2	
		\$1,200.00	
\$1,400.00			
\$515.00			
\$1,325.00			
		\$4,440.00	
	Location	Location # Board	

#2 Rank	(Rank board meetings in order of importance)			
Board M	leeting Date	Location	# Board	# Staff
Februar	ry 7-8, 2018	Juneau	11	2
<b>X</b> A	irfare:			\$3,154.00
<b>⊠</b> H	otel:	\$846.00		
<b>⊠</b> G	<b>坚</b> Ground: \$167.00		\$167.00	
<b>X</b> 0	☑ Other: \$918.00			\$918.00
Total Estima	ted Cost:			\$5,085.00

#3 Rank	(Rank board meetings in order of importance)			
Board M	leeting Date	Location	# Board	# Staff
April/	April/May 2018 Fairbanks 11		2	
<b>⊠</b> A	irfare:			\$2,400.00
<b>⊠</b> H	otel:	\$1,275.00		
<b>⊠</b> G	<b>坚</b> Ground: \$600.00			\$600.00
<b>⊠</b> C	☑ Other: \$1,375.00			\$1,375.00
Total Estima	ted Cost:			\$5,650.00

#### **Budget Recommendations for FY 2018**

#4 Rank	(Rank board meetings in order of importance)			
Board M	leeting Date	Location	# Board	# Staff
Novemb	er 8-9, 2017	Anchorage	11	2
<b>X</b> A	irfare:			\$1,186.00
<b>⊠</b> H	otel:	\$792.00		
<b>⊠</b> G	round:	\$515.00		
X C	ther:	\$1,276.00		
Total Estima	ted Cost:			\$3,769.00

#### **Travel Required to Perform Examinations**

☐ Not applicable

Date	Location	# Board	# Staff
April 21, 2018	Fairbanks	1	0

#### Description of meeting and its role in supporting the mission of the Board:

The Alaska Land Surveyors examination is offered once a year in April. Depending upon the applicant pool, a proctor may be needed in Fairbanks and/or Anchorage. Every effort will be made to utilize board members and/or another qualified proctor in each area. In the event one is not available, the board recommends the following be budgeted for one day of travel for a board member/staff to perform the exam.

🗷 Airfare:	\$200.00
☐ Hotel:	\$0.00
☑ Ground:	\$30.00
☐ Conference:	\$0.00
☑ Other: M&IE	\$50.00

Total Estimated Cost: \$280.00

Date	Location	# Board	# Staff
August 23-26	Miami Beach, Florida	3	1

#### Description of meeting and its role in supporting the mission of the Board:

National Council of Examiners for Engineering and Surveying (NCEES) annual meeting. The purpose of this meeting is to discuss best practices for registration boards, discuss challenges facing engineers and surveyors, and propose and vote on regulation changes.

Note: NCEES offers first-time attendee funding in addition to the three funded-delegates. Next year (FY2019) two of our board members will qualify for this funding, allowing us to send a total of five representatives from AELS. Additionally, NCEES offers a Law Enforcement Program at their annual meetings that includes an interactive forum and full-day comprehensive regulatory workshop that would be beneficial for our investigative staff. The Executive Administrator will attend the workshop this year. Board recommends the AELS investigator attend the NCEES annual or zone meeting in 2018.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$0.00	\$0.00	\$4,000.00	\$4,000.00
🗷 Hotel:	\$0.00	\$0.00	\$4,464.00	\$4,464.00
☐ Ground:	\$0.00	\$0.00	\$0.00	\$0.00
Conference:	\$0.00	\$0.00	\$1,800.00	\$1,800.00
☑ Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Otl	Describe "Other" (break out all sections):			

NCEES reimburses each funded delegate \$250 to cover transporation to and from the airport; dinner on Thursday, August 24, tips, travel meals and other miscellaneous incidentals; and any incidental hotel charges.

Net Total: \$0.00 \$0.00 \$10,264.00 \$10
---

Date	Location	# Board	# Staff
September 13-16, 2017	Boise Idaho	1	0

#### Description of meeting and its role in supporting the mission of the Board:

Annual meeting of the Council of Landscape Architect Registration Boards (CLARB). Similar to NCEES and NCARB, CLARB provides exams, establishes national requirements based upon current trends.

Note: CLARB does not fund delegates. As a multi-discipline board and particularly in light of the recent passing of HB48 making the landscape architect seat permanent, representation at this meeting is extremely valuable.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$422.00	\$0.00	\$0.00	\$422.00
🗷 Hotel:	\$800.00	\$0.00	\$0.00	\$800.00
☑ Ground:	\$50.00	\$0.00	\$0.00	\$50.00
■ Conference:	\$950.00	\$0.00	\$0.00	\$950.00
<b>⊠</b> Other	\$210.00	\$0.00	\$0.00	\$210.00
Describe "Ot	ther" (break out all secti	ons): M&IE		
Net Total:	\$2,432.00	\$0.00	\$0.00	\$2,432.00

Date	Location	# Board	# Staff
March 2018	Wichita, KS	2	1

#### Description of meeting and its role in supporting the mission of the Board:

Regional meeting for National Council of Architectural Registration Boards (NCARB). Discuss issues relevant to western states and formulate proposals to introduce at the annual meeting.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$0.00	\$3,050.00	\$0.00	\$3,050.00
₩ Hotel:	\$0.00	\$1,200.00	\$0.00	\$1,200.00
☐ Ground:	\$0.00	\$0.00	\$0.00	\$0.00
Conference:	\$0.00	\$0.00	\$1,350.00	\$1,350.00
☑ Other	\$0.00	\$960.00	\$0.00	\$960.00
Describe "Oth	ner" (break out all section	ons):		
Net Total:	\$0.00	\$5,210.00	\$1,350.00	\$6,560.00

#### **Out-of-State Meetings and Additional In-State Travel**

Date	Location	# Board	# Staff
April 5-7, 2018	Honolulu, HI	2	1

#### Description of meeting and its role in supporting the mission of the Board:

NCEES Western Zone meeting. Discuss issues unique to the western states and prepare proposals for the annual meeting.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$0.00	\$0.00	\$3,250.00	\$3,250.00
🗷 Hotel:	\$0.00	\$0.00	\$4,600.00	\$4,600.00
☐ Ground:	\$0.00	\$0.00	\$0.00	\$0.00
Conference:	\$0.00	\$0.00	\$1,800.00	\$1,800.00
☑ Other	\$0.00	\$600.00	\$0.00	\$600.00
Describe "Oth	ner" (break out all secti	ons)·		

Describe "Other" (break out all sections):

NCEES provides each funded delegate with \$200 to cover transportation to and from the airport; tips, travel meals and other miscellaneous incidentals; and any incidental hotel charges.

Net Total:	\$0.00	\$600.00	\$9,650.00	\$10,250.00
------------	--------	----------	------------	-------------

Date	Location	# Board	# Staff
June 2018	Detroit, MI	2	1

#### Description of meeting and its role in supporting the mission of the Board:

NCARB Annual Meeting. Discuss and vote on issues affecting architect licensing boards.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$0.00	\$3,745.00	\$0.00	\$3,745.00
🗷 Hotel:	\$0.00	\$3,000.00	\$0.00	\$3,000.00
☐ Ground:	\$0.00	\$0.00	\$0.00	\$0.00
🗷 Conference:	\$0.00	\$0.00	\$1,995.00	\$1,995.00
🗷 Other	\$0.00	\$960.00	\$0.00	\$960.00
Describe "Otl	ner" (break out all secti	ons):		

NCARB will reimburse funded delegates up to \$80/day to cover out-of-pocket meal costs on travel and meeting days, and ground transportation to and from the airport.

**Net Total:** \$0.00 \$1,995.00 \$9,700.00 \$7,705.00

Date	Location	# Board	# Staff
TBD	Fairbanks, Juneau, Kenai Peninsula, Seward		1

#### Description of meeting and its role in supporting the mission of the Board:

**Investigator sweeps** – As enforcement activities are deemed mission critical and inherent, the AELS board includes the following additional in-state travel budget for investigator John Savage to conduct regional investigator sweeps. The table below includes a summary of the expenses outlined in the following list:

- Fairbanks 3 days in the field, consider combining with April/May meeting if Fairbanks location is approved.
   Juneau 3 days in the field, travel day of to minimize lodging and M&IE
   Kenai Peninsula 3 days in the field, travel day of to minimize lodging and M&IE
   \$687
- Seward 2 days including travel to minimize travel expenses \$396
  - \* Ground fees (\$385) and costs associated with attending the board meeting are listed above in board travel under #3 board meeting.

Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
🗷 Airfare:	\$336.00	\$0.00	\$0.00	\$336.00
🗷 Hotel:	\$564.00	\$0.00	\$0.00	\$564.00
☑ Ground:	\$373.00	\$0.00	\$0.00	\$373.00
☐ Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<b>▼</b> Other	\$390.00	\$0.00	\$0.00	\$390.00
Describe "Otl	her" (break out all secti	ons): M&IE		
Net Total:	\$1,663.00	\$0.00	\$0.00	\$1,663.00

**Budget Recommendations for FY 2018** (continued)

Non-Travel Budget Requests				
☐ Not Applicable	☐ Resources	□ Examinations		
■ Membership	☐ Training	☐ Other		
Product or Service	Provider	Cost Per Event		
National Organization Memberships	CLARB, NCARB, NCEES	\$15,985.00		
Description of item and its role in supporting the mission of the Board:  Memberships:				
<ul> <li>National Council of Architectural Reg</li> <li>Council of Landscape Architectural Reg</li> <li>National Council of Examiners for Eng</li> </ul>	egistration Boards \$5,485			
Non-Travel Budget Requests				
	<b>D D</b> · · · · · · · · · · · · · · · · · · ·	<b>5</b>		
□ Not Applicable	☐ Resources	Examinations		
☐ Membership	☐ Training	☐ Other		
Product or Service	Provider	Cost Per Event		
Exam scoring and development	TEST, Inc.	\$10,000.00		
Description of item and its role in supporti	ng the mission of the Board:			
Each May, TEST, Inc. reviews and scores the develop the exam for the following year.	Alaska Land Surveyor (AKLS) exam a	nd hosts a workshop to		
Other Henry with a Fined laws at	Cost Dou For	ont. \$102.00		
Other Items with a Fiscal Impact	Cost Per Ev	·		
☐ Not Applicable	Number of	Events: 1		

#### Description of item and its role in supporting the mission of the Board:

The Office of Administrative Hearings offers 1 to 2 hour administrative adjudicator trainings for boards and commissions.

Provider

SOA - Office of Administrative Hearings

**Product or Service** 

Administrative Adjudicators Training

**Total Cost** 

\$192.00

Other Items with a Fiscal Impact	Cost Per Event:	\$1,000.00
☐ Not Applicable	Number of Ever	nts: 1
Product or Service	Provider	Total Cost
Outreach	AELS Board	\$1,000.00

#### Description of item and its role in supporting the mission of the Board:

At the April meeting, the board made a motion to add a line item "outreach" with an initial amount of \$1000 to be spent facilitating communication about board activities, rules, laws, etc. For example the board plans to print approximately 30 copies of the revised Guidance Manual once complete and distribute to city planning and fire marshal offices in Alaska. The manual will also be available online, however AELS wishes to provide at least one hard copy for each office.

Summary of FY 2018 Fiscal Requests	
Board Meetings and Teleconferences:	\$18,944.00
Travel for Exams:	\$280.00
Out-of-State and Additional In-State Travel:	\$40,869.00
Dues, Memberships, Resources, Training:	\$25,985.00
Total Potential Third-Party Offsets:	\$36,774.00
Other:	\$1,192.00
Total Requested:	\$50,496.00

#### **Recommendations for Proposed Legislation for FY 2018**

×	No Recommendations The Board has no recommendations for proposed legislation at this time.
	Recommendations The Board has the following recommendations for proposed legislation:

#### **Regulation Recommendations for FY 2018**

×	<b>No Recommendations</b> The Board has no recommendations for proposed regulations at this time.
	Recommendations The Board has the following recommendations for proposed regulations:
	The board has the following recommendations for proposed regulations.

#### **Goals and Objectives**

#### Part I

#### FY 2017's goals and objectives, and how they were met:

The Board worked successfully with the Legislature and Alaska Professional Design Council during its Sunset Review. House Bill 48 passed which extends AELS until 2025 and will also make the temporary Landscape Architect seat on the board a permanent, voting seat.

The regulation project regarding the discontinuation of the AELS Fundamentals of Engineering and Fundamentals of Surveying exam applications went into effect May 25, 2017.

Special Note: With the recent regulation updates to 12 AAC 36.062, .063, .064 and .065 the board can anticipate a \$20,000.00 loss in revenue from the Fundamentals of Engineering and Fundamentals of Surveying application fees.

The Board solicited detailed information from the University of Alaska – Anchorage, University of Alaska – Fairbanks, and the University of Washington regarding current approved arctic engineering courses to ensure the content is still provide the training necessary to practice a design discipline in an arctic environment. The Board reviewed each university's submission and the courses remain approved.

# STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS Fiscal Year 2017 Annual Report

#### **Goals and Objectives**

#### Part II

FY 2018's goals and objectives, and proposed methods to achieve them. Describe any stengths, weaknesses, opportunities, threats and required resources:

The board is actively working on updating the Guidance Manual with the intent of publishing a revised copy by Fall 2017.

Board members continue to work on the following regulation projects:

- Update education requirements for architects Previously the board's progress on updating the
  education requirements for architects was hindered by outdated national standards. In February,
  NCARB released new education guidelines restructuring the broadly experienced architect (BEA). To
  date, board members Catherine Fritz and Vern Jones have reviewed the new guidelines and are drafting
  suggested updates to alternative pathways that are consistent with the education, experience and
  examination requirements for initial applications.
- Incorporate the use of the NCEES record in applications As with most projects, the availability of time to work on regulation projects is often scarce. However, the topic of streamlining processes for applicants who are licensed elsewhere and meet certain criteria was a major topic of discussion at the NCEES Western Zone meeting, which three board members and one staff member attended. Chair Brian Hanson offered to present information at the August 2017 meeting that incorporates what was discussed at the WZone meeting.
- Implement a licensure pathway for software engineers Outgoing board member Eric Eriksen made a
  motion regarding a licensure pathway for software engineers at the February 2017 meeting. Having
  previous experience with IEEE's (Institute of Electrical and Electronics Engineers) computer engineering
  committee, new board member Elizabeth Johnston has agreed to take on the initial step of this project creating a definition for software engineering with assistance from member Colin Maynard.

At the April quarterly meeting, the Board made a motion to add the line item "outreach" to the annual budget to demonstrate their commitment to facilitating communication about board activities, rules, laws, etc. In following, the board will be looking at opportunities for the board to conduct and/or participate in activities that educate the public and potential future professionals about these fields of practice, and develop educational materials.

# STATE BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS Fiscal Year 2017 Annual Report

#### **Sunset Audit Recommendations**

Date of Last Legislative Audit: 2016

Board Sunset Date: June 30, 2017

**Audit Recommendation:** 

There were no new recommendations as part of the current sunset audit. Legislative Audit recommends the legislature extend the board's termination date to June 30, 2025 and consideration should be given to making the temporary, non-voting Landscape Architect seat a permanent voting member of the board.

Ongoing recommendations are addressed below.

**Action Taken:** 

- AELS Board is working with DCBPL to review fees in preparation for the upcoming renewal period.
- Regulations were passed prior to September 20, 2016 to ensure corporations, LLCs and LLPs are properly licensed.
- Vacancies, including those due to unexpected departures have been filled in a timely manner.

**Next Steps:** 

Continue to serve the public's interest by effectively registering and regulating architects, engineers, land surveyors, and landscape architects. Develop and adopt regulations to improve the architect, engineer, land surveyor and landscape architect occupations.

**Date Completed:** n/a

# XI. Evaluating Your Board...and Yourself

Feedback is the gift of awareness. Without awareness, boards have no real knowledge of their strengths and weaknesses, successes and failures, realities and perceptions, or positive and negative impacts.

How easily could your board fall into one of these situations without realizing it:

- The chair adjourns, praising the members for an extremely efficient meeting. The next week, the chair discovers that a hasty deliberation and quick vote just to get to lunch on time resulted in the board's passage of a decision that violates state law. All activity on the issue has to stop until the attorney can meet with the board the following month, secure their withdrawal of the vote, and ensure that any replacement is legal.
- Members who are licensees of the profession they govern are deliberating on scope of practice issue by
  using jargon and terminology specific to specialized practice. Instead of explaining and providing
  supplementary material to the public member, they railroad him into voting for something he hasn't had
  the opportunity to learn about.
- A board member takes great pride in her success as a professional—however, she shuts people down
  midsentence, solicits feedback from friends in the public gallery during the business session, and
  pressures the chair to change the agenda midday because she wants to get to a certain topic she cares
  about. Her personality is so offensive that several members are considering resigning from the board.
- During a long, drawn-out discussion, two board members turn on their cell phones and disengage from
  the discussion. Once the chair requests their input, they jump in with active support for the same
  controversial viewpoint. A member of the public notices this and files a complaint with the Ombudsman
  that they were texting about the vote, thus violating the Open Meeting Act. The controversial vote wins,
  the board is sued, and the members' cell phones are subpoenaed and confiscated.

Tough situations can and will arise during service on a regulatory board or commission. These types of surprises, however, can be avoided if members invest in regular, active evaluation of board practices and of their own contributions (or lack thereof) to the process.

Simply filling out the evaluation form and calling it a day is not enough. Analysis of the responses and communication with members about their needs and contributions deepens the experience of individual members, sowing the ground for a more fertile harvest of ideas, insights, and outcomes.

Following are two evaluation forms that boards and commissions are encouraged to use after each meeting or at least quarterly to ensure awareness becomes the cultural norm.

## **Chambers' Hierarchy of Effective Regulators**

## **FLOURISHING**

Leading
initiatives
to reform
public law,
contributing to
national or statewide
licensure movements,
questioning foundational
assumptions about regulation

#### **ENGAGING**

Initiating reviews of existing statutes and regulations, researching best practices of licensure in other states, pursuing workgroups with sister agencies on topics of public interest

## **PARTICIPATING**

Speaking up during discussions, reading the minutes before approving them, asking questions about license applications

## **MAINTAINING**

Holding required meetings, approving minutes, voting on license applications

## **UNDERMINING**

Missing meetings, on cell phone during the meeting, falling asleep, arguing with other members, dismissing others' input, being unprepared, holding on to biases, voting with special interests in mind, treating others with disrespect.

## **MEETING EVALUATION**

Board/Commission:	Date:	<b>Member Name</b>	

Goal		Agree	Needs Improvement	Suggestions for Improvement
1.	The agenda was clear, supported by the necessary documents, and circulated prior to the meeting.		·	
2.	All board members were prepared to discuss materials sent in advance.			
3.	Documents were clear and contained needed information.			
4.	A variety of opinions was expressed and issues were managed in a respectful manner.			
5.	The chair guided the meeting effectively and members participated respectfully and responsibly.			
6.	Next steps were identified and responsibility assigned.			
7.	All board members were present.			
8.	The meeting began and ended on time.			
9.	Meeting accommodations were satisfactory.			
10.	Presentations/interaction with public and guests was appropriate, productive, and efficient.			
11.	The board had enough information to make good decisions on issues.			
12.	The objectives of the meeting were met or appropriately tabled until a subsequent scheduled meeting.			

Other Comments (What went well, what needs to be done better next time):

# **Board/Commission Member Self-Evaluation**

Indicate the degree to which you think you meet each of the following expectations. Follow by completing the Personal Action Plan, then sign and date.

		1	T .	licate v	
	E	S	NI	U	UR: Why?
KNOWLEDGE					
I know and understand the board's mandate, mission, and vision.					
I know and understand the statutory requirements related to the board.					
I know and understand the regulatory framework of the board.					
I am conversant and knowledgeable of the issues before the board and facing its stakeholders.					
I understand the distinction between the board's governance and division's management roles.					
I understand and utilize the board's processes for decisionmaking.					
I understand and adhere to the board's processes for communication with each other, with the division, and with stakeholders.					
PREPARATION AND PARTICIPATION					
I review all board meeting material sent before the meeting, and I am able to demonstrate a reasonably comprehensive knowledge of the material during the meeting.					
I attend and fully participate in all meetings.					
I contribute fully to board discussions and debates, and participate in its decisions by voting unless formally recused by the chair.					
I facilitate consensus building and commitment towards the board's mission and its implementation.					
CONDUCT					
I abide by the board/state codes of ethical conduct and support my fellow board members in meeting this standard.					
I treat all members of the board, staff, and guests with respect.					
I raise issues in a respectful manner that encourages open discussion.					

I understand and respect the power, authority, and influence associated with my role as a board member and do not misuse this trust for personal gain.		
I avoid situations that may pose or be perceived as having a possible conflict of interest.		
I disclose all potential conflicts of interest, whether financial or relating to ex		
parte communication, in writing to the chair and on the record at the beginning of a public meeting.		
DECISIONMAKING		
I always act objectively and in the best interests of the public.		
I am fair, impartial, and unbiased in my decision making.		
I am flexible in my thinking; I listen to the perspective of my fellow members prior to determining my final vote on any matter.		
I consider the perspectives, input, and suggestions received on proposed regulations during the formal written or oral public comment period before voting.		
I base my decisions on all the facts at hand and strive to be consistent when facts are similar. When inconsistent with past decisions, I state my reasons on the record.		
I redirect matters to board staff as appropriate.		
ACCOUNTABILITY		
I ensure that I understand the fiscal structure of the licensing program and its current financial position.		
I publicly support the decisions of the board and provide rationale when asked.		
I maintain confidentiality with all information coming into my possession.		
My fellow board members would agree with my responses on this self-assessment.		
EVALUATION		
I participate in the ongoing monitoring and evaluation of the board's goals and priorities and my performance in furthering them.		
ADDING VALUE		
I anticipate future needs and issues facing the organization and proactively contribute this to the environmental scan.		

		1	1	1	
I demonstrate my independent judgment through my willingness to					
respectfully voice my concerns, take an independent stand, or espouse an					
unpopular or controversial idea when in the public's best interest.					
Personal Action Plan					
What did I learn from this self-evaluation?					
Did I improve in my previously identified areas for development? How do I k	ow	this?			
What areas would I identify for self-improvement at this time?					
What actions will I take to continually improve in this area(s)?					
Are there any possible barriers to implementing my strategies?					
Are resources required to meet my improvement of these goals? What are the	ey?				
I will hold myself accountable by:				 	
wiii noid mysen accountable by.					

Additional thoughts and comments:					
confidentially in order to deliver additional suppo	t the end of the meeting. Your board chair or staff will review each ort, training, or resources. The evaluation will be returned to you to e plan you've created. Sign below to indicate your dedication to ed member of this board or commission.				
Name	Signature				
Board or Commission	Date				

# CLARB

Reports & Correspondence



# Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.2550 Fax: 907.465.2974

## **Travel Action Summary Report**

Submit to the CBPL Travel Desk no later than seven business days after the meeting has concluded. Save a copy in your program files for the end-of-year compilation of all travel-related savings and deliverables for your program.

Board:	AELS		Dates of Business: 2/08/2018 - 2/10/2018						
Person Re	eporting:	Alysia Jones	# of Travelers: Employees 1 Board Members 2						
Type o	f Meeting:	☐ Regular board business ☐ Special board meeting ☐ On-site Investigation/Inspection	Adjudication only  Subcommittee meeting  Other: NCARB/CLARB New Member  Board Member Orientation						
What e	expenses w	vere reduced?	What is the estimated savings?						
1 [		rered by NCARB & CLARB	\$1875						
2. H	lotel covered	by NCARB & CLARB (4 nights x 3 persons)	\$1250						
3. F	Per diem re	eimbursed by NCARB & CLARB	\$976.50						
Meetir	ng Delivera	ables							
Inform	nation gain	ed:	Action recommended:						
See a	attached.		- Share meeting report (attached) with entire AELS board at May meeting - Schedule NCARB site visit and CLARB call-in for future AELS meeting - Work with NCARB staff on updates to Requirements for Architect Registration by Comity regulation project - Follow up with NCARB staff regarding ASID AK Initiative - Provide feedback on orientation session and encourage new members to attend future offerings - Schedule NCARB one-one (1 hr)training session for AELS staff - Work with NCARB on Disciplinary Action database population - Consider options for board orientation - Utilize NCARB/CLARB outreach materials and share engagement ideas with board for consideration at the state level						

# NCARB

Reports & Correspondence



February 2, 2018

Region 6 Members (via electronic distribution)

Re: Regional Elections

Greetings,

During our up-coming Regional Summit in Wichita, KA., the membership will conduct its annual elections for Regional Representation. These important positions will be instrumental in

many long range strategic decisions facing NCARB, WCARB and our profession. With the implementation new and exciting alternative pathways to licensure, there is an emerging opportunity for significant advancement of our core mission.

It is my pleasure to offer my candidacy for Regional Director and ask for your support. As current Regional Chair and past Regional Director I bring a significant body of knowledge and experience to the task of regional leadership. I believe that in addition to my ongoing participation and commitment to the success of the Council my contributions can also bring a practical perspective to these issues based on my 30 years of professional practice.

I have served on the California Board since 2005 including four terms as board president. During this time I have also actively served WCARB and NCARB in various capacities:

WCARB Executive Committee	2014-present
Chair, ARE Case Study Task Force	2014-present
COE Member	2013-Present
NCARB Board Member - Region 6 Director	2010-2012
Chair, Continuing Education Strategic Workgroup	2011-Present
Chair, IDP Advisory Committee	2011-Present
Board Liaison to IDP	2011-2012
Governance Policies Workgroup	2010-2011
Board Liaison to COE	2010-2011
ARE Committee	2009-2010
WCARB Regional Chair	2007-2009 & 2016-Present
NCARB Regional Chairs Committee	2007-2009 & 2016-Present
WCARB Region-6 Executive Committee	2006-2009 & 2016-Present
• Procedures and Documents Committee, Mbr & Chair	2016-Present
• California Board (President 2007-2009 & 2015-2017)	2005-Present

Over recent years, I have been actively engaged in helping to lead numerous NCARB initiatives that are already improving processes and ability to serve licensees. But, as we look to the future, I see opportunities that have the potential to expand our levels of service and the rigor of our examination and internship programs while improving the licensing process for candidates.

Each of us brings a unique and relevant perspective that will help find suitable and creative responses to these issues. But only through meaningful discussion among member boards can successful strategies be developed that benefit the practitioners we serve.

For these reasons, I am requesting your support for my election to the NCARB Executive Board as your Regional Director and look forward to continuing my service to you, WCARB and the Council.

Thank you,

Jon Alan Baker, FAIA, LEED AP Partner

731 Ninth Ave., Suite A San Diego, CA 92101 619.795.2450

www.bndesignstudio.com



February 5, 2018

Dear Friends,

As I approach completion of my third year serving as the Region 5 Director on the NCARB Board, I am never ceased to be amazed at the work that our volunteers do. It is nothing short of incredible. My experience serving as an officer and director of the Region, along with my service on committees has energized me and fuels my desire to continue to serve this fantastic organization. NCARB has established a pathway towards the unification and progression of architectural practice. I am very proud to be a small part of NCARB and its wonderful, talented team of volunteers who dedicate their time and commitment to develop those ideas. It is the passion of these volunteers and all of us regulating the profession throughout the country, that has placed NCARB in this position. At the January Board of Directors meeting, I formally declared my candidacy for Secretary on the FY19 Board of Directors.

Like many of you, my leadership experience comes from running my firm for the past 25 years. Through good times and bad, I have practiced in many different states as well as the United Kingdom. I have been a certificate holder since 1998, personally involved with NCARB since 2008, serving on several committee's and different task forces. I have also served on the Board of Architects and Landscape Architects in Montana for over 13 years. The last eleven years I have had the pleasure of being the President of this energetic board.

It would be an honor and a privilege to serve as Secretary of the NCARB Board of Directors. I believe in this organization and I find myself recharged and motivated to continue the important work of the Council. In addition to my role as Board liaison for Continuing Education Subcommittee and the Education Committee, I also serve on the Model Law Task Force. The charges for this task force include a complete review and overhaul of Model Law with a desired outcome of compiling a revised document that reflects current regulations and practice. This document will hopefully become the standard for all jurisdictions to follow so that certificate holders will be able to practice across state lines without the current impediments of different rules and regulations. I believe strongly that this is a very important task since I practice across several different jurisdictions and specifically asked to continue my service on this Task Force.

Serving as your Secretary would allow me to further my desire to see the Council through the launch and implementation of the updated Strategic Plan which is scheduled to be introduced during the Annual Business Meeting in June 2019. Being a part of the strategic planning discussions at the Board level allows for new ideas to be talked about, helps to steer this organization down a path that is changing as rapidly as technology. While the practice of architecture is changing, the basic skill sets of an Architect can never be forgotten and NCARB must continue to establish the standards that Member Boards use to regulate our profession.

I feel that we must continue to "strengthen" the brand of NCARB, continue to strive for consistency among all the jurisdictions, continue to educate the public on the importance of the licensure and the NCARB certificate and most importantly, serve the Member Boards by listening to our constituency, the member board members and the member board executives.

I will be reaching out to all of you in the next few weeks to discuss your ideas and answer any questions or concerns that you may have.

Thank you for your consideration, and I look forward to seeing you all at the Regional Summit in Wichita.

Respectfully,

Bayliss Ward NCARB, AIA bayliss@baylissarchitects.com

person place lifestyle sustainability



# Bayliss Ward, AIA, NCARB

PO Box 1134 Bozeman, Montana 59771 • 406-586-5007 • bayliss@baylissarchitects.com



**Education:** M.A., Architecture, Montana State University, Bozeman, Montana

B.A. Architecture, Montana State University, Bozeman, Montana

**Registrations:** Montana, Wyoming, Idaho, Nevada, Utah, Texas, Nebraska, North Dakota, Minnesota.

Bayliss Ward is the owner and principal architect of Bayliss Architects, located in Bozeman, Montana. He possesses a wide range of experience and a strong sense of creative design. He is a longstanding member of the Bozeman area and has developed an excellent rapport with his peers and clients. His project experience includes large scale commercial/office projects, high density residential, master planning, medical facilities, classroom facilities, and large custom residential homes.

#### National Council of Architectural Registration Boards (NCARB)

NCARB Continuing Education Subcommittee Board of Directors Liaison (2017-Present)

NCARB Education Committee Board of Directors Liaison (2017-Present)

NCARB Model Law Task Force (2017-Present)

NCARB Model Law Task Force Board of Directors Liaison (2016-2017)

NCARB Board of Directors Regional Director (2015-2017)

NCARB Integrated Path Evaluation Committee Board of Directors Liaison (2015-2016)

NCARB Licensure Task Force Board of Directors Liaison (2015-2016)

NCARB Procedures & Documents Committee (2014-2015)

NCARB Project Development and Documentation Group/ ARE 5.0 Case Study Task Force (2014-2015)

NCARB Future Title Task Force (2014-2015)

NCARB Test Specification Task Force (2013-2014)

NCARB Credentials Committee (2012-2013)

NCARB Governance Task Force/Regional Leadership Committee (2012-2013)

NCARB ARE Graphics Grading Subcommittee (2012-2013)

NCARB Regional Leadership Committee (2012-2015)

NCARB Practice Analysis Task Force (2011-2012)

NCARB ARE Subcommittee: Graphics Group 1 (2008-2012)

#### NCARB Central States Conference, Region 5

NCARB Board of Directors Region 5 Director (2016-Present)

NCARB Central States Conference Region 5 Regional Director (2015-2016)

NCARB Central States Conference Region 5 Chair (2012-2015)

#### Montana State Board of Architects and Landscape Architects

President (2007-Present) Vice President (2006-2007) Architect Member (2005-2006)

#### Civic

Board of Appeals, Building Codes - City of Bozeman Board of Appeals, Fire Codes - City of Bozeman

#### **Professional Organizations**

American Institute of Architects
National Council of Architectural Registration Boards

#### **Service Awards and Honors**

Historic Preservation Award for Excellence, Bozeman, Montana 1997 Historic Preservation Award for Excellence, Bozeman, Montana 1998 Historic Preservation Award for Excellence, Bozeman, Montana 2005

person place lifestyle sustainability





Robert Calvani NCARB, AIA

Candidacy for Second Vice President for National Council of Architecture Registration Boards

1306 Rio Grande Blvd. NW Albuquerque, NM 87104

To: Officers

Member Board Members

Member Board Executives

Date: January 29, 2018

Re: Candidacy for NCARB Second Vice President

Dear Friends,

As I complete my year as Treasurer of NCARB, I want to thank NCARB and the jurisdictions for your support. It has been a true honor to serve NCARB and its members.

I am extremely enthusiastic about a number of initiatives that are gaining momentum within our organization.

NCARB's advocacy of the member boards will always be a priority of the Council. Support of the jurisdictions mission to protect the health, safety and welfare of the public and facilitate licensure remains foremost in what we do. New initiatives regarding support with legislatures, sunset opportunities, de-regulation, data sharing, transmittals and licensure will increase our service and value to our member boards.

Increased value to our customers is important as well. New initiatives to bring value to the certificate and increased awareness of who we are to other possible certificate holders will be beneficial.

We are currently looking at new revenue streams within our mission in order to increase our services and reduce fees to our members, certificate holders and licensure candidates.

With the completion of my current term as Treasurer of the NCARB Board of Directors, I am eager to continue my commitment and elevate my service to the Council and I am seeking your support to serve as Second Vice President.

I always enjoy the opportunity to visit with many of you at various meetings. In March we will be gathering in Wichita, Kansas for the 2018 Regional Seminar. I look forward to discussing these programs and initiatives and address any questions or concerns you may have. Please do not hesitate to call or contact me at 505-280-3901 (cell), 505-255-6400 (office) or email me at <a href="mailto:real-waitanteets.com">real-waitanteets.com</a>.

Thank you for your consideration of my candidacy for Second Vice President of the National Council of Architectural Registration Boards.

Robert Calvani, NCARB, AIA

Treasurer, NCARB



# **Updating Model Law**

The Model Law Task Force's multi-year efforts will update language and make this essential resource more useful for state boards.

**READ MORE** 

sought information to explore how model law could better reflect best practices of organizations like NCARB, how it could be written in language most useful to state legislatures and state boards, and how it can better position our regulatory focus for the future.

**READ MORE •** 

# February Highlights

#### **Legislative Update**

Thanks in part to ongoing advocacy efforts, several deregulatory bills were halted recently.

READ MORE

#### **NCARB Leadership Recognized**

Three NCARB BOD members were elevated to the AIA's College of Fellows in recognition of their important service.

READ MORE **()** 



Attendees at NCARB and CLARB's joint orientation for new members had the opportunity to participate in discussions about best practices for ensuring effective work on behalf of the public and the consumer.

#### **NCARB** in the Press



- Black architects work to inspire next generation, diversify field (Las Vegas Review Journal)
- NCARB responds to concerns about licensing (Architects Newspaper)

#### **Recent News**



- NCARB Leadership Elevated to AIA College of Fellows
- ACSA and NCARB to Survey Professional Practice Professors at Architecture Programs

## **Top Blog Posts**



- NCARB Live: ARE 4.0 Retires in Less Than Five Months
- Architects and Landscape Architects Partner to Train New Board Members



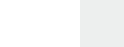
# Message from the CEO

Dear Colleagues,

Recently I was able to spend time observing the work of our Model Law Task Force, established by then-president Kristine Annexstad Harding, FAIA, NCARB, in 2016. Over the nearly two years of their existence, I've checked in periodically to see how these dedicated volunteers are tackling a holistic update and modernization to language that in many cases has been patched and repaired over multiple decades. Starting with a conversation on the purpose and impact of model law, the Model Law Task Force has sought information to explore how model law could better reflect best practices of organizations like NCARB, how it could be written in language most useful to state legislatures and state boards, and how it can better position our regulatory focus for the future.

The work of the task force is far from over. Chaired by Past President Dennis Ward, FAIA, NCARB, a geographically and experientially diverse group of 14 has begun a reworking of model statutes, to be followed by a reworking of model regulations. The process is painstaking and thoughtful. The task force frequently pauses to consider what would be acceptable and what should be aspirational. Using the model law document designed by the Federation of Associations of Regulatory Boards (FARB) as a guide, their efforts have revealed gaps and presented opportunities to design a more agile and relevant document.

At its February meeting, the task force started drafting a multi-faceted outreach plan to introduce their work to NCARB Member Boards. The outreach efforts will include an introductory session at the June Annual Business Meeting (ABM), a tabletop engagement at this fall's Member Board Chairs and Executives Summit, a face-to-face with the NCARB Board of Directors at December's Committee Summit, and a workshop at the 2019 ABM. A full year of rolling out the new version of NCARB's Model Law/Model Regulations would occur in FY20 for a possible resolution at the 2020 ABM.





CEO Michael Armstrong speaks to attendees at the NCARB/CLARB joint orientation.

#### **CEO Outreach**



Page 2

#### **February**

**Model Law Task Force** 

San Francisco, CA | February 15-18, 2018

LET'S GO FURTHER

continued page 3



I encourage you to engage with Chairman Ward and the other task force members as you see them at upcoming NCARB or state board meetings. While the process of updating our Model Law is time-consuming, the results will certainly keep us focused on going further to help our Member Boards protect the public.

Best wishes.





Members of the Interior Architecture Work Group meet at NCARB's office.

## **Collateral Engagement**



Five Collateral Executives Meeting
NCARB's Office in Washington, DC | February 6, 2018

NCARB/Council of Landscape Architectural Registration Boards (CLARB) New Member Board Orientation

Washington, DC | February 8-10, 2018



Thanks to our #EQIASUrvey2018 distribution partners! @AIANational @ACSAUpdate @NCARB @NOMArchitects AIA Components, Firms and Architecture Schools! #strength in numbers to #changetheratio and advance practice!



# Strategic Plan

- Work is underway following the January NCARB Board of Directors meeting to massage feedback and data regarding a refreshed Strategic Plan into a first draft framework for the September Board meeting.
- Fostering Collaboration: A recent planning meeting of collateral executives hosted by NCARB focused on developing an agenda for the spring summit of the five collateral leaders and executives. The discussions will focus on forecasting the future, collateral programmatic contributions to the "education continuum," the redesign of the Accreditation Review Conference into the Accreditation Review Forum, and visioning statements for the coming challenges.
- Centralizing Data: A more robust approach to populating our national disciplinary database has resulted in new casework for the Professional Conduct Committee relative to how state discipline may impact Certificate holder status. This is anticipated to result in a larger caseload going forward.
- Facilitating Licensure: Plans are underway to celebrate the first student to graduate and earn a license through the Integrated Path to Architectural Licensure (IPAL) initiative later this spring. More details will follow in the next several months.

# Organizational Development and Office Life

- Plans to move the NCARB office took a step forward with the interviewing and selection of an architectural firm. Once our contract is signed and our lease is negotiated, we will share more information. The schedule anticipates a March 1, 2019, move date to 1401 H Street NW.
- Consultants have completed their Business Process Reengineering (BPR)
   assessment of the Customer Relations Directorate. The next step is staff
   review and implementation of recommended action items relative to internal
   process, inter-departmental collaboration, and staffing patterns.
- 2016-2017 NCARB President Kristine Annexstad Harding, FAIA, NCARB;
   Treasurer Robert M. Calvani, FAIA, NCARB; and Region 4 Director Stephen L.
   Sharp, FAIA, NCARB, were elevated to the College of Fellows of the American
   Institute of Architects (AIA). This distinguished fellowship recognizes
   architects for their individual achievements, as well as their contributions to
   society and the profession.



Region 4 Director Stephen Sharp, FAIA, NCARB, collaborates with other members of the Futures Task Force at NCARB's office in Washington, DC.



# **NCARB BOD Updates**

- The Board of Directors approved two disciplinary recommendations from the Professional Conduct Committee (PCC).
  - Sanctioned an Architect Registration Examination® (ARE®) candidate for distributing examination content in violation of Category 5 of the Policy and Procedures for Testing Irregularities. The Board suspended the candidate's test-taking privileges for a period of one year.
  - Revoked an NCARB Certificate following action taken by the Mississippi State Board of Architecture.

#### 2018 ABM in Detroit





This year's Icebreaker Reception will be held at Detroit's Henry Ford Museum. Voted one of the country's best museums by Traveler Magazine, the 250-acre space is home to the Rosa Parks bus, a Ford Tri-Motor airplane, and, of course, the first car built by Henry Ford.





#### Administration

- Supporting the Executive Committee in updating an opportunity/risk assessment study first conducted four years ago. Goal is to identify appropriate funding levels of the Council's financial reserves in order to take advantage of future opportunities to increase value to Member Boards and NCARB customers, as well as insulate against future risks in order to achieve overall business objectives. The study will be presented to the Board of Directors for discussion at the April 2018 meeting.
- Managing logistical support for the upcoming Regional Summit in March in Wichita, Kansas.
- Filed annual information return, Form 990, with the IRS.
- Completing the first draft of the FY19 budget, which will be previewed at the Board of Directors meeting in April.
- Successfully onboarded three new recruits: a software engineer and systems administrator in our Information Systems Directorate, and a visual designer in our Marketing & Communications Directorate. Search is underway for assistant directors for both the Customer Relations and Information Systems directorates.

## **Council Relations**

- State Net: In continuing efforts to offer our Member Boards an easy tool to track various legislative bills and executive orders, held two training webinars. A State Net (LexisNexis) staff representative walked members through the tool, highlighted areas of interest, and answered questions from the <a href="Member Board Community">Member Board Community</a>; two additional webinars will be held in March (3/6 & 3/20).
- In partnership with the Council of Landscape
   Architectural Registration Boards, hosted an
   orientation session for new Member Board
   Members and Executives, bringing together over
   30 new Member Board Members and Executives
   for three days of training on issues pertinent to
   their roles.
- Continued to work with the Member Board Executives and Regional Leadership Committees to finalize programming for the 2018 Member Board Executives Workshop and the Regional Summit to be held on March 8-10, 2018 in Wichita, Kansas.
- Distributed the FY19 Nominations and Elections for the NCARB Board of Directors and Regional Officers. A copy of the full slate of candidates can be found on the <u>Member Board Community</u>.

- Supporting First Vice-President/President-elect Dave Hoffman, FAIA, NCARB, with the FY19 committee volunteer appointment process. Applications are still open and interested individuals are encouraged to apply here.
- Hosted a webinar on the IPAL initiative. Harry
  Falconer, FAIA, NCARB, Director of Experience +
  Education; and Amy Kobe, Hon. AIA, Executive
  Director of the Ohio Architects Board, copresented on the initiative and implementation.
  A recording of the webinar can be found on the
  Member Board Community.
- The newly launched Member Board Community is providing an opportunity for Member Board Members and Executives to collaborate through a virtual platform. Recent discussions include updates on <u>legislative activities</u> and <u>acceptable</u> <u>Health</u>, <u>Safety</u>, and <u>Welfare continuing</u> education courses.
- Advocacy Update—See next page.

LET'S GO FURTHER



## Council Relations: Advocacy Update

- South Dakota: Governor Daugaard's temporary licensure compact (House Bill 1319) was defeated in the House in a vote of 46 opposing and 18 in favor of the bill. NCARB was pleased to support a coalition of state professional societies that made convincing arguments that this proposal purported to solve a problem that does not exist for most professions—including architecture—that already have proven mobility processes in place, and that it could negatively impact public health, safety, and welfare. Prior to the HB 1319 being introduced and defeated, NCARB and other professional coalition partners supported the pre-emptive introduction of Senate Bill 172, which would exempt the technical professions from the compact proposal. The bill is sponsored by Senate Majority Leader Blake Curd (R), and is coauthored by President Pro Tempore Brock L. Greenfield (R) and Majority Whip Representative Leslie J. Heinemann (R). Because of both bills, there were several house and senate hearings in the last two weeks to push both bills through their respective chambers. South Dakota's session concludes on March 26, and NCARB continues to monitor legislative activity within the state.
- **Missouri**: On February 6, Missouri Representative Derek Grier (R) introduced the same temporary licensure compact legislation that was introduced in South Dakota. As of February 22, NCARB was working closely with AIA Missouri's lobbyist to monitor the progression of this bill. Similar to the strategy taken in South Dakota, we will look to exempt architects from the compact. The chairman of the Professional Registration and Licensing Committee indicated that there needs to be a closer look at boards who already have processes in place for reciprocity before next steps are taken with this bill. We will continue consistent communication and collaboration with the AIA and other coalition partners regarding House Bill 2398.

- Arizona: In similar fashion to South Dakota and Missouri, Senator John Kavanagh (R) introduced a temporary licensure compact bill (Senate Bill 1184). In partnership with AIA Arizona, a meeting immediately took place with the senator to walk him through the various concerns a compact bill would bring to the public. The senator was receptive to feedback and is looking to send this bill to a study committee to determine the correct occupations and professions that would benefit from this type of legislation. Additionally, the senator will look to draft future compact legislation that allows professions to opt in rather than having to opt out of a compact. NCARB will continue to closely monitor legislative activity within the state.
- Building a National Coalition: In response to, and anticipation of, compact bills being introduced (especially within the Western Governors' Association region) and other de-regulatory legislation, NCARB kicked off a national coalition strategy session with partners from regulatory associations representing the medical field, pharmacists, psychologists, and accountants. The kick-off discussion outlined a plan to have the coalition engage within respective states where this problematic legislation is proposed, what resources would be utilized, and how the partners would engage in various efforts to combat this type of legislation. Additionally, the coalition identified and will actively recruit other professional boards that would help strengthen the coalitions' advocacy efforts.



- **Nebraska**: In 2017, Nebraska Senator Laura Ebke (I) introduced **Legislative** Bill 299. The premise of the bill is for the state to adopt the "Occupational Board Reform Act" and change procedures for rules and regulations for state boards; this is very similar to legislature that was enacted in Mississippi in 2017. The bill would provide for the review of both proposed licensing legislation and existing occupational regulations in Nebraska. Through its authority to review, approve, or reject proposed and established rules, polices, and actions, the delay in board activities/actions will adversely impact practitioners (potentially increasing the time to process applications or conduct adjudication hearings) and the public. The premise behind LB299 is that it would provide a comprehensive evaluation of all occupational licenses required in nearly 200 professions, and because of this evaluation the outcome would be sweeping occupation board reform within the state. The bill moved efficiently and made its way to the Senate floor, and on February 22 lawmakers rejected the bill. In communicating with the Nebraska board, this topic will be brought forward as a legislative study, and NCARB will be on stand-by to help.
- **Idaho**: Lieutenant Governor Brad Little issued an <u>Executive Order</u> (EO) that requested every occupational licensing board in the state to evaluate their relevance in their respective professions and suggest reduction in barriers to acquisition of a license. NCARB provided information and context to support the Idaho Board of Architectural Examiners' development of their response to the Lt. Governor's office.



#### @JoeBruce

Excited to be selected as one of the 12 Architects taking part in NCARB's Re-Think Tank 2018 in Washington DC and share my path to licensure.

@NCARB



#### **Customer Relations**

- The Professional Conduct Committee heard two disciplinary cases and recommended action to the NCARB Board of Directors.
- Partnering with the Information Systems
   Development team to launch a new phone system in mid-spring.
- Received recommendations from expert
  consultants who conducted an operational
  audit on the directorate's business processes.
  The recommendations are geared to reduce
  burdensome processes, increase capacity,
  improve response times, and design process
  visibility and dashboards for managing workflows.
  The recommendations are far-reaching and will
  involve partnerships with all directorates. In next
  steps, cross-functional teams will be identified to
  establish implementation plans for each team.
- Participated in a meeting to review and discuss the Tri-National Mutual Recognition Agreement with representatives from Canada, Mexico, and the United States.

#### **Examination**

- In collaboration with Information Systems, finalized the implementation plan for the transition of all ARE 4.0 candidates after the June 30, 2018, retirement.
- Michelle Cohn, AIA, NCARB, LEED AP, PMP, Manager Examination Development, presented on NCARB's use of case studies for licensure testing as part of a national testing conference.
- ARE 5.0 Item Development Subcommittee met and completed their item writing and item review efforts for the year.



#### @YoungArchitxPDX

What is the Futures Task Force and how is it helping NCARB plan for the future? Find out! @ncarb https://t.co/iZBgaGdwk0



#### **@MNAELSLAGID**

Nearing but not at the end of your Architect Registration Exam testing? @NCARB has a suggestion for you. https://t.co/TO8SPtwUcs



## **Experience + Education**

- Released two Mini-Monographs:
  - Sustainable Design Part IV: Performance Metrics
  - Wind Forces Part III: Building Design Concepts to Resist Wind/Descriptive Examples of Building Design for Wind
- Launched the application for NCARB's new <u>Professional Practice Scholars Program</u>; applications are accepted through March 7.

## **Information Systems**

- Supported Council Relations' setup of State Net, which can now be found on the Member Board Community.
- Supporting first client launch with proprietary NCARB software under the Board's new business development initiative.
- The Council's proprietary software, Lineup, made its first public appearance at the Association of Test Publishers (ATP) Conference and received great feedback.
- Supporting the internal auditing process for launching the 2018 edition of NCARB by the Numbers.
- Partnering with Customer Relations team to implement a new phone system by mid-spring.

## **February Outreach**



#### **AIA Components**

- February 6 | AIA Honolulu (Webinar)
- February 9 | AIA Arizona Associates Conference
- February 26 | AIA Dayton

#### **General Presentation**

• February 22 | AIAS Thrive

#### **Firms**

• February 26 | GFF Architects (Webinar)

#### Universities

- February 7 | Arizona State University
- February 7 | University of Arizona
- February 12 | Carnegie Mellon University
- February 26 | Sinclair Community College
- February 26 | Miami University
- February 27 | University of Oregon (Webinar)



## Marketing & Communications

- Supported the NCARB/CLARB New Member Board Orientation held in early February.
- Held an NCARB Live on ARE 4.0's retirement.
- Promoted the new Re-Think Tank and NCARB Scholars programs.
- Prepared design theme for the 2018 Annual Business Meeting in Detroit.
- Worked with internal audit team to review data for the 2018 NCARB by the Numbers.
- Hired a new visual designer, Vivian Kue, who started at the end of February.

# **Upcoming Outreach**



#### **AIA Components**

- March 5 | AIA Houston
- March 7 | AIA East Tennessee
- March 7 | AIA Seattle
- March 8 | AIA Seattle (HSW: Supervising with IMPACT)
- March 13 | AIA Colorado
- March 19 | AIA New Jersey (Webinar)
- March 22 | AIA Los Angeles
- March 23 | YAF Indy

#### **Conferences**

- March 15-17 | ACSA Annual Meeting
- March 23-24 | Alpha Rho Chi Convention
- March 23-24 | AIAS West Quad Conference

#### **Firms**

• March 22 | HMC Architects

#### Universities

- March 2 | University of Houston Career Fair
- March 5 | Rice University
- March 5 | University of Houston
- March 7 | University of Tennessee Knoxville
- March 7 | University of Washington
- March 8 | Lake Washington Institute of Technology
- March 14 | University of Colorado Boulder
- March 15 | University of Colorado Denver
- March 15 | Community College of Denver
- March 21 | University of Southern California
- March 22 | Ball State University



# **Updating Model Law**

The Model Law Task Force's multi-year efforts will update language and make this essential resource more useful for state boards.

**READ MORE** 

sought information to explore how model law could better reflect best practices of organizations like NCARB, how it could be written in language most useful to state legislatures and state boards, and how it can better position our regulatory focus for the future.

**READ MORE •** 

# February Highlights

#### **Legislative Update**

Thanks in part to ongoing advocacy efforts, several deregulatory bills were halted recently.

READ MORE

#### **NCARB Leadership Recognized**

Three NCARB BOD members were elevated to the AIA's College of Fellows in recognition of their important service.

READ MORE **()** 



Attendees at NCARB and CLARB's joint orientation for new members had the opportunity to participate in discussions about best practices for ensuring effective work on behalf of the public and the consumer.

#### **NCARB** in the Press



- Black architects work to inspire next generation, diversify field (Las Vegas Review Journal)
- NCARB responds to concerns about licensing (Architects Newspaper)

#### **Recent News**



- NCARB Leadership Elevated to AIA College of Fellows
- ACSA and NCARB to Survey Professional Practice Professors at Architecture Programs

## **Top Blog Posts**



- NCARB Live: ARE 4.0 Retires in Less Than Five Months
- Architects and Landscape Architects Partner to Train New Board Members



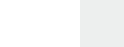
# Message from the CEO

Dear Colleagues,

Recently I was able to spend time observing the work of our Model Law Task Force, established by then-president Kristine Annexstad Harding, FAIA, NCARB, in 2016. Over the nearly two years of their existence, I've checked in periodically to see how these dedicated volunteers are tackling a holistic update and modernization to language that in many cases has been patched and repaired over multiple decades. Starting with a conversation on the purpose and impact of model law, the Model Law Task Force has sought information to explore how model law could better reflect best practices of organizations like NCARB, how it could be written in language most useful to state legislatures and state boards, and how it can better position our regulatory focus for the future.

The work of the task force is far from over. Chaired by Past President Dennis Ward, FAIA, NCARB, a geographically and experientially diverse group of 14 has begun a reworking of model statutes, to be followed by a reworking of model regulations. The process is painstaking and thoughtful. The task force frequently pauses to consider what would be acceptable and what should be aspirational. Using the model law document designed by the Federation of Associations of Regulatory Boards (FARB) as a guide, their efforts have revealed gaps and presented opportunities to design a more agile and relevant document.

At its February meeting, the task force started drafting a multi-faceted outreach plan to introduce their work to NCARB Member Boards. The outreach efforts will include an introductory session at the June Annual Business Meeting (ABM), a tabletop engagement at this fall's Member Board Chairs and Executives Summit, a face-to-face with the NCARB Board of Directors at December's Committee Summit, and a workshop at the 2019 ABM. A full year of rolling out the new version of NCARB's Model Law/Model Regulations would occur in FY20 for a possible resolution at the 2020 ABM.





CEO Michael Armstrong speaks to attendees at the NCARB/CLARB joint orientation.

#### **CEO Outreach**



Page 2

#### **February**

**Model Law Task Force** 

San Francisco, CA | February 15-18, 2018

LET'S GO FURTHER

continued page 3



I encourage you to engage with Chairman Ward and the other task force members as you see them at upcoming NCARB or state board meetings. While the process of updating our Model Law is time-consuming, the results will certainly keep us focused on going further to help our Member Boards protect the public.

Best wishes.





Members of the Interior Architecture Work Group meet at NCARB's office.

## **Collateral Engagement**



Five Collateral Executives Meeting
NCARB's Office in Washington, DC | February 6, 2018

NCARB/Council of Landscape Architectural Registration Boards (CLARB) New Member Board Orientation

Washington, DC | February 8-10, 2018



Thanks to our #EQIASUrvey2018 distribution partners! @AIANational @ACSAUpdate @NCARB @NOMArchitects AIA Components, Firms and Architecture Schools! #strength in numbers to #changetheratio and advance practice!



# Strategic Plan

- Work is underway following the January NCARB Board of Directors meeting to massage feedback and data regarding a refreshed Strategic Plan into a first draft framework for the September Board meeting.
- Fostering Collaboration: A recent planning meeting of collateral executives hosted by NCARB focused on developing an agenda for the spring summit of the five collateral leaders and executives. The discussions will focus on forecasting the future, collateral programmatic contributions to the "education continuum," the redesign of the Accreditation Review Conference into the Accreditation Review Forum, and visioning statements for the coming challenges.
- Centralizing Data: A more robust approach to populating our national disciplinary database has resulted in new casework for the Professional Conduct Committee relative to how state discipline may impact Certificate holder status. This is anticipated to result in a larger caseload going forward.
- Facilitating Licensure: Plans are underway to celebrate the first student to graduate and earn a license through the Integrated Path to Architectural Licensure (IPAL) initiative later this spring. More details will follow in the next several months.

# Organizational Development and Office Life

- Plans to move the NCARB office took a step forward with the interviewing and selection of an architectural firm. Once our contract is signed and our lease is negotiated, we will share more information. The schedule anticipates a March 1, 2019, move date to 1401 H Street NW.
- Consultants have completed their Business Process Reengineering (BPR)
   assessment of the Customer Relations Directorate. The next step is staff
   review and implementation of recommended action items relative to internal
   process, inter-departmental collaboration, and staffing patterns.
- 2016-2017 NCARB President Kristine Annexstad Harding, FAIA, NCARB;
   Treasurer Robert M. Calvani, FAIA, NCARB; and Region 4 Director Stephen L.
   Sharp, FAIA, NCARB, were elevated to the College of Fellows of the American
   Institute of Architects (AIA). This distinguished fellowship recognizes
   architects for their individual achievements, as well as their contributions to
   society and the profession.



Region 4 Director Stephen Sharp, FAIA, NCARB, collaborates with other members of the Futures Task Force at NCARB's office in Washington, DC.



# **NCARB BOD Updates**

- The Board of Directors approved two disciplinary recommendations from the Professional Conduct Committee (PCC).
  - Sanctioned an Architect Registration Examination® (ARE®) candidate for distributing examination content in violation of Category 5 of the Policy and Procedures for Testing Irregularities. The Board suspended the candidate's test-taking privileges for a period of one year.
  - Revoked an NCARB Certificate following action taken by the Mississippi State Board of Architecture.

#### 2018 ABM in Detroit





This year's Icebreaker Reception will be held at Detroit's Henry Ford Museum. Voted one of the country's best museums by Traveler Magazine, the 250-acre space is home to the Rosa Parks bus, a Ford Tri-Motor airplane, and, of course, the first car built by Henry Ford.





#### Administration

- Supporting the Executive Committee in updating an opportunity/risk assessment study first conducted four years ago. Goal is to identify appropriate funding levels of the Council's financial reserves in order to take advantage of future opportunities to increase value to Member Boards and NCARB customers, as well as insulate against future risks in order to achieve overall business objectives. The study will be presented to the Board of Directors for discussion at the April 2018 meeting.
- Managing logistical support for the upcoming Regional Summit in March in Wichita, Kansas.
- Filed annual information return, Form 990, with the IRS.
- Completing the first draft of the FY19 budget, which will be previewed at the Board of Directors meeting in April.
- Successfully onboarded three new recruits: a software engineer and systems administrator in our Information Systems Directorate, and a visual designer in our Marketing & Communications Directorate. Search is underway for assistant directors for both the Customer Relations and Information Systems directorates.

## **Council Relations**

- State Net: In continuing efforts to offer our Member Boards an easy tool to track various legislative bills and executive orders, held two training webinars. A State Net (LexisNexis) staff representative walked members through the tool, highlighted areas of interest, and answered questions from the <a href="Member Board Community">Member Board Community</a>; two additional webinars will be held in March (3/6 & 3/20).
- In partnership with the Council of Landscape
   Architectural Registration Boards, hosted an
   orientation session for new Member Board
   Members and Executives, bringing together over
   30 new Member Board Members and Executives
   for three days of training on issues pertinent to
   their roles.
- Continued to work with the Member Board Executives and Regional Leadership Committees to finalize programming for the 2018 Member Board Executives Workshop and the Regional Summit to be held on March 8-10, 2018 in Wichita, Kansas.
- Distributed the FY19 Nominations and Elections for the NCARB Board of Directors and Regional Officers. A copy of the full slate of candidates can be found on the <u>Member Board Community</u>.

- Supporting First Vice-President/President-elect Dave Hoffman, FAIA, NCARB, with the FY19 committee volunteer appointment process. Applications are still open and interested individuals are encouraged to apply here.
- Hosted a webinar on the IPAL initiative. Harry
  Falconer, FAIA, NCARB, Director of Experience +
  Education; and Amy Kobe, Hon. AIA, Executive
  Director of the Ohio Architects Board, copresented on the initiative and implementation.
  A recording of the webinar can be found on the
  Member Board Community.
- The newly launched Member Board Community is providing an opportunity for Member Board Members and Executives to collaborate through a virtual platform. Recent discussions include updates on <u>legislative activities</u> and <u>acceptable</u> <u>Health</u>, <u>Safety</u>, and <u>Welfare continuing</u> education courses.
- Advocacy Update—See next page.

LET'S GO FURTHER



## Council Relations: Advocacy Update

- South Dakota: Governor Daugaard's temporary licensure compact (House Bill 1319) was defeated in the House in a vote of 46 opposing and 18 in favor of the bill. NCARB was pleased to support a coalition of state professional societies that made convincing arguments that this proposal purported to solve a problem that does not exist for most professions—including architecture—that already have proven mobility processes in place, and that it could negatively impact public health, safety, and welfare. Prior to the HB 1319 being introduced and defeated, NCARB and other professional coalition partners supported the pre-emptive introduction of Senate Bill 172, which would exempt the technical professions from the compact proposal. The bill is sponsored by Senate Majority Leader Blake Curd (R), and is coauthored by President Pro Tempore Brock L. Greenfield (R) and Majority Whip Representative Leslie J. Heinemann (R). Because of both bills, there were several house and senate hearings in the last two weeks to push both bills through their respective chambers. South Dakota's session concludes on March 26, and NCARB continues to monitor legislative activity within the state.
- **Missouri**: On February 6, Missouri Representative Derek Grier (R) introduced the same temporary licensure compact legislation that was introduced in South Dakota. As of February 22, NCARB was working closely with AIA Missouri's lobbyist to monitor the progression of this bill. Similar to the strategy taken in South Dakota, we will look to exempt architects from the compact. The chairman of the Professional Registration and Licensing Committee indicated that there needs to be a closer look at boards who already have processes in place for reciprocity before next steps are taken with this bill. We will continue consistent communication and collaboration with the AIA and other coalition partners regarding House Bill 2398.

- Arizona: In similar fashion to South Dakota and Missouri, Senator John Kavanagh (R) introduced a temporary licensure compact bill (Senate Bill 1184). In partnership with AIA Arizona, a meeting immediately took place with the senator to walk him through the various concerns a compact bill would bring to the public. The senator was receptive to feedback and is looking to send this bill to a study committee to determine the correct occupations and professions that would benefit from this type of legislation. Additionally, the senator will look to draft future compact legislation that allows professions to opt in rather than having to opt out of a compact. NCARB will continue to closely monitor legislative activity within the state.
- Building a National Coalition: In response to, and anticipation of, compact bills being introduced (especially within the Western Governors' Association region) and other de-regulatory legislation, NCARB kicked off a national coalition strategy session with partners from regulatory associations representing the medical field, pharmacists, psychologists, and accountants. The kick-off discussion outlined a plan to have the coalition engage within respective states where this problematic legislation is proposed, what resources would be utilized, and how the partners would engage in various efforts to combat this type of legislation. Additionally, the coalition identified and will actively recruit other professional boards that would help strengthen the coalitions' advocacy efforts.



- **Nebraska**: In 2017, Nebraska Senator Laura Ebke (I) introduced **Legislative** Bill 299. The premise of the bill is for the state to adopt the "Occupational Board Reform Act" and change procedures for rules and regulations for state boards; this is very similar to legislature that was enacted in Mississippi in 2017. The bill would provide for the review of both proposed licensing legislation and existing occupational regulations in Nebraska. Through its authority to review, approve, or reject proposed and established rules, polices, and actions, the delay in board activities/actions will adversely impact practitioners (potentially increasing the time to process applications or conduct adjudication hearings) and the public. The premise behind LB299 is that it would provide a comprehensive evaluation of all occupational licenses required in nearly 200 professions, and because of this evaluation the outcome would be sweeping occupation board reform within the state. The bill moved efficiently and made its way to the Senate floor, and on February 22 lawmakers rejected the bill. In communicating with the Nebraska board, this topic will be brought forward as a legislative study, and NCARB will be on stand-by to help.
- **Idaho**: Lieutenant Governor Brad Little issued an <u>Executive Order</u> (EO) that requested every occupational licensing board in the state to evaluate their relevance in their respective professions and suggest reduction in barriers to acquisition of a license. NCARB provided information and context to support the Idaho Board of Architectural Examiners' development of their response to the Lt. Governor's office.



#### @JoeBruce

Excited to be selected as one of the 12 Architects taking part in NCARB's Re-Think Tank 2018 in Washington DC and share my path to licensure.

@NCARB



# **Customer Relations**

- The Professional Conduct Committee heard two disciplinary cases and recommended action to the NCARB Board of Directors.
- Partnering with the Information Systems
   Development team to launch a new phone system in mid-spring.
- Received recommendations from expert
  consultants who conducted an operational
  audit on the directorate's business processes.
  The recommendations are geared to reduce
  burdensome processes, increase capacity,
  improve response times, and design process
  visibility and dashboards for managing workflows.
  The recommendations are far-reaching and will
  involve partnerships with all directorates. In next
  steps, cross-functional teams will be identified to
  establish implementation plans for each team.
- Participated in a meeting to review and discuss the Tri-National Mutual Recognition Agreement with representatives from Canada, Mexico, and the United States.

# **Examination**

- In collaboration with Information Systems, finalized the implementation plan for the transition of all ARE 4.0 candidates after the June 30, 2018, retirement.
- Michelle Cohn, AIA, NCARB, LEED AP, PMP, Manager Examination Development, presented on NCARB's use of case studies for licensure testing as part of a national testing conference.
- ARE 5.0 Item Development Subcommittee met and completed their item writing and item review efforts for the year.



# @YoungArchitxPDX

What is the Futures Task Force and how is it helping NCARB plan for the future? Find out! @ncarb https://t.co/iZBgaGdwk0



#### **@MNAELSLAGID**

Nearing but not at the end of your Architect Registration Exam testing? @NCARB has a suggestion for you. https://t.co/TO8SPtwUcs

LET'S GO FURTHER Page 9

# NCARB Update February 2018



# **Experience + Education**

- Released two Mini-Monographs:
  - Sustainable Design Part IV: Performance Metrics
  - Wind Forces Part III: Building Design Concepts to Resist Wind/Descriptive Examples of Building Design for Wind
- Launched the application for NCARB's new <u>Professional Practice Scholars Program</u>; applications are accepted through March 7.

# Information Systems

- Supported Council Relations' setup of State Net, which can now be found on the Member Board Community.
- Supporting first client launch with proprietary NCARB software under the Board's new business development initiative.
- The Council's proprietary software, Lineup, made its first public appearance at the Association of Test Publishers (ATP) Conference and received great feedback.
- Supporting the internal auditing process for launching the 2018 edition of NCARB by the Numbers.
- Partnering with Customer Relations team to implement a new phone system by mid-spring.

# **February Outreach**



# **AIA Components**

- February 6 | AIA Honolulu (Webinar)
- February 9 | AIA Arizona Associates Conference
- February 26 | AIA Dayton

# **General Presentation**

• February 22 | AIAS Thrive

#### **Firms**

• February 26 | GFF Architects (Webinar)

## Universities

- February 7 | Arizona State University
- February 7 | University of Arizona
- February 12 | Carnegie Mellon University
- February 26 | Sinclair Community College
- February 26 | Miami University
- February 27 | University of Oregon (Webinar)

# NCARB Update February 2018



# Marketing & Communications

- Supported the NCARB/CLARB New Member Board Orientation held in early February.
- Held an NCARB Live on ARE 4.0's retirement.
- Promoted the new Re-Think Tank and NCARB Scholars programs.
- Prepared design theme for the 2018 Annual Business Meeting in Detroit.
- Worked with internal audit team to review data for the 2018 NCARB by the Numbers.
- Hired a new visual designer, Vivian Kue, who started at the end of February.

# **Upcoming Outreach**



# **AIA Components**

- March 5 | AIA Houston
- March 7 | AIA East Tennessee
- March 7 | AIA Seattle
- March 8 | AIA Seattle (HSW: Supervising with IMPACT)
- March 13 | AIA Colorado
- March 19 | AIA New Jersey (Webinar)
- March 22 | AIA Los Angeles
- March 23 | YAF Indy

# **Conferences**

- March 15-17 | ACSA Annual Meeting
- March 23-24 | Alpha Rho Chi Convention
- March 23-24 | AIAS West Quad Conference

#### **Firms**

• March 22 | HMC Architects

#### Universities

- March 2 | University of Houston Career Fair
- March 5 | Rice University
- March 5 | University of Houston
- March 7 | University of Tennessee Knoxville
- March 7 | University of Washington
- March 8 | Lake Washington Institute of Technology
- March 14 | University of Colorado Boulder
- March 15 | University of Colorado Denver
- March 15 | Community College of Denver
- March 21 | University of Southern California
- March 22 | Ball State University

# NCARB Fast Facts

Reminder: Survey of Registered Architects	. 1
Member Board Community - Managing Your Preferences	. 1
Key ARE Updates	. 2
IPAL Webinar	
New Member Board Orientation	. 4
Upcoming ACSA and NCARB Survey of Professional Practice Professors	. 4
Important Legislative Items	. 4
Potential Professional Temporary Licensure Interstate Compacts – South Dakota,	
Arizona, Missouri	. 5
State Net Legislative Tracking Webinar	. 6
What's New at Your Board	. 6
Upcoming Meetings	. 6

# Reminder: Survey of Registered Architects

Every year NCARB collects data on the number of registered architects in the United States. This information helps Member Boards, collateral organizations, and press organizations assess and report on the state of the profession and serves to bring attention to the value of the public health, safety, and welfare work your boards do.

The report displays the number of resident architect registrations and reciprocal registrations in each jurisdiction, and we need your assistance to gather this information. Please provide answers to the following questions as of December 31, 2017 (or the most recent data you have).

- What is the total number of architects actively licensed to practice in your state/jurisdiction?
- Of that number, how many reside in your state/jurisdiction versus how many are reciprocal licenses for out-of-state architects?

Responses should be emailed to our Council Relations team at council-relations@ncarb.org ☑.

Celebrating over 90 years of protecting the health, safety, and welfare of the public.

1801 K Street, NW

WWW.NCARB.ORG ☑

Suite 700K Washington, DC 20006 202/783-6500

# Member Board Community - Managing Your Preferences

NCARB's new Member Board Community provides you with regular emails regarding activity from your fellow members. If you would like to update the frequency of email notifications you receive, follow these simple steps:

- Navigate to the Member Board Community ♂.
- 2. Click on your user icon in the upper right-hand corner. A drop-down menu will appear.



- 3. From the drop-down menu, select "Preferences."
- 4. Check or uncheck the activity you would like to receive emails about.

If you have any questions about your notification preferences in the community, contact Council Relations at council-relations@ncarb.org  $\square$ .

# **Key ARE Updates**

# **Examination Security**

Over the past few months, NCARB has seen an increase in the number of candidates divulging exam content on the Architect Registration Examination® (ARE®) Communities. Whenever possible, please remind ARE candidates to review the <u>Candidate Agreement</u> of in the <u>ARE 4.0 Guidelines</u> of or <u>ARE 5.0 Guidelines</u> of and stress the importance of each candidate maintaining exam confidentiality. It is a violation to disclose the specifics of ARE content in any form. Candidates who do so are subject to suspension of testing privileges as well as invalidation of exam scores.

# Preparing for 4.0's Retirement

Here's what you need to know about how candidates will transition to ARE 5.0 after June 30, 2018.

- Beginning July 1, 2018, all ARE 4.0 candidates must log into their NCARB Record to transition to ARE 5.0.
  - Most candidates will automatically be transitioned the moment they view their exam progress. They will receive appropriate ARE 5.0 credits and eligibilities at that time and be able to continue testing immediately.
  - Candidates who tested in late June and have pending scores will have to wait for all their exam scores to post before transitioning to ARE 5.0 (if the last exam they passed did not fulfill their requirement to complete the ARE). Final ARE 4.0 scores are expected to be posted by mid-July for those who test as late as June 30.
  - Candidates with certain testing accommodations will be required to contact NCARB Customer Relations to be transitioned and have appropriate accommodations established for their ARE 5.0 divisions. These candidates will see a message inside their NCARB Record with information regarding how their transition will be supported.
- A candidate's Rolling Clock continues if they transition from ARE 4.0 to ARE 5.0; it does **not** start over in ARE 5.0. Expiration dates of passed ARE 4.0 divisions will be applied to the appropriate ARE 5.0 exam credits earned.



## Here are key points to help ARE candidates navigate the remaining few months of ARE 4.0.

- With the retirement of ARE 4.0 on June 30, 2018, seats in Prometric test centers are filling up very quickly. NCARB customer service is available to assist ARE candidates who are having trouble finding an appointment time.
- Remember, candidates can test at any available Prometric testing location. They may need to use a different test center than where they normally test to fit in an appointment.
- ARE 4.0 exams can only be scheduled up until June 30, 2018. Regardless of a candidate's eligibility end date, the Prometric scheduler is not open for any ARE 4.0 appointments after this date.
- The ARE retake policy after failing a division requires candidates to wait 60 days before retesting on that same division and limits the candidate to three attempts on the same division within any 12-month timeframe. If a candidate has used all their attempts to test on an ARE 4.0 division and remains unsuccessful, they will need to transition to ARE 5.0 to complete their examination.
- ARE 4.0 candidates can still make use of the <u>Transition Calculator</u> 

  to determine which 5.0 credits they will receive for passed ARE 4.0 exams if they don't complete the ARE by June 30, 2018.

# Proper ID at the Test Center

To be allowed to test, an ARE candidate's first and last name on their primary form of ID must EXACTLY match the first and last name in their NCARB Record. If a candidate cannot provide proper ID that matches their NCARB Record, Prometric will not give them access to test. Name changes should be submitted with required documentation to NCARB Customer Relations at least one week prior to the scheduled test date.

# Reports About Your ARE 4.0 Candidates

Would you like a status update on your current ARE 4.0 candidates as we head toward retirement? NCARB can provide you a report on the progress of ARE 4.0 candidates with eligibility in your jurisdiction. If you'd like to receive this monthly report, please let us know by contacting Joan Paros at jparos@ncarb.org ☑.

# **IPAL** Webinar

Thanks to all those who participated in our recent webinar on the Integrated Path to Architectural Licensure (IPAL). Attendees heard from Director of Experience + Education, Harry Falconer Jr., FAIA, NCARB, who shared how the initiative has been implemented in two jurisdictions; as well as from Executive Director of the Ohio Architects Board Amy Kobe, Hon. AIA, who shared her experience implementing IPAL in Ohio. Anyone who missed the live webinar can watch the recording on the Member Board Community . Be sure to post any questions you have about the program or share your experience with IPAL in your jurisdiction.



# **New Member Board Orientation**

In early February, NCARB and the Council of Landscape Architectural Registration Boards (CLARB) hosted a joint Member Board Member and Executive Orientation for those new to state architectural and landscape architectural licensing boards. Over 30 participants representing Member Board Members (including Public Members) and Member Board Executives came together for the first collaborative training effort between NCARB and CLARB. This orientation allowed both groups to gain a better understanding of the regulation of these two professions, how to be effective Board Members and staff, and how NCARB and CLARB support our Member Boards in their important mission to protect the public. Participants heard from subject matter experts, got to meet each other, and engaged in discussions about best practices and principles for ensuring effective work on behalf of the public and the consumer. View photos from the event .

# Upcoming ACSA and NCARB Survey of Professional Practice Professors

The Association of Collegiate Schools of Architecture (ACSA) and the Council are launching a data collection initiative to better understand the range of approaches to teaching professional practice in programs accredited by the National Architectural Accrediting Board (NAAB). The purpose of this research is to compare and assess coursework and instructional methods related to the *NAAB Conditions for Accreditation* and NCARB's definitions of health, safety, and welfare. Faculty members at NAAB-accredited programs will be invited to complete an online survey in the coming months. The findings from the survey will inform ACSA and NCARB's contributions to the 2019 NAAB Accreditation Review Forum.

# Important Legislative Items

This month, more bills were introduced that could impact the authority and ability of professional licensing boards. Below are a few proposed bills you may find interesting:

- Nebraska Legislative Bill 299 ☑ This bill calls for active supervision of occupational boards through the Nebraska Office of Supervision of Occupational Boards, which will have the authority to review, approve, or reject any proposed rule, policy, or action.



These bills are intended to maintain antitrust immunity for professional and occupational licensing boards, but have the potential to sidestep board authority and cause delays due to increased bureaucratic barriers. We will continue to closely monitor these bills and gather more information about their potential impact on Member Boards.

You can access these bills and others through the State Net platform on the <u>Member Board</u> Community of under <u>Advocacy</u>. As always, feel free to contact Council Relations at <u>council-relations@ncarb.org</u> with any legislative issues you would like us to monitor.

# Potential Professional Temporary Licensure Interstate Compacts – South Dakota, Arizona, Missouri

# South Dakota - Update

Governor Daugaard's temporary professional licensure compact (House Bill 1319 ©) was defeated in the House in a lopsided vote of 46 opposing and 18 in favor of the bill. Prior to the HB 1319 being introduced and defeated, NCARB and other professional coalition partners supported the preemptive introduction of Senate Bill 172 ©, which would exempt the technical professions from the compact proposal. The bill is sponsored by Senate Majority Leader Blake Curd (R), co-authored by President Pro Tempore Brock L. Greenfield (R), and by Majority Whip Representative Leslie J. Heinemann (R). There were several House and Senate hearings in the last two weeks to push both bills through their respective chambers. South Dakota's session concludes on March 26, and NCARB will continue to monitor legislative activity within the state.

#### Arizona

Like South Dakota House Bill 1319, Arizona Senate Bill 1184 & would institute a similar temporary interstate compact for professions licensed in the state. Earlier this month, SB 1184 passed the Senate Committee on Commerce and Public Safety. In partnership with AIA Arizona, a meeting immediately took place with Senator John Kavanagh (R) to walk him through the various concerns a compact bill would bring to the public. The senator was receptive to feedback, and is looking to send this bill to a study committee, as well as looking to draft future compact legislation that allows professions to opt in rather than having to opt out of a compact.

#### Missouri

The Missouri Legislature introduced House Bill 2398 of with intentions of participating in a temporary professional licensure compact. Brought to the House Committee on Professional Registration & Licensing the first week of February, a hearing for HB 2398 has not been scheduled yet. Similar to the strategy taken in South Dakota, we will look to exempt architects from the compact. The chairman of the Professional Registration and Licensing committee indicated that there needs to be a closer look at boards who already have processes in place for reciprocity and those that do not before moving forward with this bill.



We will continue to monitor these bills and collaborate with the state boards of architecture and collateral organizations to take appropriate action. While we support the goal of mobility, the impact of the proposed interstate compacts are problematic for many professions, including architecture, because they could circumvent established reciprocity mechanisms, erode the board's authority, jeopardize proven mobility pathways, and most importantly put the public at risk.

# State Net Legislative Tracking Webinar

Our new legislative and regulatory tracking service, <u>State Net</u> , launched on the <u>Member</u> <u>Board Community</u> last month. This tool allows you to search for specific bills, regulations, and executive orders; export reports; and view a map of legislation across the nation. This enhanced service is intended to empower board members and support your on-going outreach efforts.

If you'd like to learn more about the platform, please join us for a quick training webinar on Tuesday, March 6, 2018, at 2 p.m. EST. During this 30-minute webinar, we will introduce you to State Net, provide an overview of the legislative tracking platform, and explain the legislation and regulation filtering process. The session will close with questions and answers. If you are interested in attending the webinar, please complete the registration form  $\Box$ .

Reach out to Council Relations staff at  $\underline{\text{council-relations@ncarb.org}} \bowtie \text{with any questions or feedback about State Net.}$ 

# What's New at Your Board?

Have there been any new additions to your board? Has your board amended its rules? Have state legislatures or the governor taken actions that can impact your board? If you answered yes to any of these questions, we encourage you to contact the Council Relations team at council-relations@ncarb.org ☑.

Let us reflect your board's recent changes in the <u>Roster</u>  $\mathcal{C}$ , the <u>Licensing Requirements Tool</u>  $\mathcal{C}$ , and our internal systems. We strive to have accurate and up-to-date information available for licensure candidates, architects, and other board members.

# **Upcoming Meetings**

As you plan for the year ahead, make sure to mark your calendar for the upcoming FY18 meetings:

- MBE Workshop: March 8, 2018, in Wichita, KS
- Regional Summit: March 9-10, 2018, in Wichita, KS
- 2018 Annual Business Meeting: June 28-30, 2018, in Detroit, MI

# NCARB Fast Facts

Registered Architect Evaluation Update	1
2018 Regional Summit & MBE Workshop Recap	1
Regional Summit Meeting Evaluation	
FY18 Draft Resolutions	
Important Legislative Items	2
Potential Professional Temporary Licensure Interstate Compacts – NH and MO	
State Net Webinar Recording Available Now	3
What's New at Your Board	4
Welcome New Member Board Members	4
Upcoming Meetings	4

# Registered Architect Evaluation Update

The Customer Relations team would like to announce a much-needed update to registered architect evaluations. As of April 1, 2018, the team will no longer sign the evaluation cover page contained in architects' Record transmittal. The evaluation page will still contain the full name of the NCARB specialist who evaluated the Record, which is located on the upper left side of the evaluation cover page.

This change will streamline the process for final evaluations and issuing new Certificate numbers, and should benefit both boards and new Certificate holders.

# 2018 Regional Summit & MBE Workshop Recap

On March 9-10, members of the U.S. architectural licensing boards gathered in Wichita, Kansas, for the 2018 Regional Summit. Attendees spent two days discussing regional business, hearing from candidates for national office, and exploring the challenges facing state boards. Attendees also provided feedback on draft resolutions that will be voted on at the Annual Business Meeting in June. To close the summit, members participated in a question and answer session with NCARB President Gregory L. Erny, FAIA, NCARB, and CEO Michael J. Armstrong.

The summit was preceded by the 2018 Member Board Executive Workshop on March 8. The event was attended by executives from over 40 jurisdictions and included panel discussions on reasonable regulation and disciplinary trends, as well as a table discussion on continuing education. In addition, the group nominated Maria Brown of the Oregon Board of Architect Examiners to serve a second term as the MBE Director on the NCARB Board of Directors.

Content from these events has been posted to the <u>Member Board Community</u>  $\@ifnextcolored{\textcolored{O}}$ , including a recap of the <u>MBE Workshop</u>  $\@ifnextcolored{O}$  and the <u>2018 draft resolutions</u>  $\@ifnextcolored{O}$ .

Celebrating over 90 years of protecting the health, safety, and welfare of the public.

1801 K Street, NW Suite 700K Washington, DC 20006 202/783-6500

**WWW.NCARB.ORG** ♂



# Regional Summit Meeting Evaluation

Regional Summit attendees are asked to take a few minutes to complete the <u>meeting</u> evaluation  $\@oldsymbol{C}$ . Feedback from meeting attendees is critical to the successful planning of future Council events. The MBE and Regional Leadership committees take their responsibility of planning this meeting very seriously and would greatly appreciate your open, honest responses.

Please feel free to contact your <u>regional chair</u>  $\mathcal{C}$ , <u>regional executive</u>  $\mathcal{C}$ , or the <u>Council Relations</u>  $\boxtimes$  team if you have any questions or would like to provide additional feedback.

# FY18 Draft Resolutions

<u>Draft resolutions</u> were distributed to all Member Boards for consideration in early March and presented by Secretary Alfred Vidaurri Jr., FAIA, NCARB, AICP, at the Regional Summit. This year's resolutions are related to the NCARB Bylaws, NCARB Rules of Conduct, NCARB Legislative Guidelines and Model Law/Regulations, and Certification Guidelines:

- Resolution 2018-A: NCARB Legislative Guidelines and Model Law/Regulations Amendment
   HSW Category Realignment
- Resolution 2018-B: Certification Guidelines Amendment Revisions to the EESA Requirement for the Education Alternative to Certification
- Resolution 2018-C: Amendment and Restatement of the NCARB Model Rules of Conduct
- Resolution 2018-D: Amendment and Restatement of the NCARB Bylaws

The resolutions related to *Model Law/Regulations* or *Certification Guidelines* require an absolute majority (at least 28 Member Board votes) to pass. Any amendment to the *Bylaws* requires a two-thirds vote, or 36 Member Board votes, to pass.

Feel free to reach out to the <u>Council Relations</u> 

team with questions or concerns as your board prepares to review the draft resolutions. Final resolutions will be distributed to Member Boards following the April Board of Directors meeting.

# Important Legislative Items

We are continuing to monitor legislation that may impact the regulation of the profession and effect public health, safety, and welfare. Below is a proposed piece of legislation you may find interesting:

 Kentucky House Bill 465 ☑ – Proposes to reorganize several licensing and occupation boards within the state. If enacted, this bill would organize the Board of Architects, Board of Landscape Architects, State Board of Licensure for Professional Engineers and Land Surveyors, and the Board of Registration for Professional Geologists under the "Land Development Authority." This authority would be managed by an executive director appointed by the Secretary of the Public Protection Cabinet.



The Department of Professional Licensing within the Public Protection Cabinet would review and evaluate the board at least once every five years, assessing the board's functions, powers, duties, and efficiency. Other potential changes include requiring national background checks for initial applicants and board decisions regarding licensure within 30 days of receiving an application.

We will continue to closely monitor this bill and support the Kentucky Board of Architects.

You can access the full text of this bill and others through the State Net platform on the Member Board Community of under "Advocacy of." Feel free to contact Council Relations at council-relations@ncarb.org with any legislative issues you would like us to monitor.

# Potential Professional Temporary Licensure Interstate Compacts – New Hampshire and Missouri

# **New Hampshire**

Senate Bill 334 , originally proposed as a temporary license path for certain allied health professions, was amended in committee to require that all occupational and professional boards adopt rules to allow a temporary, 120-day license to an individual currently licensed in any state or the District of Columbia. Recently, SB 334 passed the Senate and was sent to the House Committee on Executive Departments and Administration.

# Missouri

The Missouri Legislature introduced House Bill 2398 27 with intentions of participating in a temporary professional licensure compact. HB 2398 was sent to the House Committee on Professional Registration & Licensing the first week of February and a public hearing was held on February 21, 2018.

We will continue to monitor these bills and collaborate with the state boards of architecture and collateral organizations to take appropriate action. While we support the goal of mobility, the impact of these proposals is problematic for many professions, including architecture, because it would circumvent established reciprocity mechanisms, erode the board's authority, jeopardize proven mobility pathways, and most importantly put the public at risk.

# State Net Webinar Recording Available Now

Learn more about State Net! This legislative tracking platform, accessible through the NCARB Member Board Community , grants Member Board Members and Executives access to legislation and regulations impacting the profession. For those who were unable to attend an introductory webinar, a recording is available under "Advocacy " on the Member Board Community. This short presentation provides an overview of the platform, the filtering process, and the search and alert features.



State Net allows you to search for specific bills, regulations, and executive orders; export reports; and view a map of legislation across the nation. This enhanced service is intended to empower board members and support your ongoing outreach efforts.

Reach out the Council Relations staff at <u>council-relations@ncarb.org</u> with any questions or feedback about State Net.

# What's New at Your Board?

Have there been any new additions to your board? Has your board amended its rules? Have state legislators or the governor taken actions that can impact your board?

If you answered yes to any of these questions, we encourage you to contact the Council Relations team at <u>council-relations@ncarb.org</u> ☑. Let us reflect your board's recent changes in the <u>Roster</u> ☑, the <u>Licensing Requirements Tool</u> ☑, and our internal systems. We strive to have accurate and up-to-date information available for licensure candidates, licensed architects, and other boards members.

# Welcome New Member Board Members

We'd like to introduce the following new Member Board Member:

 Daniel J. Thiele: Daniel joined the Nebraska Board of Engineers and Architects as an Engineer Member

Welcome Daniel!

# **Upcoming Meetings**

As you plan for the year ahead, make sure to mark your calendar for the upcoming 2018 Annual Business Meeting, held June 28-30 in Detroit. Start planning your visit! This year's Icebreaker Reception will be held at Detroit's Henry Ford Museum. Voted one of the country's best museums by *Traveler Magazine*, the 250-acre space is home to the Rosa Parks bus, a Ford Tri-Motor airplane, and, of course, the first car built by Henry Ford.



# Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.2550 Fax: 907.465.2974

# **Travel Action Summary Report**

Submit to the CBPL Travel Desk no later than seven business days after the meeting has concluded. Save a copy in your program files for the end-of-year compilation of all travel-related savings and deliverables for your program.

Board:	AELS	Dates of Business: 3/8/2018 - 3/10/2018	
Person Re	eporting: Alysia Jones	# of Travelers: Employees 1 Board Members 3	
Type of	f Meeting:  Regular board business  Special board meeting  On-site Investigation/Inspection	Adjudication only Subcommittee meeting Other:	
Cost Sa	avings		
What e	expenses were reduced?	What is the estimated savings?	
1. Ai	irfare covered by NCARB (A.Jones 3rd direct/others 3rd reimburse)	\$3200	
2. H	otel covered by NCARB (A.Jones 3rd direct/others 3rd reimburse)	\$1382	
3. N	/IE & I covered by NCARB	\$360	
Meetin	ng Deliverables		
Inform	nation gained:	Action recommended:	
Please see report on the following pages.		- Share report with entire board at the May meeting	
		- Alysia will train Heather licensing examiner to utilize the MB Community on NCARB website	
		- Alysia will work with NCARB staff to populate Disciplinary Database as applicable	
		- Review & update messaging and resources (Board Policy & Historical Information, Guidance Manual, etc.) to more directly relate to current regulatory environment	
		- Brainstorm ideas for "low-hanging fruit" outreach opportunities	

# NCARB REGIONAL SUMMIT – WCARB Meeting March 9-10, 2018

The NCARB Regional Summit was held in Wichita, Kansas March 9-10, 2018. This meeting consisted of a region-specific meetings and combined sessions. Prior to the meeting, the Executive Administrator attended a one-day Member Board Executive (MBE) workshop and board member Catherine Fritz participated in a WCARB Strategic Planning Committee meeting. AELS Chair Dave Hale and public member Vern Jones attended the regional and combined sessions.

#### MBE Workshop - March 8, 2018

The workshop comprised of three panel discussions and a break-out table discussion.

- Proactive Focus on Reasonable Regulation Led by a panel discussion, the group looked at regulatory reform as an opportunity to educate legislators, licensees, and the public. The group discussed starting small and reviewing processes to determine potential for streamlining tasks and clearer communication. The panel discussed a variety of tools/ resources available to boards, including other MBEs and NCARBs "tool kit" (talking points, funding, communication support, assistance locating experts and resources). The panel shared outline of for a best practices seminar that North Carolina developed in response to NC Dental Board case where the MBEs worked with a private firm to demonstrate the regulatory boards' desire to self-help, improve understanding, and raise the level of competency of boards in order to eliminate issues with less experienced board members and staff.
- Building Connections within the MBE Community Speakers walked the participants through
  the online "MBE Community" portal, which contains calendar of events and access to a new
  MBE manual, disciplinary database, meeting minutes, and a portal for contacting other MBEs.
  Speakers and attendees shared their experiences of serving on committees at both the regional
  and national level. The group also proposed professional development sessions including
  guidance papers similar to the ones NCEES develops, architecture 101 course and/or day in the
  life of an architect, site visits to other jurisdictions and mentor programs.
- Disciplinary Database and Disciplinary Trends NCARB staff Roxanne Alston and Guillermo
  Ortiz de Zarate joined the meeting via video-conference to explain the disciplinary database and
  encouraged jurisdictions to enter information, which would be linked to the licensees NCARB
  record and included in their transmittal if an NCARB record number was included. A panel
  discussed investigation processes in their jurisdictions, which revealed wide varieties related to
  staff and board involvement, fines, and what is an acceptable form of complaint including
  whether or not it could be anonymous. The group identified several trends in the types of
  disciplinary cases: non-licensed practice, issues related to sealing, disclosure, firm registration,
  and continuing education requirements.

#### WCARB - Regional Meeting

# Plenary Session (all regions)

- A couple states are experiencing issues (including proposed legislation) related to compacts for temporary licensure. NCARB developed a tool kit that included talking points, statistical data, funding, contacts and support from national professional organizations to help jurisdictions justify current regulations and explain current timeline to negate the need for a temporary license
- Implemented an interior design (aka interior architecture) work group to look at the recent initiatives to seek registration and the effect on the architectural community
- Education committee is adding HSW topics to Education Guidelines
- Bylaws committee is working to align updates to strategic plan
- Reviewed draft resolutions for upcoming annual meeting which included amendments to the NCARB Legislative Guidelines and Model Law, amendments to the Certification Guidelines, and amendments and restatement of the NCARB Rules of Conduct and NCARB Bylaws.

# **Regional Meeting - WCARB**

- Regional Director reported on general activities for the past year and compared jurisdictions
  within the region in relation to exam and experience requirements, reciprocal registration,
  MRAs and data sharing. He urged those in attendance to utilize the MB Community on NCARB
  website.
- Reviewed proposed resolutions and provided feedback and suggested revisions
- Education committee reported on their progress to identify potential continuing education programs at the regional meetings. The report included proposed topics, method of delivery, synopsis and required resources.
- Discussed white paper on the benefits and positive impacts of regional membership which is a first step in addressing Arizona's request to look at the current organizational structure of regions
- Listened to nominee speeches and held elections for regional committee officers and regional director.
- Conducted a strategic planning exercise to consider strengths, weaknesses, opportunities and threats (SWOT) to the regional organization and identify constituent groups:
  - Opportunities: sharing best practices, networking, influence at national level due to regional member involvement on committees and BOD, enhanced data-sharing
  - Strengths size (12 jurisdictions), learning and supporting each other, equal representation, central theme of WCARB being engaged and getting things done
  - Weaknesses structures of dues (expense vs. value), communication, training, government perception
  - Threats Compacts, deregulation, inability to participate (political and/or geographical constraints), large size may intimidate some from speaking up, too much top down vs. ground up (region to national)

- Constituents MBMs, MBEs, license candidates, certificate holders, government officials, architectural community, consumers
- During the combined sessions, each region shared highlights from their specific meetings.
   Common topics included review of the white paper and general consensus of the value of the regional membership, suggested edits to the proposed resolutions and interest in improving communication with constituents.

The NCARB President and CEO also conducted a town hall style session to address concerns from attendees. Topics discussed included:

- Reviewing the NCARB certificate and determining potential for increasing its value (to encourage non-certificate holders to obtain one)
- How to craft messaging to be more effective (listenable/ relatable) to each of the identified constituents/ stakeholders and how NCARB can assist with this effort
- Utilizing past members as advocates of messaging
- o Improve supervisor training and mentoring programs for architects

Attendees participated in breakout discussions across jurisdictions, regions, and board composition on emerging issues effecting regulatory board's ability to effectively execute their responsibilities as board administrators and board members. The attendees then regrouped to share what came out of their sessions. Discussion guestions and responses included:

- What are the regulatory challenges facing your jurisdiction/board/region? Groups 1 and 2 considered this question noted confusion among legislators, public, and other groups related to overlap of professions and who is qualified to practice what. These groups stated inconsistency among jurisdictions adds to the overall confusion and asked NCARB to develop a "Fire Prevention" or proactive tool kit to address these issues rather than a reactionary one.
- Who are the stakeholders and allies that can help champion your board? How can your board build relationships with these organizations? Groups 3 and 4 listed licensees, legislators, students, professional associations/ societies and their state and local chapters as stakeholders and potential allies. The group recommended engaging these stakeholders and allies through events such as celebrating newly licensed professionals, contacting associations and working with chapters to gain support and understanding of NCARB mission, participating in school visits to engage professionals in education as well as students in understanding the path to licensure.
- What are the key messages that will generate a positive message about the regulatory role of your board? Groups 5 & 6 indicated the need to develop a core message that could then be reframed to align with each stakeholder group. This group also discussed the need to consider delivery method, timing, frequency in order to effectively address each stakeholder group. Key message ideas focused on the importance of architecture is in what you can't see and that the complexity of architecture requires regulation and oversight.

# NCARB

National Council of Architectural Registration Boards

Gregory L. Erny, FAIA, NCARB President/Chair of the Board Reno, Nevada

David L. Hoffman, FAIA, NCARB First Vice President/President-elect Wichita, Kansas

> Terry L. Allers, AIA, NCARB Second Vice President Fort Dodge, Iowa

Robert M. Calvani, FAIA, NCARB Treasurer Albuquerque, New Mexico

Alfred Vidaurri Jr., FAIA, NCARB, AICP Secretary Fort Worth, Texas

Kristine Annexstad Harding, FAIA, NCARB
Past President
Huntsville, Alabama

Stephen D. Schreiber, FAIA, NCARB Director, Region 1 Amherst, Massachusetts

Paul D. Edmeades, RA, AIA, NCARB

Director, Region 2

Bel Air, Maryland

John E. Cardone Jr. Director, Region 3 Lake Charles, Louisiana

Stephen L. Sharp, FAIA, NCARB

Director, Region 4

Springfield, Ohio

Bayliss Ward, NCARB, AIA Director, Region 5 Bozeman, Montana

Jim Oschwald, NCARB, AIA, LEED AP BD+C
Director, Region 6
Albuquerque, New Mexico

Maria Brown Member Board Executive Director Salem, Oregon

> Darryl R. Hamm Public Director Harrisburg, Pennsylvania

Michael J. Armstrong Chief Executive Officer

1801 K Street NW, Suite 700K Washington, DC 20006 202/783-6500 FAX 202/783-0290 www.ncarb.org

#### **MEMORANDUM**

TO: Regional Directors, Regional Chairs, Public Director and MBE Director

FROM: Gregory L. Erny, FAIA, NCARB, President

**SUBJECT:** Member Board Engagement Preceding January Board Meeting

**DATE:** April 6, 2018

The NCARB Board of Directors will hold its spring meeting on April 19-21 in California. As part of NCARB's ongoing effort to provide greater transparency and encourage collaboration between Board representatives and their constituencies, we are providing a summary of topics to be discussed by the Board along with brief descriptions regarding context/intent.

We encourage you to convene calls to discuss the upcoming meeting and receive feedback to share with your Board peers. Please let Council Relations Director Joshua Batkin know regarding the date, time, and call information as your engagements are scheduled. In addition, please feel free to invite me and First Vice President/President-elect Dave Hoffman to join you as observers.

# **Summary of Board Discussion Topics**

Strategic Discussions – topics for review and comment without action being taken

Review of the Draft FY19 Budget and Long-Range Planning Forecast. The Board will receive its first briefing on a draft of the FY19 Budget and Long-Range Planning Forecast. This draft has been previously reviewed by the current 1st Vice President/President-elect, 2nd Vice President, Treasurer and Secretary, and will receive further review preceding the Board meeting by the full Executive Committee. The budget draft will show projected revenues and expenses for the key categories driving those areas, itemize the key initiatives influencing the coming year's budget, and indicate any significant variances from the current budget. Projections indicate a positive cash balance for the coming year and subsequent years, with accrual deficits on a decreasing trend due to capital expenditure depreciation and required recording of rent at both the current and future office location regardless of lease-dictated rent forgiveness.

Following feedback from this first review, a revised draft will be shared with the Board through a series of "deep dive" engagements via teleconference with the Treasurer and key NCARB staff. A final draft will be presented at the June pre-Annual Business Meeting Board engagement for any additional



Memorandum to Regional Directors, Regional Chairs, Public Director and MBE Director Member Board Engagement Preceding January Board Meeting April 6, 2018 Page 2

commentary. The new Board of Directors will vote on the budget following the ABM, during which time the Treasurer will present budget information to the membership. Incoming Board members will be given a budget presentation as part of their orientation meetings in May, and will be asked to observe the pre-ABM Board meeting.

- <u>Dynamics of Legislative Change.</u> CEO Mike Armstrong and Council Relations Director
  Josh Batkin will present an overview of staff engagement with Member Boards, state
  AIA components, and both local and national organizations representing the regulatory
  and professional society aspects of other professions. The discussion will include
  strategies being pursued by anti-regulatory organizations and plans for continued
  NCARB monitoring and coalition-building.
- Review of Charges for FY19 Committees. In a departure from past practice, the Board will review draft charges for FY19 Committees but not act on them until the new Board convenes at its post-ABM meeting. This discussion will serve as an opportunity for 1<sup>st</sup> Vice President/President-elect Dave Hoffman to share his vision for the coming year and seek feedback from his Board peers.

# **Collateral Engagement**

Meeting with the Officers, NCARB Board Liaison, and Executive Director of the
 American Institute of Architecture Students (AIAS).
 The Board will host AIAS President
 Keshika De Saram, Vice President Elizabeth Rose Seidel, NCARB Board Liaison Dennis
 Ward, and Executive Director Nick Serfass for an afternoon engagement. This yearly
 event will provide a forum for both AIAS and NCARB to ask questions and discuss areas of mutual interest and concern.

## **Policy Reviews**

Alcohol Policy. The Board will review a template governing alcohol service at NCARB-hosted events, based on an approach developed by legal counsel and subsequently customized for NCARB. This activity was recommended by the Board after reviewing the legal counsel template and discussion at the January Board meeting. Secretary Alfred Vidaurri will facilitate Board commentary on the draft and elicit guidance for future drafts.

## **Possible Action Items**

• <u>Draft Resolutions for Placement on the ABM Docket.</u> The Board will review feedback received in writing from regional leadership, as well as share any additional comments/recommendations, to determine how to proceed with option to revise or abandon proposed resolutions which were issued after its January Board meeting to all member board members and executives. Proposed adjustments to the current bylaws were first previewed to the membership in November. President Erny and Secretary



Memorandum to Regional Directors, Regional Chairs, Public Director and MBE Director Member Board Engagement Preceding January Board Meeting April 6, 2018 Page 3

- Vidaurri will facilitate a review of: current proposed language; suggested revisions from regions and individuals; and, responses from legal counsel and staff experts regarding possible revisions.
- <u>Value of Regions</u>. The Board will review feedback on this topic received at the Regional Summit. As the body designated to respond to concerns raised by Arizona, the Board will issue a formal response at the time it reaches consensus; options include requesting additional research, issuing a concluding opinion stemming from this Board meeting, or electing for further deliberation.
- <u>Strategic Reserves Policy.</u> The Board will hear an analysis from audit partner Christian Spencer of the Council's audit firm Tate & Tryon regarding the Council's financial risks and opportunities relative to setting a target for strategic (long term) reserves. This topic was discussed by the Executive Committee at its January meeting, reviewed further in a subsequent teleconference meeting, and again reviewed in their meeting immediately preceding this Board meeting. A potential action would be to adjust the current strategic reserves target of \$17 million. Currently, that fund has over \$18 million set aside to address any risks to the Council's financial stability and/or to invest in opportunities to grow the Council's capacity to serve its Member Boards and customers.
- Nomination of Candidates for Appointment to the NAAB Board of Directors. The Board will review President Erny's proposed nominees to the National Architectural Accreditation Board (NAAB) Board of Directors, filling the expiring seat of Director Ron Blitch. The NCARB nominations will then be forwarded to the NAAB for further review and selection of a new Board member. On a yearly basis, a rotation of three seats on the NAAB Board are filled through NCARB nominations.
- <u>Disciplinary Recommendation from Professional Conduct Committee.</u> The Board will review and act on recommendations to discipline and examination candidate who posed ARE content to the ARE online community.

# Informational Items

- <u>Committee, Task Force, and Work Group Reports</u>. Board liaisons will update the Board on the activities of volunteer meetings.
- Financial Reports. Treasurer Calvani will update the Board on financial statements.
- <u>President and CEO Reports</u>. President Erny and CEO Armstrong will update the Board on activities since the last Board meeting.
- <u>Director Reports.</u> Regional, Public and MBE Directors will report on hot topics from stakeholders.

# **Executive Session**

The Board will meet in Executive Session to discuss discretionary contributions to staff deferred compensation and bonus funds, its own self-evaluation, and the annual CEO performance evaluation.

# NCEES

Reports & Correspondence

From: NCEES

To: <u>Jones, Alysia D (CED)</u>

Subject: NCEES announces search for chief executive officer

**Date:** Monday, February 12, 2018 6:40:24 AM

	et
2	

# NCEES announces search for chief executive officer

The National Council of Examiners for Engineering and Surveying has begun the search process for a new chief executive officer. Current CEO Jerry Carter will retire on September 30, 2018. The NCEES board of directors has formed a five-member CEO Search Committee, chaired by NCEES President Patrick Tami, P.L.S. The committee will accept applications from qualified candidates until April 30, 2018.

"Under CEO Carter's leadership, NCEES has become one of the most respected organizations in the engineering and surveying professions. He has greatly improved our ability to achieve NCEES' mission by bringing about a significant evolution of the Council's services and governance," Tami says. "Thanks to him, our new CEO will be able to continue our mission with a dedicated staff and strong financial footing."

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops, administers, and scores the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories.

Candidates for the position should hold a bachelor's degree or higher and have at least five years of executive-level leadership or management experience. The ideal candidate will be a visionary leader with strong financial experience in leading an organization, preferably in an engineering or surveying community. He or she will have an understanding of organizational governance and its structure and be a strong collaborative leader of NCEES leadership, staff, members, and volunteers. Previous experience at an executive level is preferred.

# **Application information**

The following information about the search is available at ncees.org/CEOsearch.

- I. About NCEES
- II. About the position
- III. Qualifications

IV.	Timeline
V.	Contact information
	2



**Edit your subscription | Unsubscribe** 



## NCEES announces search for chief executive officer

The National Council of Examiners for Engineering and Surveying has begun the search process for a new chief executive officer. Current CEO Jerry Carter will retire on September 30, 2018. The NCEES board of directors has formed a five-member CEO Search Committee, chaired by NCEES President Patrick Tami, P.L.S. The committee will accept applications from qualified candidates until April 30, 2018.

"Under CEO Carter's leadership, NCEES has become one of the most respected organizations in the engineering and surveying professions. He has greatly improved our ability to achieve NCEES' mission by bringing about a significant evolution of the Council's services and governance," Tami says. "Thanks to him, our new CEO will be able to continue our mission with a dedicated staff and strong financial footing."

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops, administers, and scores the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories.

Candidates for the position should hold a bachelor's degree or higher and have at least five years of executive-level leadership or management experience. The ideal candidate will be a visionary leader with strong financial experience in leading an organization, preferably in an engineering or surveying community. He or she will have an understanding of organizational governance and its structure and be a strong collaborative leader of NCEES leadership, staff, members, and volunteers. Previous experience at an executive level is preferred.

The following information about the search is also available at ncees.org/CEOsearch.

#### **Contents**

- I. About NCEES
- II. About the position
- III. Qualifications
- IV. Timeline
- V. Contact information

#### I. ABOUT NCEES

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

NCEES was founded in 1920 to help its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops, administers, and scores the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories.

#### **Vision**

The vision of NCEES is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure.

#### Mission

The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

This mission is supported through its member boards, board of directors, staff, board administrators, and volunteers by:

- Providing outstanding nationally normed examinations for engineers and surveyors
- Providing uniform model laws and model rules for adoption by the member boards
- Promoting professional ethics among all engineers and surveyors
- Coordinating with domestic and international organizations to advance licensure of all engineers and surveyors.

NCEES operates under the leadership of an eight-member board of directors, which is elected by the Council's member licensing boards. Members and staff of state licensing boards form the membership of NCEES standing committees, task forces, and zone and national leadership. Approximately 800 additional professional engineers and surveyors volunteer on exam development committees or participate in outreach activities.

NCEES headquarters, located in Clemson, South Carolina, is comprised of six operating divisions: Exam Services, Finance, Human Resources, Information Technology, Member Services, and Public Affairs. Current staffing consists of 68 full-time employees and three part-time employees.

# Key external relationships

NCEES maintains strong relationships with other engineering- and surveying-related organizations through its Participating Organizations Liaison Council (POLC). Through the annual POLC meeting and communications throughout the year, NCEES and the other POLC societies maintain an open dialogue about their policies and the opinions of their leadership on issues of common interest.

POLC organizations include the following:

- American Academy of Environmental Engineers and Scientists
- American Council of Engineering Companies

- American Institute of Chemical Engineers
- American Nuclear Society
- American Society for Engineering Education
- American Society for Photogrammetry and Remote Sensing
- American Society of Agricultural and Biological Engineers
- American Society of Civil Engineers
- American Society of Heating, Refrigerating, and Air-Conditioning Engineers
- American Society of Mechanical Engineers
- Architectural Engineering Institute of ASCE
- California Land Surveyors Association
- Council of Engineering and Scientific Specialty Boards
- Institute of Electrical and Electronics Engineers–USA
- Institute of Industrial and Systems Engineers
- International Society of Automation
- Michigan Society of Professional Surveyors
- National Council of Structural Engineers Associations
- National Society of Professional Engineers
- National Society of Professional Surveyors
- Society of Fire Protection Engineers
- Structural Engineering Institute of ASCE
- The Minerals Metals and Materials Society
- The Society of Naval Architects and Marine Engineers
- National Academy of Forensic Engineers
- Society for Mining, Metallurgy, and Exploration

#### II. ABOUT THE POSITION

The chief executive officer (CEO) is responsible for providing strategic leadership for NCEES. The successful candidate will be accountable for the successful execution and implementation of the NCEES board of directors' policies, procedures, initiatives, and strategic plan. The CEO is the first in command for NCEES staff and is responsible for giving the proper strategic direction as well as creating a vision for success.

#### Responsibilities

The CEO develops strategy; plans, directs, and formulates policies; and provides information to be presented to the board of directors for its consideration and approval.

## Administration

- Effectively implement the goals and objectives of the NCEES board of directors.
- Establish credibility throughout the Council and with the board of directors as an effective developer of solutions to business challenges. Responsible for maintaining and enhancing the Council's reputation as the leader in engineering and surveying licensure.
- Direct and coordinate activities between the Council and foreign entities in order to provide information and promote international interests.
- Serve as secretary of the NCEES corporation. Also serve on NCEES management committees and other governing boards.
- Develop and manage relationships with members and other stakeholders.

• Collaborate with the senior management to develop and implement plans for the operational infrastructure of the Council, processes, and personnel designed to accommodate the growth objectives of NCEES. Foster a success-oriented, accountable environment within the Council corporate headquarters.

# Financial management

- Plan, develop, organize, implement, direct, and evaluate the Council's fiscal function and performance.
- Provide strategic financial input and leadership on decision-making issues affecting the organization. Direct the Council's finance group by providing timely and accurate analysis of budgets, financial reports, and trends to assist the board of directors and members in performing their responsibilities. Continually improve the budgeting process on financial issues.
- Negotiate or approve contracts and agreements with suppliers, distributors, member boards, and other organizational entities.

#### **Public relations**

- Deliver speeches, write articles, and present information at national and international meetings and conventions to promote services, exchange ideas, and accomplish objectives. Serve as liaison between organizations, member boards, and outside organizations.
- Attend and participate in meetings for the Council and Council committees.
- Act as an ambassador and spokesperson for the organization.
- Represent NCEES and promote the objectives at official functions, or delegate representatives to do so.

# Strategic planning

- Participate in the development of the Council's plans and programs as a strategic partner. Evaluate and advise on the impact of long-range planning and introduction of new programs and strategies.
- Review organizational outcomes and metrics to evaluate performance effectiveness and efficiency.
- Chart and implement organization-wide strategy and direction.
- Provide clear strategic leadership and effective governance.

#### III. QUALIFICATIONS

The successful candidate will hold a bachelor's or higher degree and have five years of executive level leadership or management. He or she will be a visionary leader with strong financial experience in leading an organization; will have an understanding of organizational governance and its structure; and will be a strong collaborative leader of people, including NCEES leadership, staff, members, and volunteers. Previous experience at an executive level is preferred.

The successful candidate will demonstrate the knowledge and skills required for this role, including the following:

- Strategic planning
- Interpretation of legal documents and government regulations
- Strong financial acumen with knowledge of budget development and control
- Project management
- Problem identification and resolution
- Ability to build consensus among members
- Networking and partnership development capabilities
- Understanding of best practices in human resources
- Proven ability to create high-performance teams
- Commitment to developing staff

- Public speaking and ability to represent the organization
- Strong written and verbal communication skills
- Ability to travel domestically and internationally
- Ability to work with people and organizations from diverse cultures, both domestically and internationally

#### Personal characteristics

- Energetic, forward-thinking, and creative individual with high ethical standards
- Strategic visionary with analytical ability, good judgment, and strong operational focus
- Well-organized and self-directed individual
- Team player
- Articulate, with the ability to relate to people at all levels of an organization
- Ability to lead change
- Decisive individual who possesses a big-picture perspective
- Ability to respond to sensitive inquiries or complaints

#### IV. TIMELINE

Position published February 12, 2018
Application deadline April 30, 2018
Interview period June–July 2018
Executive selected August 2018

#### V. CONTACT INFORMATION

Interested candidates should submit a cover letter and resume by email, no later than midnight (EDT) on April 30, 2018, to NCEES Executive Search Committee at <a href="mailto:nceesceoapps@gmail.com">nceesceoapps@gmail.com</a>.

Candidates will be notified that their submission has been received by return email. Submissions will be reviewed by the search committee, and candidates selected for interview will be notified by May 31, 2018.



DATE:	March 5, 2018	MEMO
то:	Member Board Administrators and Testing Services	a
FROM:	Jerry Carter, Chief Executive Officer	a
RE:	Discontinuation of Software Engineering PE Exam	

This letter provides Member Boards and testing services with the 1-year notice required by the NCEES *Manual of Policy and Position Statements*, Exam Development Policy (EDP) 9.

Since the original offering of the Software Engineering PE exam in April 2013, there have been only 81 candidates that have requested seating for this exam. For the April 2018 administration, only 19 have registered to take the Software Engineering exam. Per NCEES exam development policy, the Committee on Examination Policy and Procedure (EPP) is required to review the history of any exam where there have been fewer than 50 total first-time examinees, in two consecutive administrations, from NCEES jurisdictions and provide recommendations to the NCEES Board of Directors concerning the desirability of continuing the examination.

At the January 2018 meeting, the EPP considered the history of the Software Engineering exam, the low candidate population and the potential for enlarging the number of first-time examinees. After consideration of all information, the EPP recommended that the software exam be discontinued as soon as possible.

At the February 2018 meeting, the NCEES Board of Directors received and adopted the recommendation from the EPP to discontinue offering the Software Engineering exam. Since this exam is offered only once per year, the NCEES Board directed that the Software Engineering exam be discontinued subsequent to the April 2019 exam administration.

Please take note of this important change and distribute this information accordingly. If there are questions or if additional information is required, please let me know.

# C: NCEES Board of Directors

George Murgel, Ph.D., P.E., EPE Chair Chris Duhamel, P.E., EPE Vice-Chair Davy McDowell, P.E., Chief Operating Officer Tim Miller, P.E., Director of Examination Services Steven Matthews, Chief Technology Officer Bob Whorton, P.E., Manager of Compliance and Security Ashley Cheney, Manager of Exam Publications Keri Anderson, Manager of Corporate Communications David Vickers, P.E., Exam Development Committee Chair Tom Dodd, Ph.D., P.E., EDE



#### **NEWS RELEASE**

March 13, 2018 Contact: Tim Miller, P.E. Director of Exam Services tmiller@ncees.org

# NCEES discontinuing PE Software Engineering exam

NCEES will discontinue the Principles and Practice of Engineering (PE) Software Engineering exam after the April 2019 exam administration. Since the original offering in 2013, the exam has been administered five times, with a total population of 81 candidates. Only 19 candidates registered for the April 2018 administration. Per NCEES exam development policy, the Committee on Examination Policy and Procedures (EPP) is required to review the history of any exam with fewer than 50 total first-time examinees from NCEES jurisdictions in two consecutive administrations and provide recommendations to the NCEES board of directors concerning the desirability of continuing the exam.

At the January 2018 meeting, the EPP Committee reviewed the history of the PE Software Engineering exam, the low candidate population, and the potential for increasing the number of first-time examinees. After consideration of all information, the EPP Committee recommended that NCEES discontinue the PE Software Engineering exam.

At its February 2018 meeting, the NCEES board of directors accepted the EPP Committee's recommendation to discontinue offering the PE Software Engineering exam. Since this exam is offered only once per year, the board directed that NCEES discontinue the PE Software Engineering exam after the April 2019 exam administration.

NCEES provided official notification to all member boards of the discontinuation of the PE Software Engineering exam in accordance with policy.

For more information on FE or PE exams, visit ncees.org/engineering.

#### **ABOUT NCEES**

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states and territories and the District of Columbia. Since its founding in 1920, NCEES has been committed to advancing licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the U.S. public.

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops and administers the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories. For more information, please visit neces.org.



#### **NEWS RELEASE**

March 27, 2018 Contact: Jerry Carter NCEES Chief Executive Officer jcarter@ncees.org 864-654-6824

# NCEES reaches settlement with test prep company over allegations of copyright infringement

The National Council of Examiners for Engineering and Surveying (NCEES) and a test preparation company for certain NCEES exams have reached an \$800,000 settlement agreement regarding allegations of the unauthorized use of copyrighted practice questions belonging to NCEES. The agreement was finalized March 15, 2018.

In addition to the settlement payment, the test preparation company has agreed to permanently remove the NCEES-owned material from its print and online materials on an agreed-upon schedule. Per the terms of the agreement, the test preparation company does not admit any guilt regarding copyright infringement or liability to NCEES, and NCEES will not disclose the company's identity.

NCEES produces licensing exams for the professions of engineering and surveying, including the Fundamentals of Engineering exam and the Principles and Practice of Engineering exam. The nonprofit organization also publishes study materials, including practice exams, to familiarize candidates with the format and content of the exams. NCEES alleged that the test preparation company used NCEES' copyrighted practice questions in its exam preparation materials without NCEES' authorization.

"While this settlement includes a monetary payment, NCEES' focus, as always, was on protecting its intellectual property," said NCEES Chief Executive Officer Jerry Carter. "NCEES and its volunteers have literally thousands of hours invested in the development of high-quality examination items that assist licensing boards in performing their important work. We will take whatever steps are required to protect our intellectual property. We are glad to have arrived at a resolution that upholds our rights."

# **ABOUT NCEES**

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. Since its founding in 1920, NCEES has been committed to advancing licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the U.S. public.

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops and administers the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories. For more information, please visit neces.org.



# Department of Commerce, Community, and Economic Development

DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING

P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.2550 Fax: 907.465.2974

# **Travel Action Summary Report**

Submit to the CBPL Travel Desk no later than seven business days after the meeting has concluded. Save a copy in your program files for the end-of-year compilation of all travel-related savings and deliverables for your program.

Board:	AELS	Dates of Business: April 6-7
Person R	eporting: David Hale & Alysia Jones	# of Travelers: Employees 0 Board Members 3
•	Regular board business  Special board meeting On-site Investigation/Inspection	Adjudication only Subcommittee meeting Other: NCEES Western Zone (Regional) Meeting
What	expenses were reduced?	What is the estimated savings?
1 Г	NCEES paid airfare for 3 funded delegates	\$2640
2.	NCEES covered lodging for 3 funded delegates	\$1500
3.	ICEES covers up to \$225 in ME &I (check sent after travel)	\$675
Meeti	ng Deliverables	
Inforn	nation gained:	Action recommended:
See a	attached.	- Share report with entire board at the May meeting - Review computer-based testing PE exam implementation schedule
		- Monitor and participate in future NCEES discussions on adopting and implementing PS exam modules

# NCEES West Zone Meeting Honolulu Summary Report

The Western Zone NCEES meeting was held in Honolulu on April 6<sup>th</sup> and 7<sup>th</sup> to discuss business and proposed motions for the annual meeting scheduled for August in Scottsdale. Highlights of the meetings and breakout sessions are below:

#### **General Meeting**

The general meeting contained reports from the committees, officers, and task forces. The officer's reports covered their activities for the first 8 months of the fiscal year. The committee and task force reports covered rationale behind the major motions that would be presented at the Annual Meeting and allowed for questions regarding theses motions. NCEES produces and implements the licensing exams for engineers and surveyors, with the exception of the state specific exams for the PS exam in each state. As such, NCEES supports uniform standards and education as well as licensure mobility. They assist each state by providing model standards that can be adopted by the individual states as they fit within each jurisdictions statutes and regulations. NCEES also follows national trends and legal action across the nation, and provides national representation and information that keeps the individual licensing boards educated on trending licensing events.

The general meeting also included nominations of candidates, presentations by those candidates, and election of officers. Brian Robertson, PE, of Colorado was elected Zone Vice President and Scott Bishop of New Mexico, PLS, was elected as Zone Assistant Vice President. Their terms will start at the Annual Meeting in August and will last two years.

#### **MBA Breakout Session**

A key topic of discussion in the MBA breakout session was the deregulation effort in several of the western jurisdictions. In general, recent legislation was introduced to limit restrictions regarding licensure, and although engineering and surveying licensure may not be directly mentioned, the overall effect of some legislation may impact professional licensure and harm the public. NCEES is keeping close watch on national legislation regarding licensure, and has frequent updates on their website.

Another important topic was regarding member board attendance at NCEES meetings. NCEES feels that at least one member of each jurisdiction board should attend regional and national meetings, and is looking at ways to fund the travel to ensure participation by member boards. Often times, it is the board administrators that provide the continuity within the board as member's role off the board and new ones begin.

## **Engineering Breakout Session**

The primary topic of the engineer's forum was the schedule for implementation of the Computer Based Testing PE exams over the next six years and the reasons for lengthening the schedule. We also discussed the reasoning behind the discontinuation of the Software Engineering exam and the prospects for comity for those among the 81 individuals that have passed that exam.

We also discussed the various options being explored for question types on the computer based exam, which will go beyond multiple choice and true and false. This may include fill-in-the-blank, drag-and-drop, and drawing options. NCEES is consulting with other licensing bodies, including NCARB, to see what they are using and how well they fit based on the psychometrics.

We also discussed membership on committees and how to get involved. There are 120 committee slots and were 180 volunteers for those slots. President-Elect Jim Purcell has to balance some turnover with institutional memory, so really only has 60 slots to fill. The invitations to serve will be going out at the end of May.

## **Survey Breakout Session**

The Professional Surveyor national exam is computer based and is available upon request at testing centers throughout the nation. Approximately 800 tests are given each year with a 58% passing rate.

NCEES is interested in facilitating mobility of licensure and is studying methods to incorporate state specific exams into the nation exam database. One possibility is the creation of modules much like the architects ARE exam. The basic modules currently under consideration are a base module, a metes-and-bounds module, and a public lands land surveying module. A module could contain exam questions for hydrographic or aerial based surveying, GIS, or state regulations and statutes. With modules in place, NCEES could house and administer the exams, but the individual licensing boards could require individual modules for licensure in their jurisdictions. For example, a candidate for PS licensure in Alaska might have to take the national PS exam along with the state specific module, and if they are performing aerial surveying they would take that module as well. This will be an ongoing topic at NCEES meetings in the future.

NCEES also provides an on-line Continuing Professional Competency (CPC) registry for licensees to store continuing education credits and certificates, and provides a link so the registrant can easily transmit data to multiple states that request the information. Attendees noted that the registry currently transmits all data (to the selected BOR) for the licensee immediately upon pressing the send button. Davy McDowell, NCEES COO, stated that NCEES is working to modify that process so the registrant has the opportunity to review the data prior to transmittal.

# Licensure **EXCHANGE**

APRIL 2018



# DiscoverE Engineers Week 2018 inspires wonder and enthusiasm for engineering

THE THEME FOR ENGINEERS WEEK 2018 WAS Engineers: Inspiring Wonder, and NCEES took the opportunity to do just that. Staff, member boards, and volunteers participated in events during the February 18–24 event to inspire wonder and enthusiasm for the engineering profession. NCEES co-chaired Engineers Week 2018 with the DiscoverE Leadership Council and helped plan programming aimed at inspiring a diverse and well-educated future engineering workforce. The events celebrated how engineers make a difference in our world and brought engineering to life for children and adults.

#### Girl Day

Introduce a Girl to Engineering Day began in 2001 as a way for women engineers to share their innovative careers with girls. It is now a movement to show girls that a career in engineering is about being creative and collaborative.

NCEES celebrated Girl Day with a Girls Day Out event at the Discovery Place Science Center in Charlotte, North Carolina. Nearly 200 girls from Martin Luther King Jr. Middle School participated in hands-on engineering activities inspired by the IMAX film *Dream Big: Engineering Our World*. Engineering students from the University of North Carolina at Charlotte's William States Lee College of Engineering led six engineering activities, including Squishy Circuits and Straw Bridges. One of the engineers featured



Students at the Girls Day Out at Charlotte's Discovery Place Science Center take part in the Squishy Circuits activity.

in *Dream Big*, Avery Bang, was on hand to support the event. Bang, who is president and CEO of Bridges to Prosperity, delivered the keynote address and hosted a Q&A session focused on what it is like to be a female engineer.

Theresa Hodge, P.E., emeritus member of the South Carolina board and former Southern Zone vice president, represented NCEES at the Girl Day on Capitol Hill luncheon briefing in Washington, D.C. Hodge and others spoke on encouraging girls in STEM careers and improving diversity and inclusion in those fields.

# Dream Big screenings

NCEES sponsored screenings of *Dream Big: Engineering Our World* in each of its four geographic zones, including Seattle's

# COMMITTEE **FOCUS**



#### KAREN PURCELL, P.E.

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS VICE CHAIR

# BIM and multiple professionals working simultaneously on design plans

BUILDING INFORMATION MODELING, OR BIM, IS A TOOL that is widely used in the engineering, architecture, and contracting professions to design and construct projects. BIM is a model-based technology linked with a database of project information that uses multidimensional, real-time dynamic software to plan construction. The model encompasses at least geometry, spatial relationships, geographic information, and quantities and properties of components. It is expandable into areas such as cost, schedule, document management, and even virtual reality. It is a dynamic and evolving entity that greatly affects the way that design professionals work together, as BIM typically allows multiple professionals to work simultaneously on design plans. However, the design professional community is still struggling with the tools that BIM can provide, including issues surrounding maintaining responsible charge and standard of care with multiple hands in one model.

Develop an execution plan

It is important to have a BIM project execution plan that will help achieve the goal of a collaborated design and construction effort. An execution plan is a document that is prepared and agreed to by the owner and project team and that clearly defines an overall vision of BIM use and implementation details. This includes (but is not limited to) roles, responsibilities, actions or inactions of the team and any external parties, software systems to be followed, technology infrastructure needs, process maps, deliverables, documents to be produced, intellectual property control, model use, archiving, BIM model ownership, and turnover process to owner at project completion.

The execution plan should clearly define the scope and responsible charge of all design professionals. It is recommended to have a model manager who is responsible for ensuring that BIM is successfully implemented on the project in accordance with the execution plan. An execution plan that clearly defines

States license engineers and surveyors not the tools used to complete their jobs. With multiple professionals working in a model (the tool), limits on BIM are needed to help licensees protect themselves from inadvertent changes in the model that could jeopardize their professional licenses.

all aspects of BIM and that is properly managed by a model manager will help the design team produce a successful project, with cost and schedule benefits and successful turnover to the owner.

# Recognize and address potential problems

The BIM model is updated in real time, which allows all team members to accurately follow the progression of the project. This promotes a team effort, helps with coordination, and makes global changes easier for all involved parties to view. However, having simultaneous access to the project model opens the possibility of having one's design compromised over what could be considered a simple change in one discipline but not in another. Therefore, it is vital to have an open line of communication between all parties, with the model manager leading such communication. This should be clearly noted in the execution plan and openly discussed.

States license engineers and surveyors—not the tools used to complete their jobs. With multiple professionals working in a model (the tool), limits on BIM are needed to help licensees protect themselves from inadvertent changes in the model that could jeopardize their professional licenses. Therefore, retaining a digital archive, such as a PDF file, of the design professional's final products at the completion of each phase is recommended. The licensee would affix a seal/signature only to the part of

the products from the BIM model for which he or she is in responsible charge. The model itself should not contain any seal or signature but should be archived at progressive time intervals until complete.

#### Follow best-practice guidelines

The Technology Task Force met this year to work on recommending changes to the Model Law and Model Rules with respect to BIM and to further develop guidelines for BIM use on projects. The guidelines, which the task force is proposing to include as an appendix to the *Model Rules*, offer key suggestions for a successful project with multiple professionals working together in one model.

The task force also has an eye on the future. Expansion and acceleration of design and planning using tools such as virtual reality and artificial intelligence are evolving. These changes will pose similar opportunities and challenges to the future of the engineering and surveying professions. We will need to continue to monitor these issues as technologies advance.

The Technology Task Force will present a workshop on BIM, including lessons learned and what the future holds, at the 2018 NCEES annual meeting in Scottsdale, Arizona.

Purcell is vice chair of the Nevada board and chair of the NCEES 2017–18 Technology Task Force.

#### **ENGINEERS WEEK**

Pacific Science Center, St. Paul's Science Museum of Minnesota, Boston's Museum of Science, and Charlotte's Discovery Place Science Center. Almost 2,500 people watched the film at 16 NCEES-sponsored EWeek screenings.

#### **Future City**

The Future City Competition is a national event in which students in sixth, seventh, and eight grades design and build cities of the future. Students presented their models at regional competitions in January, and the regional winners competed at the national level in Washington, D.C., in February.

NCEES continued its sponsorship of the Best Land Surveying Practices special award at the regional and national levels this year. This award recognizes the design that employs the best land surveying practices. The winning team must demonstrate skills and resources surveyors provide through the design, development, and maintenance of its future city.

The Academy for Science and Foreign Language team from Huntsville, Alabama, won the 2018 NCEES Special Award for Best Land Surveying Practices.

NCEES has sponsored this award at the national competition for more than 10 years, and this was the seventh year offering the award at the regional level. By expanding into regional competitions, NCEES introduces approximately 40,000 middle school students from 1.350 schools in more than 40 national regions to the surveying profession each year.

#### Family Day

NCEES co-sponsored the 26th annual Family Day, held February 17, 2018, at the National Building Museum in Washington, D.C. Twenty-six activity stations gave children and their families opportunities to experience the wonders of engineering. NCEES provided two interactive activities for the event: X Marks the Spot and Flinker. For X Marks the Spot, children put their compasses to use and walked in the footsteps of real surveyors. For Flinker, children rolled up their sleeves to apply the engineering process to design a flinker—an object that neither floats nor sinks in water. Approximately 4,800 attendees were introduced to the field of engineering through Family Day this year.

#### More ways to inspire

Dale Jans, P.E., NCEES past president and current chair of the DiscoverE Leadership Council, discussed the importance of outreach initiatives such as Engineers Week to the engineering profession. "To build a brighter future, we need to inspire wonder in the youth of today," he said. "You don't have to be an engineer to know that two is stronger than one. By working together, we can inspire future engineers. Let's continue and expand the tradition. Let's be the advocates, parents, educators, and engineers who are constantly inspiring wonder."

#### MEMBER BOARD BRIFF



#### **KATHY HART**

OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS **EXECUTIVE DIRECTOR** 

#### Looking forward as we look back

WITH THE ANNOUNCEMENT OF THE RETIREMENT OF NCEES Chief Executive Officer Jerry Carter later this year, it seemed fitting for the Committee on Member Board Administrators to dedicate this article to him and his longstanding affiliation with the MBAs. By forming positive interpersonal relationships over decades of work with member board members and staff, NCEES leadership, and headquarters staff as well as beneficial external relationships with other organizations, he has proven himself to be respectful, knowledgeable, insightful, kind, and humorous.

In 1984, Carter began his career as board investigator for the North Carolina Board of Examiners for Engineering and Surveying. He then served as the board's executive director from 1992 to 2001. Because of his diverse professional experience, excellent communication skills, and leadership qualities, he was a natural choice to become director of corporate affairs for NCEES in 2001 and was named associate executive director a few years later. He was promoted to executive director (now CEO) in 2007.

#### Inspiring and leading

Andrew Ritter succeeded Jerry Carter as executive director of the North Carolina board. He recently expressed that it was not by chance that Carter was promoted to NCEES executive director: "NCEES and its membership were experiencing a difficult time, and it was going to call for a person with strong character and exceptional leadership skills who could form positive, trusting relationships within and outside the organization to restore confidence in the Council. With Jerry's thoughtful leadership and ability to communicate a renewed vision for NCEES, he succeeded in rallying the involved parties, and we moved forward with passion and optimism."

Lesley Rosier-Tabor, P.E., executive director of the West Virginia engineering board also noted Carter's contributions in the lead role on NCEES staff: "To accomplish the extraordinary things NCEES has accomplished under his leadership was no small feat. He has inspired a shared vision among professional engineers

and surveyors alike and led the effort of some very exciting changes within the NCEES organization over the last decade."

#### **Building bridges**

When Carter left his position as executive director with the North Carolina board, he did not leave behind his positive relationship with the MBAs. He continued his endeavor to ensure that MBAs had a strong voice in the Council, while helping those in leadership understand the value that MBAs contribute to the organization.

He has not only been willing to listen but to act on what he hears. David Cox, executive director of the Kentucky board, summed it up well: "When I communicate with Jerry, I find he truly listens and values input or questions. He never seems so ingrained in a position that he is not willing to listen to other sides and make changes if needed. That is a trait of a true leader, and rare these days."

Judy Kemper, executive director of the Missouri board, also stated, "It has been a pleasure to work with someone so passionate, calm, and professional all at the same time. I always appreciated Jerry's thoughtful, steady approach to solving any problem. He was always able to turn what seemed complicated into something we could all be excited about and get behind."

#### Mentoring others

When I first became executive director of the Oklahoma board in 1994, Carter was my mentor in every sense of the word. He kindly took the time to teach and guide me through the NCEES processes and has continued to be my friend and advisor for the past 25 years.

Donna Sentell, executive director of the Louisiana board, also remembers Carter as her mentor: "Jerry has been a magnificent mentor. He has done a tremendous job of incorporating MBAs into the process. One of the first things he did was invite the MBAs to NCEES headquarters, which was a valuable opportunity for us. Since Jerry started as an MBA, he understands the issues and challenges we face, and he has done a wonderful job of listening and including MBAs in matters related to NCEES."



CEO Jerry Carter addresses the board of directors at its August 2017 meeting in Miami Beach, Florida, which was held at the start of the organization's annual meeting. Carter has been actively involved in the work of NCEES since attending his first annual meeting in 1985, the year following his appointment as executive director of the North Carolina board.

#### Implementing new programs and services

During his tenure at NCEES, Carter has been instrumental in developing, communicating, and implementing strategies to help create new programs and improve existing ones. Some of those initiatives include the following:

- Growth of the Credentials Evaluations service, which was introduced in 2006, and adoption of NCEES Engineering and Surveying Education standards to assist member boards with evaluating education for licensure applicants with degrees from programs that are not ABET accredited
- Transition to computer-based testing for NCEES exams, which the Council voted to approve in 2010 after several years of study
- Introduction of the NCEES Engineering Education and Surveying Education awards in 2009 and 2016, respectively
- Implementation of the E3 customer management system, which was completed in 2016. This system combined online services into one platform and allowed NCEES to improve existing services and offer new ones to its constituents, including continuing professional competency tracking.
- Update of the Records program, which included introducing Records for initial licensure applications, making the format clearer and more consistent, and implementing

- multistep experience reviews to improve evaluation quality and consistency
- Increased international presence, including a leadership role in the International Engineering Alliance and a rise in international exam administrations. We now have agreements with 16 organizations in 9 countries to administer NCEES exams outside the United States.

The development and implementation of these initiatives have improved services for member boards, examinees, and professional engineers and surveyors. The improved processes for examination, licensing, and enforcement are unrecognizable compared to what we were working with 20 years ago. Much has been accomplished by Carter and his team, under the direction of the board of directors, for the betterment of services to the member boards and, by extension, the publics we serve.

Lance Kinney, Ph.D., P.E., executive director of the Texas engineering board, described what has made NCEES such a success: "I think NCEES is a model organization that is very much focused on service to the professions and just as importantly, focused on service to the member boards. I attribute much of this to the leadership, professionalism, and vision of Jerry Carter. He has created a culture in which his team and the organization really listen to the members and to the MBAs. When I became executive director, I often looked to what Jerry and the crew at NCEES were doing and tried to see how we could emulate or incorporate those things. I still do."

#### Starting to a new chapter

NCEES leadership has formed a committee to search for a successor for the CEO position, which will be left vacant by Carter's retirement. This search committee is comprised of the current president and president-elect, two past presidents, and one MBA representative. Whoever is selected to fill this important position will play a vital role in the continued success of NCEES. We look forward to working with the newly selected CEO, but a part of us will always miss Carter's quiet wisdom and special friendship.

In closing, Patty Mamola, P.E., NCEES past president and executive director of the Nevada board, eloquently stated, "Having had the opportunity to serve as NCEES president, I worked closely with Jerry and got to know him as a consummate gentleman, articulate and pragmatic. He leaves the Council better than when he took the helm—we've thrived and prospered under his leadership. But to quote the poet John Gay, 'We only part to meet again."

Hart is executive director of the Oklahoma board and a member of the 2017–18 NCEES Committee on Member Board Administrators.

#### ENFORCEMENT **BFAT**



#### KARL TONANDER, P.E.

NEW MEXICO BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS MEMBER

#### Ethics refreshers ensure high standard of practice

THE HIGH STANDARD OF PRACTICE THAT PROFESSIONAL engineers and surveyors must exhibit includes not only technical competence but also honesty, integrity, impartiality, and fairness for all projects and clients. Professional development is a key factor in ensuring a high standard of practice, and ethics refreshers are a tool that can reinforce these qualities. I believe ethics refreshers are necessary and productive for the engineering and surveying professions to safeguard the public.

For the past several years, I have had the distinct privilege of traveling around my state, New Mexico, to provide ethics sessions for our licensees. I started doing this with a simple but selfserving motivation: to lower the volume of negative comments regarding the state's ethics requirements for license renewal. Typical comments included, "We can't find any classes," "I don't learn anything," "It's a waste of time," and "They're too expensive."

These comments made me see a parallel between the ethics sessions and the safety and health sessions I have to attend on an annual basis. These sessions include Occupational Safety and Health Administration and Mine Safety and Health Administration refreshers. Anyone who has attended annual refreshers for either of these safety-related topics can appreciate when I say that they can be intolerably slow. However, I also learned that, given some effort on the part of the instructor and the participant, these refreshers can be beneficial.

When I am out in the field, I can become complacent with my surroundings. The dangers posed through trip and fall hazards, chemicals, electrical exposure, traffic, and the weather can become routine. It's sobering to think what a lack of awareness could cause and the impact on my clients, company, and family, but I know that my awareness of the surroundings is heightened because of the refresher courses that I take each year.

An ethics refresher can work in much the same way. As a consultant, my business is my primary, everyday focus. While I like to think that I'm cautious about the hazards posed



Professional engineers and surveyors participate in an ethics workshop at the 2017 NCEES annual meeting in Miami Beach, Florida. NCEES typically holds two ethics-related professional development workshops at its annual meeting.

by unethical practice, I know I also don't always give it the consideration it deserves. The daily grind can take a mindnumbing toll, and awareness can decline. New clients may not get the scrutiny they deserve. Plan reviews can get sloppy, and attention to detail may fade. The importance of good practice loses sway to production, profits, or demanding clients and supervisors. Having an ethics refresher can change that perspective and reprioritize attention. If done well, these refreshers can combine what you need to remember every day with changes and updates to the rules and law that you might not know existed.

As a sage New Mexico board member once said, "Bad people can't be made good through ethics training." I would suggest that people can grow professionally and personally and perhaps avoid future disciplinary action by taking ethics refreshers. I encourage everyone to consider developing a refresher course and working with your board to provide training. As a presenter, you can also solicit feedback on changes to your state laws and collect concerns from the regulated community.

Tonander is a member of the New Mexico board and a member of the 2017–18 NCEES Committee on Law Enforcement.

# NCEES preparing to select winners for 2018 Engineering and Surveying Education awards



Participants with the Dordt College Engineering Department celebrate the completion of their Liberia Farm bridge. The project, which won the \$25,000 NCEES Engineering Education Award grand prize, took students and practitioners from designing a bridge in Sioux Center, Iowa, to building it in Monrovia, Liberia.

WITH THE MAY DEADLINE APPROACHING, NCEES IS preparing to choose the winners of the 2018 Engineering Education and Surveying Education awards.

#### **Engineering award**

Entries for the NCEES Engineering Award for Connecting Professional Practice and Education are due by May 1. EAC/ABET-accredited programs from all engineering disciplines are invited to compete for the 2018 awards.

This year, the organization is introducing new award categories and prize amounts to encourage a broad spectrum of engineering programs to enter. These are the first major changes to the structure of the award program since it was launched in 2009.

Each program entering the competition will select which of the following categories best fits the intent of its project:

- International projects
- Community enhancement projects
- Public welfare and health services/care projects
- Energy and sustainability projects
- Device/design/prototype projects
- Freshman/sophomore design projects
- Innovation projects

NCEES is also introducing new award amounts and increasing the number of possible winners. Award amounts now include one \$25,000 grand prize winner and seven \$10,000 prize winners. While the grand prize amount is staying the same, the other awards have increased from five awards of \$7,500 each.

#### Surveying award

NCEES is also preparing for its third annual NCEES Surveying Education Award competition. The award program recognizes surveying/geomatics programs that best reflect NCEES' mission to advance licensure for surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES invites all surveying/geomatics programs to compete for

- \$25,000 grand prize
- Three \$15,000 prizes
- Three \$10,000 prizes

For more information on entering the Engineering Education Award competition, visit ncees.org/award. To find out more about competing for the Surveying Education Award, visit ncees.org/surveyingaward.

#### **HEADQUARTERS** UPDATE



JERRY CARTER NCEES CHIEF EXECUTIVE OFFICER

#### Changes are in the air

ONE OF THE KEYS TO SUCCESS IS LEARNING TO ADAPT and improve. If a process is no longer serving a need, then review it and find the best way to move forward. If a physical space is no longer serving the needs of the organization, then explore possibilities for improvement. Our NCEES board of directors is adept at navigating change and is reviewing, adapting, and improving several areas within the organization.

#### PE Software exam

In August 2010, the NCEES board of directors authorized the development of a new Principles and Practice of Engineering exam for software engineering. This decision came as the result of 10 member boards presenting letters of support for the exam, in accordance with NCEES exam development policy. IEEE-USA agreed to serve as the sponsoring professional society, along with the National Society of Professional Engineers and the Texas Board of Professional Engineers. After two years of development, the PE Software exam was first administered in April 2013. As with several of the smallerpopulation NCEES exams, this exam has been offered only once per year, during the April exam administration.

Since that original offering, the exam has been administered five times, with a total population of 81 candidates. Only 19 are registered for the April 2018 administration. The low candidate population has been problematic because a standard-setting study is required after each exam administration to provide the appropriate psychometric analysis required to establish minimum competence. Per NCEES exam development policy, the Committee on Examination Policy and Procedures is required to review the history of any exam with fewer than 50 total first-time examinees in two consecutive administrations in NCEES jurisdictions and provide recommendations to the board of directors concerning the desirability of continuing the exam.

As we make changes and improvements, NCEES will remain committed to ensuring these decisions move the organization forward.

At its January 2018 meeting, the EPP Committee considered the exam's history, the low population of candidates, and a remedial action plan submitted by the sponsoring society. After considering all the information, EPP recommended that the PE Software exam be discontinued as soon as possible. This recommendation was presented to the board of directors at its February 2018 meeting, and the board voted to support it. Since the software exam is offered only once per year and registration had already closed for the April 2018 administration, the board directed that the exam be discontinued after the April 2019 administration.

NCEES officially notified all member boards of the discontinuation of the PE Software exam, in accordance with policy, and posted a news release on the NCEES website to alert all interested individuals, including potential examinees.

#### **NCEES** facility

In November, the NCEES board directed staff to conduct a study to determine if any modifications to the NCEES facility were needed to provide a more efficient environment for exam volunteers as they continue the transition of pencil-and-paper exams to computer-based testing.

Since NCEES moved the Fundamentals of Engineering and Fundamentals of Surveying exams to CBT in 2014, we have a greater need for space to accommodate computer labs to help exam volunteers visualize how items will appear in a computer-

continued on page 10

# FROM THE PRESIDENT



PATRICK TAMI, P.L.S.
NCEES PRESIDENT

# Release of conversion timetable charts course for PE exams' move to computer-based testing

WHEN NCEES VOTED TO START THE TRANSITION OF ITS exams to computer-based testing (CBT) in 2011, there were many unknowns and much work to do. We have done the work and answered the questions, and we have now reached four years of computer-based Fundamentals of Engineering (FE) and Fundamentals of Surveying (FS) exams. We've also added the Principles and Practice of Surveying (PS) exam and the Principles and Practice of Engineering (PE) Chemical exam, and we will start administering the PE Nuclear exam via CBT in October.

#### Conversion schedule

When NCEES voted in 2012 to move forward with transitioning our professional exams to CBT, we agreed they would move at the earliest feasible date. But what is a realistic timetable? We now have an answer. NCEES recently released a timetable for moving the remaining PE exams to CBT. The schedule is tentative; NCEES will make official notifications for CBT conversions one year out. The current plan is to have all exams transitioned to CBT by 2024. The schedule is posted online at ncees.org/cbt.

In addition to providing a timetable for the transition, the schedule also notes the format each exam will have and when it will be administered. Twenty of our exam disciplines will be offered year-round, while 12 will be offered on a single day. The format of the Structural Engineering exam is yet to be decided.

Year-round exams include the FE, FS, and PS exams, as well as most of the PE exams. These exams use a linear-on-the-fly (LOFT) algorithm. This means that all examinees for a particular exam have the same number of questions in the same topics, but no examinees have the same set of questions. The algorithm assembles a unique exam with the same number of questions for each topic area and the same relative level of difficulty.

For the smaller-volume exams, such as the PE Nuclear exam that's moving to CBT in October, NCEES will use single-day

administrations. Each will be offered one day in October. Not all of the PE exams will be offered on the same day.

We are working with Pearson VUE to ensure adequate seating capacity at test centers for these single-day testing events. Pearson VUE will analyze seating capacity and hold seats for NCEES examinees at higher-volume test centers until 60 days prior to the exam. This will give candidates in areas with higher examinee volumes more opportunity to reserve seats at convenient locations. Pearson VUE also has contingency plans in case something prevents a test center from administering an exam on the designated day, such as a sustained power outage.

These exams will also use a different format than LOFT: fixed linear form (LFF). For exams with this format, all examinees will receive the same questions. This is a similar format to our current pencil-and-paper exams.

The decision on which frequency to offer the exams is determined primarily by the volume of candidates. Based on the volume of first-time examinees from the 2017 population, NCEES exams will be offered on a year-round basis to 95 percent of the candidates when all exams have converted to CBT.

#### Advantages of CBT

Regardless of format, CBT provides several important advantages over traditional pencil-and-paper administrations, including

- More efficient delivery
- Greater scheduling flexibility
- Faster scoring and reporting
- Improved security
- Increased uniformity in testing conditions

CBT also provides the opportunity to use alternative item types, or AITs. These are question types beyond traditional multiple-

continued on page 10

#### **HEADQUARTERS UPDATE**

continued from page 8

based format. The FE exam development committee, which is one of the larger committees, sometimes includes as many as 100 volunteers in the building. NCEES staff has had to spend days setting up and then breaking down as many as 80 laptops for the committee's work.

NCEES employed an architect to conduct a work study and recommend any needed changes to the building. The architect provided two potential options for significant renovations to the building. Both would provide the additional space required for computer labs, conference areas, and common space.

Because the NCEES facility is on land leased from Clemson University, the proposed alterations are subject to review and approval by Clemson officials. During a review of the proposed alterations, these officials indicated that the university may be interested in purchasing the current NCEES facility and

providing a new site on Clemson property for NCEES to build a new facility.

These discussions are in early stages, and many issues must be discussed and agreed on before NCEES moves forward. We will keep you apprised of the progress of these discussions and the final decision on whether we make alterations to the current facility or are able to come to an agreement with Clemson University and construct a new facility. As we make changes and improvements, NCEES will remain committed to ensuring these decisions move the organization forward.

#### FROM THE PRESIDENT

continued from page 9

choice questions, in which examinees choose one correct answer. The new question formats include

- Drag and drop (move tokens onto targets)
- Fill in the blank
- Multiple choice/multiple correct (such as "select all that apply")
- Point and click (identify a spot on a drawing or figure)

NCEES has developed helpful videos to explain how AIT items work and what candidates can expect during their computer-based exam. These are posted at ncees.org/cbt.

Much of the Council's resources, in terms of financial support and volunteer hours, have gone into making these changes. We changed the exam format and added AITs to provide a better testing experience and to better test for minimum competence, which allows our member licensing boards to better protect the public. The move to CBT has been a long journey, with more miles to go, but it has been a journey worth taking.

#### **CBT** conversion plan

The following schedule is tentative. Official notification for each exam will be provided 12 months in advance.

#### LOFT exams (year-round administration)

- Completed: FE (7 disciplines), FS, PS, and PE Chemical
- **2019:** PE Environmental
- **2020:** PE Mechanical (3 disciplines)
- 2021: PE Electrical and Computer (Power discipline only)
- **2023:** PE Civil (5 disciplines)

#### LFF exams (single-day administration)

- **2018:** PE Nuclear
- **2019:** PE Petroleum
- **2020:** PE Fire Protection and PE Industrial and Systems
- 2021: PE Agricultural and Biological,
  PE Electrical and Computer (Computer discipline and
  Electronics, Controls, and Communications discipline),
  and PE Mining and Mineral Processing
- 2022: PE Architectural, PE Control Systems,
  PE Metallurgical and Materials, and
  PE Naval Architecture and Marine

#### Format to be determined

**2024:** SE (2 modules)

#### **UPCOMING**

# **EVENTS**

#### April 5-6

Western Zone Interim Meeting Honolulu, Hawaii

#### April 6-7

FE Exam Meeting Clemson, South Carolina

#### April 13-14

Pencil-and-Paper Exam Administration

PE Structural Exam Meeting Clemson, South Carolina

#### April 19-21

Southern Zone Interim Meeting Charlottesville, Virginia

#### April 20-21

PE Chemical Specification Development Meeting Orlando, Florida

PE Civil Exam Meeting Clemson, South Carolina

#### April 25-26

PE Fire Protection Exam Meeting Clemson, South Carolina

#### May 3-5

Central Zone Interim Meeting Rapid City, South Dakota

#### May 4-5

PE Mechanical Exam Meeting Clemson, South Carolina

#### May 8-9

PE Petroleum Exam Meeting Houston, Texas

#### May 17-19

Northeast Zone Interim Meeting Portland, Maine

#### May 18-19

PE Control Systems Exam Meeting and PE Electrical and Computer Exam and PE Environmental Exam Standard-Setting Studies Clemson, South Carolina

PE Architectural Exam Standard-Setting Study Reston, Virginia

#### May 20-21

Board of Directors Meeting Portland, Maine

#### May 31-June 2

SE Exam Scoring Workshop Clemson, South Carolina

#### **NCEES NOTICES**

- Member board members, emeritus members, and associate members should have received copies of the 2017 annual meeting minutes, annual report, and *Squared*. If you did not receive printed copies, email editor@ncees.org. A PDF of the minutes are posted in the Board Resources section of the NCEES website, and the annual report and *Squared* are available at ncees.org/annualreport.
- A correction has been made to page 32 of the 2017 NCEES annual meeting minutes. In the motion presented by the California board, the full wording of the Maryland surveying board's friendly amendment is not shown: "a depth module" should have been amended to "one or more depth modules." The wording for this friendly amendment is noted correctly in the action for the motion. The amendment has been corrected in the PDF posted in the Board Resources section of the NCEES website.

#### MEMBER BOARD NEWS

**DELAWARE PE** Past member Hugh Mahaffy passed away July 21, 2017, at the age of 95.

**DISTRICT OF COLUMBIA** Roland Carter is a new appointee. Ernest Boykin is no longer a member.

**HAWAII** Clayton Pang is no longer a member.

**IDAHO** Former member Clyde Porter passed away January 26, 2018, at the age of 79.

**KENTUCKY** James Bertram is a new appointee. Robert Fentress is no longer a member.

MASSACHUSETTS Emeritus member Harold William Flood passed away January 9, 2018, at the age of 95. Azuanuka (Azu) Etoniru, Joyce Hastings, Erin Joyce, and Joanne Linowes are new appointees. Scott Cameron, Edward Englander, Joel Goodmonson, and Peter Hale are no longer members.

MICHIGAN PE AND PS Kerry Przybylo is now the administrator for both boards.

**NEBRASKA PE** Brian Kelly and Daniel Thiele are new appointees. Michael Conzett and Thomas Laging are no longer members.

**NEW HAMPSHIRE PE** Joseph Shoemaker is the new board administrator.

**NEW HAMPSHIRE PS** Christine Horne is the new board administrator.

**NEW JERSEY** Gary Paparozzi is a new appointee. Barry Jones is no longer a member.

**NORTHERN MARIANA ISLANDS** Gregorio Castro is a new appointee.

**SOUTH CAROLINA** Henry Dingle is a new appointee. John Johnson is no longer a member.

**TENNESSEE PS** Jedidiah McKeehan is a new appointee. Betsy Sumerford is no longer a member.

**WYOMING** Michael Causey, Ken Nelson, and Robert Walters are no longer members.

**EMERITUS** The board of directors approved the following emeritus members at its February 2018 meeting. **Alaska:** Brian Hanson; **Indiana PE:** Mark Downey; **Louisiana:** Kevin Crosby, John (Billy) Moore; **Kentucky:** Robert Fentress; **Minnesota:** Lisa Hanni, Robin Mathews; **New Jersey:** Pushpavati Amin, Barry Jones

#### 2017-18 NCEES BOARD OF DIRECTORS/OFFICERS

Patrick J. Tami, P.L.S. President California

James J. Purcell, P.E. President-Elect New Jersey

Daniel S. Turner, Ph.D., P.E., P.L.S. *Past President* Alabama

Timothy W. Rickborn, P.E. *Treasurer* South Carolina

Maurice L. Bowersox, P.E. Central Zone Vice President Kansas

Paul J. Tyrell, P.E., P.L.S. Northeast Zone Vice President Massachusetts

Christopher P. Knotts, P.E. Southern Zone Vice President Louisiana

Brian R. Hanson, P.E. Western Zone Vice President Alaska

Jerry T. Carter Chief Executive Officer South Carolina

Licensure

#### **EXCHANGE**

A publication of the National Council of Examiners for Engineering and Surveying Comments or questions can be directed to editor@ncees.org.

Jerry T. Carter, CEO and Publisher

Keri B. Anderson, Manager of Corporate Communications

Jennifer L. Williams, Senior Editor

Kathryn B. Goforth, Senior Communications Specialist

Brittany D. Wilson, Graphic Designer

ISSN NO. 1093-541X VOLUME 22, ISSUE 2

All articles within *Licensure Exchange* may be reprinted with credit given to this newsletter and to NCEES, excluding those articles reproduced in *Licensure Exchange* with permission from an original source.

The ideas and opinions expressed in *Licensure Exchange* do not necessarily reflect the policies and opinions held by NCEES, its board of directors, or staff.

POSTAL NOTICE

Licensure Exchange is published bimonthly by NCEES, 280 Seneca Creek Road, Seneca, SC 29678-9214.

Periodicals postage paid at Clemson, SC 29633

Postmaster: Send address changes to Licensure Exchange, P.O. Box 1686, Clemson, SC 29633-1686



P.O. Box 1686 (280 Seneca Creek Rd) Clemson, SC 29633 USA 864-654-6824 PERIODICALS
POSTAGE PAID
CLEMSON, SC
29633



This year's interactive annual report website brings 2016–17 to life with photos from the year's events and interviews with NCEES members and leadership on the organization's various initiatives.

#### NCEES annual report and Squared now available

NCEES released two publications in February to tell the story of 2016–17. The 2017 annual report provides an overview of the organization's accomplishments and growth over the past fiscal year.

An interactive website, ncees.org/annualreport, accompanies the printed publication. It includes videos of interviews with NCEES members and leadership on the organization's various initiatives.

"The annual report theme is 'Focus,' and it explores the various paths that NCEES initiatives take the organization, all with a central focus of advancing licensure in order to safeguard the public," explained NCEES Chief Executive Officer Jerry Carter.

NCEES has also released the latest volume of *Squared*. This publication tells the story of 2016–17 through numbers: What are the pass rates for the FE? How many professional engineers and surveyors are licensed in each state? With statistics related to NCEES exams, the Records program, and engineering and surveying licensure, *Squared* focuses on answering these questions and more.

Explore the annual report and Squared online at ncees.org/annualreport.

# Correspondence SENT



BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS

> P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.1676 Fax: 907.465.2974

April 10, 2018

Ms. Karley Henrie North Wind Group 1425 Higham St. Idaho Falls, ID 83402

Dear Ms. Henrie:

The Board of Architects, Engineers, and Land Surveyors met on February 1-2, 2018 and discussed your question regarding whether or not the person designated in responsible charge on the Certificate of Authorization has to be an employee of that company.

The board determined current regulations do not require the person in responsible charge be a full time employee of the corporation, however per 12 AAC 36.185(c):

Each office maintained for the preparation of drawings, specifications, reports, or other professional work that will require a professional seal must have a registrant assigned to and regularly employed in that office who has direct knowledge and supervisory control of that work.

The registrant referenced in the above regulation, would fall under the direction or supervision of the person designated in responsible charge.

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS



BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS

> P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.1676 Fax: 907.465.2974

April 10, 2018

Ms. Tammy Spellacy 701Fifth Avenue, Suite 3600 Seattle, WA 98104

RE: Sealing of Documents & Designated Persons in Responsible Charge

Dear Ms. Spellacy:

The Board of Architects, Engineers, and Land Surveyors met on February 1-2, 2018 and discussed your question regarding an Alaska licensed design professional's ability to stamp/seal prepared documents if they are not designated in responsible charge on the firm's Certificate of Authorization.

After an extensive review of Alaska Statutes 08.48.241, the Board determined an Alaska licensed design professional may stamp documents even if they are not on the Certificate of Authorization based upon the reference to "other registered architects, engineers, land surveyors or landscape architects" that are "under the direction or supervision of the architect, engineer, land surveyor or landscape architect in responsible charge," (AS 08.48.241(b)(1)).

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS



BOARD OF REGISTRATION FOR ARCHITECTS, ENGINEERS AND LAND SURVEYORS

> P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.1676 Fax: 907.465.2974

April 10, 2018

Mr. Jake Maxwell, PLS 3101 West 34<sup>th</sup> Ave. #3 Anchorage, AK 99517

RE: Professional Seal Requirements for Final Legal Descriptions and Exhibits

Dear Mr. Maxwell:

The Board of Architects, Engineers, and Land Surveyors met on February 1-2, 2018 and discussed your request for a letter clarifying if the Municipality of Anchorage and private utility companies are exempt from professional licensure requirements, as stated in AS 08.48.341 (a)(13) related to Land Surveying.

I believe that you meant to ask about AS 08.48.331 (14) Practice of Land Surveying, which is the definition of Land Surveying. In general, the only entity that is exempt from state licensing statutes and regulations is the federal government, unless there exists a specific exemption in AS 08.48.331. All other state, municipal, and private entities are subject to licensing statutes and regulations and are regulated by the board.

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS



BOARD OF REGISTRATION FOR ARCHITECTS. ENGINEERS AND LAND SURVEYORS

> P.O. Box 110806 Juneau, Alaska 99811-0806 Main: 907.465.1676 Fax: 907.465.2974

April 10, 2018

Mr. Jake Maxwell, PLS 3101 West 34th Ave. #3 Anchorage, AK 99517

RE: Professional Seal Requirements for Final Legal Descriptions and Exhibits

Dear Mr. Maxwell:

The Board of Architects, Engineers, and Land Surveyors met on February 1-2, 2018 and discussed your request for clarification regarding sealing and signing requirements for final legal descriptions and exhibits.

In response to your question, does the creation of final legal descriptions and exhibits require a professional seal, the answer is yes.

Alaska Statute 08.48.221 Seals specifically states, "When a registrant issues final drawings, specifications, surveys, plats, plates, reports, or similar documents, the registrant shall stamp the documents with the seal and sign the seal."

If you have any additional questions, please forward them to our Executive Administrator, Alysia Jones (907.465.1676/ alysia.jones@alaska.gov).

Respectfully yours,

BOARD OF ARCHITECTS, ENGINEERS, AND LAND SURVEYORS

David Hale, PLS

# Correspondence RECEIVED

#### **AELS May 2018 Board Meeting**

#### Agenda Item XII - Correspondence Received

The following is a summary of the correspondence received/ items that will be discussed by the AELS board at the May meeting.

- A. Question: Engineering Scope of Practice The State of Alaska, Department of Administration, Division of Personnel and Labor Relations (DOPLR) staff are working with the Department of Environmental Conservation to update minimum qualifications for some of their positions and are requesting the board's input to better understand how different branches of engineering overlap and how projects are often multidisciplinary. Specific questions include:
  - 1. What HR needs to know is "what licenses are a related branch of Engineering". More specifically can Civil, Mechanical, or Chemical Engineering be considered related branches of engineering to environmental engineering?
  - 2. Is an employee/subordinate with an ABET accredited B.S. in Civil, Chemical, or Mechanical engineering allowed to perform environmental engineering under the direct supervision of a person registered as an Environmental Engineer?
  - 3. Is an applicant with an ABET accredited B.S. in Civil, Chemical, or Mechanical engineering eligible to sit for Environmental Engineering exam and become licensed as an Environmental Engineer provided they work under the direct supervision of an Environmental Engineer and meet the experience requirements of 12 AAC 36.063?
  - **4.** Is there significant incidental practices and overlap between the Civil, Mechanical, Chemical, and
  - 5. Environmental engineering? For example on a water or wastewater treatment plant would it be likely to see a Civil design the structure, a mechanical design the pumping works, a Chemical engineer work on the treatment and corrosion control chemistry?
- **B.** Question: Mentoring Program A future applicant for registration as an Industrial Engineer lives in Alaska, but is unable to find a mentor in Alaska. The individual is asking the board for options on how to meet the requirements of the mentoring program, specifically whether or not teleconferences and/or virtual meetings with an Industrial Engineer located in Washington is acceptable.
- C. Question: Licensure requirements for Cathodic Protection Services AELS staff received a request for an exemption from Professional License requirements from a Cathodic Protection Services company wishing to obtain a business license in Alaska. The applicant stated he is exempt since a PE in Corrosion Engineering has not been offered for the last 18 years and indicated that the company only performs Cathodic Protection Services, which requires a NACE Cathodic Protection Specialist certification, but not a professional license.

- D. Request: Land Surveyor DOB information AELS staff received a FOIA request for date of birth information on Alaska-registered land surveyors in the hopes of generating an age range graphic for land surveyors to better understand the challenges facing the profession in the near future. Board member John Kerr, was Cc:ed on the initial request and suggested zip code information also be included. The requestor's hypothesis is that 70% or more are 60 or older. The Division does have birthdate information for licensees, however it does not maintain a list of birthdates, and in accordance with 2 AAC 96.210(b-c) is not required to create a new record. Upon denial of the request for "an age range graphic for Surveyors", the requestor indicated she is still interested in obtaining the DOB information. AELS staff explained the time and process required for gathering that information which would include opening and reviewing each of the 426 land surveyor records in the Division's licensing database and entering the DOB information into a spreadsheet. In order to proceed with responding to this request, Board approval is required.
- **E. Feedback: From URISA-Alaska on guidance manual draft language** At the February 2018 board meeting, member John Kerr stated that he had distributed DRAFT language for the guidance manual to several organizations for comment. URISA's response is provided on the following pages:

URISA-Alaska Feedback on AELS Guidance Manual draft guidance language for AS8.48.341

URISA-Alaska does not support the draft guidance language as written, and recommends adding clarification to the term 'planning', and defining activities that are excluded from the guidance language like those listed in the 2016 NCEES Model Rules excerpt below.

Specific concerns:

- The intent of the draft guidance language needs to be clarified with a list of exclusions, such as the creation and maintenance of:
  - o comprehensive parcel maps from surveys, deeds, and other records, provided they are clearly documented as non-survey products.
  - o GIS maps of structures, roads, topography, hydrography, and other physical features from photogrammetric, satellite, LiDAR, or other digital aerial survey products, provided they are clearly documented as non-survey products used for reference only.
  - o Comprehensive planning, zoning, area plan, and other maps typically created by planning departments to show land use and property development plans and restrictions. At times, such maps apply to only one property. As per above, these should also be clearly documented as non-survey reference products.
- The Geospatial Data Act is legislation that has been introduced in both the House and the Senate. Attempts to include Section 2 definitions of surveying that were too broad were rejected and removed from the current Senate and House versions of the bill, https://www.congress.gov/bill/115th-congress/senate-bill/2128 and https://www.congress.gov/bill/115th-congress/house-bill/4395 . The attached letter signed by dozens of professional organizations emphasizes the importance of geospatial technological and analysis industries to revenue, job growth, and government agencies.

The AELS draft guidance language conflicts with this outcome.

- There is an exemption for business internal use but not for government. Geospatial information systems analysts, professionals and users, especially those in government, would be negatively impacted by this.
- On "Using a GNSS/GPS device to control the operation of grading machinery (machine control) for land development ...". Narrowly interpreted, this could be taken to mean that a land surveyor license is required to operate a grader. AELS needs to be mindful of the broader implications of such guidance language.

Technological advances have made possible the development of many geospatial products, including structure from motion, delineation of contours from elevation point clouds, volumetric measuring, and more. These are complementary to the surveying workflow, as they can identify and focus surveying efforts where they are most needed, and provide broad-scale solutions where surveying would be cost prohibitive, as in statewide and regional datasets. An example of this is USGS topographic maps. GIS Professionals operating in the realm of analysis, display and data management including systems design, administration and data distribution deliver unique products with different purpose and intent than survey plats. It is vital to recognize this intent and the specialization of these complementary professions, which together generate powerful information and insights.

#### Agenda Item XII - Correspondence Received continued

- F. Stamping Requirements for AHERA projects A health and safety company that performs inspections on public and commercial buildings for asbestos, lead, and other potential hazardous materials and indicated they routinely work with architects and engineers as part of a design team and create hazardous materials removal drawings for inclusion in a bid set. The mechanical engineer on staff is preparing for retirement and the company is inquiring if they can use an AHERA Project Designer stamp in place of a licensed professional engineer, legally in the State of Alaska.
- **G.** Request: Recognize Forest Engineering/ Logging Engineering The AELS board has been asked to recognize Forest Engineering as one of its disciplines that it regulates in the State of Alaska.
- **H.** Question: Sealing change orders A registrant contacted AELS staff requesting clarification on whether the following practices are acceptable to the board:
  - 1. If a registrant has signed their final design documents (drawings and specifications), do they have to sign construction change orders, requests for information (RFIs), design clarification/verification requests (DCVRs), reviewed shop drawings, reviewed submittals, etc. when the registrant has changed the design from the final design documents by use of the instruments stated?
    - For example, the change in the design could be contained in the (a) technical description of the change order, (b) answer to the RFI or DCVR, (c) review comments on a shop drawing or submittal or (d) approval of a shop drawing or submittal that differed from the design where the designer noted and approved the change on the shop drawing or submittal.
  - 2. In practice, it has been at the discretion of the registrant to determine when they need to change the final design documents and re-issue them (with a new seal) due to a change in the design. Common practice is to re-issue drawings or specifications for major design changes or when the registrant believes it is necessary to re-issue in order to prevent confusion about how the design is being changed.

# Presentation: NCARB Education Guidelines



# **Education** Guidelines

Introduction	2
What is the Education Requirement?	2
For Initial Licensure	2
For NCARB Certification	2
The Education Standard	2
About NCARB	3
NCARB Services	3
Registration (Licensure)	4
NCARB Certification	5
Accrediting Boards	6
Satisfying the Education Requirement	7
Foreign-Educated Applicants	8
Licensure for Foreign-Educated Applicants	9
Certification for Foreign-Educated Applicants	11

The Education Alternative to	
NCARB Certification	12
Steps to Certification for Education Alternative Applicants	13
The Education Evaluation	
Services for Architects	17
About EESA	18
The EESA-NCARB Education Evaluation	18
When an EESA-NCARB Education Evaluation is Required	18
The EESA Evaluation Process	19
Ways to Fulfill Your Education Deficiencies	19
Applying for the EESA-NCARB Education Evaluation	20
Request for Reconsideration of an	
EESA-NCARB Education Evaluation Report	20
Appeal of a Denial of a Request for Reconsideration	
of an EESA-NCARB Education Evaluation Report	2

The Education Standard	22
About the NCARB Education Standard	23
General Education	24
History and Theory, and Human Behavior	25
Building Practices	26
Design	27
Professional Practice	29
Optional Studies	30
Resources	31

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### INTRODUCTION

#### What is the Education Requirement?

#### **For Initial Licensure**

A professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) is the most accepted way (and sometimes the only way) to satisfy U.S. jurisdictions' education requirements.

Each jurisdiction sets its own specific education requirements, so the type of degree you earn may also have an impact on whether you can become licensed in multiple jurisdictions. These requirements may change, so it's a good idea to check in with your individual board to verify their standards.

#### For NCARB Certification

In order to gain an NCARB Certificate, you must meet NCARB's education requirement by earning a professional degree in architecture from a program accredited by the NAAB or the CACB. Program accreditation must have occurred not more than two years after your graduation or without revocation for two years or less before your graduation. A professional degree in architecture certified by the CACB from a Canadian university also meets the education requirement.

There are two alternative ways to satisfy the education requirement for NCARB certification:

- Satisfy the requirements as specified for the education alternative.
- Hold a degree in the field of architecture that is not accredited by NAAB or CACB, and obtain an EESA-NCARB Education Evaluation report stating that you have satisfied the NCARB Education Standard.

#### **The Education Standard**

The NCARB Education Standard is an approximation of a first professional degree from a NAAB-accredited degree program. It includes general studies, professional studies, and optional studies, which together comprise a liberal education in architecture. A detailed description of the subject areas and the number of semester credit hours required in each subject area is available in the NCARB Education Standard in this document.

INTRODUCTION

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### INTRODUCTION

#### **About NCARB**

The National Council of Architectural Registration Boards (NCARB) is a global leader in architectural regulation, dedicated to helping professionals reach their career goals, providing key data about the path to licensure, and protecting the public's health, safety, and welfare.

We are a nonprofit organization made up of the architectural licensing boards of 54 states and territories. While each jurisdiction is responsible for regulating the practice of architecture within its borders, NCARB develops and administers national programs for licensure candidates and architects to ensure they have the mobility to go wherever their career takes them.

To accomplish this, NCARB recommends and encourages national requirements for architectural licensure. We develop and recommend standards for the 54 licensing boards, who then issue licenses to applicants who meet their specific registration requirements.

#### **NCARB Services**

NCARB exists to help you advance from student to practicing architect, so our services span the many phases of your career—think of us as your professional guide. Whether you're navigating the Architectural Experience Program™ (AXP™), completing the Architect Registration Examination® (ARE®), or earning your NCARB Certificate, NCARB is here to help.

And with our secure digital filing system, we can store all your major milestones, including official transcripts, employment history, examination successes, and more—a safe record of all of your achievements and accomplishments, ready to be transmitted to the jurisdiction of your choice.

#### — NCARB Mission

NCARB protects the public's health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects.

#### **EDUCATION GUIDELINES**

**INTRODUCTION** 

**SATISFYING** THE EDUCATION **REQUIREMENT** 

> **FOREIGN-EDUCATED APPLICANTS**

THE EDUCATION **ALTERNATIVE** 

**EESA** 

THE NCARB **EDUCATION STANDARD** 

RESOURCES

INTRODUCTION

#### Registration (Licensure)

Before you can officially call yourself an architect, you have to earn your license. Once you do, you'll prove to your firm and your community that you're able to protect the health, safety, and welfare of those who live and work in the built environment. Each licensing board has its own set of requirements, but navigating them doesn't have to be complicated. NCARB has developed a number of tools and resources to help you succeed in meeting your jurisdiction's specific standards in the following three areas:







#### **Education**

The recommended first step to becoming an architect is finding a school that offers a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB).

With over 120 schools to choose from, the NAAB can help you find a school that fits your vision—or you can take advantage of the other education requirements that some jurisdictions offer.

Ready to start your education in architecture? All the information you need can be found in this document.

#### **Experience**

Licensure candidates also have to gain experience under the supervision of a practicing architect. The Architectural Experience Program<sup>™</sup> (AXP<sup>™</sup>) provides the framework to guide you through earning and recording your professional experience covering everything from site design to project management. And you can start reporting experience after graduating high school or an equivalent.

We know you'll be busy learning the ins and outs of architecture. That's why we offer a number of tools—including a free mobile app—that can help you log experience hours and understand the program requirements. And since completing the AXP is a core component for certification, you'll be on your way to earning your NCARB Certificate, too.

More information about earning experience can be found in the AXP Guidelines.

#### **Examination**

Another key part of becoming an architect is demonstrating your knowledge through the Architect Registration Examination® (ARE®). With exam divisions that are designed to reflect the current profession, the ARE ensures that you're ready to practice architecture independently. Passing the exam is another big step toward finally getting that license.

Whenever you need a helping hand, our tips, guides, and inspiring success stories are there to make sure you have what you need to get it done. To learn more about the exam and start planning, read the ARE Guidelines.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### INTRODUCTION

#### **NCARB** Certification

Following initial licensure, obtaining an NCARB Certificate ensures you can get the most out of your career in architecture. It provides mobility and signifies that you have met the national standards that guide the 54 licensing boards. With an NCARB Certificate in hand, it's simpler to get licensed across jurisdictions—allowing you the freedom and flexibility to pursue your career and connect with clients regardless of location.

#### **Benefits of the Certificate**

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

#### **NCARB CREDENTIAL**

Obtaining and maintaining an NCARB Certificate demonstrates that you've met national standards. You can now use the letters "NCARB" after your name.

#### **RECIPROCITY**

The Certificate streamlines the process for obtaining a license in a new jurisdiction.

#### **MOBILITY**

Gaining reciprocity in multiple jurisdictions allows you the freedom to go wherever the work takes you.

#### **COMPETITIVE EDGE**

Setting yourself apart from other architects can be key for your career; the greater flexibility you'll enjoy as a Certificate holder is often an important factor for firms when hiring and promoting.

#### **SECURITY**

As an NCARB Certificate holder, you don't have to worry about record keeping—all your information is stored on our secure server, ready whenever you need it.

#### FREE CONTINUING EDUCATION

Earning continuing education hours in Health, Safety, and Welfare (HSW) has never been easier, thanks to NCARB's online Mini-Monograph Series—free for Certificate holders!



For more information about how to access all the opportunities the NCARB Certificate has to offer, read the *Certification Guidelines*.

### EDUCATION GUIDELINES

**MAY 2017** 

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### INTRODUCTION

#### **Accrediting Boards**



#### **About NAAB**

The National Architectural Accrediting Board (NAAB) establishes the criteria by which professional degree programs in architecture in the United States are evaluated, and accredits programs that meet those standards. NAAB also administers the Education Evaluation Services for Architects (EESA) program on NCARB's behalf. NAAB and NCARB are collateral organizations; however, NAAB is an independent organization and is not affiliated with any architectural registration board.

Since most state registration boards in the United States require applicants for registration to have graduated from a NAAB-accredited or CACB/CCCA-accredited program, obtaining such a degree is an essential aspect of preparing to become an architect. While graduation from a NAAB-accredited or CACB/CCCA-accredited program does not assure registration, the accrediting process is intended to verify that each accredited program substantially meets standards that, as a whole, comprise an appropriate education for an architect.



#### **About CACB/CCCA**

Canadian Architectural Certification Board/Conseil canadien de certification en architecture (CACB/CCCA) establishes the criteria by which professional degree programs in architecture in Canada are evaluated, and accredits programs that meet those standards

#### **INTRODUCTION**

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

# Satisfying the Education Requirement

#### **For Initial Licensure**

A professional degree in architecture from a NAAB- or CACB/CCCA-accredited program satisfies NCARB's recommended education requirement for initial and reciprocal registration in most U.S. and Canadian jurisdictions.

If you received your education in a foreign country, refer to our **Foreign-Educated Applicants** section.

#### **For NCARB Certification**

Before you receive your NCARB Certificate, you must be licensed and satisfy the NCARB education requirement. In order to meet this requirement, you must:

- Hold a professional degree in architecture from a program accredited by NAAB or CACB/CCCA no later than two years after graduation;
- Hold a professional degree in architecture from a program that retained its accreditation, without revocation, to a time two years or less before your graduation;
- Hold a professional degree in architecture, certified by the CACB/CCCA, from a Canadian university; or
- Have an EESA-NCARB education evaluation report that indicates satisfaction of the NCARB Education Standard.

A professional degree may be a Bachelor of Architecture, a Master of Architecture, or a Doctor of Architecture. For a list of accredited programs, click **here**.

Degrees in architectural studies, Master of Architecture degrees from non-NAAB accredited programs, and degrees in related fields do not satisfy the education requirement for NCARB certification.

If you do not have a professional degree in architecture from a NAAB- or CACB/CCCA-accredited program, refer to the **Education Alternative** section.

#### **INTRODUCTION**

**SATISFYING** THE EDUCATION **REQUIREMENT** 

> **EDUCATED APPLICANTS**

THE EDUCATION **ALTERNATIVE** 

**EESA** 

THE NCARB **EDUCATION STANDARD** 

**RESOURCES** 

# Foreign-Educated Applicants

If you have a recognized education credential in architecture in a country other than the United States or Canada, you may be able to satisfy the NCARB recommended education requirement for initial licensure by having your education evaluated through the Education Evaluation Services for Architects (EESA).

**Keep in mind:** U.S. jurisdictions have different requirements, so check with the jurisdiction you would like to be registered in to verify registration and practice requirements.

If you have a recognized education credential in architecture in a country other than the United States or Canada and are licensed to practice architecture in a foreign country with unlimited practice, you may seek NCARB certification through the foreign architect path as outlined in the Certification Guidelines. Or, you may seek NCARB certification through the standard process by meeting the education, experience, and examination requirements.

**Licensure for Foreign-Educated Applicants Certification for Foreign-Educated Architects**  **EDUCATION GUIDELINES** 

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

FORFIGN-FDUCATED APPLICANTS

#### Licensure for Foreign-Educated Applicants

The process for initial licensure varies from jurisdiction to jurisdiction; however, in most U.S. jurisdictions, you will need to do the following:

#### START AN NCARB RECORD

- ➤ Go to <u>www.ncarb.org</u> and click "Create new account." Create new account information, and then add the "NCARB Record" service.
- Fill out all of the requested information, including the payment method. If you are interrupted or need additional information to complete the application, you can save the information and return later to complete the process.
- Once you click on "Submit" you will receive two emails. The first email will confirm acceptance of your payment. The second email will give you your NCARB Record number, and advise you what transcripts and employment verifications are required. The email will include links to the forms you will need to download from the NCARB website.

#### ▲ Fees for Foreign-Educated Applicants for Licensure

Record Application: \$100

**EESA Evaluation:** This fee is charged by and paid directly to NAAB. Please visit the **NAAB website** for more information.

#### How to begin the EESA process:

- Log in to your NCARB Record and request eligibility to apply.
- If eligible, you will receive notification from NCARB to complete the application and pay the EESA fee to NAAB through the NCARB site.
- NAAB will evaluate your application and notify you of next steps and their decision.

**Please note:** Fees for an EESA and an NCARB Record are subject to change. Please confirm current fees with NAAB and NCARB.

#### Already have an NCARB Record?

Please check your status by accessing your Record online **here.** 

#### **Need Assistance?**

#### **NCARB Customer Relations**

EMAIL: customerservice@ncarb.org

**PHONE:** 202-879-0520 **MONDAY—FRIDAY** 8:30 a.m.—5:30 p.m. est

#### Letters may be addressed to:

NCARB Customer Relations 1801 K Street NW, Suite 700K Washington, DC 20006



#### Licensure for Foreign-Educated Applicants

**INTRODUCTION** 

**SATISFYING** THE EDUCATION **REQUIREMENT** 

**APPLICANTS** 

THE EDUCATION **ALTERNATIVE** 

**EESA** 

THE NCARB **EDUCATION STANDARD** 

**RESOURCES** 

#### **OBTAIN AN EESA-NCARB EDUCATION EVALUATION**

If you have a recognized education credential in architecture in a country other than the United States or Canada, and your degree meets the requirements for licensure in that country, you can obtain an EESA-NCARB Education Evaluation to determine if you meet the NCARB Education Standard.

If your EESA-NCARB Education Evaluation report indicates that you have met the NCARB Education Standard, you will have satisfied the NCARB recommended education requirement for licensure, and you may have met the education requirement for initial licensure in a U.S. jurisdiction.

If your report identifies deficiencies, you will need to complete additional education. The FESA website has instructions on how to satisfy the deficiencies identified in your EESA-NCARB Education Evaluation report. For more information go to www.naab.org/eesa.

If you have a degree in architecture from a NAAB- or CACB/ CCCA-accredited program, you may have satisfied the education requirement and do not need to have your foreign education evaluated by EESA.

▲ There are jurisdictions that do not currently accept an EESA evaluation of foreign education for initial licensure. Registration requirements, including reciprocal registration, may change. It is always advisable to check with the individual board to verify registration and practice requirements.

#### **DOCUMENT YOUR EXPERIENCE**

Document your experience to satisfy the Architectural Experience Program (AXP) requirement or alternative requirements as specified in the AXP Guidelines using the online reporting system. The architect who supervised you at the time you completed the experience must approve your reports. You may also satisfy the experience requirement by fulfilling the alternatives to the AXP experience requirement specified in the AXP Guidelines.

Please note that formal completion of the AXP is the nationally recognized standard for satisfaction of the experience requirement. Using an alternative method to satisfy the experience requirement may not be accepted for registration by all U.S. registration boards.

#### TAKE THE EXAMINATION

You must have completed the Architect Registration Examination (ARE), or its then-current predecessor (see Appendix B of the *Certification Guidelines*) to satisfy the examination requirement. NCARB will request an official examination history report from the registration board where you were initially licensed.

EDUCATION GUIDELINES

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

FORFIGN-FDUCATED APPLICANTS

#### Certification for Foreign-Educated Applicants

Once you have received an initial license in a U.S. jurisdiction and met NCARB's education, experience, and examination requirements, you will need to do the following to complete your path to certification:

#### FINAL EVALUATION OF YOUR NCARB RECORD AND CERTIFICATION

After you complete the preceding steps, your NCARB Record will go through a final evaluation to ensure that all necessary information has been provided and all remaining requirements have been met. If any information is missing, you will need to send it to NCARB before you are approved for an NCARB Certificate. Once all the required information has been received and verified, your NCARB Certificate will be issued.

#### **Need Assistance?**

#### **NCARB Customer Relations**

EMAIL: customerservice@ncarb.org

**PHONE:** 202-879-0520 **MONDAY—FRIDAY** 

8:30 a.m.-5:30 p.m. EST

#### Letters may be addressed to:

#### **NCARB Customer Relations**

1801 K Street NW, Suite 700K Washington, DC 20006



**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

# The Education Alternative for Certification

The education alternative allows applicants with the required years of architectural practice in a U.S. jurisdiction to demonstrate, through experience, satisfaction of the education requirement for NCARB certification.

Steps to Certification for Education Alternative Applicants	13
Step 1: Start an NCARB Record	13
Request Transcripts	14
Document Your Experience	
Verify Your Examination and Registration History	14
Step 2: Education Alternative Eligibility	15
Step 3: Satisfy Education Deficiencies	15
Additional Education	15
Education Alternative	15
Documenting 2X AXP	15
NCARB Certificate Portfolio	15
NCARB Certificate Portfolio Review	16
Step 4: Final Evaluation of Your NCARB Record and Certification	16

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE FDUCATION ALTERNATIVE

#### Steps to Certification for Education Alternative Applicants

If you do not hold a professional degree in architecture from a NAAB-accredited program you may be able to meet the requirements of the *NCARB Education Standard* through the education alternative.

**Note:** The steps in this document reflect the process for the new alternative to the education requirement, which will be implemented in early 2017. Before beginning this process, please contact EducationAlternative@ncarb.org.

#### **Step 1: Start an NCARB Record**

- Go to <u>www.ncarb.org</u> and click "Create New Account." Skip to the new account information and enter the required fields.
- Verify your account.
- Once you are logged into "My NCARB," add the NCARB Record service. Fill out all required information, including method of payment.
- If you are interrupted or need additional information to complete the application, you can save the information and return later to complete the process.
- Once you click "Submit," you will receive two emails. The first email will confirm acceptance of your payment. The second email will assign your NCARB Record number and provide further instructions.
- In order to establish an NCARB Record, you must complete the application and submit payment. You will not receive your NCARB Record number until you have completed the application including payment.

#### Fees for the Education Alternative process

**New Certificate Application Fee: \$1,100** 

**NCARB Certificate Portfolio Review: Free!** 

**EESA Evaluation:** If an EESA is required, this fee is charged by and paid directly to NAAB. Please visit the www.naab.org for more information.

#### Already have an NCARB Record?

Please check your status by accessing your Record online here.

#### **Need Assistance?**

#### **NCARB Customer Relations**

EMAIL: customerservice@ncarb.org

**PHONE:** 202-879-0520 **MONDAY—FRIDAY** 

8:30 a.m.-5:30 p.m. EST

#### Letters may be addressed to:

#### **NCARB Customer Relations**

1801 K Street NW, Suite 700K Washington, DC 20006

SATISFYING THE EDUCATION REQUIREMENT

**INTRODUCTION** 

FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE FDUCATION ALTERNATIVE

#### Steps to Certification for Education Alternative Applicants

#### ... STEP 1: START AN NCARB RECORD CONTINUED

#### **REQUEST TRANSCRIPTS**

Download and mail the <u>transcript request form</u> and any fee to your school(s). The school must submit your transcript directly to NCARB. NCARB will only accept an official transcript submitted by the school. A transcript is required for determination of eligibility and requirements in step 2.

#### **DOCUMENT YOUR EXPERIENCE**

Document your experience to satisfy the Architectural Experience Program (AXP) requirement or alternative requirements as specified in the *Certification Guidelines* using the *online* reporting system.

The architect who supervised you at the time you completed the experience must approve your experience reports. You may also satisfy the experience requirement by fulfilling one of the alternatives to AXP specified in the *Certification Guidelines*. Please note that formal completion of the AXP is the nationally recognized standard for satisfaction of the experience requirement. Using an alternative method to satisfy the experience requirement may not be accepted for reciprocal registration by all Member Boards.

Completion of the AXP verifies that you have met the experience requirement for certification.

#### **VERIFY YOUR EXAMINATION AND REGISTRATION HISTORY**

NCARB must receive a Certification of Registration and Examination History report from the registration board where your examination history is held, as well as from all state and provincial boards where you hold an active registration. This report verifies that you have met the NCARB examination and registration requirements for certification.

NCARB will send a form requesting the report directly to the registration board. In the event a fee is required, we will send the report request form to you so that you can send it to the board with the required fee.

If you are a **U.S., Canadian, or foreign registered architect** documenting your experience to satisfy the AXP experience requirement for NCARB certification, the **reporting** requirement does not apply to you. This rule is only applicable to unlicensed individuals.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE FDUCATION ALTERNATIVE

# Steps to Certification for Education Alternative Applicants

#### **Step 2: Education Alternative Eligibility**

To be eligible for the education alternative, you must hold a current registration from a U.S. jurisdiction and have architectural experience as a registered architect for a minimum of three years without disciplinary action.

Once eligibility is confirmed, you will satisfy the education requirement for certification through one of two prescribed methods outlined in step 3.

#### **Step 3: Satisfy Education Deficiencies**

There are two ways to satisfy your education deficiencies: additional education or completion of the education alternative by one of the prescribed methods outlined below.

#### 1. Additional Education

Applicants may take additional courses to satisfy education deficiencies (see <u>page 19</u> for information on satisfying education deficiencies through additional education).

#### 2. Education Alternative

Your level of education will determine your requirements for satisfaction of the education alternative as indicated below.

- ➤ **Documentation of AXP:** If you have earned a four-year architecture-related degree, as determined by NCARB, you will need to document two times (2X) AXP; or
- ➤ NCARB Certificate Portfolio: If you do not have a four-year architecture-related degree, as determined by NCARB, you will be required to submit work experience through an online portfolio that satisfies education deficiencies.

#### **DOCUMENTING 2X AXP**

Applicants who have a four-year architecture-related degree are required to document two times the AXP's requirements (7,480 hours), which is two times each experience area as outlined below. Any hours already approved will count toward this requirement. Architects who need to fulfill this requirement are not limited by the reporting requirement, and may submit eligible experience from any point in the past, pre- or post-licensure. All experience must be in accordance with the *AXP Guidelines*.

#### **Experience Areas**

The six AXP experience areas and the required 2X hours are:

- ➤ Practice Management: 160 Hours x 2 = 320 Hours
- ➤ Project Management: 360 Hours x 2 = 720 Hours
- ➤ Programming & Analysis: 260 Hours x 2 = 520 Hours
- ➤ Project Planning & Design: 1,080 Hours x 2 = 2,160 Hours
- ➤ Project Development & Documentation: 1.520 Hours x 2 = 3.040 Hours
- Construction & Evaluation: 360 Hours x 2 = 720 Hours

#### NCARB CERTIFICATE PORTFOLIO

The NCARB Certificate Portfolio allows you to submit work experience (completed post-licensure) to satisfy education deficiencies identified in your EESA. If you are not required to obtain an EESA, you must satisfy all subject areas of the *NCARB Education Standard*. NCARB will send you a detailed description of the required format and instructions for submitting your portfolio.

**FOREIGN-EDUCATED APPLICANTS** 

THE EDUCATION

**EESA** 

THE NCARB **EDUCATION STANDARD** 

**RESOURCES** 

#### THE FDUCATION ALTERNATIVE

# Steps to Certification for Education Alternative Applicants

#### ... STEP 3: SATISFY EDUCATION DEFICIENCIES CONTINUED

You are not required to submit a portfolio if your EESA-NCARB Education Evaluation report:

- Identified no deficiencies:
- > Identified only general education deficiencies, and you hold a baccalaureate degree from a U.S. regionally accredited institution of higher learning;
- > Identified deficiencies that you subsequently satisfied through additional education.

#### **Obtain An EESA-NCARB Education Evaluation**

An EESA-NCARB Education Evaluation will be required if you do not have a four-year architectural-related degree and have 64 or more semester credit hours (or 96 guarter credit hours) of post-secondary education. NCARB will determine whether or not your four-year degree meets the architecture-related criteria.

If your education does not meet the **NCARB Education Standard**, then the EESA-NCARB Education Evaluation report will identify specific areas in which your education is deficient. If your EESA-NCARB report states that you have met the NCARB Education Standard, then you have met the education requirement for certification.

If you have fewer than 64 semester credit hours (or 96 quarter credit hours) of postsecondary education, you do not need an EESA-NCARB Education Evaluation, but must satisfy all subject areas of the NCARB Education Standard.

#### NCARB CERTIFICATE PORTFOLIO REVIEW

You will upload exhibits to your NCARB Certificate Portfolio through your NCARB Record. Once all subject areas have been addressed, the portfolio will be assigned to two trained volunteer architect reviewers. The reviewers will determine if you have adequately addressed your education deficiencies. You may be requested to provide additional documentation or answer any questions about the work from the reviewer(s).

Once your portfolio is approved, you will have satisfied the requirements of the education alternative. The time required to complete the portfolio review will vary depending upon the number of deficiencies and the need for additional documentation

#### **Step 4: Final Record Evaluation And Certification**

After completion of the education alternative, whether through documentation of 2X AXP or approval of an NCARB Certificate Portfolio satisfying the NCARB Education Standard, you will be recommended for certification. Your NCARB Record will go through a final evaluation to ensure that all necessary information has been provided and all requirements have been met. If any information is missing, you will need to send it to NCARB before you are approved for an NCARB Certificate.

Once all the required information has been received and verified, your NCARB Certificate will be issued

A Requirements for reciprocal registration vary between jurisdictions and not all jurisdictions accept an NCARB Certificate issued through satisfaction of the education requirement through the education alternative. You should confirm specific requirements for reciprocal licensure directly with the individual registration board where you would like to be registered.

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

# Education Evaluation Services for Architects

This section provides an overview of the Education Evaluation Services for Architects (EESA) and the EESA-NCARB Education Evaluation process.

About EESA	18
The EESA-NCARB Education Evaluation	18
When an EESA-NCARB Education Evaluation is Required	18
The EESA Evaluation Process	19
Ways to Fulfill Your Education Deficiencies	19
Applying for the EESA-NCARB Education Evaluation	20
Request for Reconsideration of an EESA-NCARB Education Evaluation Report	20
Appeal of a Denial of a Request for Reconsideration of an EESA-NCARB Education Evaluation Report	21



#### **About EESA**

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION
ALTERNATIVE

EES/

THE NCARB EDUCATION STANDARD

RESOURCES

#### **EESA**

The Education Evaluation Services for Architects (EESA) is administered by NAAB. It was established to assist applicants who do not have a professional degree in architecture from a NAAB- or CACB/CCCA-accredited program who wish to apply for NCARB certification or for registration with an NCARB Member Board. EESA evaluates the education of architects licensed in a U.S. jurisdiction applying for certification through the education alternative and foreign-educated licensure candidates.

▲ You'll find more details about EESA at www.naab.org. Any questions about the EESA application process, required documents, and fees should be directed to NAAB at eesa@naab.org or 202-638-3372, or by writing:

#### **EESA**

National Architectural Accrediting Board, Inc. 1101 Connecticut Avenue, NW Suite 410 Washington, DC 20036

# The EESA-NCARB Education Evaluation

EESA evaluates an applicant's academic transcript in comparison with the <u>NCARB</u> <u>Education Standard</u>, an approximation of the requirements of the professional degree from a NAAB-accredited degree program. The EESA-NCARB Education Evaluation report states which areas of the <u>NCARB Education Standard</u> have been met and which areas (if any) are deficient.

If I have a Bachelor of Architecture degree from a foreign program and a Master of Architecture degree from a NAAB-accredited program in the United States, will I be required to get an EESA-NCARB Education Evaluation?

No, if you have a professional degree in architecture from a NAAB- or CACB/ CCCA-accredited program you satisfy the education requirement for NCARB certification and do not need to have your foreign education evaluated by EESA.

# When an EESA-NCARB Education Evaluation is Required

You will need an EESA-NCARB Education Evaluation if:

- ➤ You are an education alternative applicant without a four-year architectural-related degree and at least 64 semester credit hours (or 96 quarter credit hours) of post-secondary education; or
- You have a professional degree in architecture from a country other than the United States or Canada, and your degree meets the requirements for licensure in that country.

You do not need an EESA-NCARB Education Evaluation if:

- You are an education alternative applicant with a four-year architecturerelated degree;
- ➤ You are an education alternative applicant with fewer than 64 semester credit hours (or 96 quarter credit hours) of post-secondary education; or
- ➤ You are seeking NCARB certification through the foreign architect path, unless NCARB has specifically requested an EESA-NCARB Education Evaluation.

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EES**A

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### FDUCATION EVALUATION SERVICES FOR ARCHITECTS

#### The EESA Evaluation Process

To fulfill the *NCARB Education Standard*, you need a total of 150 semester credit hours or 225 quarter credit hours (one semester credit hour equals 1.5 quarter credit hours). The minimum semester credit hours in each subject area total 138 semester credit hours. You may take the additional 12 semester credit hours in any one or more of the five subject areas and/or in elective subjects. Acceptable elective subject areas include architecture, business administration, computer science, engineering, interior design, law, public administration, and other courses that in the opinion of NAAB are acceptable toward the elective requirement. You'll find a detailed description of the subject areas and the number of semester credit hours required in each subject area in the *NCARB Education Standard*.

Your secondary education and continuing education will not be evaluated by EESA, as it is not eligible for satisfaction of the education requirement for NCARB certification.

#### **Ways to Fulfill Your Education Deficiencies**

If an EESA-NCARB Education Evaluation report states that an applicant has not met the *NCARB Education Standard* because of one or more deficiencies and you wish to satisfy those deficiencies through additional education, please refer to guidelines provided by NAAB at <a href="www.naab.org">www.naab.org</a>. NAAB will provide pre-approval of any proposed courses and determine if they will satisfy deficiencies. Information is included with the initial EESA-NCARB Education Evaluation report. When the deficiencies have been remedied, transcripts should be submitted to NAAB for a supplementary EESA-NCARB Education Evaluation. Updates to EESA-NCARB Education Evaluations are provided automatically online.

#### **Six Subject Areas**

EESA will compare your education to the six subject areas described in the NCARB Education Standard:

Subject Area	Semester Cred Hours Required
1. General Education	45 hours
2. History and Theory, and Human Behavior	12 hours
3. Building Practices	27 hours
4. Design	42 hours
5. Professional Practice	12 hours
6. Optional Studies	12 hours
TOTAL	150 hours



**INTRODUCTION** 

**SATISFYING** THE EDUCATION **REQUIREMENT** 

> **FOREIGN-EDUCATED APPLICANTS**

THE EDUCATION **ALTERNATIVE** 

THE NCARB **EDUCATION STANDARD** 

**RESOURCES** 

**FDUCATION EVALUATION SERVICES FOR ARCHITECTS** 

## Applying for the EESA-NCARB Education Evaluation

You can apply for an EESA-NCARB Education Evaluation online through your NCARB Record.

#### **Request for Reconsideration of** an EESA-NCARB Education **Evaluation Report**

Upon receipt of the EESA-NCARB Education Evaluation report, an applicant may request reconsideration of the evaluation results. When making a request for reconsideration, the applicant must be prepared to present evidence that either of the following is true:

- > The evaluation did not take into account factual evidence cited in the applicant's record as it was submitted for the evaluation, or
- > The evaluating team failed to comply substantially with established guidelines in the NCARB Education Standard and the departure significantly affected the evaluation.

Reconsideration of an EESA-NCARB Education Evaluation report may not be requested to redress failure of the applicant to provide information, including transcripts and course descriptions, to EESA in a timely manner when completing his/ her application.

Filing a request for reconsideration automatically delays transmittal of the results of the EESA-NCARB Education Evaluation to NCARB.

Reconsiderations are conducted by a team consisting of all EESA evaluators.



Initiating a Request for Reconsideration of an EESA-NCARB Education Evaluation report:

- a. The reconsideration must be requested by the applicant within 60 calendar days of receiving the EESA-NCARB Education Evaluation report.
- b. The request must be made in writing and sent to: NAAB Executive Director; The National Architectural Accrediting Board (NAAB); 1101 Connecticut Avenue NW, Suite 410; Washington, DC, 20036; USA.
- c. The request must identify the factual information not taken into account by the evaluator, or evidence that the evaluator failed to comply with established guidelines and that any such departure significantly affected the results of the evaluation.
- d. The request must be sent by certified mail, return receipt requested.
- e. All days refer to regular calendar days, excluding U.S. national holidays.

#### 2. Sequence of Reconsideration of an EESA-NCARB Education Evaluation report:

- a. Upon receipt of a request for reconsideration of an EESA-NCARB Education Evaluation report, the EESA manager shall review the applicant's request for reconsideration, the original evaluation results, and the applicant's educational credentials to determine whether the evaluation warrants reconsideration. The manager may reject a request for reconsideration if substantial evidence in support of the request is lacking, or if the applicant has failed to comply with the request for reconsideration guidelines stated herein.
- b. Should the EESA manager determine that a request for reconsideration is valid, the request—along with all the applicant's documents—will be assigned to the original evaluator and co-assigned to all other evaluators for review. Upon completion of the reconsideration evaluation, NAAB will issue a response letter and update the applicant's credit summary report, if necessary, with a copy to NCARB.
- c. If the EESA manager grants the request for reconsideration, there is no additional fee to the applicant for the reconsideration.
- d. The result of the reconsideration evaluation is final and may not be appealed further.

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

EES/

THE NCARB EDUCATION STANDARD

**RESOURCES** 

EDUCATION EVALUATION SERVICES FOR ARCHITECTS

# Appeal of a Denial of a Request for Reconsideration of an EESA-NCARB Education Evaluation Report

An applicant may appeal the response to a request for reconsideration only if the response resulted in a denial of reconsideration. Such appeals are made to the NCARB Education Committee. By entering an appeal process, the applicant agrees to accept the ruling of the NCARB Education Committee as final.

Appeals may only be made on the grounds that:

- The response to the request for reconsideration was not supported by sufficient factual evidence cited in the record; or that
- The EESA evaluators' review of the request for reconsideration failed to comply with established guidelines in the *NCARB Education Standard*, and the departure significantly affected the response to the request for reconsideration.

Failure of the applicant to provide information to EESA or the EESA evaluators in a timely manner does not provide a basis for requesting an appeal.

- 1. Initiating an Appeal of a Denial of a Request for Reconsideration of an EESA-NCARB Education Evaluation report:
  - a. To initiate an appeal, the applicant must send a written request to the NCARB Education Committee within 60 calendar days of receiving official notice of the response to the request for reconsideration. The appeal must include a copy of the specific response to the request for reconsideration.
  - b. The appeal must be sent to the NCARB Experience + Education Director; The National Council of Architectural Registration Boards (NCARB); 1801 K Street NW, Suite 700K; Washington, DC 20006; USA.
  - c. The appeal must identify the incorrect or insufficient factual information cited by EESA in support of the response to the Denial of a Request for Reconsideration of an EESA-NCARB Education Evaluation report or evidence of failure of the evaluator team to comply with established guidelines for evaluation and the departure significantly affected the response.
  - d. The appeal must be sent by certified mail, return receipt requested.
  - e. All days refer to regular calendar days, excluding U.S. national holidays.
  - f. The filing of an appeal automatically delays further processing of the applicant's NCARB Record.
  - 2. Appeal Sequence:
    - a. Upon receipt of an appeal, the NCARB Experience + Education Director shall review the appeal for compliance with the appeal process and requirements and whether grounds for an appeal exist.
    - b. If the appeal has merit, the appeal shall be reviewed by the NCARB Education Committee at the subsequent committee meeting; the committee's decision shall be communicated to the applicant within 30 calendar days of the committee meeting.
    - c. The NCARB Education Committee may make one of two decisions:
      - i. To deny the appeal and to let the decision of the EESA manager stand; or
      - ii. To grant the appeal and remand the application to EESA for a reconsideration evaluation
    - d. If the appeal is denied, the appeal shall not be reviewed by the NCARB Education Committee and no further consideration of appeals shall be entertained.

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

# The Education Standard

The NCARB Education Standard is the approximation of the requirements of a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB). It includes general studies, professional studies, and optional studies, which together comprise a professional liberal education in architecture.

Following are detailed descriptions of the subject areas and categories and the number of semester credit hours required.

About the NCARB Education Standard	23
1. General Education	24
2. History and Theory, and Human Behavior	25
3. Building Practices	26
4. Design	27
5. Professional Practice	29
6. Optional Studies	30

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

EES/

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE FDUCATION STANDARD

#### About the NCARB Education Standard

The NCARB Education Standard is the approximation of the requirements of a professional degree from a NAAB-accredited degree program. It includes general studies, professional studies, and electives, which together comprise a professional liberal education in architecture.

The NCARB Education Standard is the criteria for the EESA-NCARB Education Evaluation (described on page 18 of the Education Guidelines). An EESA-NCARB Education Evaluation is required for two types of applicants who are seeking to satisfy one of two alternatives to the education requirement for initial licensure or NCARB certification:

- Licensure candidates who have a recognized education credential in architecture from a country other than the United States or Canada and whose credential meets the requirements for licensure in that country.
- Architects for the Education Alternative who do not have a four-year architecture-related degree who have at least 64 semester credit hours (or 96 quarter credit hours) of postsecondary education.

The EESA-NCARB Education Evaluation process is described on <u>page 19</u> and the Education Alternative is described on <u>page 12</u> of the *Education Guidelines*. The education requirement for NCARB certification is described in the *Certification Guidelines*.

Subject Area and Category	Semester Credit Hour Requirement
General Education	45 Hours
A. Communication Skills	3 Hours Min. in English Composition
B. Humanities and Arts	N/A
C. Quantitative Reasoning	N/A
D. Natural Sciences	N/A
E. Social Sciences	N/A
History and Theory, and Human Behavior	12 Hours
A. History and Theory	6 Hours Min.
B. Human Behavior	3 Hours Min.
Building Practices	27 Hours
A. Structural Systems	6 Hours Min.
B. Environmental Control Systems	6 Hours Min.
C. Construction Materials and Assemblies	6 Hours Min.
D. Building Service and Building Enclosure Systems	3 Hours Min.
E. Technical Documentation	3 Hours Min.
F. Financial Considerations	3 Hours Min.
Design	42 Hours
A. Fundamental Design	8 Hours Min.
B. Programming and Site Design	8 Hours Min.
C. Research and Investigative Based Design	8 Hours Min.
D. Integrated Design	8 Hours Min.
Professional Practice	12 Hours
A. Stakeholder Roles in Architecture	3 Hours Max.
B. Project Management	3 Hours Max.
C. Business Management	3 Hours Max.
D. Laws and Regulations	3 Hours Min.
E. Ethics and Professional Conduct	3 Hours Min.
Optional Studies	12 Hours
Total	150 Hours

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### THE FDUCATION STANDARD

#### **General Education**

The NCARB Education Standard, the individual subject areas and categories of the NCARB Education Standard, and means to satisfy any identified deficiencies are described on the following pages. The following definitions have been developed to approximate the requirements of a NAAB-accredited degree program in architecture.

A minimum of 150 semester credit hours¹ (225 quarter credit hours) of academic credit is required and is grouped into six subject areas: General Education; History and Theory and Human Behavior; Building Practices; Design; Professional Practice; and Optional Studies.

#### 1. General Education

A total of 45 semester credit hours are required. At least three (3) hours in the Communication Skills category must be in English Composition. The remaining 42 hours may be in any one or more categories of the General Education subject area.

#### A. Communication Skills

Communication Skills are defined as effective written and oral communication using the conventions of Standard English as taught in English-speaking countries.

Acceptable courses include English composition, English grammar, public speaking, media communication, community consensus building, research methods, speech communication, business communication, and introductions to research.

Courses in English literature are NOT acceptable in this category, but they are acceptable in Humanities and Arts. Courses in English as a foreign language are NOT acceptable in Communication Skills; however, they may be acceptable in Humanities and Arts.

#### **B. Humanities and Arts**

Humanities and Arts are defined as the academic study of the expressions and artifacts of human experience in word, image, music, and gesture using methods that are primarily analytic, critical, or speculative and that apply rational thought to construct and assess opinions, ideas, and arguments.

Acceptable courses include philosophy, ancient and modern languages, literature, history, philosophy, religion, visual, performing and applied arts, and language courses other than English.

#### C. Quantitative Reasoning

Quantitative Reasoning is defined as the study of quantitative methods and rational, systematic steps based on sound mathematical procedures to arrive at a conclusion.

Acceptable courses include algebra, analytic and descriptive geometry, trigonometry, calculus, logical reasoning, pre-calculus, linear algebra, and statistics.

#### **D. Natural Sciences**

Natural Sciences is defined as the study of the universe using a naturalistic approach, which is understood as obeying rules or laws of natural origin. The term Natural Science is also used to distinguish study in those fields that use the scientific method to study science and nature.

Acceptable courses include astronomy, astrophysics, bacteriology, biology, chemistry, earth science, physics, geology, zoology, microbiology, biochemistry, and botany.

<sup>&</sup>lt;sup>1</sup> A "credit hour" is the unit of measuring educational credit, usually based on the number of classroom hours per week throughout a term. Students are awarded credit for classes on the basis of the Carnegie unit. This defines a semester unit of credit as equal to a minimum of three hours of work per week for a semester (Definition of a Carnegie Unit). Generally, in the U.S., a semester credit hour is measured as 15-16 contact hours per semester.

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### THE EDUCATION STANDARD

## History and Theory, and Human Behavior

#### **E. Social Sciences**

Social Science is defined as the study of the fields of academic scholarship that explore human society.

Acceptable courses include: anthropology, archaeology, economics, geography, history, law, linguistics, human geography, political science, gender studies, racial/ethnic studies, geography, international studies, psychology, and sociology.

#### Satisfying deficiencies in General Education

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States
Association of Colleges and Schools, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities,
Southern Association of Colleges and Schools, and Western
Association of Schools and Colleges. Information concerning regional accreditation is usually found on each academic institution's website. It can also be obtained from the admissions office or the registrar.

If a U.S. regionally accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution or by the College Entrance Examination Board's Advance Placement Program, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy the general education requirement.

The College Level Examination Program (CLEP) can be used to satisfy the general education requirement. The score required varies from subject to subject. Further information can be obtained from NAAB.

#### 2. History and Theory, and Human Behavior

A total of at least 12 semester credit hours, with minimum requirements for each category as indicated:

- A. History and Theory (6)
- B. Human Behavior (3)

The remaining three (3) semester credit hours may be in any one or more categories of the History and Theory, and Human Behavior subject area.

#### A. History and Theory

History and Theory are defined as the study of the traditions of architecture and the built environment, landscape architecture, urban form, and construction by which diverse human needs, values, and aspirations have been addressed in response to cultural, climatic, ecological, technological, socioeconomic, and public health constraints.

Acceptable topics include historical movements in architecture; history of architecture, landscape architecture, and urbanism, history of building technology, and theory of architecture.

Courses in art history, cultural history, economic history, and political history are NOT acceptable in this category, but they are acceptable in General Education.

#### **B. Human Behavior**

Human Behavior is defined as the study of the characteristics, nature, and behavioral norms of diverse individuals and groups that relate to the economic, physical and spatial environments in which they function, and to the processes of environmental modification and change.

Acceptable topics include the study of environmental psychology, ergonomics, human behavior, post-occupancy studies, cultural diversity, social diversity, and social response to the environment.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE EDUCATION STANDARD

# **Building Practices**

#### Satisfying deficiencies in History and Theory and Human Behavior

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

Courses taken at community or junior colleges are acceptable for satisfying deficiencies in the History and Theory and Human Behavior requirement.

All courses must be approved by NAAB in advance.

#### 3. Building Practices

A total of at least 27 semester credit hours, with minimum requirements for each category as indicated:

- A. Structural Systems (6)
- B. Environmental Control Systems (6)
- C. Construction Materials and Assemblies (6)
- D. Building Service and Building Enclosure Systems (3)
- E. Technical Documentation (3)
- F. Financial Considerations (3)

#### A. Structural Systems

Structural Systems are defined as the study of the basic structural elements of buildings, their interaction as a support system, the forces that act on and in buildings, and the principles, theory, and appropriate applications of these systems.

Acceptable topics include analysis of structural systems, construction, construction assemblies, determinate and indeterminate systems, equilibrium, forces and force systems, free body diagrams, gravity, lateral and seismic forces, loads, mechanics of materials, resolution of external forces, shear and bending moments, sizing of structural members, stability, statics, strength of materials, stress and strain, structural elements, structural systems in wood, steel and concrete, and theory of structures.

#### **B. Environmental Control Systems**

Environmental Control Systems are defined as the study of building elements that pertain to the modification of the microclimate for purposes of human use and comfort.

Acceptable topics include acoustics, air conditioning, building core systems, energy, energy efficiency, energy transmission, environmental systems, active and passive heating and cooling systems, lighting (natural and artificial), solar geometry, natural ventilation, indoor air quality, solar energy utilization, and sustainability.

#### C. Construction Materials and Assemblies

Construction Materials and Assemblies are defined as the study of the basic principles and appropriate selection and application of interior and exterior construction materials, finishes, products, components, and the assemblies based on their inherent performance, including environmental impact and reuse

Acceptable topics include physical properties of building materials, fenestration, sustainable material selection, installation characteristics of material assemblies, associated assembly cost for labor and materials, and material use and detailing.

**MAY 2017** 

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### THE FDUCATION STANDARD

## Design

#### D. Building Service and Building Enclosure Systems

Building Service and Building Enclosure Systems are defined as the study of the appropriate selection and application of building service systems including lighting mechanical, plumbing, electrical, communication, vertical transportation, security, fire protection, non-thermal mechanical, control, circulation, and signal systems and application of building enclosure systems relative to fundamental performance, aesthetics, moisture transfer, durability, and energy.

Acceptable topics include curtain wall systems, sustainability, construction methods, facades, plumbing, electrical, vertical transportation, security, control, communication, and fire protection and life safety systems.

#### E. Technical Documentation

Technical documentation is defined as the study of preparing technically clear and accurate drawings, preparing outline specifications, and models illustrating and identifying the assembly of materials, systems, and components appropriate for a building design.

#### F. Financial Considerations

Financial considerations are defined as the study of building economics and the fundamentals of building costs, project financing, methods, and feasibility.

Acceptable topics include building costs, cost and benefit analysis, cost control, development costs, estimating, finance, life-cycle costing, site acquisition and development, and value engineering.

#### **Satisfying Deficiencies in Building Practices**

Courses to satisfy deficiencies in this category may be taken at either:

- ➤ Four-year institutions that offer a professional degree program accredited by NAAB or CACB/CCCA. A list of institutions with NAAB- and CACB/CCCA-accredited programs can be found here; or
- ➤ Four-year institutions that offer a pre-professional degree in architecture but do not also offer a NAAB- or CACB/CCCA-accredited program. Courses taken at community or junior colleges are NOT acceptable for satisfying deficiencies in building practices.

All courses must be approved by NAAB in advance.

If a U.S. regionally-accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy these subject area requirements.

#### 4. Design

A total of at least 42 semester credit hours with a minimum of eight (8) hours in each area. The remaining 10 hours may be in one or more areas of Design:

- A. Fundamental Design (8)
- B. Programming and Site Design (8)
- C. Research and Investigative-Based Design (8)
- D. Integrated Design (8)

Design is defined as collection of data or information, the analysis, synthesis, use of judgment, and development and communication tools and methods that architects use to understand, assess, bring together, and express the ideas that lead to a built project.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

#### THE FDUCATION STANDARD

# Design

#### A. Fundamental Design

Learning experiences that require students to raise clear and precise questions, use abstract ideas to interpret information, consider diverse points of view, reach well-reasoned conclusions, and test alternative outcomes against relevant criteria and standards; use basic formal, organizational and environmental principles and the capacity of each to inform two-dimensional and three-dimensional design; application of the fundamentals of both natural and formal ordering systems and the capacity of each; and articulating effectively and using representational media appropriate for the assignment.

#### **B. Programming and Site Design**

Learning experiences in which students are required to prepare a comprehensive program for an architectural project that includes an assessment of client and user needs; an inventory of spaces and their requirements; an analysis of site conditions (including existing buildings); a review of the relevant building codes and standards, including relevant sustainability requirements, and an assessment of their implications for the project; and a definition of site selection and design assessment criteria; to respond to site characteristics, including urban context and developmental patterning, historical fabric, soil, topography, ecology, climate, and building orientation, in the development of a project design.

#### C. Research and Investigative-Based Design

Learning experiences that require students to utilize methods for gathering, assessing, recording, and comparatively evaluating relevant information and performance in order to support conclusions related to a specific project or assignment; to use theoretical and applied research methodologies and practices necessary in the design process; to examine and comprehend the fundamental principles present in relevant precedents and make informed choices about the incorporation of such principles into architecture projects.

#### D. Integrated Design

Learning experiences that require the student to evaluate options and reconcile the implications of design decisions across systems and scales; to synthesize variables from diverse and complex systems into an integrated architectural solution, while responding to environmental stewardship goals across multiple systems including building design and detailing, planning, programming with integrated structural, mechanical, environmental, building services systems, accessibility, site conditions, life safety, building enclosure systems and assemblies.

#### **Satisfying Deficiencies in Design**

All deficiencies in design must be satisfied in studio courses offered either within a professional degree program accredited by the NAAB or the CACB/CCCA or in a pre-professional architecture degree program offered at a four-year institution accredited by a U.S. regional accrediting agency.

Studios must be administered or monitored by a member of the design faculty and must be taken for academic credit.

A list of NAAB- and CACB/CCCA-accredited programs can be found **here**.

Courses in graphic communication, computer-assisted design, and digital design media (e.g. building information modeling programs) may be used to fulfill Levels II-IV when they are clearly integrated with studio courses. If such courses are taken on their own and without integration in a specific studio, they will be allocated as electives. Completion of a comprehensive studio in Level IV or Level V is required.

All design studio courses must be approved by NAAB in advance.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION
ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE EDUCATION STANDARD

#### **Professional Practice**

#### 5. Professional Practice

A total of at least 12 semester credit hours are required with a minimum of three (3) in Laws and Regulations and three (3) in Ethics and Professional Conduct. The remaining six (6) must be distributed across the other three categories.

- A. Stakeholder Roles in Architecture (3 max)
- B. Project Management (3 max)
- C. Business Management (3 max)
- D. Laws and Regulations (3 min)
- E. Ethics and Professional Conduct (3 min)

#### A. Stakeholder Roles in Architecture

Stakeholder Roles in Architecture is defined as the study of the relationships among key stakeholders in design process (client, contractor, architect, user groups, and local community) and the architect's role to reconcile stakeholder needs.

Acceptable topics include: Urban and community center design practice studios, and special topic courses on public good projects and professional practice courses identifying the roles and responsibilities of stakeholders.

#### **B. Project Management**

Project Management is defined as the study of the entire range of activities involved in a typical architectural design project as it moves from inception through completion of construction including methods for selecting consultants and assembling teams; identifying work plans, project schedules, and time requirements; and recommending project delivery methods.

Acceptable topics include bidding and negotiation, client relationships, leadership and collaboration, construction documents, construction management, contracts, design development, problem identification, project management, programming, site analysis, building code and accessibility analysis, and specifications.

#### C. Business Management

Business Management is defined as the study of the concepts, standards, and practices related to different forms of organization for architectural practice.

Acceptable topics include business management, financial management, risk management, office management, office organization, customer service, legal agreements, marketing, negotiating legal agreements, legal and licensure responsibilities, professional liability, risk management, and rules of professional conduct.

#### D. Laws and Regulations

Laws and Regulations are defined as the study of the body of common law, legislation, codes and standards, and regulation in the United States that affect architectural practice.

Acceptable topics include accessibility standards, barrier-free design, building codes, laws affecting architectural practice, environmental regulation, life-safety systems, professional liability, professional service contracts, professional registration, tax laws, and zoning regulations. Courses in foreign law are NOT acceptable, but may be acceptable in the Electives subject area.

#### E. Ethics and Professional Conduct

Ethics and Professional Conduct are defined as the study of ethical issues involved in the exercise of professional judgment in architectural design and practice. This also includes the role of the NCARB Rules of Conduct and the AIA Code of Ethics in defining professional conduct.

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

**RESOURCES** 

THE FDUCATION STANDARD

## **Optional Studies**

#### Satisfying Deficiencies in Professional Practice

Relevant courses may be taken at any university, college, or community college that is accredited by one of the six regional accrediting associations in the United States: Middle States Association of Colleges and Schools, North Central Association of Colleges and Schools, New England Association of Schools and Colleges, Northwest Commission on Colleges and Universities, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

All courses must be approved in advance by the NAAB.

If a U.S. regionally-accredited accredited academic institution grants credit in relevant subjects on the basis of equivalency examinations administered by the institution, and if that credit is listed on an official transcript issued by that institution, then that credit can be used to satisfy these subject area requirements.

#### 6. Optional Studies

The minimum number of semester credit hours in each subject area listed above total 138 semester credit hours. The additional 12 semester credit hours may be in any one or more of the five subject areas and/or acceptable Optional Studies.

Acceptable topics in this area include architecture, business administration, computer science, engineering, interior design, landscape design, law, public administration, urban design, and other subjects that in the opinion of NAAB are acceptable toward Optional Studies.

MAY 2017

**INTRODUCTION** 

SATISFYING THE EDUCATION REQUIREMENT

> FOREIGN-EDUCATED APPLICANTS

THE EDUCATION ALTERNATIVE

**EESA** 

THE NCARB EDUCATION STANDARD

RESOURCES

# Resources

Both NCARB and the National Architectural Accrediting Board (NAAB) offer a number of programs and services for architects, licensure candidates, and those serving the profession.

# Questions about your NCARB Record, NCARB Certification, the education alternative, or Foreign Architect Path to Certification?

Contact Customer Relations via email at customerservice@ncarb.org or by telephone at 202-879-0520, Monday through Friday, 8:30 a.m. to 5:30 p.m. Eastern Time. Letters may be addressed to:

#### **NCARB Customer Relations**

1801 K Street NW, Suite 700K Washington, DC 20006

#### **Questions About EESA?**

You'll find more details about EESA at www.naab.org. Any questions about the EESA-NCARB Education Evaluation application process, required documents, and fees, should be directed to NAAB at eesa@naab.org or 202-638-3372, or by writing:

#### **EESA**

National Architectural Accrediting Board, Inc. 1101 Connecticut Ave NW, Suite 410 Washington, DC 20036

#### **Additional Resources**

#### **NCARB**

#### www.ncarb.org

- Architectural Experience Program
- Architect Registration Examination
- Registration Board Licensing Requirements
- Certification
- Reciprocity
- Education Alternative
- Foreign Architect Path to Certification

#### **NCARB GUIDELINES**

**Certification Guidelines** 

**AXP Guidelines** 

**ARE Guidelines** 

#### **NAAB**

www.naab.org

# NAAB ACCREDITED ARCHITECTURAL PROGRAM:

NAAB Accredited Program List

#### **EESA**

www.naab.org

#### CACB/CCCA

www.cacb-ccca.ca

#### **ACSA**

www.acsa-arch.org

# Application Review

#### **AELS Application Review**

The AELS board receives applications for registration by exam (initial licensure), comity (licensed in another jurisdiction), and occasionally by grandfathering (in conjunction with a large regulation change). As a board member, it is your responsibility to review applications for registration and, based on the information contained in the application packet, determine if the information meets our regulatory requirements.

Requirements:	Effect:	Notes:
<ul> <li>Completed application</li> <li>All fees</li> <li>Exam verifications</li> <li>License verification(s)</li> <li>Official transcripts</li> <li>Work experience verification</li> <li>Arctic course completed</li> </ul>	Applicant is licensed immediately.	Only applicants seeking registration by comity or by grandfathering may be approved.  Exam applicants are "approved" to sit for the exam, and conditionally approved for registration
Jurisprudence questionnaire		
CONDITIONAL APPROVAL FOR REGISTRAT	ION	
Requirements:	Effect: Applicant must submit missing requirements to staff before they can be licensed, but their file does not need to be re-reviewed by the board.	Notes: The following items can be missing:  Passing of exam, for which you are approving them to take  Official transcripts Exam or license verification (as applicable)  Arctic engineering course Jurisprudence questionnaire  \$100 registration fee
INCOMPLETE		
Requirements:      Lacking work experience     Work experience does not meet requirements     Unqualified verifiers     Lacking education     Lacking examination     No path to licensure	Effect: Applicant must send in the proper requirements and resubmit their application to the Board for review.	Notes: Must state statute/ regulation on checksheet.

# Presentation: AK Initiative for Interior Designer Registration



May 5, 2018

Alysia Jones State of Alaska AELS Board Administrator Alysia.jones@alaska.gov

Dear Alysia,

As a follow-up to our meeting with the AELS Board February 2, 2018 regarding the proposed Interior Design Practice Act for Code-Impacted Environments, the ASID Alaska Chapter is pleased to provide additional information and responses to questions we received in that meeting.

Attached please find the following:

- Regulations FAQ Worksheet followed by 7 pages of response information:
  - o Pages 1-5 respond to worksheet questions
  - o Page 6 presents 8 states selected for their various relevance to the proposed Act for Alaska
  - o Page 7 describes CIDA-accredited interior design programs in the US (including WUE programs)
- Original petition presentation package for reference (note map of US recognition is included)

Additionally, the following question was posed regarding how our proposed Act aligns with the AELS mission. See below:

1. How do we fit and respond to the AELS mission?

MISSION

"To protect the public health, safety, and welfare through the regulation of the practice of architecture, engineering, land surveying, and landscape architecture by:

- Ensuring that those entering these practices meet the minimum standards of competency, and maintain such standards during their practice;
- Requiring licensure to practice in the State of Alaska;
- Enforcing both the licensure and competency requirements in a fair and uniform manner."

Regulation of the Interior Design practice in Alaska within code-impacted buildings designed to protect public safety is in direct support and alignment with the AELS mission. It will:

- Ensure those entering the practice of commercial interior design meet the minimum standards of competency through meeting the education and experience requirements to apply for the NCIDQ exam, and actual passing of the NCIDQ exam. Maintaining competency standards during their practice will be accomplished through complying with the Continuing Education Requirements as stipulated, per semi-annual renewal period;
- Require licensure to practice interior design in code-impacted environments in Alaska;
- Enforce both the licensure and competency requirements in a fair and uniform manner through representation on the AELS Registration Board.

Thank you for your consideration, and please advise any questions or requests for additional information.

Sincerely,

Barbara Cash NCIDQ ASID IIDA LEED®AP ASID Alaska GAC Chair

### Regulations FAQ Worksheet

CBPL Board: Meeting Date:		
Regulation change being proposed: 12 AAC		
General topic of regulation:		
12 ACC 36 State Board of Registration for Architects, Engineers, Land Surveyors, and Landscape Architects		
See attached sheets for responses and supporting information regulations project. Staff will walk the board through this worksheet at the time a regulations project is being approved for public notice. It will be used to develop a FAQ to be posted on the board's web page to help the public understand the project. Staff will submit the completed worksheet with the draft board minutes to the Regulations Specialist within 10 days of the meeting. NOTE: Use a separate worksheet for each regulation change being proposed.		
What will this regulation do?		
What is the public need or purpose of this regulation?		
What is the known or estimated cost of the new regulation to a private person, another state agency, or a municipality (see Step 3 of Steps in the Regulation Process)?		
What <u>positive</u> consequences may this regulation have on public or private people, businesses, or organizations?		
What <u>negative</u> consequences may this regulation have on public or private people, businesses, or organizations?		
If any <u>negative</u> consequences, please address the reasons why the public need for this change outweighs the negative impact.		
List any additional questions or comments that may arise from the public during the comment period. Include a response to th questions.		
Staff submitting this worksheet: Date submitted to Regulations Specialist:		



Board: Alaska State Board of Registration for Architects, Engineers and Land Surveyors (AELS)

Meeting Date: May 4, 2018

#### Regulation change being proposed:

12 AAC 36 State Board of Registration for Architects, Engineers, Land Surveyors, and Landscape Architects

#### **General Topic of Regulation:**

Interior Design Practice Act for Code-Impacted Environments

#### What will this regulation do?

This regulation:

- Creates a recognizable title, Registered Interior Designer, for qualified interior designers in protection of public safety
- Defines the term code-impacted environments as interior spaces in buildings subject to compliance
  with building codes, life-safety codes and accessibility guidelines for the protection of public health,
  safety and welfare, and within which the design must meet all applicable codes
- Defines professional practice of interior design as pertains to such code-impacted environments
- Utilizes the national benchmark NCIDQ exam (National Council for Interior Design Qualification) as an applicant requirement
- Creates continuing education requirements to renew interior design registration
- Requires a registered interior designer (or licensed architect) to sign and seal design documents for permit submittal for non-structural code-impacted environments

#### What is the public need or purpose of this regulation?

Currently, any individual regardless of qualification through education, experience and examination can submit design documents for permit in public and private environments which fall under building, life safety and accessibility code requirements and guidelines, impacting public health safety and welfare.

The purpose of this regulation is to promote and uphold public health, safety and welfare in the professional practice of interior design within code-impacted environments, and to legally recognize the professional practice of interior design and the rights of professional interior designers.



# What is the known or estimated cost of the new regulation to a private person, another state agency, or a municipality?

Registration of interior designers would be self-funded under the same fee structure required of architects, landscape architects, engineers and land surveyors. Additionally, registered interior designer regulation would be managed by the same board (AELS) that manages these professional design disciplines. The only anticipated cost to the state would be realized in the rare case of an investigation which is handled by the Department of Commerce and the AELS board and would be funded similarly to such an investigation for the other registered design professions.

We do not anticipate additional cost will be incurred by boroughs, municipalities or permitting authorities, and the cost to the consumer to be negligible. It is possible some sole-practitioner NCIDQ-certified designers would need to carry additional insurance, but a majority practicing in Alaska already do so and the overhead expense is accounted for in their current fee structures.

# What positive consequences may this regulation have on public or private people, businesses or organizations?

The use of a professional interior designer for work in code-impacted environments can help building owners/operators by minimizing delay and costly change orders due to faulty designs that do not meet the intent of locally adopted building codes, as well as potential suits for non-compliance to accessibility requirements. Additionally, professional interior designers are trained and experienced in the specification of appropriate finish materials to meet fire code and slip resistance requirements, as well as evaluate and address life cycle cost concerns.

# What negative consequences may this regulation have on public or private people, businesses or organizations?

Individuals or companies who currently can submit for permit without demonstrating qualification for registration may need to engage a registered or licensed professional to complete a project in a code impacted environment, depending on scope and effect on public health, safety, welfare.

# If any negative consequences, please address the reasons why the public need for this change outweighs the negative impact.

Currently there is a lack of public understanding regarding what is involved and required for interior non-bearing construction or alterations in code-impacted environments. Without this information, they may contract with parties who lack the education or experience to make informed decisions concerning exiting, material safety or accessible paths and reach requirements – to name a few. To correct uninformed decisions during construction or after the fact is a costly exercise not only in dollars, but for the safety and the health of those occupying or visiting a facility.

The public deserves to be confident in the professional services they solicit, that contracted service professionals are qualified, experienced and knowledgeable of codes and guidelines governing design and construction of commercial and multi-family residential projects. In a marketplace where acronyms and certifications are prevalent, consumers would need to familiarize themselves with various credentials to discern the appropriate expertise. State registration of qualified interior designers would provide an easily recognizable standard to enable consumers to make informed decisions when selecting the appropriate design professionals for their projects.



List any additional questions or comments that may arise from the public during the comment period. Include a response to the questions.

Related to the question above regarding anticipated costs: how many designers do we anticipate will initially pursue registration? Ongoing, annually?

We estimate up to 25 designers in the first year the regulation is in effect, and up to 5 new designers annually for the foreseeable future. This estimate is based on the current number of NCIDQ-certified interior designers practicing in Alaska and historic trends related to new qualified talent beginning their practice in the state, as well as the steady equilibrium of designers moving into or out of Alaska for various personal or professional reasons.

#### How does this initiative impact free trade?

This initiative does limit who may practice in code-impacted environments. Private individuals or unregistered designers may no longer be permitted to continue practicing in these spaces without obtaining registration, and/or may need to work with a registered interior designer or architect.

Much like comity registration of architects, landscape architects, engineers and surveyors is required of individuals living and working outside of Alaska who wish to practice within the scope of Alaska-based projects, so would non-Alaskans be required to be registered if they wish to provide professional interior design services for code-impacted environments in Alaska.

#### How does this really project the public?

Qualified interior designers have knowledge and awareness of building codes, construction materials, specifications, technical drawings and business practices. Involvement of registered design professionals for code-impacted work has a strong, demonstrated potential for positive impact:

- Exiting: ensuring exits and access to exits are compliant
- Fire safety: specifying compliant materials and assemblies to minimize risk of fire, slow the spread in event of fire and minimize production of smoke in the event of a fire
- Accessibility: ensuring compliant accessible paths, workspaces and reach ranges
- Material Safety: specifying materials to optimize indoor air quality and reduce exposure to harmful materials and chemicals of concern
- Infection Prevention/Control: implementing strategies to minimize touch-point contamination, support good hygiene practices, and improve durability of materials and fixtures to endure proper, regular cleaning and maintenance
- Visual comfort: control of glare to reduce eye strain, thereby reducing fatigue and stress
- Ergonomics: ensuring proportions, reach ranges, adjustability and adaptability of the interior environment are considered to reduce strain and physical, postural injuries from repeated motion
- Acoustics: utilizing materials and supplemental systems to minimize noise and distractions and increase privacy where appropriate, thereby reducing occupant anxiety and propensity for error or injury
- Active Design: implementing strategies and features to encourage movement, thereby reducing stress and increasing building users' activity levels



How is this not about setting yourselves (NCIDQ-certified interior designers) apart and ahead of other interior designers?

The NCIDQ exam is the standard for qualified interior designers nationwide and includes sections on codes and public health, safety, welfare. It is so highly regarded that qualification for and successful completion of the exam is the benchmark for all U.S. states with certification, registration or licensing except California. Canada and Puerto Rico also recognize the exam. Further, most Federal agencies and entities require credentialed Interior Designers under the Unified Facility Criteria (UFC) and/or the Whole Building Design Guide (WBDG):

1. <u>UFC 3-120-10 Interior Design Standards</u> applies to building design and construction contracts, requiring interior designers to have NCIDQ exam or state registration.

#### Excerpt from UFC 3-120-10-2006:

2-2 Interior Designer Qualifications

Design and review must be accomplished by, or in consultation with, professional interior designers or architects with significant interior design experience. Qualification of designers is based on education, experience and examination. Interior designers or architects will have completed a recognized program of academic training in interior design; and/or will have attained registration or licensure as required by the locality of district where the project work occurs. For contracted interior design services, the interior designer or architect must be NCIDQ certified and must not be affiliated with any other furniture dealership, vendor or manufacturer. The Government reserves the right to approve or disapprove the qualifications of the interior designer selected by an A/E or a contractor.

#### U.S. General Services Administration -

 Interior design contracts for work within GSA properties require NCIDQ certification, the benchmark exam for interior design registration.

U.S. Department of Defense – All Branches of the U.S. Military follow the UFC as administered by the US Army Corps of Engineers, NAVFAC, or the USACE (US Air Force Civil Engineer Center), which includes CONUS and OCONUS, domestic and international contracts.

US Air Force

US Army

US Coast Guard

US Marine Corps

US National Guard

US Navy

- 2. Whole Building Design guide (WBDG): a national web-based design guide developed by federal agencies, private sector companies, non-profits and educational institutions. It recognizes the design discipline of interior design and incorporates the UFC, UFGS and other criteria. Participating agencies include:
  - US Department of Defense
  - Department of Veteran Affairs
  - Department of Energy
  - Environmental Protection Agency
  - GSA
  - NASA

- Administrative Office of the United States Courts
- Department of Homeland Security
- Department of State
- National Institutes of Health
- National Park Service
- Smithsonian Institution



Excerpt from WBDG description of Interior Design:

#### A. PROFESSIONAL DEFINITION

Interior design is a multi-faceted profession in which creative and technical solutions are applied within a structure to achieve a built interior environment that solves the customer's problems and links space to business strategies and goals. These solutions are functional, enhance the quality of life and culture of the occupants, and are aesthetically attractive. Designs are created in response to and coordinated with the building shell, and acknowledge the physical location and social context of the project. Designs must adhere to code and regulatory requirements, and encourage the principles of environmental sustainability. Interior design can also influence the choice of real estate that will address the organization's needs through the architecture and design elements. The interior design process follows a systematic and coordinated methodology, including research, analysis, and integration of knowledge into the creative process, whereby the needs and resources of the client are satisfied to produce an interior space that fulfills the project goals.

Interior design includes a scope of services performed by a professional design practitioner, qualified by means of education, experience and examination, to protect and enhance the life, health, safety, and welfare of the public. For the full definition, consult the National Council for Interior Design Qualification (http://www.ncidq.org).

#### PROFESSIONAL REGISTRATION

Interior designers are regulated by title or licensed to practice in 25 U.S. states and jurisdictions: Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Minnesota, Missouri, Nevada, New Jersey, New Mexico, New York, Puerto Rico, Tennessee, Texas, Virginia, Washington, DC, and Wisconsin. State regulations set qualifying standards of education, experience, and examination for the practice of interior design, and for the use of a state-designated title.

https://www.wbdg.org/design-disciplines/interior-design

### **State Interior Design Regulations Precedent Comparison**

**Mandatory Registration & Permitting** 

State	Practice or Title	Governing Board	Date Implemented	Qualifications for Registration	CEU / Renewal Period
DC	Practice LID	Board of Architecture, Interior Design and Landscape Architecture	1988; 1999; 2008	NCIDQ	10 hrs. / 2 yrs.
FL	Practice LID	Board of Architecture and Interior Design	Title 1988, 1989; Practice 1994	NCIDQ 5yrs+1; 4+2, 3+3, 2+4, Board approved curriculum	20 hrs. / 2 yrs.
LA	Practice (Residential Included) RID	State Board of Examiners of Interior Designers	1984, amended 1999	NCIDQ; Combination degree (strong preference for CIDA- accredited professional interior design degree) and interior design experience	5 hrs. / 1 yr.
NV	Practice (Residential Included) RID	Nevada State Board of Architecture, Interior Design, and Residential Design	1995	NCIDQ	8 hrs. / 1 yr.

**Voluntary Registration & Permitting** 

State	Practice or Title	Governing Board	Date Implemented	Qualifications for Registration	CEU / Renewal Period
AL	Title RID	Alabama Board for Registered Interior Designers	2010, 2013 renewal	NCIDQ or Registered Alabama Architect	10 hrs. / 1 yr.
GA	Title RID	Georgia State Board of Architects & Interior Designers	1993	Accredited college, NCARB or NCIDQ	12 hrs. / 2 yrs.
тх	Title RID	Texas Board of Architectural Examiners	1991/2009	NCIDQ Education and Experience as required by CIDQ to sit for the Examination	12 hrs. / 1 yr.
VA	Title CID	Virginia Board of Architecture, Professional Engineering, Land Surveyors and Certified Interior Designers	1990/94	NCIDQ 4 year professional degree from a CIDA accredited program + 2 years of experience	16 hrs. / 2 yrs.

RID: Registered Interior Designer CID: Certified Interior Designer LID: Licensed Interior Designer



# How do I become an Interior Designer?

# Where are CIDA-Accredited Interior Design Programs?

High School - recommended classes

Drawing, Art

Math: Geometry, Algebra, Calculus

Science: Physics, Chemistry, Anatomy & Physiology

Speech/Debate

Technology/Voc Ed

Higher Education - minimum 4 years

CIDA-accredited bachelor's degree in Interior Design

Experience - 2 to 6 years

depends on degree and quality of experience

working with a professional Architect or Interior Designer

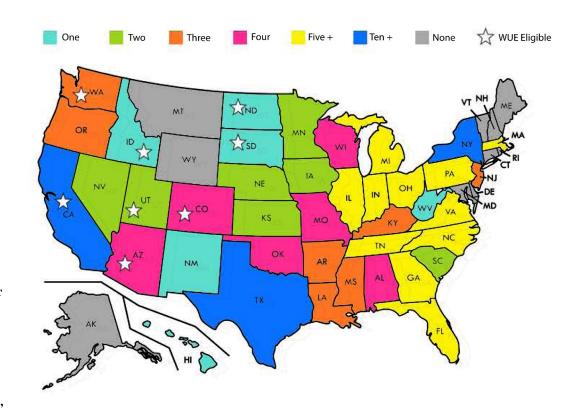
#### Examination - NCIDQ

2 days

3 part exam

#### Professional Development - ongoing

Continued education relative to health, safety and welfare, codes, materials, technologies, & design specialities





#### **Registration for Alaska Interior Designers**

#### Reason for this initiative:

- To protect public safety in commercial building interiors
- To identify individuals qualified through education, experience and examination to practice interior design in code-impacted environments designed to protect public safety

#### What this initiative does:

- Creates a recognizable title, Registered Interior Designer, for qualified interior designers in protection of public safety
- Defines the practice of interior design
- Utilizes the national benchmark NCIDQ exam (National Council for Interior Design Qualification) as an application requirement
- Creates registration for interior designers administered within the AELS board
- Creates continuing education requirements to renew interior design registration
- Provides plan approval authority for non-bearing interior construction or alteration to registered interior designers

#### What this initiative does not do:

- Does not restrict any individual or group from calling themselves interior designers or providing interior design in spaces not affecting public safety
- Does not affect architects providing interior design

#### Benefit to the public:

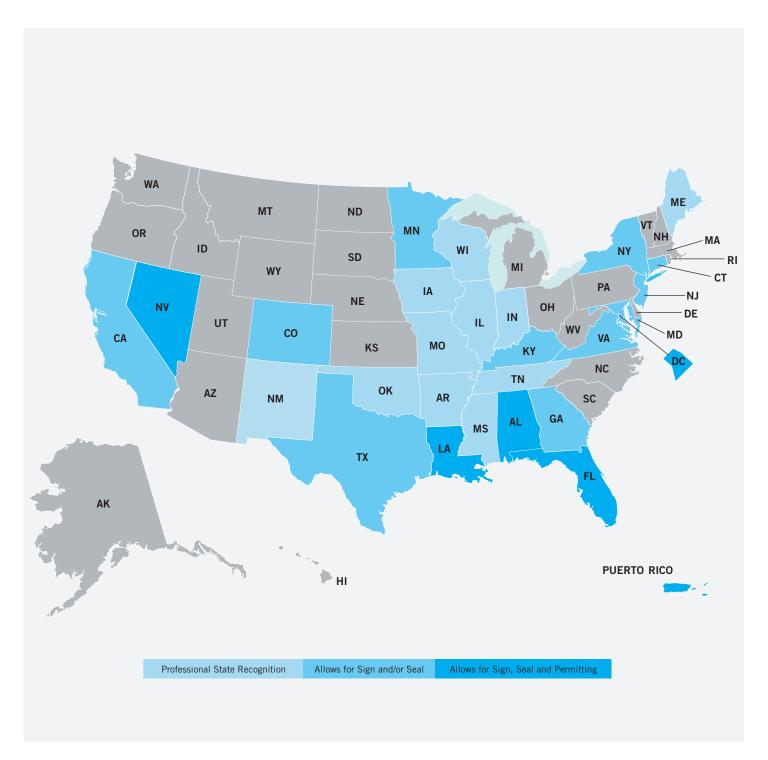
- Provides an easily recognizable title to identify interior designers qualified to practice in code-restricted environments
- Provides public protection through proper execution of code-compliant interior design
- Provides minimal cost impact to the state if administered through AELS board (to be selffunded through existing fee structure)

#### **Folder Contents:**

- Interior Design Registration Map
- Impact Sheet on Public Health, Safety, Welfare
- Petition in Support of Initiative
- Additional Signature Sheets



### **INTERIOR DESIGN REGISTRATION LAWS**



#### **ASID LEGISLATIVE POLICY**

ASID believes that legal recognition of our profession is best achieved through the enactment of legislation that:

Does not limit, restrict or prevent the practice of interior design.

Does not limit, restrict or prevent anyone from using the title "interior design" or "interior designer." Allows state-qualified interior designers to use the title "registered," "certified" or "licensed" interior designer.

Allows state-qualified interior designers to perform additional services related to the practice of interior design as applicable governing jurisdictions deem appropriate for state-qualified interior designers to perform.



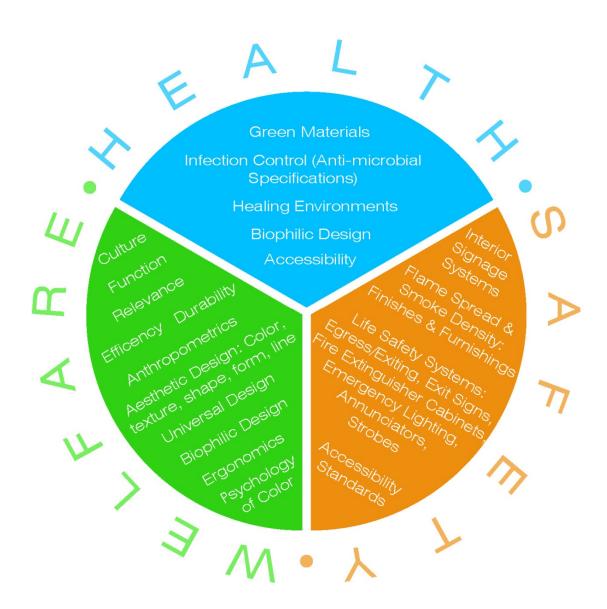
#### What Do Interior Designers Do?

Interior designers practice in a variety of sectors including corporate & professional offices, healthcare, hospitality, civic, educational, retail, government, and residential.

To design spaces, interior designers must have knowledge and awareness of building codes, construction materials and methods, specifications, technical drawings, and business practices. Registration of interior designers practicing in these code-impacted environments protects the health, safety, and welfare of the public through knowledge and compliance.

#### **How do Interior Designers Protect the Public?**

The following graphic explains how the practice of Interior Design protects the public health, safety, and welfare:





#### **PETITION in Support of Registration for Alaska Interior Designers**

- 1. Interior design in Alaska includes residential and commercial practices of interior alteration and new construction design, drawings, and supporting documents suitable for non-bearing construction permitting.
- 2. While there are many working within the broad definition of the field, there is no clear identification of those with nationally acknowledged credentials whose practices recognize protection of public safety and welfare.
- 3. Nationally qualified interior designers (NCIDQ certified) have education, skills, and knowledge required to recognize code requirements and ensure their designs and drawings are in compliance with applicable codes to maintain public safety.
- 4. Colleges and universities have educated interior designers with accredited 4 and 5-year degrees for nearly 50 years, and the national qualifying exam (NCIDQ) has been in place and regularly updated more than 40 years. Although 27 states in the U.S. recognize interior design, many through registration, licensure or certification, Alaska has not yet taken this opportunity to recognize it in support of public safety and welfare.
- 5. In recognition of interior designers who meet national certification standards we support the enactment of registration for interior designers in Alaska and the title "registered interior designer" for those who have attained the national credential (NCIDQ certification) and become registered with the state of Alaska to design spaces in conformity with public health, safety and welfare requirements.
- 6. This shall not limit use of the term "interior designer", nor limit interior design in spaces not affecting public safety, but shall create a recognizable level of credentialed interior designers competent to protect the public.
- 7. Practice privileges associated with registered design professionals shall apply, including stamping drawings and sealing for work described above when required.
- 8. It is intended the registration be self-funded through registration and renewal fees, and represented by the Alaska State Board of Registration for Architects, Engineers and Land Surveyors.

Please show your support now by signing below to identify the profession, protect the public, and benefit the built environment in Alaska.

signature	title	date
printed name	email	phone

city

home address (for legislative district reference)
Please return signatures to: bcash@rim-design.com

I support this Petition!

# Old

# Business

BOARD MEMBER TASKS	STATUS
ALL - notify Alysia when you conduct any outreach	on-going
ALL - provide input to Colin regarding proposed updates to seal regulations. Bill to assist. (Feb Al 26.B.3)	
ALL - review guidance manual and provide comments to Alysia (Feb AI 26.C.)	
Bill will compile a list of potential meetings/ outreach opportunities	
Brian will write a letter to DEC regarding their regulations (Nov AI 7.E.)	
Brian will write a response letter to Peter Giessel (Apr - Al 7.F)	In progress
Catherine and Brian will coordinate on language (Nov AI 14.A.1&2 / Feb AI 26.B.	tabled?
Catherine will follow up with Rep. Kito RE: HB90	In progress
Colin will write a letter to UAA regarding <i>taking</i> of FE exam	
Colin will write a response to C. Fredeen (Feb AI 9.D)	
Dave will call chief investigator regarding John's time and our statutes	
Elizabeth and Alysia will work on obtaining support of local chapters for an outreach event in Fairbanks	
John will work with Alysia on UAV info./ brochure for website (Nov AI 14.D)	In progress
John will provide language for Guidance Manual to Alysia to disseminate to the entire board from comment.	
STAFF TASKS	STATUS
Alysia will work with board members to produce an updated version of the Guidance Manual for May meeting	
Alysia will review Office of Administrative Hearing documentation of prior decisions	
Alysia will ask if other licensing programss about a template for presentation on licensure in Alaska.	
OTHER ENTITIES	STATUS
DOT written statement from LAW, that includes rationale, references the statutes and regulations reviewed.	
DOT will provide data from other states regarding the use of stamped standard drawings	

## **VI. Effective Regulations**

This section is intended to provide you with a general overview of the regulations process. It is not legal guidance; the applicable statutes control. Any legal questions should be addressed to the Department of Law.

Regulations must be based on statutory authority. Within the division, regulations typically clarify the requirements of the occupational licensing program as set forth by the Alaska State Legislature in statute. As mentioned in the beginning of this manual, statutes are state laws that authorize and set out the scope of a board or commission's governance authority of a licensing program. Statutes may also authorize and direct the division's management role in all licensing programs overseen by the division. Where statutes assign to a board the responsibility of adopting regulations, that board must follow the process set forth in the Administrative Procedure Act (APA) (AS 44.62.010–44.62.305) unless the legislature has by statute directed a board or commission to follow another process. The APA's requirements are explained in detail in the *Drafting Manual for Administrative Regulations*. The Drafting Manual is at http://law.alaska.gov/doclibrary/drafting manual.html.

State agencies subject to the APA must follow the statutory procedures in order to adopt, amend, or repeal a regulation. A significant step in the APA requires that the public receive notice of a proposed regulation and an opportunity to comment on a proposed regulatory action. This ensures that the public and interested parties—predominantly licensees and prospective licensees—are aware of the proposed changes affecting their programs and provides adequate opportunity to comment on them. By ensuring public notice and ability to comment, the APA's procedures support the public's vital role in the regulations process.

#### **Overview of the Regulations Process**

When a board identifies the need to propose a regulation to implement, interpret or make specific a state statute, the board, it should begin organizing its collective thoughts on the matter, at a publicly noticed meeting. If the subject matter is highly technical or complex, it may be helpful for the board to form a working group from among its members. That group may engage in fact-finding outside of public meetings, for the purpose of sharing its findings with the entire board at an appropriate meeting.

The maker of the motion to propose amendment, adoption, or repeal of regulations should provide the board with a written draft of the proposal. It is the board's responsibility to be certain that the record reflects what the board intended. This means that the board should articulate what it is hoping to accomplish with the project, and it should carefully review written drafts, to ensure that the language conveys what the board intended. It is the board's job to provide at least the initial draft of language for a proposed regulation or amendment to regulation. Some boards find it helpful to request assistance from their staff, executive director, and the department's regulations specialist.

Under the APA, the public must have a minimum of 30 days to comment (either orally or in writing, or both) on proposed regulations. During the comment period, the staff must publish on the website answers to questions from the public on the proposed regulations received in writing unless the questions are received within 10 days before the close of the comment period; in that case the staff may, but is not required to, answer the questions. The board will meet either telephonically or in person after this period closes to review written comments and amend or adopt the proposal. A board may also notice a meeting at which oral testimony may be heard on the proposal.

If the board chooses to substantially amend its proposal, it must go out for another 30-day public comment period. Whether the amendments to the proposed regulations would require a new notice and comment period should be reviewed by the Department of Law. If the changes are minor and do not alter the meaning of the regulations, it may then be forwarded for review by the Department of Law.

The Department of Law will assign an agency attorney who is familiar with licensing issues to review the proposal for content. Once the agency attorney review is complete, either the regulations attorney or the assistant regulations attorney t will review for legality, consistency with other provisions of law and conformance to the state's drafting style. If there are questions, the regulations attorneys will contact the agency attorney. Once the regulations have been approved by the regulations attorney in the Department of Law, the regulations are transmitted to the Office of the Lieutenant Governor for filing. Once signed by the Lieutenant Governor or the Lieutenant Governor's designee, his/her designee, the regulation will become effective in 30 days *unless* another effective date is specified in the adoption order or certification of adoption.

A typical board or commission regulations process can take 90-180 days, depending on the workload of the division Regulations Specialist, the complexity of the project, and scheduling a review with the Department of Law.

Due to Alaska's small population, Board members may be easily accessible to their licensees and public stakeholders. Board members must remember that comments on proposed regulations must be received as requested in the notice of proposed regulations. Comments may only be received on proposed regulations by

Written comments that are received by the division Regulations Specialist during the public comment period as set out in the notice of proposed regulations Oral comments that are received by the board during the public comment period noticed on the state Online Public Notice System

Board members may not receive comments directly via email, text, in the grocery store, at the lodge, in the hair salon, or on the golf course. When well-meaning members of the public offers input, thank them for their interest but remind them that you are only one of several board members and the board can only act as one; therefore, they should submit their comment as directed in the public notice.

The Division Director may also draft and notice regulations through the same process, though there may not be a public meeting to deliberate or adopt final regulations. The same public notice provisions apply, and the Director must consider all written comments received. When setting fees for licensing programs, the Director will seek board input on proposed fees as required in AS 08.01.065. The Director may adopt regulations that pertain to all licensing programs in general (known as Centralized Regulations) and may adopt regulations that direct the licensing programs in AS 08.01 that do not have a governing board or commission.

#### Where to Seek Help

The division Regulations Specialist II is trained to assist in drafting regulations and moving them through the adoption process. The Division Director, Division Operations Manager, or Executive Administrator should also be able to walk the board through the process of adopting regulations. They may also request attorney advice independently or on behalf of the board. The flow charts that follow should clarify the processes of board and division regulation adoption, though the process is ultimately administered by the Department of Law.

#### Is It A Regulation Or Policy?

#### **REGULATIONS**

- Anything that affects the public or is used by the agency in dealing with the public;
- Have the force and effect of law;
- Licensees must follow them;
- Prospective licensees must comply with them in order to be licensed;
- Can only be created by following the process outlined in the Administrative Procedure Act – AS 44.62;
- This process can be time-consuming, taking months or years. It involves at a minimum:
  - o 30-day public notice,
  - o Review by Department of Law, and,
  - o Can't be changed, except by formal process.

#### POLICIES, ADVISORIES, AND GUIDELINES

- Anything a regulatory boards says that:
  - Sets out the regulatory board's expectations in general, nonbinding terms,
  - o Does not have the force and effect of law.
- Disciplinary Matrix is a quideline if it is used as a reference point, along with:

- o Careful consideration of facts and circumstances, as well as,
- o Underlying goals of the statute and purpose for the discipline.
- Disciplinary Matrix is a *regulation* if it is used:
  - o As a formula: "If licensee did X, then disciplinary response = Y."
  - To achieve or demonstrate consistency by showing how the board will respond in every case where certain facts are present: "All licensees who do X get Y."

#### **GENERAL PRINCIPLES APPLICABLE TO BOTH REGULATIONS AND POLICIES**

- Clarity
  - o If it affects licensees or the public, it should be available and understandable. *Ex.:* if the board keeps a list of activities that it will approve as uncompensated professional activities under 12 AAC 44 620((a)(2)(E), the list should be accessible on the board's website.

#### Consistency

- With other communications about similar facts;
- o With the governing statute's purpose.
- Proportionality
  - License denials and disciplinary actions including suspension, revocations, and fines should be consistent with the statute's goals.

# Steps in the Board Regulation Adoption Process

At an open meeting, the board votes on language to change

regulations. This motion is forwarded to the Division Regulations Specialist for drafting.

Day 30

2

Once drafting is complete, the board holds another public meeting to edit or approve draft for public notice.

3

Approved language is reviewed by Division attorney.

4

Department of Law opens file.

5

Day 45

Division publishes and distributes public notice, additional regulation notice information, and proposed regulation to all licensees and interested parties. Public notice posted in newspaper and on Alaska Online Public Notice System

6

Public comment period and/or hearing (if applicable). Day 65 Division

Division Regulations Specialist compiles answers to questions and posts FAQ on the program web page.

8

Pay 75 Regulations Specialist compiles public comments for distribution to board.

9

Board holds an open meeting to review public comments, make minor changes, and adopt regulations. Substantive changes may require additional drafting

10

and public notice (Step 2).

Division submits final regulation package to Department of Law for review and approval.

Law submits to the Governor's office and Legislative Administrative Regulations Review Committee (ARRC) for review.

11

Agency attorney reviews regulation

12

Day 110 Regulations attorney reviews and either approves or disapproves regulation

13

Day 150

Unless returned by the Governor, Lt. Governor's office files approved regulation; regulations become effective in 30 days Once Regulations Are Effective

14a

Agency posts summary on Alaska Online Public Notice System

14b

Lt. Governor's office sends regulation to ARRC

14c

Regulation published in Alaska Administrative Code

14d

Forms & FAQ updated on program web page

# Steps in the Fee Regulation Adoption Process

Day Division performs fee analysis

2

Division discusses proposed fees with board at a public meeting.

Board provides feedback in form of a motion.

If no meeting or motion, board members are invited to communicate directly with Division.

3

Day 45 Division develops a draft regulation and public notice information.

4

Consultation with Division attorney, if needed.

> 5 nent of

Department of Law opens file

6

Day 60 Division publishes and distributes public notice, additional regulation notice information, and proposed regulation to all licensees and interested parties; posts public notice on Alaska Online Public Notice System

Day 90

Public comment period and/or hearing (if any). FAQ posted on program web page.

8

Agency amends and/or adopts regulation

9

Day 100

Division submits final regulation package to Department of Law for review and approval.

Law submits to the Governor's office and Legislative Administrative Regulations Review

Committee (ARRC) for Review.

10

Agency attorney reviews regulation

11

Regulations attorney reviews and either approves or disapproves regulation

12

Unless returned by the Governor,
Lt. Governor's office files
approved regulation;
regulation is effective in 30 days

Once Regulations Are Effective

13a

Agency posts summary on Alaska Online Public Notice System

13b

Lt. Governor's office sends regulation to ARRC

13c

Regulation published in Alaska Administrative Code

13d

Forms updated on program web page

### Regulations FAQ Worksheet

	J 2007G.	Meeting Date:
	Regulation change being prop	oosed: 12 AAC
General topic of re	egulation:	
regulations project. Staff will public notice. It will be used Staff will submit the comple	ll walk the board through this work I to develop a FAQ to be posted or	Asked Questions (FAQ) in anticipation of an agency or board asheet at the time a regulations project is being approved for in the board's web page to help the public understand the project. It minutes to the Regulations Specialist within 10 days of the action change being proposed.
What will this regulation do	?	
What is the public need or p	ourpose of this regulation?	
*0	×	
What is the known or estim Step 3 of Steps in the Regulation	ated cost of the new regulation to a on Process)?	a private person, another state agency, or a municipality (see
What positive consequences	may this regulation have on public	c or private people, businesses, or organizations?
	*	
What <u>négative</u> consequence	s may this regulation have on publi	c or private people, businesses, or organizations?
If any <u>negative</u> consequence	s, please address the reasons why t	he public need for this change outweighs the negative impact.
List any additional questions	s or comments that may arise from	the public during the comment period. Include a response to the
questions.		
Staff submitting this worksh		Date submitted to Regulations Specialists

# Committee Updates

## Special Committees

Licensure Implementation	Chair - Koonce Members- Jones, Maynard
Land Surveying Outreach	Chair – Hale Members – Urfer, Kerr

### **Standing Committees**

reamaning domininetees	
Investigative Advisory Committee	All Members
Licensure Mobility	Chair- Koonce Members – Wallis, Urfer
Guidance Manual	Chair – Urfer Members – Full Board
Legislative Liaison	Chair – Maynard Members – Fritz, Urfer
Emeritus Status	Chair - Maynard Members - Full Board
Budget Committee	Chair - Koonce Members – Kerr, Hanson
Continuing Education	Chair – R.V. Jones Members -

# Examiner's

# Report

#### Examiner's Report - May 3-4, 2018

#### 1. Applications to be reviewed at May 3-4, 2018 Board meeting:

Total: 81

Comity:57 PE: 75 SE: 2

Exam: 21 Land Surveying: 3

**Grandfathering:** 3 Landscape Architecture: 1

(Total re-review: 17) (total reapplied:1) Architecture: 2

#### 2. Registration January 1, 2018 thru March 31, 2018

Total: 59

Individuals: 44 Corporations: 15

Engineering: 37 LLC: 11
Land Surveying: 1 LLP: 1
Landscape Architecture: 0 Corps: 3

Architecture: 6

#### 3. FE/FS Examinees

Examination	Jan 1-March 31, 2018	Pass	Fail
FE	85	67	18
FS	2	1	1

- 4. April 2018 PE Examinees 90 registered
- 5. 2018 AKLS Examinees 9
- 6. Verifications completed 78
- 7. Renewals received January 1 March 31, 2018: 578 Individuals/67 Firms
- 8. Reinstatements received January 1 March 31, 2018: 9
- 9. Applications received (all) January 1 March 31, 2018: 86 (68 Individual/ 18 Firms)

#### **Additional Comments:**

Certificate of Authorization Amendments received January 1 - March 31, 2018: 43

Initial CE Audit Letters mailed 4/18/2018: 259

Updated: April 20, 2018

# 2018 STATE HOLIDAY CALENDAR

JAN	IUAI	RY_				
S	M	T	W	T	F	S
	1	2	3	4	5	6
	8					
14	15	16	17	18	19	20
21	22	23	24	25	26	27
20	20	30	21			

FEE	RUA	ARY				
5	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
					16	
18	19	20	21	22	23	24
25	26	27	28			

MA	RCH					
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
	19					
25	26	27	28	29	30	31

API	RIL_		19			
5	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MA	Υ					
S	M	T	W	T	F	S
		1	2	<b>3</b>	4)	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
					25	26
27	28	29	30	31		

JUN	1E					
5	M	T	W	T	F	5
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
° 17	18	19	20	21	22	23
24	25	26	27	28	29	30

JU	LY					
S	M	T	W	_ T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST								
S	M	T	W	T	F	S		
			1	2	3	4		
5	6	7	8	9	10	11		
12	13	14	15	16	17	18		
19	20	21	22	23	24	25		
26	27	28	29	30	31			

SEPTEMBER								
5	M	T	W	T	F	S		
						1		
2	3	4	5	6	7	8		
9	10	11	12	13	14	15		
16	17	18	19	20	21	22		
23	24	25	26	27	28	29		
30								

OCTOBER							
S	M	T	W	T	F	S	
	1	2	3	4	5	6	
7	8	9	10	11	12	13	
14	15	16	17	18	19	20	
21	22	23	24	25	26	27	
28	29	30	31				

OCTOBER					NOVEMBER									
S	M	T	W	T	F	S		S	M	T	W	T	F	5
	1	2	3	4	5	6						1	2	3
7	8	9	10	11	12	13		4	5	6	7	8	9	10
14	15	16	17	18	19	20		11	12	13	14	15	16	17
21	22	23	24	25	26	27		18	19	20	21	22	23	24
28	29	30	31					25	26	27	28	29	30	
	AEL	S		NCE	es		MCA	RB		LA	RB	)		

DECEMBER						
5	М	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					
23	24					

State Holidays

Date	Holiday			
01/01	New Year's Day			
01/15	MLK Jr.'s Birthday			
02/19	Presidents' Day			
03/26	Seward's Day			
05/28	Memorial Day			
07/04	Independence Day			

Holiday

State calendar maintained by the Division of Finance, Department of Administration http://doa.alaska.gov/calendars.html Rev. 07/10/2017

Biweekly employees please refer to appropriate collective bargaining unit agreement for more information regarding holidays.

State Holidays

Date	Holiday
09/03	Labor Day
10/18	Alaska Day
11/11	Veterans' Day (observed 11/12)
11/22	Thanksgiving Day
12/25	Christmas Day