

California Architects Board
Board Meeting
December 13-14, 2018
Sacramento, California





CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

NOTICE OF BOARD MEETING

Board Members

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

December 13-14, 2018

**Cosumnes River College
WIN Center Building (Community Room)
8401 Center Parkway
Sacramento, CA 95823
(916) 691-7729 or (916) 574-7220 (Board)**

*Action may be taken
on any item listed on
the agenda.*

The California Architects Board will hold its quarterly meeting as noted above.

Agenda

December 13, 2018

10:00 a.m. to 5:00 p.m.

(or until completion of business)

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Public Comment on Items Not on the Agenda
The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Update on the Department of Consumer Affairs (DCA) – Karen Nelson, Assistant Deputy Director, Office of Board and Bureau Services
- E. Review and Possible Action on September 12, 2018 Board Meeting Minutes
- F. Election of 2019 Board Officers
- G. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs
- H. Discuss and Possible Action on Recommendation Regarding 2018 Octavius Morgan Distinguished Service Awards

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(Continued)

- I. Presentation by the California Council for Interior Design Certification (CCIDC) Executive Director, Roze Wiebe, on CCIDC Activities and Commercial Designation
- J. Professional Qualifications Committee (PQC) Report
 - 1. Update on October 25, 2018 PQC Meeting
 - 2. Review and Discuss 2017-2018 Strategic Plan Objective to Revise the *Candidate Handbook* to Reduce Candidate Confusion
- K. Update on December 6-7, 2018 Landscape Architects Technical Committee (LATC) Meeting
- L. Review of Future Board Meeting Dates
- M. Closed Session – Pursuant to Government Code Sections 11126(c)(3), 11126(f)(4), and 11126.1, the Board Will Meet in Closed Session to:
 - 1. Review and Possible Action on June 13, 2018 Closed Session Minutes
 - 2. Deliberate and Vote on Disciplinary Matters
 - 3. Adjourn Closed Session
- N. Reconvene Open Session
- O. Recess

Agenda
December 14, 2018
8:30 a.m. to 3:30 p.m.
(or until completion of business)

- P. Call to Order / Roll Call / Establishment of a Quorum
- Q. Public Comment on Items Not on the Agenda
The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- R. Presentation by the DCA Office of Professional Examination Services (OPES) Regarding Examination Performance Statistics for the Architect Registration Examination (ARE) and California Supplemental Examination (CSE)
- S. Strategic Planning Session
- T. Adjournment

(Continued)

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast the December 13, 2018 meeting on its website at www.cab.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend the physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Gabe Nessar

Telephone: (916) 575-7202

Email: gabrial.nessar@dca.ca.gov

Telecommunications Relay Service: Dial 711

Mailing Address:

California Architects Board

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

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

Protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5510.15.)

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM

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

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

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

Board Member Roster

Denise Campos

Tian Feng

Pasqual V. Gutierrez

Sylvia Kwan

Ebony Lewis

Matthew McGuinness

Robert C. Pearman, Jr.

Nilza Serrano

Barry Williams

Agenda Item B

PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

Board President Sylvia Kwan or, in her absence, the Vice President will review the scheduled Board actions and make appropriate announcements.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Members of the public may address the Board at this time.

The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Public comments will also be taken on agenda items at the time the item is heard and prior to the Board taking any action on said items. Total time allocated for public comment may be limited at the discretion of the Board President.

Agenda Item D

UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS (DCA) – KAREN NELSON, ASSISTANT DEPUTY DIRECTOR, OFFICE OF BOARD AND BUREAU SERVICES

Karen Nelson, Assistant Deputy Director, Office of Board and Bureau Services will provide the Board with an update on the DCA.

**REVIEW AND POSSIBLE ACTION ON SEPTEMBER 12, 2018 BOARD MEETING
MINUTES**

The Board is asked to review and take possible action on the minutes of the September 12, 2018 Board meeting.

Attachment:

September 12, 2018 Board Meeting Minutes (Draft)

MINUTES
BOARD MEETING
CALIFORNIA ARCHITECTS BOARD
SEPTEMBER 12, 2018
OAKLAND

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

Board President, Sylvia Kwan, called the meeting to order at 10:02 a.m. and Board Vice President, Tian Feng, called roll.

Board Members Present

Sylvia Kwan, President
Tian Feng, Vice President
Pasqual Gutierrez
Ebony Lewis (arrived at 10:13 a.m.)
Matthew McGuinness
Robert C. Pearman, Jr.
Nilza Serrano

Board Member Absent

Barry Williams

Guests Present

Mike Armstrong, Chief Executive Officer (CEO), National Council of Architectural Registration Boards (NCARB)
Josh Batkin, Director of Council Relations, NCARB
Mark Christian, Director of Government Relations, American Institute of Architects, California Council (AIACC)
Susan M. Landry, Member, Landscape Architects Technical Committee (LATC)
Karen Nelson, Assistant Deputy Director, Office of Board and Bureau Services, Department of Consumer Affairs (DCA)

Staff Present

Laura Zuniga, Executive Officer (EO)
Vickie Mayer, Assistant EO
Alicia Hegje, Program Manager Administration/Enforcement
Brianna Miller, LATC Program Manager
Marccus Reinhardt, Program Manager Examination/Licensing
Kristin Walker, Enforcement Analyst
Bob Chase, Architect Consultant
Tara Welch, Attorney III, DCA

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

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

Ms. Kwan announced that 1) the meeting is being webcast, 2) LATC member, Susan M. Landry, is in attendance, 3) NCARB CEO, Mike Armstrong, and NCARB Director of Council Relations, Josh Batkin, will give a presentation under Agenda Item D, and 4) all motions will be repeated for the record, and votes on all motions will be taken by roll-call. She also advised the public that signing in on the list provided at the door is optional and those listed will be recorded in the official minutes of the meeting.

C. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Karen Nelson congratulated Laura Zuniga on her new EO appointment. Ms. Nelson updated the Board on key departmental activities, including the Director's quarterly teleconference meeting. She announced that the Director hosted his first Board Member and Advisory Committee Leadership call on June 25, 2018, and that the next meeting is being planned to be held before the end of the year, potentially in December. Ms. Nelson informed that the Director's quarterly meeting was most recently held on August 6, 2018, and included presentations from the: 1) Department of General Services (DGS); 2) DCA Equal Employment Opportunity (EEO) office; and 3) DCA Office of Human Resources (OHR). She reported that the: 1) DGS previewed construction plans for a new DCA office building to be completed in 2024; 2) EEO provided a primer on implicit bias; and 3) OHR shared new improvements on HR processes related to recruitment and adverse actions. Ms. Nelson announced that the next quarterly meeting is scheduled for October 29, 2018. She explained the purpose of the Department's licensing and enforcement workgroups, which is to convene EOs and key licensing and enforcement staff to explore best practices; she expressed gratitude for the Board's participation and contributions. Ms. Nelson recognized Kristin Walker and Brianna Miller as first and second cohort participants, respectively, of the DCA Future Leadership Development Program.

D. PRESENTATION BY THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) CHIEF EXECUTIVE OFFICER, MIKE ARMSTRONG, ON THE FOLLOWING ITEMS:

1. JUNE 2018 ANNUAL BUSINESS MEETING;
2. OCTOBER 12-13, 2018 MEMBER BOARD CHAIRS / MEMBER BOARD EXECUTIVES LEADERSHIP SUMMIT;
3. NCARB'S COMMITMENT TO DIVERSITY;
4. MODERNIZATION OF MODEL LAW AND MODEL REGULATIONS;
5. LEGISLATIVE TRENDS;
6. INTEGRATED PATH TO ARCHITECTURAL LICENSURE (IPAL) UPDATES;
7. ARCHITECT REGISTRATION EXAMINATION (ARE) 5.0; AND
8. ARCHITECTURAL EXPERIENCE PROGRAM (AXP)

Mr. Armstrong and Mr. Batkin gave an overview of NCARB and the services it provides to members. They recapped NCARB's June Annual Meeting, when NCARB elected its Board of Directors, shared financial information, and educated members about current issues and the services provided by NCARB. Mr. Armstrong reported that NCARB's October summit will focus on strategic plan updates and diversity/ inclusion training efforts. He noted that NCARB issued a statement earlier this year on its commitment to diversity. Mr. Armstrong announced that recruitment efforts are underway to increase diversity on NCARB committees, and explained

that more diversity on the national board is dependent upon state board membership and who appoints them.

Mr. Armstrong reported there are 26 IPAL programs at 21 schools; IPAL is only available to National Architectural Accrediting Board-accredited schools. He explained that NCARB does not dictate the curriculum, but schools must align their programs to allow student to both gain experience and take each division of the exam while in school.

Pasqual Gutierrez asked about NCARB's code of ethics and how leadership plans to obtain member buy-in. Mr. Gutierrez suggested the Regulatory and Enforcement Committee (REC) consider whether the Board could address ethics issues in the Board's new licensee publication. He also expressed his view that a significant challenge is getting licensees to provide work experience opportunities to IPAL participants. Mr. Gutierrez asked about NCARB's Emerging Professionals publications and opined there should be something similar for IPAL participants to help mitigate risk to firms that hire them.

Ms. Lewis asked about NCARB's strategies to promote diversity and whether those strategies are employed for executive positions. Mr. Armstrong explained that NCARB actively encourages states to identify diverse candidates for vacant board member positions.

E. REVIEW AND POSSIBLE ACTION ON JUNE 13, 2018 BOARD MEETING MINUTES

Ms. Kwan asked for comments concerning the minutes of the June 13, 2018 Board meeting.

- **Nilza Serrano moved to approve the June 13, 2018 Board meeting minutes.**

Ebony Lewis seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

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

Ms. Zuniga provided the Board with updates to its programs. She reminded the Board that its next meeting is scheduled for December 13-14, 2018, in Sacramento, which will include a Strategic Planning session. Ms. Zuniga reported that Board staff is exploring the possibility of accepting credit card payments for license renewals. She also reported that staff collaborated with the DCA Office of Public Affairs and the Contractors State License Board to publish an article in the June issue of *Consumer Connection*. Ms. Zuniga reported that the Board migrated to the DCA Search on September 5, 2018, which replaced the Web License Look Up tool. She directed the Board's attention to the ARE 4.0 and 5.0 test results, of which Ms. Serrano expressed concern about California candidate performance. Ms. Zuniga offered to provide more insights into California candidate performance at a future meeting. Mr. Armstrong announced that NCARB is considering opportunities to collaborate with the test preparation industry. Ms. Zuniga reported that staff is currently developing a regulatory proposal to reduce the mandatory wait time after a candidate fails the CSE from 180 days to 90 days. She also announced that the next Professional Qualifications Committee meeting is scheduled to be held at the end of October in Sacramento.

G. UPDATE AND POSSIBLE ACTION ON PROPOSED LEGISLATION:

Ms. Zuniga updated the Board on the status of bills of interest to the Board. She reported that Assembly Bill (AB) 2138 (Chiu and Low, 2018), which changes the types of criminal convictions a licensing board may use to deny an application for licensure, is on the Governor's desk.

Mr. Feng asked about the status of Senate Bill (SB) 721 (Hill, 2018), to which Ms. Zuniga reported that a letter conveying the Board's concerns was sent to the author, but the letter did not inspire the author to amend the bill. Mark Christian informed the Board that AIACC did not take a position on SB 721.

Ms. Zuniga reported that AB 2483 (Voepel, 2018) and SB 984 (Skinner, 2018) are dead and did not make it to the Governor's desk. She also reported that SB 1137 (Vidak, 2018) and SB 1480 (Hill, 2018) are on the Governor's desk.

H. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

Ms. Walker updated the Board on the recent activities of the REC and reported that the Committee last met on August 23, 2018, to work on its remaining 2017-2018 Strategic Plan objectives. Ms. Walker reported the following about the REC meeting:

1. REC members reviewed and discussed proposed changes to the Board's *Building Official Information Guide*. Staff will consult with DCA legal counsel about proposed revisions. A final draft will be presented to the REC at its next meeting.
2. REC members discussed its objective to educate consumers on the standard of care and what to expect from an architect when choosing to hire one. The REC during its discussions expressed concern over the potential legal implications of defining standard of care for consumers. Staff will be researching case law on the topic of standard of care. A subcommittee of REC members has been formed to develop the standard of care message to consumers.

Ms. Walker reported that the REC considered its Strategic Plan objective to measure the effectiveness of the Board's citation collection methods as a means of protecting future consumers. She informed that the Board's overall citation collection rate over the past five years is approximately 59%, with collection rates of 81% for licensees and 43% for unlicensed individuals. Ms. Walker reported that staff is working with the DCA to secure a contract with a collection agency through the informal solicitation method (Government Code section 14838.5) to allow the Board to refer unpaid accounts aged beyond 90 days to the agency; the contract is anticipated to be executed in early 2019. She reported that the REC voted to recommend to the Board that this objective to measure the effectiveness of collection efforts be carried over to the next Strategic Plan for 2019-2020 until sufficient data to measure the effectiveness of citation collection methods is captured.

Ms. Lewis enquired about how long it would take for staff to define standard of care. Ms. Walker explained that staff is exploring the legal implications of this effort, and that a target date to complete the project had not been identified. Ms. Zuniga agreed to provide a status update on the standard of care definition at the next meeting.

- **Matthew McGuinness moved to approve REC’s recommendation to carry over the objective to measure the effectiveness of collection efforts to the 2019-2020 Strategic Plan until sufficient data to measure is captured.**

Ebony Lewis seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

Ms. Walker reminded the Board of its Strategic Plan objective to develop educational materials for newly licensed architects to provide more information about the requirements in order to avoid future violations. She explained that in order to further educate new licensees about the Architects Practice Act (Act), staff created a draft *New Licensee Information Guide* outlining various requirements, provisions, disciplinary actions, and most common violations of the Act. Ms. Walker reported that the REC reviewed and discussed the proposed content of the *Guide* at its August 23, 2018 meeting, and voted to approve the draft *Guide* and direct staff to work with DCA legal counsel to obtain approval of the publication and present it to the Board at its next meeting. She noted that following the REC meeting, legal counsel reviewed and approved the proposed content of the *Guide*. Ms. Walker explained that after the content of the *Guide* has been approved by the Board, staff intends to work with the DCA Office of Publications, Design & Editing on the graphic design and format of the publication. She noted that, once finalized, the new publication would be distributed to each newly licensed architect with the initial license packet and posted on the Board’s website.

Mr. Gutierrez commended the REC for its work on the *Guide*. He requested the REC consider including standard of care in the *Guide* and develop a supplemental document of best practices for experienced architects. Ms. Kwan expressed a desire to include information on ethics, to which Ms. Mayer informed that ethics must somehow relate to the Act. Ms. Mayer opined that the rules of conduct already fill that need. She also noted that the Board does not govern ethics in general. Tara Welch reminded the Board that its primary concern is for consumer protection. Mr. Gutierrez expressed his desire for competency / standard of care to be reflected in the *Guide*.

Ms. Kwan asked how the nature of crimes is addressed at NCARB (e.g., model law, rules of conduct). Mr. Armstrong explained that NCARB recognizes that each jurisdiction has a different interpretation of the issue. The Board discussed its scope to discipline violations of law and ethics. Mr. Gutierrez clarified his desire for a “Standard of Care” component to be added to the *Guide*. Ms. Walker informed that the next step would involve defining “Standard of Care” at the committee level.

- **Pasqual Gutierrez moved to accept the REC’s recommendation to approve the draft *New Licensee Information Guide*.**

Tian Feng seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

Ms. Walker reminded the Board of its 2017-2018 Strategic Plan objective to determine the necessity and implementation alternatives of a licensure fingerprint requirement as a means of protecting consumers. She delivered a presentation regarding the existing review process for

applicant and licensee convictions, criminal offender record information searches through the California Department of Justice and Federal Bureau of Investigation, and fingerprint requirements for other DCA boards and bureaus, and those of other states.

Ms. Walker reported that the Board previously considered the benefits of a fingerprint requirement in 2012. She noted that, at that time, the Board determined that a fingerprint requirement would offer little benefit to the public health, safety, and welfare. Ms. Walker described the Board's substantial relationship criteria, which defines the degree to which an applicant's or a licensee's criminal behavior is substantially related to the profession. She recalled that the REC recognized the benefit of a fingerprint requirement at its August 23, 2018 meeting, but also noted several disadvantages. Ms. Walker reported that the REC ultimately determined there to be insufficient data to justify the need for fingerprinting at this time and voted to recommend to the Board that it not pursue a fingerprint requirement for applicants or licensees at this time, unless mandated to do so.

- **Matthew McGuinness moved to accept the REC's recommendation for the Board to not pursue a fingerprint requirement for applicants or licensees at this time, unless mandated to do so.**

Pasqual Gutierrez seconded the motion.

Ms. Serrano shared her view that photographing applicants and licensees as part of the licensure process would be ideal. She asked that the fingerprint requirement be reconsidered in two years. Ms. Zuniga recommended that the Board revisit the issue during the upcoming Strategic Planning session. Ms. Landry announced her support for the idea of a fingerprint requirement. She observed that the new Bureau of Cannabis Control requires photograph identification and fingerprinting as part of its application process, and recommended the Board adopt the same requirement.

Members Feng, Gutierrez, McGuinness, Pearman, and President Kwan voted in favor of the motion. Members Lewis and Serrano abstained. Member Williams was absent. The motion passed 5-0-2.

Ms. Walker reminded the Board of its 2015-2016 Strategic Plan objective to identify and pursue needed statutory and regulatory changes so laws and regulations are consistent with current architectural practice to promote public health, safety, and welfare, such as amending the Act's written contract requirement. She recalled that, at its April 28, 2016 meeting, the REC accepted staff's recommendation to, in part, include a statement identifying the ownership and/or use of instruments of service prepared by the architect. Ms. Walker reminded that, at its December 15, 2016 meeting, the Board approved the proposed language to amend Business and Professions Code (BPC) section 5536.22 except for the proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure. She reported that, at its August 23, 2018 meeting, the REC reviewed the proposed subsection (a)(9), discussed the Board's and REC's prior issues regarding the phrase "Any questions or concerns about an architect may be referred to the California Architects Board," and noted the potential challenges with including subsection (a)(9) in a written contract with a public agency, as the public agencies, not the architects, typically provide the architectural services contracts for public works projects.

Ms. Walker informed that the REC supported revising the proposed notification in subsection (a)(9) to state: “Architects are licensed and regulated by the California Architects Board located at 2420 Del Paso Road, Suite 105, Sacramento, CA 95834.” She also informed that the REC ultimately voted to recommend to the Board that it approve revised wording of subsection (a)(9) in the proposed language to amend BPC section 5536.22 and consider exempting public agency contracts from the requirement(s) in subsection (a)(9) or all of subdivision (a).

Ms. Walker also reported that staff reviewed the written contract requirements for landscape architects and professional engineers, which include an exemption for professional services rendered to a public agency, and recommends the Board consider including a similar provision, subsection (b)(5), in the proposed language to amend BPC section 5536.22. She recommended changing the minimum type size from 10-point to 12-point for consistency with current accessibility requirements.

Mr. Gutierrez observed that client roles and responsibilities are not identified in the written contract with the architect. Ms. Mayer clarified that BPC section 5536.22 provisions are designed to protect consumers and meet basic requirements. The Board discussed the feasibility of specifying client responsibilities as an element to the written contract requirement. Tara Welch commented that the Board would not enforce missing contract provisions against a consumer and reminded the Board of its responsibility to ensure the architect includes the necessary provisions of the contract. Ms. Mayer informed that the Board’s *Consumer’s Guide to Hiring an Architect* contains key information about architectural services and about how to vet an architect. She also informed the Board that the written contract proposal will be included in the Sunset Report as a “New Issue,” and that whatever the Board decides will be aligned with the Report.

- **Matthew McGuinness moved to accept REC’s recommendation to approve revised wording of subsection (a)(9) in the proposed language to amend BPC section 5536.22 and include an exemption for professional services rendered to a public agency [subsection (b)(5)].**

Robert Pearman seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

I. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

Brianna Miller reported that the LATC last met on July 20, 2018, in San Diego at Woodbury University. Ms. Miller described several discussions at that meeting, including the discussion around the 2017-2018 Strategic Plan objective to “expand pathways to both initial and reciprocal licensure by exploring requirements for applicants who have degrees related to the field of landscape architecture or experience-only.” Specifically, she reported that the LATC made recommendations for the Board’s consideration about proposed amendments to California Code of Regulations (CCR) sections 2615 and 2620. Ms. Miller directed the Board’s attention to the proposed amendments to CCR sections 2615 and 2620 and asked members to consider approving them. She also asked the Board to approve the LATC’s recommendation to submit the proposed amendments to the Office of Administrative Law (OAL) as a single regulatory package.

Mr. McGuinness asked why extension certification programs earn two years of education credit for licensure while associate degree programs earn only one year of credit. Ms. Miller explained that the Board offers an additional year of credit for licensure to one who completes the University of California (UC) Los Angeles or UC Berkeley extension certificate program in part, because, these extension programs are more focused than associate degree programs.

- **Matthew McGuinness moved to approve the proposed amendments to CCR sections 2615 and 2620, and to submit the proposed amendments to the OAL as a single regulatory package.**

Ebony Lewis seconded the motion.

Ms. Welch advised Mr. McGuinness to consider modifying the motion.

- **Matthew McGuinness amended his motion to approve the proposed regulatory changes to CCR sections 2615 and 2620, direct the EO to take all steps necessary to initiate the rulemaking process, authorize the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day period, and, if no adverse comments are received during the 45-day comment period, adopt the proposed regulatory changes as modified.**

Ebony Lewis seconded the amended motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

Ms. Miller also described the LATC's discussion around its 2017-2018 Strategic Plan objective to "research the possibility of enhancing the statutory written contract requirement to include a consumer notification to enhance consumer education." She reported that the Committee reviewed and discussed several proposed amendments to BPC section 5616 (Landscape Architecture Contract – Contents, Notice Requirements) to enhance the LATC's written contract requirements. Ms. Miller informed that the Committee voted to recommend proposed revisions to BPC section 5616, and to include the proposed amendments to the written contract requirements in the LATC's Sunset Review Report within the "New Issues" section.

- **Nilza Serrano moved to approve the proposed revisions to BPC section 5616, and to include the proposed amendments to the written contract requirements in the LATC's Sunset Review Report within the "New Issues" section.**

Ebony Lewis seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

Ms. Miller described the LATC's efforts around its 2017-2018 Strategic Plan objective to "follow the Board's determination regarding the necessity for a licensure fingerprint requirement and the alternatives for implementation as a means of protecting consumers." She informed that, like the Board, the LATC does not have statutory authority to use fingerprinting for background checks. Ms. Miller reported that, within the past five years, three instances of a licensee's reported conviction have resulted in LATC's pursuit of disciplinary action due to the

conviction's substantial relationship to the practice of landscape architecture, pursuant to CCR section 2655. She informed that the LATC has not yet discussed this Strategic Plan objective given its aim to follow the Board's determination on a fingerprinting requirement. Ms. Miller asked the Board to consider its decision from Agenda Item H.2.c and take possible action consistent with that prior action.

- **Tian Feng moved to affirm the Board's decision to not pursue a fingerprint requirement for landscape architect applicants or licensees at this time, unless mandated to do so.**

Matthew McGuinness seconded the motion.

Members Feng, Gutierrez, McGuinness, Pearman, and President Kwan voted in favor of the motion. Members Lewis and Serrano abstained. Member Williams was absent. The motion passed 5-0-2.

Ms. Landry raised the Board's awareness of upcoming issues that will affect the landscape architectural profession, including matters of water conservation and recycling.

J. DISCUSS AND POSSIBLE ACTION ON 2017-2018 STRATEGIC PLAN OBJECTIVE TO CONDUCT AN ANALYSIS TO DETERMINE THE EFFECTIVENESS OF THE CONTINUING EDUCATION (CE) REQUIREMENT AND PREPARE A REPORT (LETTER) FOR THE LEGISLATURE

Marccus Reinhardt reminded the Board that BPC section 5600.05 requires, as a condition of renewal, architects complete CE on disability access requirements. He informed that BPC section 5600.05(d) imposes a requirement for the Board (on or before January 1, 2019) to submit a letter to the Legislature on the disability access CE provisions required under the law. Mr. Reinhardt reported that staff created a draft letter to the Legislature contained in the meeting packet that includes recommendations to improve the process.

Mr. Feng asked how the law for architects to complete CE on disability access requirements is currently enforced. Ms. Mayer explained that licensees are required, as a condition of license renewal, to complete the CE within the previous two years and it depends on the date the licensee signs the renewal application and submits it to the Board. She noted that sometimes a licensee does not submit the renewal application promptly, and, therefore, clarity is needed of when the two-year period begins and ends. Ms. Mayer further explained that some licensees will certify that they have completed CE coursework without having completed it. She suggested to the Board that it consider creating a provision to require licensees to complete CE coursework within a defined period after failing the audit. Ms. Mayer shared that staff considered the possibility of using an Order of Abatement and citation to create this requirement, but legal counsel advised against that approach.

Ms. Kwan expressed concern about how this issue may impact the Board's Sunset Review reporting activities. Ms. Mayer informed that the Sunset Report is due December 1, 2018, and staff does not plan for the letter to be included in the Report but rather filed on the January 1, 2019 deadline. Ms. Zuniga advised that the letter will likely be addressed at the Board's Sunset Review hearing in the spring of 2019.

The Board discussed citation penalties for CE coursework violations. Ms. Serrano expressed her view that the Board may be excessively patient with violators that fail the audit. She shared her desire for the process to be fair for everyone. Ms. Mayer explained that violators are penalized according to the law – a citation, a fine, and public posting. Alicia Hegje shared that licensees are only required to complete their CE coursework two years prior to their license expiring. Mr. Reinhardt asked the Board to consider clarifying through regulation whether it wants to specify an amount of time the Board would want architects to maintain their coursework documentation. Ms. Welch clarified that BPC section 5600.05(3)(b) states that a licensee shall maintain records of completion of the required coursework for two years from the date of license renewal and shall make those records available to the Board for auditing upon request. Mr. Feng asked about how other states conduct audits of their CE requirements; Ms. Zuniga offered to explore other DCA boards. Mr. Armstrong shared that most jurisdictions require more than 12 hours of CE per year. He informed that 47 states have a CE requirement, 7 states do not have a CE requirement, and 22 states have adopted a 12-hour CE requirement per year.

- **Nilza Serrano moved to 1) approve the draft letter to the Legislature to fulfill the requirements of BPC section 5600.05(d) and 2) direct staff to audit licensees that failed a prior audit in addition to a randomly selected 3% of licensees.**

Robert C. Pearman, Jr. seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

K. REVIEW AND POSSIBLE ACTION TO APPROVE PROPOSED AMENDMENTS TO THE BOARD AND LATC MEMBER ADMINISTRATIVE PROCEDURE MANUALS

Ms. Mayer informed that the Board previously revised its Member Administrative Procedure Manual in 2012, while the LATC's Manual was last updated in 2001. She shared that DCA-sponsored Sunset Review training in which they encouraged boards to provide a current, updated iteration of their manuals in their Sunset Review Reports. Ms. Mayer directed the Board's attention to the Board's and LATC's updated Manuals, showing all edits in tracked changes. She noted edits that were identified after the publication of the meeting packet, including on page one of the Board's Manual which contains omitted content from the LATC Manual; she asked the Board to consider adding that content to LATC's Manual. Ms. Mayer noted that staff intends to attach these Manuals to the Board's and LATC's Sunset Review Reports. She also noted that the Manuals are living documents, and the Board and LATC will have future opportunities to revise, as needed. Ms. Mayer asked the Board to review and consider approving the proposed amendments to the Board and LATC Manuals.

- **Matthew McGuinness moved to approve the proposed amendments to the Board and LATC Member Administrative Procedure Manuals.**

Nilza Serrano seconded the motion.

Ms. Lewis asked if the Board will again review the Manuals at its December 2018 meeting. Ms. Mayer explained that because the manuals will be included in the Sunset Reports which are due to the Legislature on December 1, 2018, this was the Board's opportunity to make any needed amendments. She added the Manuals as amended today will be included in the Board's and LATC's respective Sunset Review Reports. Mr. Feng asked if the manuals had been

reviewed by any of the committees. Ms. Mayer stated that they had not, due to the need to have the manuals approved by the Board in time to be included in the Sunset Review Reports.

Members Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Feng abstained. Member Williams was absent. The motion passed 6-0-1.

L. REVIEW AND POSSIBLE ACTION TO APPROVE THE BOARD'S AND LATC'S 2018 SUNSET REVIEW REPORTS TO BE SUBMITTED TO THE LEGISLATURE

Ms. Zuniga thanked Board and LATC staff for their contributions to the 2018 Sunset Review Reports. She described several edits made (and will be made) to the Reports for the Board's review, including:

- a) A description of the relationship between the Board and LATC in Section 1;
- b) References to the collection agency contract;
- c) Updates to when more IPAL data is expected from NCARB;
- d) Legislative updates;
- e) Fiscal updates;
- f) Noting the status of fingerprint requirements as a Strategic Plan objective;
- g) Changes to the proposed written contract provision; and
- h) References to the Board secretary.

Ms. Zuniga asked the Board to approve the Board's and LATC's 2018 Sunset Review Reports and delegate authority to the EO to make any necessary minor and technical changes to the Reports prior to submittal, and to the President and EO to approve any other changes.

Mr. Gutierrez suggested including the term "collateral professional associations" when referencing the list of Board constituencies. The Board was agreeable. The Board was also agreeable to search for "streamline" and substitute it with "expedite" or "accelerate," as proposed by Mr. Gutierrez.

- **Nilza Serrano moved to approve the Board's and LATC's 2018 Sunset Review Reports for submission to the Legislature, and delegate authority to the EO to make any necessary minor and technical changes to the Reports prior to submittal, and to the President and EO to approve any other changes.**

Pasqual Gutierrez seconded the motion.

Ms. Zuniga clarified that the motion includes a directive for staff to make edits to the Reports as discussed by the Board, and to authorize the Board President and EO to make any necessary edits to the Reports prior to submittal.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

M. REVIEW OF FUTURE BOARD MEETING DATES

Ms. Zuniga reviewed future Board and LATC meeting dates.

N. ELECTION OF BOARD SECRETARY FOR REMAINDER OF 2018 TERM

Ms. Kwan announced that Denise Campos' term has expired; she nominated Robert. C. Pearman, Jr. to serve as Board Secretary for the remainder of 2018.

- **Matthew McGuinness moved to elect Robert. C. Pearman, Jr. as Board Secretary for the remainder of 2018.**

Tian Feng seconded the motion.

Members Feng, Gutierrez, Lewis, McGuinness, Pearman, Serrano, and President Kwan voted in favor of the motion. Member Williams was absent. The motion passed 7-0.

- O. CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTIONS 11126(C)(3), 11126(F)(4), AND 11126.1, THE BOARD WILL MEET IN CLOSED SESSION TO:
1. REVIEW AND POSSIBLE ACTION ON JUNE 13, 2018 CLOSED SESSION MINUTES
 2. DELIBERATE AND VOTE ON DISCIPLINARY MATTERS
 3. ADJOURN CLOSED SESSION

The Board agreed to postpone Closed Session until its next meeting.

- P. RECONVENE OPEN SESSION

The Board remained in Open Session.

- Q. ADJOURNMENT

The meeting adjourned at 4:29 p.m.

ELECTION OF 2019 BOARD OFFICERS

Business and Professions Code section 5518 states:

The Board shall elect from its members a president, vice president, and a secretary to hold office for one year, or until their successors are duly elected and qualified.

The Board Member Administrative Procedure Manual provides for a nomination process as follows:

The Board president shall appoint a Nominations Committee prior to the last meeting of the calendar year and shall give consideration to appointing a public and a professional member of the Board to the Committee. The Committee's charge will be to recommend a slate of officers for the following year. The Committee's recommendation will be based on the qualifications, recommendations, and interest expressed by the Board members. A survey of Board members will be conducted to obtain interest in each officer position. A Nominations Committee member is not precluded from running for an officer position. If more than one Board member is interested in an officer position, the Nominations Committee will make a recommendation to the Board and others will be included on the ballot for a runoff, if they desire. The results of the Nominations Committee's findings and recommendations will be provided to the Board members in the meeting packet prior to the election of officers. Notwithstanding the Nominations Committee's recommendations, Board members may be nominated from the floor at the meeting.

Board President Sylvia Kwan appointed Ebony Lewis and Barry Williams to serve as members of the Nominations Committee. All Board members were surveyed as to their interest, and the Nominations Committee recommends the following slate of officers for 2019 for the Board's consideration based on the qualifications, recommendations, and interest expressed by the Board members:

Nominations Committee Recommended Slate of Officers for 2019

President – Sylvia Kwan
Vice President – Tian Feng
Secretary – Nilza Serrano

The following member(s) were also nominated/volunteered for officer positions:

Vice President - Pasqual Gutierrez

At this meeting, the Nominations Committee will present the recommended slate of officers to the Board for its consideration. The Board is asked to consider the slate as recommended by the Committee and elect the officers for 2019.

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

The Executive Officer will provide an update on the Board's Administration / Management, Examination, Licensing, and Enforcement Programs.

Attachments:

1. November 2018 Monthly Report
2. Enforcement Program Report



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MEMORANDUM

DATE: December 3, 2018

TO: Board and Landscape Architects Technical Committee (LATC)
Members

FROM: Laura Zuniga, Executive Officer

SUBJECT: NOVEMBER 2018 MONTHLY REPORT

The following information is provided as an overview of Board activities and projects as of November 30, 2018.

ADMINISTRATIVE/MANAGEMENT

Board The Board's next meeting is scheduled for December 13-14, 2018, in Sacramento. This meeting will include a Strategic Planning session.

Business Modernization In late December, the Board, in collaboration with the Department of Consumer Affairs (DCA), finalized its Business Modernization Plan (Plan) to effectively facilitate the analysis, approval, and potential transition to a new licensing and enforcement platform. The Plan is an academic look at the purpose, guiding principles, objectives, and activities needed to achieve the Board's goals of business modernization. The Plan has an accompanying document, the Business Modernization Report (Report), which is an artifact specific to the Board that documents the business modernization activities that will be conducted. The Report includes proposed timelines, milestone documentation, business planning artifacts, project approval documents, among other items. Together, these documents outline a specific framework, and the Board's progress within such framework.

The primary objective of the Plan is to ensure that business modernization efforts for the Board follow a structured approach based on best practices and lessons learned, with more accurately planned, managed, and implemented technology solutions. The thorough planning, business analysis, and program-specific nature of this effort will ensure success for the Board and DCA.

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An initial meeting was held on July 11, 2017, with the Board and DCA's Office of Change Management (OCM) to discuss the Business Modernization Plan and approach. On August 17, 2017, staff met with OCM staff to discuss the initial inventory of the Board's existing administrative, enforcement, and licensing business processes. This inventory will inform the proposed timeline for the effort, currently under development. At the request of the DCA, on October 11, 2017, staff provided suggested edits to the business processes. Staff completed the Project Charter for the business activities phase of the modernization effort. The Charter specifies our role and responsibilities as key project stakeholders. It also describes the project decision-making authority for our business area, and the commitment DCA needs from the Board to conduct a successful project. Staff and management met with SOLID on November 7, 2017, to review the draft Project Charter and discuss combining the Board and LATC charters into one document. The consolidated Charter was submitted to OCM in January 2018, after approval from the Board President and LATC Chair.

Key elements of Business Modernization specific to the needs of the Board and LATC include: 1) Business Activities, 2) Project Approval Lifecycle, and 3) System Implementation. Jason Piccione, DCA Chief Information Officer, updated the Executive Committee and the Board on the Business Modernization project; he stressed that the progression of activities to implement the Business Modernization project will be based on the overall organizational readiness of both programs and ability to support an aggressive (or less aggressive) timeframe regarding staff resources. Furthermore, he reported that Business Activities are scheduled from October 2018 through October 2019, the Project Approval Lifecycle from July 2019 through November 2020, and System Implementation from November 2020 through November 2022. The proposed schedule employs a minimum viable product strategy, which could reduce the total proposed time of implementation to November 2021. The Board business process inventory has since been finalized and provided to OCM on May 21, 2018. OCM advised they would reach out to the Board near the fourth quarter to begin preparation for the mapping process in October 2018. Executive managers met with OCM on October 23, 2018, to discuss the business modernization activities. A meeting was held on October 30, 2018, to discuss the process inventory and scheduling of activities. Next, the Project Charter will be reviewed by staff to determine if any updates are necessary. Subject matter experts (SME) have been assigned and an introductory workshop and townhall meeting was held with all staff on November 1, 2018. The purpose of the meeting was to introduce the participants to the mapping methodology used by SOLID OCM, discuss how the mapping activities support the project, and answer any questions. The process mapping phase includes developing various process maps, and a functional requirements document. Six or more workshops are scheduled each week and are combined with Board and LATC SME's. Twenty-one business modernization workshops were completed during November.

Because this planned approach will take time and to address the delayed implementation of a new platform, the Board and LATC are pursuing a stop gap measure to accept credit card payment for license renewal applications, our highest volume transaction. Staff met with DCA Office of Information Services (OIS) on May 14, 2018, along with Release 3 boards and bureaus interested in the Interim Credit Card Acceptance Portal initiative. Staff worked with DCA Budget and Legal staff to assess the projected credit card costs. Based on the assessment, the estimated 3% vendor convenience fee cannot be readily absorbed by the Board at this time. However, the Board will continue to monitor and assess the feasibility of absorbing the convenience fee in the future. The Board and LATC will be in the first group along with California State Board of Pharmacy and

California Board of Accountancy. OIS identified the Board as the primary organization in the first group and has initiated the data analysis for credit card renewal payments. Staff met with OIS to determine initial screening questions for credit card eligibility and assess whether additional features could be implemented. For example, features such as online address changes could be implemented in the future. In October 2018, the Board and LATC worked with DCA to secure a contract with credit card vendors and is awaiting final execution for a planned launch in December 2018.

Communications Committee The next Communications Committee meeting has not been scheduled at this time.

Executive Committee The next Executive Committee meeting has not been scheduled at this time.

Legislation Assembly Bill (AB) 2138 [Chapter 995, Statutes of 2018] limits the current discretion provided to regulatory entities within DCA to apply criminal history background, as it relates to denial of an application for licensure. This bill was signed by the Governor on September 30, 2018, and becomes effective on January 1, 2019.

Senate Bill (SB) 721 [Chapter 445, Statutes of 2018] establishes minimum inspection requirements for the exterior elevated elements, including balconies and decks, of buildings with three or more multifamily dwelling units. This bill was signed by the Governor on September 17, 2018, and becomes effective on January 1, 2019.

SB 826 [Chapter 954, Statutes of 2018] requires each publicly held corporation whose principal executive offices are located in California to have a minimum number of females on its board of directors. The bill was signed by the Governor on September 30, 2018, and becomes effective on January 1, 2019.

SB 1137 [Chapter 414, Statutes of 2018] requires the Department of Veterans Affairs and the DCA, in consultation with each other, to take appropriate steps to increase awareness regarding professional licensing benefits available to veterans and their spouses. A letter conveying the Board's support was sent to Senator Vidak on August 16, 2018. SB 1137 was signed by the Governor on September 14, 2018, and becomes effective on January 1, 2019.

SB 1480 [Chapter 571, Statutes of 2018] reduces the requirement that boards within DCA meet three times per year to two times per year. This bill was signed by the Governor on September 19, 2018, and becomes effective on January 1, 2019.

Newsletter The *California Architects* newsletter was published on November 7, 2018. The next issue of the *California Architects* newsletter is planned for publication in December 2018.

Sunset Review The Board's and LATC's 2018 Sunset Review Reports are due for submission to the Legislature on December 1, 2018. The draft reports were approved by the Board at its September 12, 2018 meeting and were submitted to the Legislature on November 28, 2018.

Staff is working with DCA's Office of Publications, Design and Editing to design the *New Licensee Information Guide* for dissemination and inclusion in newly licensed packets to assist

architects in understanding the Architects Practice Act (Act) and filing and notification requirements. The *Guide* will be published and disseminated in December 2018.

Personnel Reynaldo Castro was selected to fill the Enforcement Office Technician position and his first day was October 31, 2018. Jasmine Newman was also selected to fill the Enforcement Analyst position and her first day was November 15, 2018. Lead Enforcement Analyst, Kristin Walker accepted a promotional opportunity at the Board of Chiropractic Examiners and her last day at the Board will be December 5, 2018. Recruitment efforts have begun to fill her position.

Social Media The Board has expanded its social media presence to include three platforms, which are shown in the following table:

Platform	Current Followers	Followers 1 Year Prior	Difference
Twitter (launched in 2014)	1,214	1,124	8%
Instagram (launched in 2016)	447	230	194%
Facebook (launched in 2017)	86	20	430%

Training The following employee(s) have been scheduled to participate in upcoming training:

- 12/11/18 Microsoft Excel 2016 Formulas (Reynaldo)
- 12/19/18 Microsoft Word 2016 Track Changes and Collaborative Editing Tools (Katie and Reynaldo)
- 1/31/19 Enforcement Actions, Disciplinary Process and Courtroom Testifying (Alicia)
- 2/7/19 Investigative Subpoena Preparation and Delegation (Alicia)
- 2/27/19 Effective Business Writing (Jasmine)
- 3/7/19 Basic Project Management (Jasmine)
- 3/20-21/19 Legislative Process (Alicia)
- 3/26/19 Completed Staff Work (Jasmine)
- 3/28/19 Probation Monitoring (Alicia)
- 4/2/19 Effective Public Speaking (Alicia)
- 4/3-4/19 Presentation Skills for Analysts (Jasmine)
- 4/9/19 Interpersonal Skills for Analysts (Jasmine)
- 5/22/19 Creating Effective Teams (Alicia)

Website In November, staff posted the notice for the December 13-14, 2018 Board meeting.

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) Effective July 1, 2018, NCARB retired ARE 4.0. Candidates who did not complete the entirety of ARE 4.0 were transitioned to ARE 5.0. Transitioned candidates with partial ARE 4.0 credit were granted ARE 5.0 credit based upon the rules set by NCARB ARE 5.0 Credit Model. Following the transition, Examination and Licensing staff manually reviewed candidate records for accuracy and granted individual testing authorizations for each ARE 5.0 division to nearly 8,000 actively testing candidates. The result of which was a smooth transition process for candidate and the avoidance of unnecessary delays in the scheduling of ARE 5.0 examinations.

The pass rates for ARE divisions taken by California candidates between October 1–31, 2018, are shown in the following tables:

October 2018 ARE 5.0

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Construction & Evaluation	51	36	71%	15	29%
Practice Management	133	63	47%	70	53%
Programming & Analysis	93	47	51%	46	49%
Project Development & Documentation	113	45	40%	68	60%
Project Management	80	51	64%	29	36%
Project Planning & Design	142	47	33%	95	67%

Pass rates for ARE divisions taken by California candidates during the first three quarters of this calendar year (January 1, 2018 to September 30, 2018) are shown in the following tables:

2018 ARE 5.0 (1st thru 3rd Quarters Combined)

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Construction & Evaluation	335	215	64%	120	36%
Practice Management	682	329	48%	353	52%
Programming & Analysis	502	223	44%	279	56%
Project Development & Documentation	627	300	48%	327	52%
Project Management	466	268	58%	198	42%
Project Planning & Design	808	337	42%	471	58%

2018 ARE 4.0 (Quarters 1 and 2 Combined)

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Building Design & Construction Systems	114	85	75%	29	25%
Building Systems	118	58	49%	60	51%
Construction Documents & Services	601	246	41%	355	59%
Programming, Planning, & Practice	755	298	39%	457	61%
Schematic Design	65	45	69%	20	31%
Site Planning & Design	438	223	51%	215	49%
Structural Systems	168	82	49%	86	51%

National pass rates for 2017 ARE 5.0 and ARE 4.0 are shown in the following tables:

2017 ARE 5.0

DIVISION	CALIFORNIA		NATIONAL	DIFFERENCE
	Total	Passed	Passed	
Construction & Evaluation	238	54%	61%	-7%
Practice Management	488	42%	50%	-8%
Programming & Analysis	296	43%	53%	-10%
Project Development & Documentation	602	47%	56%	-9%
Project Management	292	58%	59%	-1%
Project Planning & Design	774	42%	50%	-8%

2017 ARE 4.0

DIVISION	CALIFORNIA		NATIONAL	DIFFERENCE
	Total	Passed	Passed	
Building Design & Construction Systems	607	56%	62%	-6%
Building Systems	636	56%	59%	-3%
Construction Documents & Services	1,607	46%	52%	-6%
Programming, Planning, & Practice	1,507	48%	52%	-4%
Schematic Design	317	80%	81%	-1%
Site Planning & Design	1,087	59%	64%	-5%
Structural Systems	585	59%	59%	0%

California Supplemental Examination (CSE) Staff, at the direction of the Board, researched with the Office of Professional Examination Services (OPES) the feasibility of reducing the mandatory 180 day wait time after a candidate fails the CSE while maintaining examination security and defensibility. The Board was provided an update on the research at its December 7, 2017 meeting, and directed staff to proceed with a regulatory proposal to reduce the wait time from 180 to 90 days. At its March 1, 2018 meeting, the Board received a presentation from OPES detailing how the reduction in the wait time will be implemented in March 2019, and approved proposed regulatory language to commence the rulemaking process. Staff is working with DCA to develop a regulatory proposal for submittal to the Office of Administrative Law (OAL) and notice to the public. On November 1, 2018, the Board notified eligible CSE candidates the reduction in wait time will become effective on December 1, 2018. Eligible candidates may afterwards schedule a retake appointment if it has been at least 90 days since their last attempt.

The current Intra-Departmental Contract (IAC) with the OPES for examination development for fiscal year (FY) 2018/19 expires on June 30, 2019.

The pass rates for the CSE taken by candidates between November 1–30, 2018, and prior FY are displayed in the following tables:

**November 2018 CSE
(as of November 30, 2018)**

CANDIDATE TYPE	CANDIDATES PASSED		CANDIDATES FAILED		TOTAL
	Count	Percent	Count	Percent	
Instate First-time	37	54%	31	46%	68
Instate Repeat	9	53%	8	47%	17
Reciprocity First-time	12	48%	13	52%	25
Reciprocity Repeat	1	33%	2	67%	3
Relicensure First-time	0	0%	1	100%	1
Relicensure Repeat	0	0%	0	0%	0
TOTAL	59	52%	55	48%	114

FY 2018/19 CSE
(as of November 30, 2018)

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
521	307	59%	214	41%

FY 2017/18 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
1,144	645	56%	499	44%

NCARB Integrated Path to Architectural Licensure (IPAL) The most recent information from NCARB indicates there are more than 400 students enrolled across 17 IPAL programs; over 60 of whom have taken one or more ARE divisions. Five students graduated from IPAL programs in May and received their license. NCARB anticipates being able to provide more robust data in three to five years when more students have progressed through the programs.

Professional Qualifications Committee (PQC) The PQC met on October 25, 2018, in Sacramento. At the meeting the PQC reviewed a draft of the new *Licensure Handbook*, which replaces the *Candidate's Handbook*, and provided its feedback to staff. The Committee also reviewed historical examination statistics for the ARE and CSE. The next PQC meeting has not been scheduled but is tentatively planned for April 2019.

Regulatory Proposals California Code of Regulations (CCR) Sections 124 (California Supplemental Examination) and 124.5 (Review of California Supplemental Examination) – At its June 15, 2017 meeting, the Board directed staff to collaborate with OPES and research the feasibility of reducing the CSE retake waiting period. Based upon the results of its research, OPES determined and advised staff the waiting period could be reduced from 180 to 90 days with no compromise of examination integrity. Staff presented OPES' findings to the Board at its December 7, 2017, meeting and advised members it could bring a regulatory proposal to amend CCR section 124 for approval at the next Board meeting in March 2018. Board members subsequently voted in support of reducing the waiting period to 90 days and directed staff to commence the rulemaking process.

Staff developed proposed regulatory language to amend CCR section 124 and reduce the CSE waiting period. Staff also proposed language to amend CCR section 124.5 as it pertains to the CSE review process and release of examination results. The Board approved the proposed regulatory language to amend CCR sections 124 and 124.5 at its March 1, 2018, meeting and

delegated authority to the EO to adopt the regulations, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR sections 124 and 124.5:

March 1, 2018	Proposed regulatory language approved by the Board
June 12, 2018	Proposed regulation submitted to DCA Legal for prereview.
July 2, 2018	DCA Legal concluded prereview and returned regulation to staff
July 5, 2018	Proposed regulation submitted to DCA Legal for Initial Analysis

ENFORCEMENT PROGRAM

Architect Consultants Building Official Contact Program: Architect consultants are available on-call to Building Officials to discuss the Board's policies and interpretations of the Architects Practice Act (Act), stamp and signature requirements, and scope of architectural practice.

Education/Information Program: Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In November, there were 44 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for 24 of the contacts and included inquiries regarding written contract requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

Collection Agency Contract The Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties. At its November 5, 2015 meeting, the REC reviewed and discussed this objective, and voted to recommend to the Board that it should encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the EO. The Board approved the REC's recommendation at its December 10, 2015 meeting. Following the meeting, staff identified outstanding accounts that could be referred to a collection agency and obtained quotes for full-service debt collection services, including "skip-tracing," credit reporting, and filing legal actions as appropriate. Staff is in the process of securing a contract with a collection agency through the informal solicitation method (Government Code (Gov.) section 14838.5) to allow the Board to refer unpaid accounts aged beyond 90 days to a collection agency. The collection agency contract is planned to be presented to the Board for review and possible action at a future meeting.

Enforcement Actions

Richard Anthony Barnes (Bonita Springs, Florida) The Board issued a one-count citation that included a \$750 administrative fine to Barnes, architect license number C-14049, for an alleged violation of Business and Professions Code (BPC) section 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Barnes failed to provide documentation to the Board from

the course provider upon an audit of his 2017 License Renewal Application. The citation became final on October 12, 2018.

John Carabin Braly (Los Angeles) The Board issued a one-count citation that included a \$1,000 administrative fine to Braly, dba Instructures Design and Build, Inc., an unlicensed individual, for alleged violations of BPC section 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that on or about December 4, 2017, Braly's company website, instructuresco.com, offered "Architectural Design & Planning for Remodeling and New Construction" and "precise Architectural, Structural, and MEP drawings." In addition, on or about July 20, 2018, through his various advertisements on the Internet at angleslist.com, getfave.com, manta.com, superpages.com, yelp.com, and youtube.com, Braly described his business as "architects," "Architectural Designer," and "Professional Architect"; described his services and specialties as "Architectural Design," "Architectural Design Service," "Architectural Designer," "custom architectural design," "Professional Architect," and "Professional Building Inspector Architect"; and listed his business under the categories "Architect," "Architects," "Architects and Builders Services," "Architects and Engineers," and "Architectural Design Service." The citation became final on October 12, 2018.

Jeffrey Scott Coffman (Fullerton) The Board issued a one-count citation that included a \$750 administrative fine to Coffman, architect license number C-25115, for an alleged violation of BPC section 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Coffman failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. The citation became final on October 2, 2018.

Wade Donovan Ellenberger (Brentwood) The Board issued a two-count citation that included a \$1,500 administrative fine to Ellenberger, architect license number C-29201, for alleged violations of BPC section 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements) and CCR, title 16, section 160(b)(2) (Rules of Professional Conduct). The action alleged that Ellenberger failed to provide documentation to the Board from the course provider upon a Board audit and failed to respond to the Board's requests for information regarding an investigation within 30 days. The citation became final on October 2, 2018.

Johnnie P. Loy (Orlando, Florida) The Board issued a one-count citation that included a \$750 administrative fine to Loy, architect license number C-29990, for an alleged violation of BPC section 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Loy failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. The citation became final on October 2, 2018.

<u>Enforcement Statistics</u>	<u>Current Month</u> November 2018	<u>Prior Month</u> October 2018	<u>FYTD</u> 2018/19	<u>5-FY Avg</u> 2013/14- 2017/18
Complaints				
Received/Opened (Reopened):	15 (0)	20 (0)	95 (1)	331 (2)
Closed:	23	34	103	316
Average Days to Close:	210 days	251 days	201 days	124 days
Pending:	150	158	164*	121
Average Age of Pending:	243 days	231 days	224 days*	148 days
Citations				
Issued:	2	6	20	48
Pending:	10	15	13*	11
Pending AG: †	2	2	2*	4
Final:	7	5	22	43
Disciplinary Actions				
Pending AG:	4	4	4*	5
Pending DA:	1	1	1*	1
Final:	0	0	1	3
Continuing Education (§5600.05)**				
Received/Opened:	0	1	3	66
Closed:	1	1	13	64
Pending:	0	1	2*	19
Settlement Reports (§5588)**				
Received/Opened:	0	6	15	27
Closed:	2	4	14	28
Pending:	15	17	16*	8

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations."

Most Common Violations The majority of complaints received are filed by consumers for allegations such as unlicensed practice, professional misconduct, negligence, and contract violations, or initiated by the Board upon the failure of a coursework audit.

During FY 2018/19 (as of November 30, 2018), 22 citations with administrative fines became final with 31 violations of the provisions of the Act and/or Board regulations. Below are the most common violations that have resulted in enforcement action during the current FY:

- BPC section 5536(a) - Practice Without License or Holding Self Out as Architect [16.1%]
- BPC section 5536.22(a) - Written Contract [3.2%]
- BPC section 5583 - Fraud or Deceit [3.2%]
- BPC section 5584 - Negligence or Willful Misconduct [9.7%]
- BPC section 5600.05(a)(1) or (b) - License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements [48.4%]
- CCR section 134(a) - Use of the Term Architect [6.5%]
- CCR section 160(b)(2) - Rules of Professional Conduct (Willful Misconduct) [12.9%]

Planning Department Outreach On October 10, 2018, staff distributed a letter to planning departments throughout the state educating them on the Act and requesting that they verify licensure when plans for non-exempt projects are submitted for their review to prevent unlicensed activity.

Regulatory Proposals *CCR section 152.5 (Contest of Citations, Informal Conference)* - Staff developed proposed regulatory language to amend CCR section 152.5 to allow the EO to delegate to a designee, such as the Assistant Executive Officer or the Enforcement Program Manager, the authority to hold an informal conference with a cited person and make a decision to affirm, modify, or dismiss a citation. The proposed regulatory language also contains additional revisions to CCR section 152.5, including: changing the deadline for requesting an informal conference for consistency with the deadline for requesting a formal administrative hearing; authorizing the EO or a designee to extend the 60-day period for holding the informal conference for good cause; and clarifying that the decision to affirm, modify, or dismiss a citation is made following (rather than at the conclusion of) an informal conference, and a copy of the decision will be transmitted to the cited person within 30 days after the conference. The REC reviewed and discussed staff's draft proposed regulation to amend CCR section 152.5 at its November 8, 2016 meeting, and voted to recommend to the Board that it approve the regulation and authorize staff to proceed with the regulatory change. At its December 15, 2016 meeting, the Board approved the proposed regulation to amend CCR section 152.5, authorized staff to proceed with the required regulatory change to amend CCR section 152.5, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

CCR section 154 (Disciplinary Guidelines) - The Board's 2013 and 2014 Strategic Plans included an objective to review and update the Board's *Disciplinary Guidelines*. The REC reviewed recommended updates to the Board's *Disciplinary Guidelines* in 2013 and 2014. Additionally, at the request of the REC, staff consulted with a representative of AIACC to address a proposed modification to the "Obey All Laws" condition of probation. The representative concurred with the revision and indicated that there was no issue with the proposal. Staff then consulted with the REC Chair who agreed to provide the *Disciplinary Guidelines* with recommended revisions to the Board for consideration at its December 2014 meeting due to the target date established for the Strategic Plan objective. At its December 2014 meeting, the Board approved the proposed revisions to the *Disciplinary Guidelines* and authorized staff to proceed with a regulatory proposal to amend CCR section 154 in order to incorporate the revised *Disciplinary Guidelines* by reference. Staff prepared the required regulatory documents for the Board's review and approval at its June 10, 2015 meeting. The Board approved the proposed regulatory language to amend CCR section 154 at its June 10, 2015 meeting and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes, if needed.

At its August 6, 2015 meeting, the LATC reviewed recommended updates to LATC's *Disciplinary Guidelines* based on the revisions made to the Board's *Guidelines*. Following the meeting, Legal Counsel advised LATC staff that additional research may be necessary regarding Optional Conditions 9 (CSE) and 10 (Written Examination) in LATC's *Guidelines*. LATC staff

subsequently discussed the matter with Legal Counsel on September 30, 2015. Board staff reviewed Legal Counsel's comments as they relate to the Board's *Disciplinary Guidelines*, and determined the Board's *Guidelines* would also need to be amended. On October 21, 2015, Board and LATC staff sent proposed edits to these conditions to Legal Counsel for review. Legal Counsel notified Board and LATC staff on November 12, 2015, that the proposed edits were acceptable, but substantive, and would require re-approval by the Board.

On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the Board's *Disciplinary Guidelines*, as this method was previously approved by OAL for the 2000 edition of the *Guidelines*. At its December 10, 2015 meeting, the Board reviewed and approved the additional recommended revisions to the Board's *Disciplinary Guidelines* and the proposed regulation to amend CCR section 154, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR section 154. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR section 154 were presented to the Board for consideration at its December 15, 2016 meeting. At the meeting, the Board approved the additional revisions to the *Disciplinary Guidelines* and the proposed regulation to amend CCR section 154, authorized staff to proceed with the required regulatory change to amend CCR section 154 in order to incorporate the revised *Guidelines* by reference, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed.

Following the December 15, 2016 Board meeting, LATC staff updated LATC's *Disciplinary Guidelines* to include the approved revisions that are appropriate for LATC. On July 13, 2017, LATC approved the revised *Guidelines* and recommended that they be presented to the Board for approval. On September 5, 2017, Legal Counsel advised LATC staff that additional substantive changes to LATC's *Guidelines* and the proposed language to amend CCR section 2680 were necessary prior to Board approval and submission of the regulatory package. The Board approved the revisions to LATC's *Guidelines* and the proposed language to amend CCR section 2680, including the necessary changes identified by Legal Counsel, at its September 7, 2017 meeting. Following the meeting, Board staff reviewed Legal Counsel's recommendations as they relate to the Board's *Disciplinary Guidelines* and determined that they would also need to be amended. Staff prepared additional, recommended revisions to the Board's *Guidelines* and the proposed language to amend CCR section 154 in response to Legal Counsel's recommendations, and presented those revisions to the Board for review and approval at its December 7, 2017 meeting. At the meeting, the Board accepted the additional revisions to the *Guidelines*, and directed Legal Counsel and staff to conduct further research to determine if the Board has the statutory authority

to impose fines through the disciplinary process and whether it should be referenced in the *Guidelines*.

Legal Counsel subsequently researched the Board's statutory authority to assess an administrative penalty or fine through discipline and found that BPC section 5565(d) authorizes the Board to assess a fine for any of the causes of action specified in BPC section 5577 (Conviction of a Crime Substantially Related to the Qualifications, Duties, or Functions of an Architect), and BPC section 5588(e) authorizes the Board to impose a civil penalty against a licensee who fails to report a civil action judgment, settlement, or arbitration award of \$5,000 or greater against the licensee to the Board within 30 days. Based on Legal Counsel's research, staff revised the Board's *Disciplinary Guidelines* to: 1) include the fine and civil penalty provisions authorized by BPC sections 5565(d) and 5588(e); 2) provide information regarding the Board's citation authority in the General Considerations section; and 3) update the descriptions of BPC sections 140, 5536.5, 5577, 5579, 5582.1, 5583, 5584, 5585, and 5586, to more accurately reflect the nature of the violations. At its March 1, 2018 meeting, the Board reviewed and approved the proposed regulatory changes to the *Disciplinary Guidelines* and CCR section 154 as modified, directed the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified. As a result of guidance from DCA, staff will need to make additional changes to the *Disciplinary Guidelines* due to the passage of AB 2138.

Regulatory and Enforcement Committee (REC) The next REC meeting has not been scheduled at this time.

Written Contract (BPC section 5536.22) A proposal was previously submitted by the Board to the Senate Business, Professions and Economic Development Committee (BP&ED) for possible inclusion in an omnibus bill. The amendment to BPC section 5536.22 sought to clarify that the following elements are needed in architects' written contracts with clients for professional services: 1) a description of the project; 2) the project address; and 3) a description of the procedure to accommodate contract changes. BP&ED staff determined that the proposal was substantive and, as such, would need to be included in another bill. At its April 28, 2016 meeting, the REC accepted staff's recommendation to also include a: 1) statement identifying the ownership and/or reuse of instruments of service prepared by the architect; and 2) notification to the client that the architect is licensed by the Board, in the amendment to BPC section 5536.22. Staff developed proposed language for BPC section 5536.22 to include these two additional elements, and presented it to the REC for consideration at its November 8, 2016 meeting. At the meeting, the REC supported adding the two additional provisions to the written contract requirement, but expressed concerns that the use of the word "complaints" in the proposed language for subsection (a)(9) could result in frivolous complaints to the Board against architects. The REC ultimately voted to recommend to the Board that it approve the proposed language to amend BPC section 5536.22 with the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9). The Board considered the REC's recommendation at its December 15, 2016 meeting, and approved the proposed language to amend BPC section 5536.22 with the exception of proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure. The language was submitted to the BP&ED Committee on October 27, 2017, for consideration to be included in the 2018 Omnibus

Committee bill. BP&ED staff determined that the proposal would not be included in the omnibus bill because it was deemed substantive, and instead, suggested that the Board present it to the Legislature for consideration via the “New Issues” section of the Sunset Review Report.

At its August 23, 2018 meeting, the REC reviewed and discussed the prior issues regarding the phrase “Any questions or concerns about an architect may be referred to the California Architects Board” in the proposed subsection (a)(9) and noted the potential challenges with including subsection (a)(9) in a written contract with a public agency. The REC voted to recommend to the Board that it approve revised wording of subsection (a)(9) and consider exempting public agency contracts from the requirement(s) in subsection (a)(9) or all of subdivision (a) of BPC section 5536.22. Following the REC meeting, staff reviewed the written contract requirements for landscape architects and professional engineers, which include an exemption for professional services rendered to a public agency, and recommended that the Board consider including a similar provision, subsection (b)(5), in the proposed language to amend BPC section 5536.22. Staff also recommended changing the minimum type size from 10-point to 12-point for consistency with current accessibility requirements. The Board approved the REC’s and staff’s recommendations and the proposed language to amend BPC section 5536.22 at its September 12, 2018 meeting. The Board’s proposal to amend BPC section 5536.22 will be presented to the Legislature for consideration via the “New Issues” section of the Sunset Review Report.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Personnel Program Manager, Brianna Miller’s last day with the LATC was November 2, 2018. Trish Rodriguez resumed the Program Manager’s position on November 5, 2018. Additionally, Special Projects Analyst, Tremaine Palmer’s last day with the LATC was November 9, 2018. The LATC has begun recruitment efforts to fill the analyst position.

Business Modernization Refer to section under Board’s Administrative/Management.

Committee The next LATC’s next meeting is scheduled for December 6-7, 2018, in Sacramento. This meeting will include a Strategic Planning session.

Committee member mandatory trainings must be completed as follows:

- Ethics Orientation – completed within the first six months of appointment and repeat every two years throughout a member’s term
- Sexual Harassment Prevention – completed within the first six months of appointment and every two years throughout a member’s term
- Board Member Orientation – completed within one year of a member’s appointment and reappointment
- Defensive Driver – once every four years

Social Media The LATC maintains a Twitter account that currently has 145 followers. This account largely permits the LATC to have active social media participation with the public and professionals.

Training The following employee(s) have been scheduled to participate in upcoming training:

12/4/18	Excel 2016 Pivot Tables (Kourtney)
12/11/18	Excel 2016 Formulas (Kourtney)
12/18/18	How to Become a Better Communicator (Blake)
2/6/19	Non-IT Contracts (Blake)

Website On October 30, LATC staff met with DCA's Office of Information Services to discuss the LATC's transition to the DCA's updated and modernized Web License Look Up in 2018. This was the first step of LATC's License Look Up conversion which is slated to launch by December 2018. On November 29, LATC was notified that various code text and display options were implemented by OIS and staff will begin testing in early December. Presently, the LATC's License Look Up feature is a PDF that is updated and re-posted on the website on a monthly basis. The modernized license search feature will be compatible for smart phones and provide consumers with enhanced licensee information. Specifically, this new search tool will enable the LATC to display current information on an ongoing basis as well as enable consumers to view all license related data for a licensee (i.e., display all licenses that a person may hold from DCA's boards and bureaus as well as enforcement actions). It will also make searches easier by enabling search filters to distill search results. At the onset of conversion, LATC staff will engage with DCA's OIS to participate in user-testing before rollout of the Web License Look Up.

In November, minor revisions were made to the Reciprocity Application to mirror the format of the recently revised Certification of Experience form. The updated application is expected to be published on the LATC website in early December.

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE) LATC's Intra-Departmental Contract with OPES for examination development will expire on June 30, 2019.

OPES provides the LATC with Occupational Analysis (OA) and examination development services. BPC section 139 requires that an OA be conducted every five to seven years. An OA was completed by OPES for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. Staff recruits subject matter experts to participate in examination development workshops to focus on item writing and examination construction.

During the exam development workshops held on August 24-25, 2018 and September 14-15, 2018, OPES facilitated a review of the reference materials used for the CSE. Based on SME findings in these workshops, OPES recommended changes to the reference list that will be incorporated in the *CSE Candidate Guide* and reflected on the LATC website. OPES will inform the LATC when the updated list should be distributed.

CSE Results The pass rates for the CSE taken by candidates during FY 2018/19 (as of November 30, 2018) and prior FYs are shown in the following tables:

**FY 2018/19 CSE
(as of November 30, 2018)**

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
108	86	80%	22	20%

FY 2017/18 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
181	107	55%	89	45%

FY 2016/17 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
153	80	52%	73	48%

FY 2015/16 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
132	94	71%	38	29%

Landscape Architect Registration Examination (LARE) The next LARE administration will be held December 10-22, 2018, and the candidate application deadline was October 26, 2018. Examination results for all LARE administrations are released by the Council of Landscape Architectural Registration Boards (CLARB) within six weeks of the last day of administration.

The pass rates for LARE sections taken by California candidates during the August 6-18, 2018, administration are shown below:

SECTION	NUMBER OF SECTIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Sections	Passed	No. of Sections	Failed
Project and Construction Management	67	41	61%	26	39%
Inventory and Analysis	71	42	59%	29	41%
Design	46	23	50%	23	50%
Grading, Drainage and Construction	59	43	73%	16	27%

National pass rates for LARE sections taken during the August 6-18, 2018, administration are shown below:

SECTION	CALIFORNIA		NATIONAL		DIFFERENCE
	Total	Passed	Total	Passed	
Project and Construction Management	67	61%	312	69%	-8%
Inventory and Analysis	71	59%	363	71%	-12%
Design	46	50%	331	64%	-14%
Grading, Drainage and Construction Documentation	59	73%	335	70%	3%

National pass rates for LARE sections taken in 2017 are shown below:

SECTION	CALIFORNIA		NATIONAL		DIFFERENCE
	Total	Passed	Total	Passed	
Project and Construction Management	235	66%	1,192	72%	-6%
Inventory and Analysis	225	66%	1,108	73%	-7%
Design	223	66%	1,094	70%	-4%
Grading, Drainage and Construction Documentation	224	66%	1,136	68%	-2%

Regulatory Proposals CCR sections 2615 (Form of Examinations) and 2620 (Education and Training Credits)- At its meeting on February 10, 2015, LATC directed staff to draft proposed regulatory language to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. At the LATC meeting on November 17, 2015, the Committee approved proposed amendments to CCR section 2615(c)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. At its December 10, 2015 meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the corresponding regulations to amend CCR section 2615 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

The LATC received extensive input during the public comment period expressing concern about the proposed length of post-licensure experience (at least 10 years, within the past 15 years) to be required of reciprocity candidates who do not meet California's educational requirements (specifically, a degree in landscape architecture). At its November 4, 2016 meeting, LATC reviewed and discussed the public comments, heard from several members of the audience, and directed staff to provide additional research and possible options for its next meeting in January 2017. At its January 17, 2017 meeting, the Committee directed staff to draft proposed regulatory language allowing reciprocity licensure to applicants licensed to practice landscape architecture by any US jurisdiction, Canadian province, or Puerto Rico, upon passing the CSE. Staff consulted with legal counsel to draft new, proposed regulatory language in accordance with the Committee's direction. Staff was also advised that it would be more timely to begin a new regulatory proposal for this new language in lieu of continuing with the existing proposal. Pursuant to Government Code (GC) section 11346.4, the one-year deadline to finalize the existing regulatory proposal was August 12, 2017, which did not allow sufficient time to complete the required review/approval process through the control agencies.

At its April 18, 2017 meeting, the Committee approved the new proposed regulatory language to amend CCR section 2615(c)(1) and recommended that the Board authorize LATC to proceed with the regulatory change. The LATC's recommendation was considered by the Board at its June 15, 2017, meeting. Following discussion, the Board voted to reject the proposed regulatory

language. The Board directed staff to prepare a proposal that addresses both the LATC's initial and reciprocal licensure requirements, and that closely aligns with the Board's current licensure requirements. The Board requested that the LATC's proposal should be presented to the Board at its next meeting.

At the July 13, 2017 meeting, the LATC reviewed proposed language to amend CCR section 2620 (Education and Training Credits) composed by staff and DCA Legal. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to establish an Education and Experience Subcommittee (Subcommittee) to determine the execution for these proposed pathways to licensure. Specifically, the Committee directed the Subcommittee to determine the appropriate amount of credit to grant for these new pathways, and define related versus unrelated degrees and the execution of an 'experience-only' pathway. The Subcommittee met on October 3, 2017, and issued recommendations in accordance with its charge. These recommendations were provided to the LATC at its meeting on November 2, 2017. The LATC made minor revisions to the Subcommittee's recommendations and voted to recommend to the Board the approval of amendments to CCR section 2620. Upon the Board's review of amendments for CCR section 2620 during its meeting on December 7, 2017, the Board voted to approve the language. As initial licensing provisions and reciprocity provisions are closely tied, the LATC voted on July 13, 2017, to recommend to the Board that reciprocity requirements align with the final, amended provisions to CCR section 2620.

Further, per LATC and Board directive to align reciprocity and initial license requirements, staff evaluated CCR section 2615 to determine if updates are necessary to bring reciprocity requirements in congruence with the newly proposed initial licensure requirements. Staff determined that updates related to reciprocity are not needed as the existing language defers to CCR section 2620 to determine licensure eligibility. However, it was found that minor changes are necessary for consistency with the proposed amendments to CCR section 2620. Specifically, these changes will replace the term "Board approved degree" with "degree from an accredited program" and update a reference to CCR section 2620(a)(7). This new language was presented to the LATC for review and possible approval at their meeting on May 4, 2018. During this meeting, the Committee expressed concern that the Certification of Experience form may not adequately structure the experience a candidate gains, especially as it would pertain to the proposed experience-only pathway. Following discussion, the Committee directed staff to conduct further research regarding experience credit allocation of other licensing jurisdictions and present findings at the next Committee meeting.

Subsequent to the Committee meeting on May 4, 2018, staff gathered research from other licensing jurisdictions who have detailed experience criteria on their experience verification forms as well as gathered data for California licensees and active candidates who qualify for licensure with one-year of education credit and five years of experience inclusive of examination pass rates, the types of experience gained, and whether enforcement actions were taken. The findings of staff research were presented to the LATC during its meeting on July 20, 2018; at which time the Committee granted approval to staff to move forward with the combined rulemaking file for CCR sections 2615 and 2620. The Board approved the LATC's proposed regulatory language at its meeting on September 12, 2018. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR section 2615:

November 17, 2015	Proposed regulatory language approved by the LATC
December 10, 2015	Proposed regulatory language approved by the Board
August 2, 2016	Notice of Proposed Changes in the Regulations submitted to OAL
August 12, 2016	Notice of Proposed Changes in the Regulations published by OAL
September 27, 2016	Public hearing, public comments received during 45-day period
April 18, 2017	LATC voted to withdraw regulatory proposal and approved new proposed regulatory language
June 15, 2017	Board requested LATC prepare an alternate proposal that refines both initial and reciprocal licensure requirements to be more closely related to those of the Board's
July 13, 2017	LATC voted to recommend to the Board that reciprocity requirements align with initial licensure requirements once they are determined by the Education/Experience Subcommittee and approved by the LATC and the Board at subsequent meetings
October 3, 2017	The Education/Experience Subcommittee met and recommended expanded initial licensure pathways (and their respective education/experience credit allocations) as amendments to CCR section 2620 for the LATC's consideration
November 2, 2017	LATC met to review the Education/Experience Subcommittee's recommendations and voted to recommend that the Board approve proposed amendments to CCR section 2620 to expand initial licensure pathways
December 7, 2017	Board reviewed and approved the LATC's proposed amendments to CCR section 2620
May 4, 2018	LATC reviewed revised proposed regulatory language, to amend CCR 2615 and 2620, and directed staff to conduct further research regarding experience credit allocation of other licensing jurisdictions and present findings at a future Committee meeting
July 20, 2018	LATC voted to recommend to the Board to proceed with the combined rulemaking file for CCR sections 2615 and 2620
September 12, 2018	Proposed regulatory language approved by Board
November 1, 2018	Staff preparing regulatory package for DCA legal prereview

CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) – LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended that the Board authorize LATC to proceed with a regulatory change. At the December 15–16, 2010 Board meeting, the Board approved the regulatory change and delegated authority to the EO to adopt the regulations to amend CCR section 2620.5 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if

needed. The regulatory proposal to amend CCR section 2620.5 was published by the OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, LATC approved the Task Force's recommended modifications to CCR section 2620.5, with an additional edit. At the January 24–25, 2013 LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR section 2620.5 at their March 7, 2013 meeting.

On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by OAL. The disapproval was based on OAL's determination that the regulatory package did not meet the necessity standard of the GC section 11349.1, subdivision (a)(1). GC section 11349(a) defines "necessity" as demonstrating the need for the regulatory change through evidence not limited to facts, studies, and expert opinion. Based on OAL's disapproval, staff worked with DCA Legal Counsel and the Task Force Chair to refine the proposed language and identify appropriate justification that would meet OAL's requirements.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR section 2620.5 incorporating Legal Counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipated adopting new standards in early 2016. On December 30, 2014, staff met with the Task Force Chair to discuss proposed changes to CCR section 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016. Staff also met with Legal Counsel on January 14, 2015, to discuss justifications to proposed changes and again on January 28, 2015, to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10–11, 2015 meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB confirmed that they are in the process of updating their Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place in the fall of 2014. LAAB met in the summer of 2015 to draft revisions to the Standards. In the fall of 2015, additional public input and comments were received.

On October 8, 2015, LATC received a copy of LAAB’s proposed revisions which included several suggested changes to curriculum requirements. LAAB implemented its new Accreditation Standards and Procedures in March 2016, making significant changes to the curriculum requirements beginning in 2017. Staff recommended that LATC review the LAAB Accreditation Standards and Procedures at its January 2017 meeting, and determine how to proceed. Prior to the meeting, Stephanie V. Landregan, Director of the University of California Los Angeles Extension Certificate program, requested that discussion be postponed until the April 18, 2017 LATC meeting. Her request was granted, and this topic was tabled, accordingly.

At the April 18, 2017 LATC meeting, the Committee heard comments from Mses. Landregan and Anderson, president-elect of the Council of Landscape Architectural Registration Boards, that offered insight on how LATC could incorporate LAAB accreditation standards and continue to approve University of California Extension Certificate programs. In addition, the LATC was presented with several written public comments addressing the University of California Extension Certificate programs. After discussion, the Committee directed staff to form a subcommittee to recommend regulatory changes for LATC’s consideration at a later meeting date.

At the July 20, 2018 LATC meeting, the Committee reviewed the proposed language to amend CCR section 2620.5 that was rejected by OAL on July 17, 2013. Following discussion, the Committee directed staff to explore options to engage LAAB as well as research private entities regarding the accreditation of extension certificate programs. The Committee requested that staff present their research findings for consideration at the next meetings on December 6-7, 2018.

Following is a chronology, to date, of the processing of LATC’s regulatory proposal for CCR section 2620.5:

November 22, 2010	Proposed regulatory language approved by LATC
December 15, 2010	Proposed regulatory language approved by Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted on website
January 9, 2013	Written comment (one) received during 40-day period
January 24, 2013	Modified language to accommodate public comment approved by LATC
February 15, 2013	Final rulemaking file submitted to DCA’s Legal Office and Division of Legislative and Policy Review
March 7, 2013	Final approval of modified language by Board
May 31, 2013	Final rulemaking file submitted to OAL for approval
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff worked with Task Force Chair to draft justifications for proposed changes
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015
February 10, 2015	LATC approved the appointment of a new working group to assist staff
October 8, 2015	LATC received LAAB’s suggested revisions to curriculum requirements

March 2016	LAAB implemented its new Accreditation Standards and Procedures
April 18, 2017	LATC directed the formation of a subcommittee to recommend regulatory changes for LATC's consideration
March 2018	LATC staff consulted with legal counsel regarding previously proposed amendments to CCR 2620.5
July 20, 2018	LATC directed staff to explore options to engage LAAB and private entities in the approval process of extension certificate programs
December 6, 2018	LATC to review staff's findings

CCR sections 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration) – SB 800 amended BPC section 5680.2 to authorize a license to be renewed within five years of its expiration. The bill also prohibits a license that is expired for more than five years from being renewed, restored, reissued, or reinstated, but would authorize the holder of the expired license to apply for a new license, as specified. SB 800 was approved by the Governor on October 7, 2017, and took effect on January 1, 2018.

With the passage of SB 800, CCR sections 2624 and 2624.1 are obsolete as they delineate application processes for re-licensure requirements that are no longer specified in statute. Accordingly, LATC staff have begun work on submitting a request to OAL to repeal CCR sections 2624 and 2624.1. Staff is pursuing this regulatory change in accordance with CCR section 100, which allows for a more expeditious regulatory change process because the proposed amendments are the deletion of regulatory provisions for which the statutory authority was repealed. On November 19, 2018, revisions were made to the section 100 package at the suggestion of DCA and returned for processing.

2017–2018 Strategic Plan Below is a summary of progress made toward the Strategic Plan objectives:

Explore and Adopt DCA's best practices for using social media: Staff met with DCA's Office of Public Affairs (OPA) on June 22, 2018 to discuss the Department's tools and recommendations for how to achieve this Strategic Plan objective. During this meeting, OPA staff suggested the development of enhanced LATC social media including creation of Facebook and Instagram accounts; however, OPA cautioned that development of these sites should await the start of the Board's new Executive Officer to ensure congruency with his/her vision. In the meantime, OPA requested access to LATC's Twitter account to research posting ideas aimed at increasing LATC's social media activity as well as verifying LATC's Twitter account to ensure its credibility. On September 20, 2018, LATC staff, along with Executive Officer, Laura Zuniga, met with OPA to discuss social media options for the LATC. It was suggested that staff track interest (i.e., "likes," comments, and re-posts) in successive social media posts/articles to determine LATC's intended audience.

Consult with DCA Public Affairs to optimize the LATC website on search engines: On June 22, 2018, LATC staff met with OPA to discuss means by which the LATC can optimize its website in search engines such that an individual searching for landscape architectural services would be more likely to see the LATC website in their results. During the meeting, OPA staff informed LATC that they will be able to provide assistance in this matter; however, it would be best to wait until implementation of the LATC's developmental website because the site's up-to-

date web coding better facilitates optimization. OPA staff further cautioned that optimization can be a lengthy process given that it should involve the LATC optimizing such web content as publications, which are often posted as PDF documents and, therefore, may require re-formatting of content. The LATC's website transitioned to its new, updated format on October 23, 2018. Accordingly, LATC staff have reached out to OPA to continue efforts toward website optimization.

Revamp the Website (Using the Board's website as a possible template) to be More User-Friendly for Consumers - In pursuit of fulfilling this Strategic Plan objective, a developmental website has been developed using the California Department of Technology's (CDT) template for state government websites. The purpose for this template is to provide all state government websites a standardized look and feel as well as implement a consistent display of information across state agencies. Staff utilized v5 of the California State Template and the Board's website as a model. The developmental website contains the same information as the LATC's existing website; however, the information on the developmental website is displayed in a manner consistent with CDT standards as well as the Board's own layout.

The proposed developmental website was presented to the LATC at its May 4, 2018 meeting. The Committee approved the developmental website with additional revisions. Following this meeting, staff provided the website content to DCA's Office of Information Services, including the revisions determined during the LATC meeting discussion, for finalization and implementation.

On June 28, 2018, LATC staff met with OIS to discuss revisions to the developmental website. During this meeting, OIS recommended several revisions to the coding of the website to better facilitate maintenance. On October 23, 2018, OIS transitioned the LATC to the new website format. Accordingly, this Strategic Plan objective is fulfilled.

Continue to Explore and make a determination with regard to licensure for individuals who have related degrees to expand pathways to licensure -- At its January 17, 2017 meeting, the LATC considered options of granting education credit for related, as well as unrelated, degrees in landscape architecture or architecture. After discussion and receiving public comments, the Committee directed staff to conduct a public forum to receive additional input from the public by the next scheduled meeting, on April 18, 2017. The first public forum was facilitated by DCA SOLID on March 17, 2017, in Sacramento; the second public forum was held on April 18, 2017, in Pomona during the LATC meeting. Feedback collected during the forums addressed support and opposition to the expansion of education requirements. LATC staff also collected all submitted written comments and presented them to the Committee for consideration.

At the June 15, 2017 Board meeting, the Board directed the LATC to develop a proposal to align its initial and reciprocal licensure requirements with one another, and where possible, mirror those of the Board.

At the July 13, 2017 LATC meeting, the Committee reviewed proposed language to amend CCR section 2620 (Education and Training Credits) composed by staff and DCA Legal Counsel. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to

establish an Education/Experience Subcommittee (Subcommittee) to determine the execution for these proposed pathways to licensure. Specifically, the Subcommittee was charged to define related and non-related degrees (baccalaureate and associate) and experience-only pathways and prescribe allowable credit for initial licensure.

The Subcommittee met on October 3, 2017, in Sacramento. The meeting discussion was facilitated by DCA SOLID and resulted in recommended credit for each of the five initial licensure pathways under its charge and identified degrees to be defined as “related degrees.” At the November 2, 2017 LATC meeting, the Committee reviewed the Subcommittee’s recommendations which included prescribed education and experience credit for the following proposed pathways: Related Degrees (Accredited), Related Degrees (Unaccredited), Any Bachelor’s Degree, and Experience-Only. The LATC accepted the Subcommittee’s recommended pathways as presented with a modification to degrees accepted under the proposed “Related Degrees (Unaccredited)” category to be accepted under “Any Bachelor’s Degree”.

The LATC voted to recommend to the Board the approval of amended language to CCR section 2620 that expands the approved pathways for initial licensure. This proposed language was approved by the Board during its December 7, 2017, meeting.

Following the Board meeting in December 2017, it was found that two additional minor changes are necessary for CCR section 2620 for consistency with the previously approved amendments. Specifically, these changes will replace the term “Board approved degree” with “degree from an accredited program” and update a reference to CCR section 2620(a)(7).

At the May 4, 2018 meeting, the Committee approved the proposed language to CCR 2620 with revisions to CCR 2620(a)(10) and CCR 2620(a)(11). The revisions would correct references to the definition of partial completion of a landscape architecture degree or extension certificate program, in 2620(b)(1).

The Board approved the LATC’s proposed regulatory language at its meeting on September 12, 2018. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

LATC ENFORCEMENT PROGRAM

Disciplinary Guidelines As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board in order to review and update LATC’s *Disciplinary Guidelines*. At its December 2014 meeting, the Board approved the proposed updates to their *Disciplinary Guidelines* and authorized staff to proceed with the required regulatory change in order to incorporate the revised *Disciplinary Guidelines* by reference. At its February 10, 2015 meeting, LATC approved proposed revisions to its *Disciplinary Guidelines* based on the recent Board approval for their *Guidelines*. Staff provided the revised *Disciplinary Guidelines* to the new Deputy Attorney General Liaison for review. He suggested several amendments, which staff added to the *Guidelines*. The amended *Disciplinary Guidelines* and proposed regulatory package were approved by LATC at its August 6, 2015 meeting and by the Board at their September 10, 2015 meeting.

On October 21, 2015, staff sent DCA Legal Counsel suggested edits to the Optional Conditions section in the *Disciplinary Guidelines* for review. Legal Counsel notified staff on November 12, 2015, that the edited portions were sufficient and substantive, and would require re-approval by the Board. On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the *Disciplinary Guidelines*. At its December 10, 2015, meeting, the Board approved the revised *Disciplinary Guidelines* and the proposed regulation to amend CCR § 2680, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Board staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016 meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR section 154 in order to incorporate the revised *Guidelines* by reference. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR section 154 were approved by the Board at its December 15, 2016 meeting. Staff updated its *Guidelines* to include the approved revisions that are appropriate to the LATC. On July 13, 2017, the Committee approved the revised *Guidelines* and recommended they be presented to the Board for approval.

On September 5, 2017, Legal Counsel advised LATC staff that additional substantive changes to LATC's *Guidelines* and the proposed language to amend CCR section 2680 were necessary. These changes were communicated by Legal Counsel during the Board's September 7, 2017 meeting. The Board approved the revisions to LATC's *Guidelines*, including the necessary changes identified by Legal Counsel, as well as proposed language to amend CCR section 2680. Following the meeting, Board staff prepared additional, recommended revisions to the Board's *Guidelines* and the proposed language to amend CCR section 154 in response to Legal Counsel's concerns, and presented those revisions to the Board for review and approval at its December 7, 2017 meeting. At the meeting, the Board accepted the additional revisions to the Board's *Guidelines*, and directed Legal Counsel and staff to conduct further research to determine if the Board has the statutory authority to impose fines through the disciplinary process and whether it should be referenced in the *Guidelines*. At its March 1, 2018 meeting, the Board was presented with and approved the additional edits to its *Disciplinary Guidelines* with no changes and authorized staff to proceed with a regulatory amendment. Following the Board's approval of its *Guidelines*, LATC staff incorporated the changes made to the Board's *Guidelines* that were relevant to the LATC's *Guidelines*. On May 4, 2018, the Committee reviewed and approved the revised *Guidelines* and recommended they be presented to the Board for approval.

At its June 13, 2018 meeting, the Board reviewed and approved the proposed regulatory changes to the LATC's *Disciplinary Guidelines* and CCR section 2680 as modified, directed the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified. As a result of guidance from DCA, staff will need to make additional changes to the *Disciplinary Guidelines* due to the passage of AB 2138.

<u>Enforcement Statistics</u>	<u>Current Month</u> November 2018	<u>Prior Month</u> October 2018	<u>FYTD</u> 2018/19	<u>5-FY Avg</u> 2013/14- 2017/18
Complaints				
Received/Opened (Reopened):	3 (0)	7 (0)	16 (0)	28 (0)
Closed:	3	3	19	31
Average Days to Close:	20 days	178 days	120 days	247 days
Pending:	13	13	11*	16
Average Age (Pending):	135 days	107 days	148 days*	252 days
Citations				
Issued:	1	1	1*	3
Pending:	3	2	2*	3
Pending AG: †	0	0	0*	1
Final:	0	0	0	3
Disciplinary Actions				
Pending AG:	1	1	1*	1
Pending DA:	0	0	0*	0
Final:	0	0	1	1
Settlement Reports (§5678)**				
Received/Opened:	0	1	1	2
Closed:	0	0	1	2
Pending:	1	1	0*	2

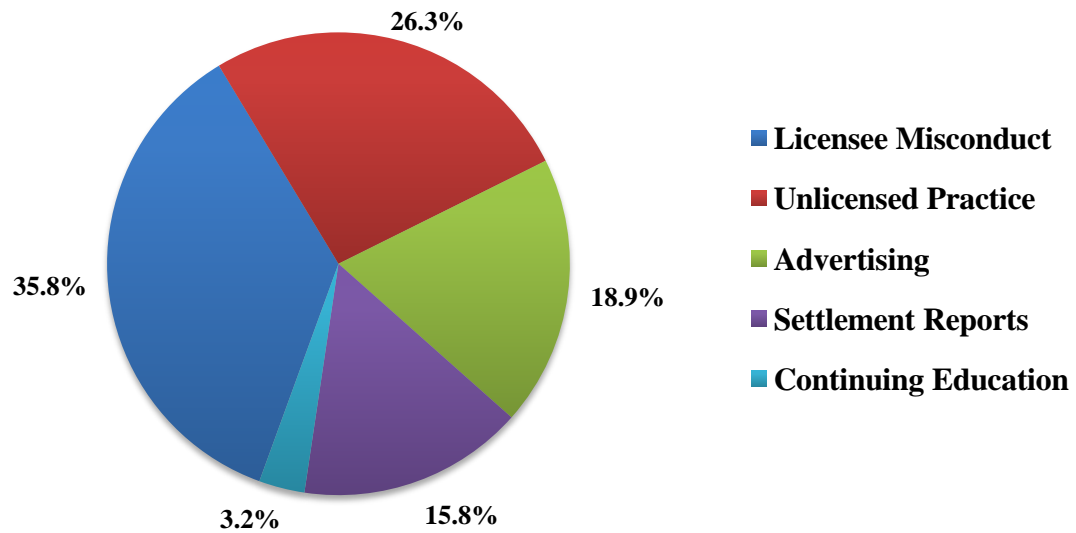
* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

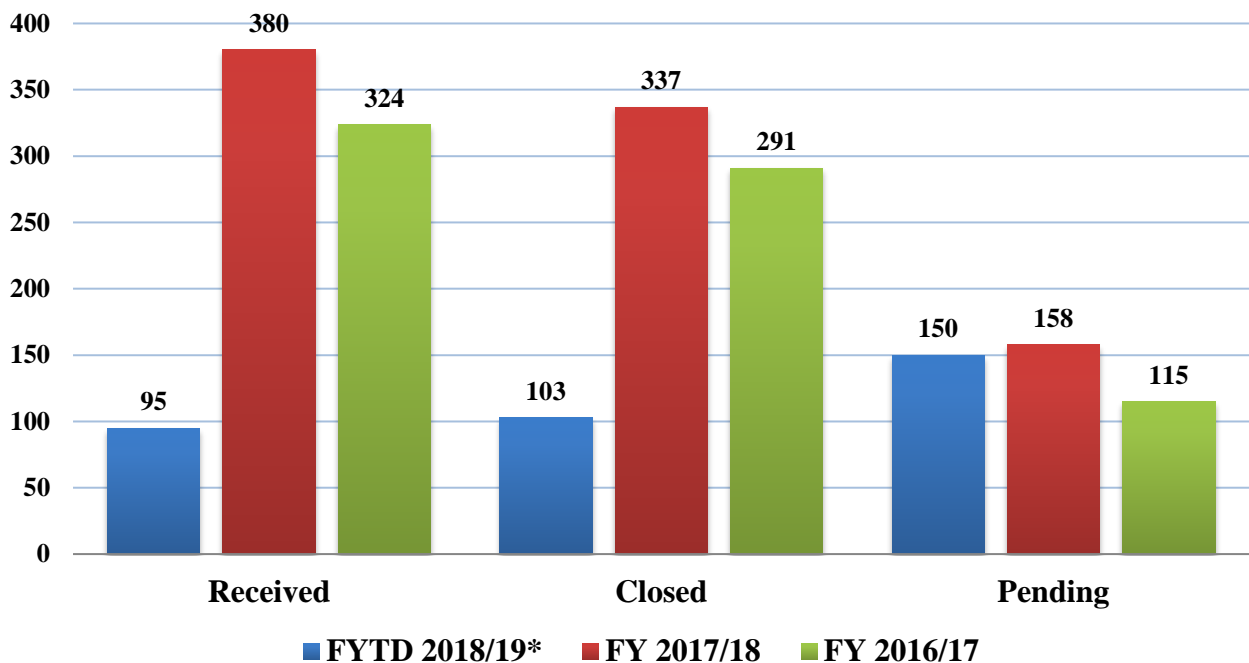
† Also included within "Pending Citations."

ENFORCEMENT PROGRAM REPORT Fiscal Years 2016/17 – 2018/19*

Types of Complaints Received FYTD 2018/19*

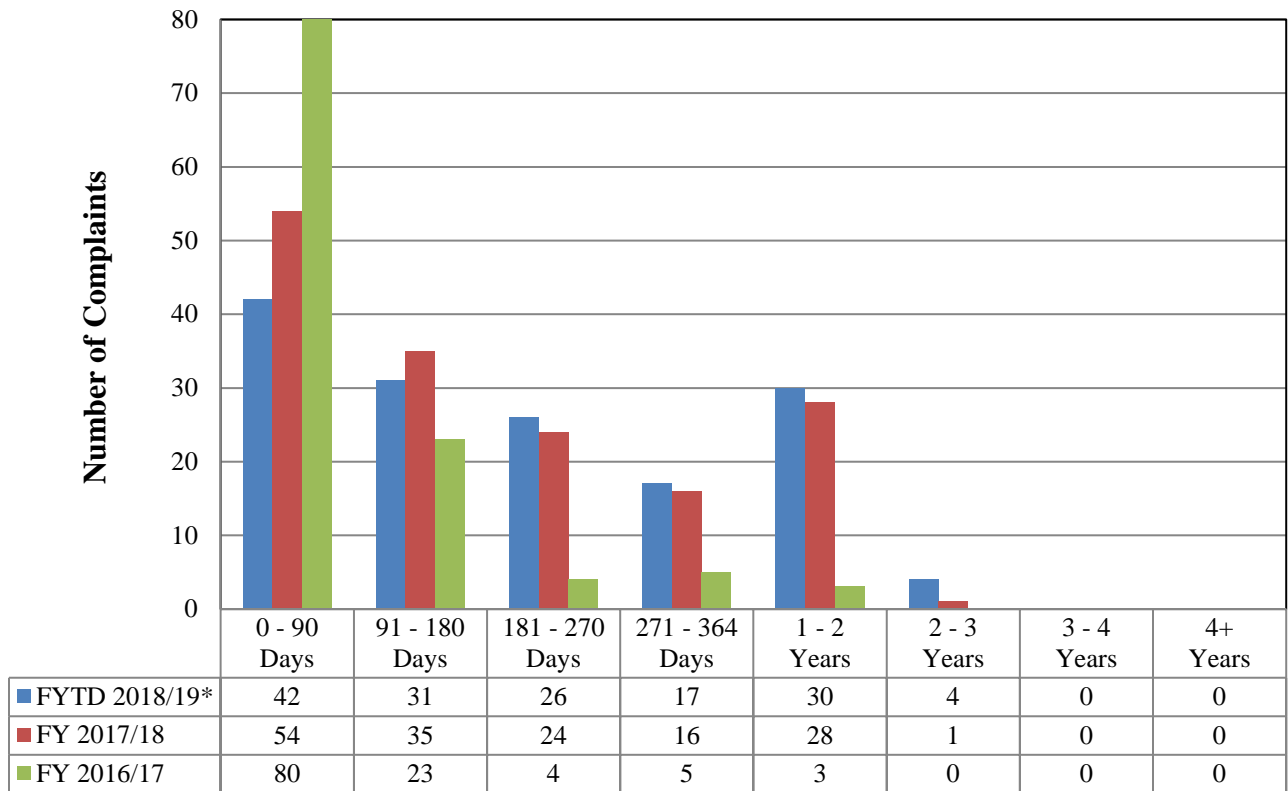


Complaints Received, Closed, and Pending by FY



* FYTD reflects data as of November 30, 2018.

Comparison of Age of Pending Complaints by FY



* FYTD reflects data as of November 30, 2018.

Closure of Complaints by FY

Type of Closure	FYTD 2018/19*	FY 2017/18	FY 2016/17
Cease/Desist Compliance	1	9	67
Citation Issued	20	64	30
Complaint Withdrawn	5	8	6
Insufficient Evidence	9	14	8
Letter of Advisement	32	157	99
No Jurisdiction	4	15	13
No Violation	19	40	52
Referred for Disciplinary Action	0	5	4
Other (i.e., Duplicate, Mediated, etc.)	13	25	12

* FYTD reflects data as of November 30, 2018.

Disciplinary and Enforcement Actions by FY

Action	FYTD 2018/19*	FY 2017/18	FY 2016/17
Disciplinary Cases Initiated	0	4	2
Pending Disciplinary Cases	4	5	4
Final Disciplinary Orders	1	3	4
Final Citations	22	54	32
Administrative Fines Assessed	\$19,250	\$36,000	\$45,750

* FYTD reflects data as of November 30, 2018.

Most Common Violations by FY

During FY 2018/19 (as of November 30, 2018), 22 citations with administrative fines became final with 31 violations of the provisions of the Architects Practice Act and/or Board regulations. The most common violations that resulted in enforcement action during the current and previous two fiscal years are listed below.

Business and Professions Code (BPC) Section or California Code of Regulations (CCR) Section	FYTD 2018/19*	FY 2017/18	FY 2016/17
BPC § 5536(a) and/or (b) – Practice Without License or Holding Self Out as Architect	16.1%	8.1%	38.0%
BPC § 5536.1(c) – Unauthorized Practice	0%	3.2%	0%
BPC § 5536.22(a) – Written Contract	3.2%	1.6%	14.0%
BPC § 5584 – Negligence or Willful Misconduct	9.7%	1.6%	4.0%
BPC § 5600.05(a)(1) and/or (b) – License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements**	48.4% [†]	77.4% [†]	16.0%
CCR § 160(b)(2) – Rules of Professional Conduct	12.9%	4.8%	6.0%

* FYTD reflects data as of November 30, 2018.

** Assembly Bill 1746 (Chapter 240, Statutes of 2010) became effective January 1, 2011 and amended the coursework provisions of BPC section 5600.05 by requiring an audit of license renewals beginning with the 2013 renewal cycle and adding a citation and disciplinary action provision for licensees who provide false or misleading information.

† The high percentage of citations for BPC section 5600.05 violations compared to other violations is primarily due to vacancies in the Enforcement Unit.

DISCUSS AND POSSIBLE ACTION ON RECOMMENDATION REGARDING 2018 OCTAVIUS MORGAN DISTINGUISHED SERVICE AWARDS

The Board, at its September 2000 meeting, voted to establish an annual system for recognizing the volunteers who contribute to the Board and to grant a special award for distinguished service. The award was named the Octavius Morgan Distinguished Service Award, after the first Board President. The following guidelines for the award were approved by the Board.

Purpose: To recognize and thank our committed volunteers on their efforts.

Criteria: Volunteers who, over time, have provided the Board with outstanding and dedicated service. Potential winners would be committee or task forces members, exam subject matter experts/commissioners, or others. Board members are eligible, provided they have served the Board five or more years in addition to their terms on the Board. Non-traditional candidates (e.g., Landscape Architects Technical Committee-affiliated, national participants) are also considered.

Number of awards: Three to five per year in order to spread the recognition.

Selection process: Board members and staff nominate individuals. The names of those receiving awards are announced at the December Board meeting.

Award: The Octavius Morgan Distinguished Service Award recipients would be sent an appropriate item of recognition and would be noted in the Board's newsletter. Board members will purchase the item of recognition from their own monies if prohibitions are in place from making the purchase from Board funds (motion approved at December 5-6, 2012, Board meeting).

The following individuals have been recipients of the award:

2017 – Norman Millar and Robert Peterson
2016 – Connie Christensen and Don Hodges
2015 – Robert Greig and Alex Rogic
2014 – Albert Okuma and Charles Smith
2013 – Loangle Newsome and Linda Zubiato
2012 – Victor Newlove, Roger North, and Roger Wilcox
2011 – Denis Henmi, Phyllis A. Newton, and Richard R. Tannahill
2010 – Wayne Holtan, Arlee Monson, and John Petrucelli
2009 – Richard Cooling, Richard Dodd, Morris Gee, and Larry Segrue
2008 – Chad R. Overway, Eric H. Jacobsen, and Bruce L. Macpherson
2007 – John Canestro, Gerald Cole, and Michelle Plotnick
2006 – Allan Cooper, Robert George, and Richard Holden
2005 – Andrew Barker, Robert DePietro, and Paul Neel
2004 – Jim Jordan, Larry Paul, P.K. Reibsamen, and Merlyn Isaak
2003 – Carol Tink-Fox, Jim McGlothlin, and Ron Ronconi
2002 – Glenn A. Gall, Lucille M. Hodges, RK Stewart, and Richard T. Conrad
2001 – George Ikenoyama, Fred Yerou, Richard Crowell, Jack Paddon, and Cynthia Easton
2000 – Charles J. Brown, Mackey W. Deasy, and Barry Wasserman

Staff were asked to submit nominations for 2018 recipients to the Board for consideration at its December 13-14, 2018 meeting; a list of the recommended nominees will be provided to the Board members prior to the meeting.

The Board is asked to consider the 2018 Octavius Morgan Distinguished Service Award nominees and reconfirm that Board members will purchase the awards from their own personal funds.

**PRESENTATION BY THE CALIFORNIA COUNCIL FOR INTERIOR DESIGN
CERTIFICATION (CCIDC) EXECUTIVE DIRECTOR, ROZE WIEBE, ON CCIDC
ACTIVITIES AND COMMERCIAL DESIGNATION**

CCIDC Executive Director, Roze Wiebe, will deliver a presentation on CCIDC activities and commercial designation.

PROFESSIONAL QUALIFICATIONS COMMITTEE (PQC) REPORT

1. Update on October 25, 2018 PQC Meeting
2. Review and Discuss 2017-2018 Strategic Plan Objective to Revise the *Candidate Handbook* to Reduce Candidate Confusion

Agenda Item J.1

UPDATE ON OCTOBER 25, 2018 PQC MEETING

The Professional Qualifications Committee (PQC) met on October 25, 2018, in Sacramento. Attached is the meeting notice. PQC Chair, Tian Feng, will provide an update on the meeting.

Attachment:

October 25, 2018 Notice of Meeting



CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

NOTICE OF MEETING

PROFESSIONAL QUALIFICATIONS COMMITTEE

**Professional Qualifications
Committee Members**

Tian Feng, Chair
Pasqual Gutierrez, Vice Chair
Raymond Cheng
Betsey Olenick Dougherty
Glenn Gall
Sylvia Kwan
Ebony Lewis
Kirk Miller
Stephanie Silkwood
Barry L. Williams
Michael Zucker

October 25, 2018

*Action may be taken on any
item listed on the agenda.*

**Sequoia Room
2420 Del Paso Road, Suite 109A
Sacramento, CA 95834
(916) 574-7220 (Board office)**

The Professional Qualifications Committee (Committee) will hold a meeting as noted above.

Agenda

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

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. Chair's Remarks and Committee Member Comments
- C. Public Comment on Items Not on the Agenda
The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future Committee meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on October 18, 2017 Committee Meeting Minutes
- E. Discuss and Possible Action on 2017-2018 Strategic Plan Objective to Revise the *Candidate Handbook* to Reduce Candidate Confusion
- F. Review and Discuss Examination Performance Statistics for the Architect Registration Examination (ARE) and California Supplemental Examination (CSE)
- G. Adjournment

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

Continued

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public. This meeting will not be webcast. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Timothy Rodda

Telephone: (916) 575-7217

Telecommunications Relay Service: Dial 711

Email: timothy.rodde@dca.ca.gov

Mailing Address:

California Architects Board

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

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

Protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code section 5510.15).

REVIEW AND DISCUSS 2017-2018 STRATEGIC PLAN OBJECTIVE TO REVISE THE CANDIDATE HANDBOOK TO REDUCE CANDIDATE CONFUSION

The Board's 2017-2018 Strategic Plan contains an objective assigned to the Professional Qualifications Committee (PQC) to revise the *Candidate Handbook* and reduce candidate confusion regarding the licensure process.

The *Candidate Handbook*, last updated in 2007, was developed by the Board to provide an overview of the architectural licensing process in California. It contains general information regarding the Board, the requirements for licensure, available pathways to licensure, and other relevant information. The *Candidate Handbook* was originally compiled from sources such as the Board's regulations and the National Council of Architectural Registration Boards' (NCARB) *Architect Registration Examination (ARE) Guidelines* and *Architectural Experience Program (AXP) Guidelines*. It is obsolete because of the many changes made by NCARB to its programs over the past several years and those made by the Board.

At its October 18, 2017 meeting, the PQC approved a motion to recommend the Board: 1) reimagine the handbook as the *Architect Licensure Handbook* in a digital format with an HTML equivalent on the Board's website; 2) clarify its role and that of NCARB within the handbook to ease candidate confusion; and 3) seek input from California emerging professionals regarding handbook content.

At its October 25, 2018 meeting, the PQC reviewed a draft of the *Architect Licensure Handbook* and provided the following input: 1) reorganize flow of the content to follow the three E's – Education, Experience and Examination; 2) create timeline graphics for each path to licensure; 3) include information on obtaining a reciprocal license in California; 4) provide additional clarification of the roles of NCARB and the Board; and 5) seek review and input by emerging professionals and newly licensed individuals.

Attached is a revised draft of the *Architect Licensure Handbook* based upon the PQC's input. Links to external documents and websites are identified as blue underlined text and sidebar content is identified in highlights. The graphical timelines are included at the end of the Handbook for consideration by the Board.

It is anticipated the *Architect Licensure Handbook* will be reviewed by emerging professionals and legal counsel after the Board has an opportunity to provide its input.

The Board is asked to review and discuss the *Architect Licensure Handbook* and provide input to staff.

Attachment:

Architect Licensure Handbook (Draft)



ARCHITECT LICENSURE HANDBOOK

DRAFT

California Architects Board
December 13, 2018

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WHO IS THE CALIFORNIA ARCHITECTS BOARD?

The California Architects Board was created by the Legislature and later approved by Governor Henry Gage on March 23, 1901, through “An Act to Regulate the Practice of Architecture.” The mission of the Board is to protect the public health, safety, and welfare by regulating architectural practice. The Board is one of the many boards, bureaus, commissions, committees, and programs under the purview of the [Department of Consumer Affairs](#), which is responsible for consumer protection and regulation of professional licensure in California.

The Board is composed of 10 members – 5 architects and 5 public members. The Governor appoints the 5 architect members and 3 of the public members. The Speaker of the Assembly and the Senate Rules Committee each appoint a public member to the Board.

WHAT WE DO

The Board establishes the qualifications and regulations for the licensing of individuals who want to practice architecture in California and maintains their records throughout candidacy and licensure. Individuals interested in becoming a licensed architect must apply with the Board, which issues architect licenses in California. Candidates must possess and maintain an active National Council of Architectural Registration Boards (NCARB) Record at the time they apply with the Board. Today, there are more than 21,000 architects and 9,000 candidates in the process of fulfilling licensure requirements.

Candidates and licensees should be familiar with and adhere to the statutes and regulations of the [Architects Practice Act](#).

PRACTICE OF ARCHITECTURE

California law defines the practice of architecture as the planning of sites, and the design, in whole or in part, of buildings or groups of buildings and structures. Any person who uses the title of architect (or any term confusingly similar) or advertises to provide architectural services in California must be licensed as an architect by the Board. The Board has a helpful [Design Limitations Chart for Professionals](#) available on its website that specifies the types of projects that may be designed by an unlicensed individual. It also specifies the limitations placed on other licensed design professionals.

UNLICENSED PRACTICE

Unlicensed individuals, which includes licensure candidates, should be aware it is a misdemeanor punishable by fine, imprisonment, or both to:

- Offer architectural services or practice architecture
- Represent oneself as an architect
- Use any term confusingly similar to the word “architect” or that he or she is an architectural designer.

Contact Us

- Phone: (916) 574-7220
- Fax: (916) 575-7283
- Email cab@dca.ca.gov
- Office hours are 8 a.m. to 5 p.m., Monday through Friday, excluding state holidays
- Information, downloadable forms, and more are available on the Board's [website](http://cab.ca.gov) (cab.ca.gov).

WHO IS NCARB?

[NCARB](#) is a nonprofit organization made up of the architectural licensing boards for 55 US states and territories and has three strategic goals: facilitate licensure, foster collaboration, and centralize credential data. The Board works collaboratively with NCARB to achieve its goals and fulfill its mission of protecting consumers. NCARB provides services to the Board that are required as components of licensure.

Among the requirements a candidate must complete are the [Architect Registration Examination](#) (ARE) and the [Architectural Experience Program](#) (AXP) to receive a California license. The ARE is the nationally recognized architectural licensing examination and AXP is the program that provides a framework for gaining professional experience. Both the ARE and AXP are NCARB-administered programs and two of the many services it provides the Board.

Additionally, NCARB offers its Certificate to licensees. The [NCARB Certificate](#) indicates a licensee has met the national licensure standard and facilitates reciprocal licensure in member jurisdictions. Reciprocal licensure candidates who apply and request a transmittal of their NCARB Certificate are immediately eligible for the California Supplemental Examination (CSE). California does not require licensees to maintain an NCARB Certificate as a condition of licensure.

HOW DO I BECOME AN ARCHITECT?

Overview

California's examination and licensure requirements to become an architect are more flexible than most other jurisdictions. In reviewing the requirements for licensure, it is important to understand the process cannot be described by a singular set of sequential steps. Instead, obtaining a license involves requirements a candidate can fulfill in multiple ways. Additionally, each requirement may have several possible entry points at which a candidate may start fulfilling it. Although each candidate's path to licensure may differ, all will complete the process with the necessary knowledge, skills, and ability to be a licensed architect who practices in a way that protects the health, safety, and welfare of Californians.

No single aspect can accurately measure whether an individual is qualified to be licensed to practice architecture in California. The Board considers three separate aspects of an individual's architectural development: education, experience, and examination when assessing the

knowledge, skills, and abilities required to competently perform the services required of an architect.

A candidate who provides evidence of having completed the following requirements is eligible to receive a license to practice architecture:

- Be at least 18 years of age or the equivalent of a graduate from high school
- Five years of architectural educational experience or the equivalent as specified in the Board's regulations¹
- AXP or the Canadian Provincial Internship in Architecture Program (IAP)^{1, 2}
- All divisions of the ARE
- CSE

It is important to note that all not possible backgrounds for candidates could feasibly be described in this Handbook. An individual whose background is not discussed here should directly contact the Board to learn how to fulfill the requirements.

Insert Board contact information in sidebar

A complete step-by-step licensure process chart is located at the end of the Handbook.

¹ When combined will total the eight years of architectural training and education experience required for licensure – see Business and Professions Code (BPC) section [5552](#).

² Candidates who meet the exemption requirements specified in the Board's regulations may substitute work experience in lieu of AXP.

Education

To be eligible for the ARE and begin the licensure process, a candidate must furnish evidence of completing five years of education or training experience in architectural work (or the equivalent). Candidates may possess an accredited degree, graduate from an Integrated Path to Architectural Licensure (IPAL) program, possess a nonaccredited degree, or solely document work experience. A description of each path (option) is provided below.

Accredited Degree Path

A professional degree from a program accredited by the [National Architectural Accrediting Board](#) (NAAB) earns the most architectural educational experience credit (five years) and fulfills the Board's eligibility requirement for the [ARE](#). The NAAB-accredited degree is required for Certification by NCARB and for licensure in most US jurisdictions.

Integrated Path to Architectural Licensure (IPAL)

IPAL is an option available for candidates pursuing licensure in California. Like models used in Europe and elsewhere in the world, NCARB introduced IPAL, which provides a more accelerated path to licensure. IPAL integrates the experience and examination aspects with a NAAB-accredited professional degree program. Candidates can complete the licensure

requirements while earning an accredited degree. IPAL programs provide a structured approach to complete the AXP and take each division of the [ARE](#) before graduation.

Presently, there are 26 IPAL programs at 21 colleges, three of which are in California—[NewSchool of Architecture and Design](#), [University of Southern California](#), and [Woodbury University](#). Each IPAL school formulates the specific programmatic details of how the education, experience, and examination aspects are integrated, but the result is the same.

A candidate enrolled in an IPAL degree program may fulfill all three aspects of licensure in less time than it typically takes candidates to complete the licensure process. There are prerequisites specific to each school that must first be met before admission is accepted by the respective program. Contact the respective program for more details about it.

Through completion of an IPAL program when a candidate is awarded their degree and completes the ARE, they will be eligible for the [CSE](#).

Candidates interested in pursuing this path should visit the [IPAL portal](#) for more information.

Nonaccredited Degree Path

The Nonaccredited Degree Path affords the most flexibility for candidates as it permits them to combine any field of study with architectural training experience to potentially become an architect. The amount of architectural training experience required varies depending upon the specific degree awarded and field of study or the number of postsecondary units earned for those without a degree. A candidate fulfills the education aspect when they document five years of training and educational experience in architectural work on an [Employment Verification Form \(EVF\)](#).

Candidates with foreign degrees may receive credit for education at foreign colleges and universities. A [Board-approved educational evaluation service](#) must evaluate certified original transcripts and diplomas from the foreign school(s) and equate the degree to a comparable US degree for credit to be granted. The service must submit the original recommendation report along with transcripts directly to the Board. The candidate is responsible for any cost of evaluation. Candidates should request that an original "short" or "general" report be submitted directly to the Board along with a copy of the original transcripts. It should be noted that NCARB only accepts foreign degrees evaluated by the NAAB [Education Evaluation Services for Architects](#) (EESA) for NCARB Certification.

Work Experience Only Path

A fourth path for receiving ARE eligibility in California is the Work Experience Only Path. Candidates who select this path work for five years of full-time (40 hours per week) under the direct supervision of an architect licensed to practice in the US in lieu of earning a degree. The training experience earned, documented on an EVF, fulfills the education aspect for licensure and meets the Board's ARE eligibility requirements.

Some architectural training experience may be granted credit for work performed beyond 40 hours in a week—[contact the Board](#) for more details.

Experience

All candidates seeking licensure must complete a three-year work experience requirement in addition to the five-year education requirement for a total eight years of experience needed to receive a license. Candidates may concurrently complete the education and experience aspects immediately upon high school graduation (or the equivalent).

The requirement must be fulfilled through completion of either NCARB's AXP or the Canadian Architectural Licensing Authorities' (CALA) Intern Architect Program (IAP).

Candidates who use work experience under an architect as an educational substitute **may not** also submit the same work experience for earning AXP/IAP credit hours.

NCARB offers another option (the [AXP Portfolio](#)) for candidates who may have placed their licensure goals on hold due to career, personal, or economic reasons. The AXP Portfolio is specifically designed for unlicensed individuals who need to complete AXP for initial licensure. Complete information regarding the AXP Portfolio is available on the NCARB website.

AXP Overview

Many aspects of architectural practice are best learned through hands-on experience. For this reason, NCARB developed the AXP, which is designed to provide candidates exposure to the broad range of practice involved in architecture.

AXP is the nationally recognized training program for licensure candidates that requires the compilation and maintenance of a record of activity reflecting structured exposure to key areas of architectural practice. AXP is administered and maintained by NCARB. AXP has the following objectives to:

- Define areas of architectural practice in which interns should acquire basic knowledge and skills;
- Encourage additional training in the broad aspects of architectural practice;
- Provide the highest quality information and advice about educational, internship, and professional issues and opportunities;
- Provide a uniform system for documentation and periodic assessment of internship activity; and,
- Provide greater access to educational opportunities designed to enrich training.

A maximum of five years of education or work experience credit is granted to individuals who have completed AXP. To obtain credit for completion of AXP, a candidate must have their AXP Record transmitted by NCARB directly to the Board for evaluation. Most jurisdictions require completion of AXP for initial licensure, and NCARB requires AXP for NCARB Certification.

Candidates should refer to the [AXP Guidelines](#) for more detailed information regarding the program.

IAP Overview

The IAP is developed by the CALA and is considered equivalent to completion of AXP.

IAP has the following objectives to:

- Define and document areas of architectural practice in which professional knowledge and skills must be gained in a structured, supervised and mentored environment;
- Provide a uniform system for documentation and periodic assessment of internship activities;
- Provide feedback and guidance to the Intern; and
- Involve the members of the profession in the development and training of future members.

Candidates should refer to the [IAP Guidelines](#) for more detailed information regarding the program.

Work Experience Credit

Work experience is evaluated based upon a calendar month of 40-hour work weeks. Credit is granted for both part-time and full-time work experience. Overtime may be considered. Work experience credit is granted toward fulfilling the educational requirement, the additional three years of experience, or both as follows:

- 100% credit for work experience under the direct supervision of US licensed architects.
- 50% credit for work experience under the direct supervision of architects licensed in [qualifying foreign countries](#) up to a maximum of seven years of credit.

Credit may also be granted for work experience obtained under the authority of or on the property of the US federal government when the experience is under the direct supervision of a US licensed architect or engineer.

Candidates may receive credit for work experience obtained under the direct supervision of professionals other than licensed architects only after they fulfill the educational aspect. If such experience is obtained prior to fulfilling the educational aspect, the credit is deferred until fulfillment of the educational aspect. Credit for work experience obtained under other licensed professionals applies as follows:

- 50% credit for work experience under the direct supervision of US registered civil or structural engineers and US licensed landscape architects up to a maximum of two years of credit.
- 50% credit for work experience under the direct supervision of California licensed general building contractors or California certified building officials up to a maximum of one year of credit.

Candidates should review NCARB's [AXP Guidelines](#) to determine whether such experience is accepted for AXP.

Important Note: All candidates must earn and verify at least one year of credit under the direct supervision of an architect licensed in a US jurisdiction or two years of experience under the direct supervision of an architect registered in a Canadian province prior to CSE eligibility and licensure. Completion of AXP fulfills this requirement.

Documenting Work Experience

The following guidelines apply to the [\(EVF\)](#):

- Each EVF must contain: the dates of employment; hours worked per week; name and address of the company; and the supervising professional's name, license number, license issue date/expiration date, original signature, and date.
- EVF may not contain any alterations or corrections.
- All signatures on the EVF must be original.

Candidates should stay current on their submissions of EVFs and submit one at least every six months.

Pursuant to the Rules of Professional Conduct (California Code of Regulations, title 16, section 160), California licensed architects must represent a candidate's training and experience accurately when completing an EVF or providing other information in connection with the candidate's application for licensure.

When the Board receives an EVF, an evaluation is performed, and a notice is mailed to the candidate advising the current application status and credit granted. Candidates may request an update of their status at any time.

Examination

Architect Registration Examination (ARE)

The ARE, developed by NCARB, is the national architectural licensing examination that consists of six divisions. The ARE assesses candidate knowledge, skills, and abilities related to the practice of architecture. A candidate must successfully complete each ARE division and may elect to do so in any order for their convenience. Complete information can be found in the [ARE 5.0 Guidelines](#).

Candidates may apply at any time for ARE eligibility evaluation. To be eligible for the ARE, a candidate must obtain five years of postsecondary education and training experience in architectural work or the equivalent as determined by the Board's regulations.

Once the Board determines a candidate is eligible to begin taking the ARE, authorization will be granted to take the various divisions through the NCARB Record. Candidates will be sent an email from NCARB and the Board notifying them of their eligibility.

A candidate's testing eligibility remains valid provided they are active in the examination process. To remain active, a candidate must take an examination within five years from the date of their previously division. Testing eligibility may only be maintained in one jurisdiction at a time as NCARB does not allow multiple eligibilities.

Divisions

The ARE is administered and graded by computer. ARE 5.0 consists of six divisions:

- [Practice Management](#)
- [Project Management](#)
- [Programming and Analysis](#)
- [Project Planning and Design](#)
- [Project Development and Documentation](#)
- [Construction and Evaluation](#)

Candidates are encouraged to visit the [NCARB website](#) or read the [ARE Guidelines](#) for the latest detailed information.

Fees

Candidates pay the fee to take the ARE directly to NCARB or its authorized representative. Payment information is described in the ARE Guidelines. NCARB reserves the right to withhold test scores and suspend test-taking privileges until any outstanding debt or payment discrepancies are resolved.

Scheduling Procedures

The ARE is administered year-round, Monday through Saturday, at computer testing centers throughout the US and at select locations across the world. Eligible candidates may take the ARE at a testing center in any participating jurisdiction; scores are reported to the Board regardless of where a candidate takes a division.

Scheduling information is included in the ARE Guidelines. There is no set schedule for the administration of the divisions. Candidates may schedule appointments for their desired division(s) at any time once eligibility has been established by logging into their NCARB Record.

References and Study Materials

NCARB's [ARE 5.0 Handbook](#) includes a list of specifications, suggested references, and sample questions for each division. NCARB developed practice programs for the ARE, which can be accessed through a candidate's NCARB Record. Additionally, NCARB created a video test preparation series and an ARE Community, which allows candidates to ask questions, reach out to each other for study information, and offers a direct link to NCARB staff should there be any questions.

In an effort to assist candidates, NCARB has an [Approved Test Prep Provider](#) program that lists providers that meet NCARB's standards.

Results

ARE results are reported as pass or fail and can be found in a candidate's NCARB Record approximately one to two weeks after taking the division. Candidates receive an email notification when the score report is available.

There are no provisions in the Board's regulations that permit a review of an ARE division, challenge of the multiple-choice questions, or appeal of an ARE result. As stated in the ARE Guidelines, the above is available to a candidate **only** if permitted by a board of architecture.

Rolling Clock (Expiration)

After passing an ARE 5.0 division, the score remains valid for five years from the exam. If the remaining ARE divisions are not completed before the [ARE Rolling Clock](#) period for a division ends, the passing score for that division will expire, and it must be retaken.

NCARB allows for limited extensions to the ARE Rolling Clock for reasons including birth of a child, serious medical condition, or active duty military service. Requests for an extension must be made prior to a division expiring. More information, including the corresponding [request form](#), can be found on NCARB's website.

Transferring Scores

A candidate who has completed all or some of the ARE in another jurisdiction and wants to complete the examination process and become licensed in California should contact that jurisdiction to have a certified record of the examination scores sent to the Board. Copies of examination scores will not be accepted directly from the candidate.

The Board will send a certified record of examination scores to another jurisdiction or Canada upon written request from the candidate.

California Supplemental Examination (CSE)

The Board administers a supplemental examination to ensure that candidates have the necessary architectural knowledge and skills to respond to the characteristic conditions present in California.

Prior to taking the CSE, candidates must provide evidence of having completed the following requirements:

- Five years of architectural educational experience or the equivalent as specified in the Board's regulations
- AXP or IAP
- ARE

Candidates who meet the exemption requirements specified in the Board's regulations may substitute work experience in lieu of AXP. The exemption requirements are listed in the Appendices.

The CSE is based upon a test plan that consists of the critical task and knowledge associated with entry-level of practice. The intent of it is not to duplicate coverage of general areas of practice already addressed in the ARE, but rather focus on California-specific aspects of practice. It is therefore neither comprehensive nor representative of the full-scope of architectural practice. The tasks are organized into four categories:

- General Practice
- Programming/Design
- Development/Documentation
- Bidding/Construction

The CSE is a computer-based multiple-choice examination that lasts approximately 3.5 hours. Candidates are required to demonstrate at least entry-level competence in the areas outlined in the [CSE Test Plan](#). A competent entry-level architect can perform the responsibilities incumbent upon them in providing professional architectural services to the public. In addition, they must understand the integration of architectural practice and their responsibilities as they relate to architectural practice in California.

The CSE consists of individually timed sections and may include general multiple-choice items and project scenario related items pertaining to the content within the Test Plan and the applicable knowledge and ability statements. Candidates should refer to the [CSE Handbook](#) for detailed information regarding scheduling and taking the CSE. Examination results are provided to a candidate at the testing site after completing the examination.

[References and Study Materials](#)

The CSE Test Plan and [reference materials](#) are available on the Board's website.

Third-party vendors may offer CSE preparatory material to candidates. Please be aware that the Board does not contribute to or endorse any supplemental examination study guide or training seminar. Providers of such study material are not given any information beyond what is available on the Board's website.

[Final Steps in Securing a License](#)

When a candidate passes the CSE, an Application for Licensure is provided at the test site. Candidates submit the completed application to the Board along with the appropriate licensing [fee](#). The license is typically issued within three to four weeks after the Board receives a complete application.

Reciprocity

Reciprocity candidates are individuals who possess an active license or registration in another US jurisdiction or foreign country (with an NCARB Certificate) and submit a [California Architect Reciprocity Application](#). Individuals who apply for a reciprocal license must meet the same requirements as an initial licensure candidate.

Reciprocal candidates who document three or more years of post-licensure experience are not required to document completion of AXP. Submittal of a valid NCARB Certificate will satisfy Board requirements for CSE eligibility.

POSTLICENSURE

California architect licenses expire at midnight on the last day of the licensee's birth month in odd-numbered years and must be renewed every two years.

Architects must fulfill the following requirements to renew a license:

- Complete continuing education (CE) coursework on disability access requirements within the previous two years as mandated by BPC section [5600.05](#) (see coursework audits below)
- Complete an Architect License Renewal Application
- Pay license renewal fee
- Mail signed original application and fee to the Board with a postmark on or before the license expiration date

Renewing a license on time is critical. Renewal notices are sent to the licensee's address of record approximately 60 days prior to the expiration date. Architects may not submit an application and payment more than 60 days before their current license period ends.

Allow up to eight weeks for processing. The most frequent cause of delay in renewal processing is an incomplete application. The Architect License Renewal Application is available on the Board's website if one is not received in the mail.

Licenses who have complied with the license renewal requirements (i.e., complete application, signature, correct fee, certification of completed CE, etc.) prior to its expiration may engage in legal practice of their profession until receipt of the renewed license if the delay was not the fault of the licensee (BPC section [121](#)). This provision does not apply to delinquent or incomplete renewal applications.

Continuing Education (CE)

As a condition of license renewal, architects must:

- Complete five hours of coursework on disability access requirements within the previous two years. The coursework must be presented by trainers or educators with knowledge and experience in the disability access requirements.

- Certify on the renewal application completion of the required coursework and sign the application.
- Maintain records documenting completion of the required coursework for two years from the date of license renewal.
- Provide, upon request, coursework records to the Board for auditing.

Licensees are encouraged to complete these requirements timely to avoid a delay in the processing of their license renewal. Those who fail to complete the required coursework cannot renew their license nor practice architecture until they have fulfilled these requirements. The renewal requirement to complete the coursework applies to licensees regardless the length of time the license is held prior to renewal. Individuals applying for their initial license should consider the length of time remaining until they must renew their license.

Coursework Audits

The Board conducts audits of completed coursework. Licensees who are selected for an audit will be required to submit coursework documentation confirming that they have fulfilled the requirement. Licensees must keep record of their coursework documentation for at least two years from the date of their license renewal (BPC section [5600.05](#)). Records must include the following:

1. Course title
2. Subjects covered
3. Name of provider
4. Name of educator or trainer
5. Date of completion
6. Number of hours completed
7. Statement about the trainer's or educator's knowledge and experience background

Important: Licensees who submit false or misleading information or fail to respond to the Board's request for documentation will be subject to an administrative citation, which may include an administrative fine, or disciplinary action (BPC section 5600.05).

MISCELLANEOUS INFORMATION

Military Expedite

The Board will expedite the licensure process for current members or former members of the US Armed Forces who were honorably discharged. Current and former members of the military may possess transferrable skills that help them meet the minimum experience requirements required of all candidates. The Board may assist these individuals by:

- Expediting the application process once the Certificate of Release or Discharge from Active Duty (DD-214) is received by the Board; and
- Evaluating college transcripts to verify education credit.

Please submit a [Military Expedite Request Form](#) along with the application.

Are All Candidates Required to Complete an Internship Program?

The AXP/IAP requirement affects candidates who apply for examination eligibility on or after January 1, 2005, and candidates who were previously eligible but have not taken an examination as a Board candidate for five or more years. Candidates who were eligible for the ARE on or before December 31, 2004 and who remain active in the examination process are exempt from the AXP requirement.

Reasonable Testing Accommodations

The Board has a procedure for granting reasonable testing accommodations to candidates with impairments as outlined under the Americans with Disabilities Act and state law. Candidates with impairments who require reasonable testing accommodations should inquire with the Board at the time they initially apply for eligibility evaluation to obtain current information. Reasonable accommodation request forms for the ARE and CSE are available on the Board's [website](#) in the corresponding section.

Name and Address Changes

Once a candidate has filed an application with the Board, all name and address changes must be submitted in writing. Name changes must be accompanied by appropriate legal documentation. Candidates and licensees are responsible for keeping the Board always informed of their current address. The [Name Change Request](#) and [Change of Address](#) forms and instructions are available on the Board's website.

Inactive Candidates and Retention of Application Files

The record of a candidate who has not taken an examination for five or more years becomes inactive. The Board purges inactive files.

Transcripts, foreign evaluations, and each [EVF](#) submitted by individuals who have not also submitted an [Application for Eligibility Evaluation](#) are retained for two years, and then purged.

An inactive candidate whose file has been purged and who later wishes to resume the examination process must reapply to the Board by submitting the appropriate application, the current eligibility review fee, and the supporting documentation. The candidate will be evaluated according to the regulations operative at the time of reapplication.

Licensure in Another State

Candidates seeking licensure outside of California may request in writing that the Board send a certification of examination scores to another state board. Because every state has its own requirements, the Board recommends candidates directly contact the specific state board or NCARB for details.

Social Security Number (SSN) / Individual Taxpayer Identification Number (ITIN)

Collection of a candidate's Social Security Number (SSN) is mandatory and is authorized by BPC section [30](#) and Public Law 94-455 [[42 U.S.C. 405\(c\)\(2\)\(C\)](#)]. BPC section [5550.5](#) authorizes the Board to accept an Individual Taxpayer Identification Number in lieu of an SSN. The SSN/ITIN is used exclusively for tax enforcement purposes; to comply with any judgment or order for family support in accordance with Family Code section [17520](#); or for verification of licensure or examination status by a licensing or examination entity which utilizes a national examination and where licensure is reciprocal with the requesting state.

While an SSN/ITIN may not be required to legally work in California, it is required to obtain and maintain a professional license. BPC 30 prohibits the Board from processing any application for an original license unless the applicant provides their SSN/ITIN where required on the application.

Notice on Collection of Personal Information

The Board collects the personal information requested on the application form as authorized by BPC sections [30](#), [5526](#), [5550](#), [5550.5](#), [5552](#), [5558](#), and CCR sections [104](#) and [109](#). The Board uses this information principally to identify and evaluate applicants for licensure, issue and renew licenses, and enforce licensing standards set by law and regulation. Submission of the requested information is mandatory. The Board cannot consider an application for examination, licensure, or renewal unless all requested information is provided.

Possible Disclosure of Personal Information

The Board makes every effort to protect the personal information candidates provide. The information provided may be disclosed in the following circumstances:

- In response to a [Public Records Act](#) request (Government Code section [6250 et seq.](#)), as allowed by the [Information Practices Act](#) (Civil Code section [1798 et seq.](#))
- To another government agency as required by state or federal law
- In response to a court or administrative order, a subpoena, or a search warrant

Public Notices and Information

The Board uses a [subscriber list](#) service to notify individuals who are interested in receiving email alerts about important updates. Public notices regarding various changes to the regulations and upcoming meetings are provided to individuals on the Board's emailing list and are referenced on the Board's website.

Collateral Organizations

- [The American Institute of Architects \(AIA\)](#)
1735 New York Ave NW
Washington, DC 20006
(800) 242-3837
- [The American Institute of Architects, California Council \(AIACC\)](#)
1303 J Street, Suite 200
Sacramento, CA 95814
(916) 448-9082
- [The American Institute of Architecture Students \(AIAS\)](#)
1735 New York Ave NW
Washington, DC 20006
(202) 808-0075
- [The National Architectural Accrediting Board \(NAAB\)](#)
1101 Connecticut Ave NW, Suite 140
Washington, DC 20036
(202) 783-2007
- [The National Council of Architectural Registration Boards \(NCARB\)](#)
1801 K Street NW, Suite 700K
Washington, DC 20006
(202) 879-0520

STEP-BY-STEP LICENSURE PROCESS CHECKLIST

Candidates for licensure must complete the following:

1. Establish an NCARB Record

- Select California as the testing jurisdiction

2. Complete an [Application for Eligibility Evaluation](#)

- Application must contain an original signature
- Include application fee (check or money order)
- Mail to California Architects Board

3. Complete one of the following for ARE eligibility:

- Earn a degree from a program accredited by NAAB
- Earn a degree and document work experience under an architect licensed to practice in an US jurisdiction
- Document five years of work experience under an architect licensed to practice in an US jurisdiction
- Transmit transcripts directly to the Board from the college/university or be visible through the NCARB Record
- Document work experience on an EVF and with the supervising architect's original signature

4. Complete the ARE

- Pass each division within the five year Rolling Clock period:
 - Practice Management
 - Project Management
 - Programming and Analysis
 - Project Planning and Design
 - Project Development and Documentation
 - Construction and Evaluation

5. Complete AXP or IAP

- Request transmittal of the completed AXP/IAP record to California after the ARE has been completed

6. Complete the CSE

- Submit a completed CSE application¹ and fee to the Board
- Examination results are provided at site and either a license application or a retest application is provided to candidate

7. Complete an Application for Licensure

- Application must contain an original signature
- Include application fee (check or money order)
- Mail to California Architects Board

¹ The CSE application is only available to eligible candidates as determined by the Board in accordance with the relevant laws and regulations. **The application will be automatically sent to an eligible candidate** and is unavailable for download.

DRAFT

NAAB-Accredited Degree

Years:	1	2	3	4	5	ARE	CSE		
Education									
AXP									

IPAL

Years:	1	2	3	4	5	6	CSE	
Education								
AXP								
ARE								

Non-NAAB Degree

Years:	1	2	3	4	5	ARE	CSE		
Education									
AXP									
Experience									

Experience Only

Years:	1	2	3	4	5	ARE	CSE		
Experience									
AXP									

UPDATE ON DECEMBER 6-7, 2018 LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) MEETING

The LATC met on December 6-7, 2018, in Sacramento. Attached is the meeting notice. LATC Program Manager, Trish Rodriguez, will provide an update on the meeting.

Attachment:

December 6-7, 2018 Notice of Meeting

NOTICE OF MEETING
Landscape Architects Technical Committee

LATC MEMBERS

Patricia Trauth, Chair
Marq Truscott, Vice Chair
Andy Bowden
Susan M. Landry
David Allen (DJ) Taylor, Jr.

December 6-7, 2018

*Action may be
taken on any
item listed on
the agenda.*

2420 Del Paso Road
Sequoia Conference Room, Suite 109
Sacramento, CA 95834
(916) 575-7230 (LATC)

The Landscape Architects Technical Committee (LATC) will hold a meeting, as noted above.

Agenda
December 6, 2018
11:00 a.m. – 3:30 p.m.
(or until completion of business)

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair’s Procedural Remarks and LATC Member Introductory Comments
- C. Public Comment on Items Not on the Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee’s next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on July 20, 2018 LATC Meeting Minutes
- E. Program Manager’s Report - Update on LATC’s Administrative/Management, Examination, Licensing, and Enforcement Programs
- F. Discuss and Possible Action on Model Water Efficient Landscape Ordinance (MWEL0)
- G. Update on 2018 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting
- H. Update on Amendments to the LATC’s Member Administrative Procedure Manual

(Continued)

- I. Update on 2017-2018 Strategic Plan Objective to Follow the Board's Determination Regarding the Necessity for a Licensure Fingerprint Requirement and the Alternatives for Implementation as a Means of Protecting Consumers
- J. Review and Discuss California Code of Regulations (CCR), Title 16, Division 26, Article 1, Section 2620.5 (Requirements for an Approved Extension Certificate Program)
- K. Election of 2019 LATC Officers
- L. Review Tentative Schedule and Discuss Future LATC Meeting Dates
- M. Recess

Agenda
December 7, 2018
8:30 a.m. – 2:30 p.m.
(or until completion of business)

2420 Del Paso Road
Sequoia Conference Room, Suite 109
Sacramento, CA 95834

- N. Call to Order – Roll Call – Establishment of a Quorum
- O. Strategic Planning Session
- P. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public. The LATC plans to webcast the December 6, 2018 meeting on its website at latc.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend the physical location.

(Continued)

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)). The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Blake Clark

Telephone: (916) 575-7236

Email: Blake.clark@dca.ca.gov

Telecommunication Relay Service: Dial 711

Mailing Address:

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

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

Protection of the public shall be the highest priority for the LATC in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code section 5620.1).

Agenda Item L

REVIEW OF FUTURE BOARD MEETING DATES

January 2019

1	<i>New Year's Day</i>	<i>Office Closed</i>
21	<i>Martin Luther King, Jr. Day</i>	<i>Office Closed</i>

February

TBD	Board Meeting	TBD
8 (tentative)	Landscape Architects Technical Committee Meeting (LATC)	TBD
18	<i>President's Day</i>	<i>Office Closed</i>

March

7-9	National Council of Architectural Registration Boards (NCARB) Regional Summit	Nashville, TN
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April

1	<i>Cesar Chavez Day (observed)</i>	<i>Office Closed</i>
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May

23 (tentative)	LATC Meeting	TBD
27	<i>Memorial Day</i>	<i>Office Closed</i>

June

TBD	Board Meeting	TBD
6-8	American Institute of Architects Conference on Architecture 2019	Las Vegas, NV
20-22	NCARB Annual Meeting	Washington, DC

July

4	<i>Independence Day</i>	<i>Office Closed</i>
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August

13 (tentative)	LATC Meeting	TBD
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September

TBD	Board Meeting	TBD
2	<i>Labor Day</i>	<i>Office Closed</i>

November

8 (tentative)	LATC Meeting	TBD
11	<i>Veterans Day</i>	<i>Office Closed</i>
28-29	<i>Thanksgiving Holiday</i>	<i>Office Closed</i>

December

TBD	Board Meeting	TBD
25	<i>Christmas Day</i>	<i>Office Closed</i>

Agenda Item M

CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTIONS 11126(c)(3), 11126(f)(4), AND 11126.1, THE BOARD WILL MEET IN CLOSED SESSION TO:

1. Review and Possible Action on June 13, 2018 Closed Session Minutes
2. Deliberate and Vote on Disciplinary Matters
3. Adjourn Closed Session

RECONVENE OPEN SESSION

The Board will reconvene open session following Closed Session.

RECESS

Time: _____

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM

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

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

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

Board Member Roster

Denise Campos

Tian Feng

Pasqual V. Gutierrez

Sylvia Kwan

Ebony Lewis

Matthew McGuinness

Robert C. Pearman, Jr.

Nilza Serrano

Barry Williams

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Members of the public may address the Board at this time.

The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Public comments will also be taken on agenda items at the time the item is heard and prior to the Board taking any action on said items. Total time allocated for public comment may be limited at the discretion of the Board President.

Agenda Item R

PRESENTATION BY THE DCA OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) REGARDING EXAMINATION PERFORMANCE STATISTICS FOR THE ARCHITECT REGISTRATION EXAMINATION (ARE) AND CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)

At its September 12, 2018 meeting, the Board requested a presentation on the factors that contribute to examination pass rates. Today, staff from OPES will provide the presentation.

STRATEGIC PLANNING SESSION

At this meeting, the Board is scheduled to develop a new two-year Strategic Plan for 2019-2020, which will be facilitated by the Department of Consumer Affairs' Strategic Organization, Leadership, and Individual Development staff. Attached is the agenda for the session and the 2017-2018 Strategic Plan.

Attachments:

1. Strategic Planning Session Agenda
2. 2017-2018 Strategic Plan

California Architects Board

Strategic Planning Session Agenda

December 14, 2018

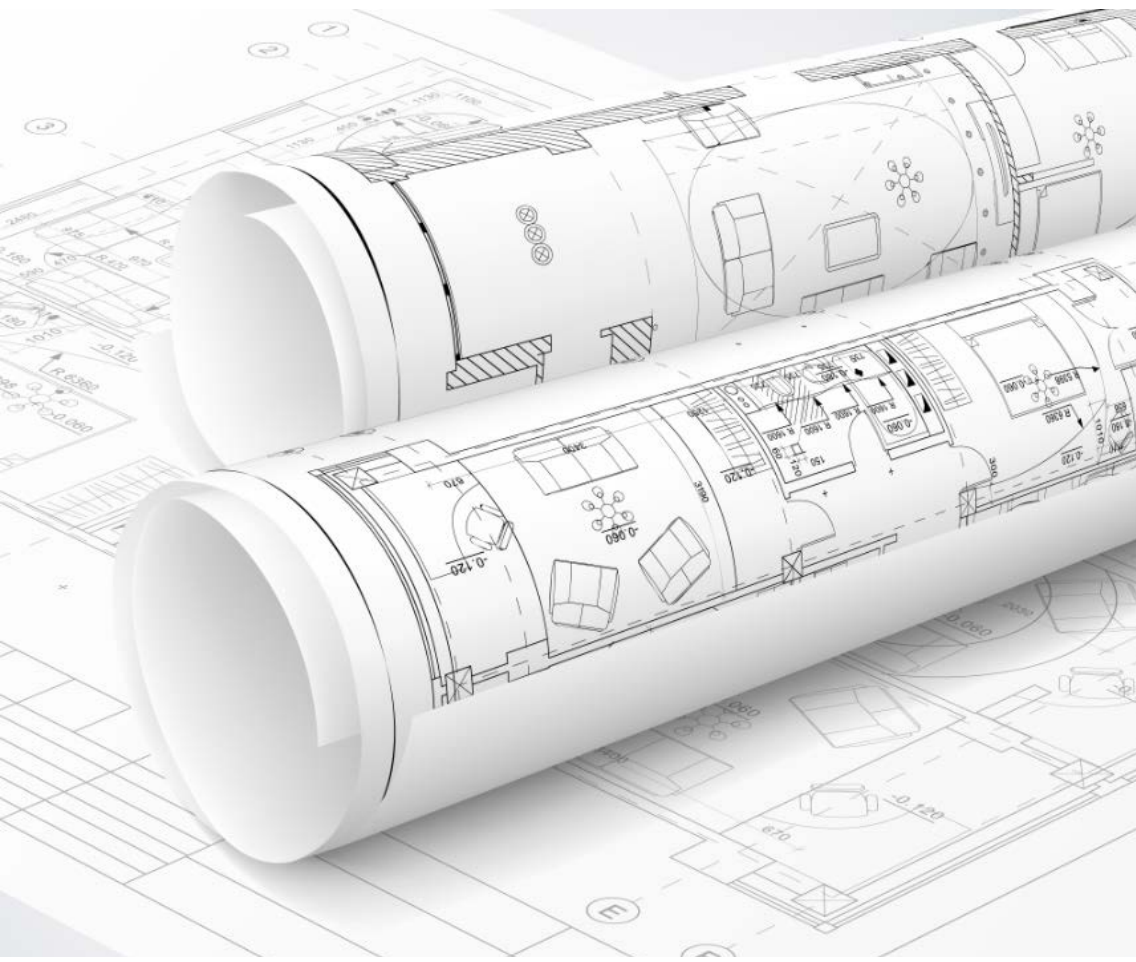
9:00 am to 3:30 pm

- ✓ Introduction
- ✓ Environmental Scan and Objective Building Overview
- ✓ Discussion #1 Professional Qualifications
- ✓ Break
- ✓ Discussion #2: Practice Standards
- ✓ Discussion #3: Enforcement
- ✓ Lunch
- ✓ Discussion #4: Public and Professional Awareness
- ✓ Discussion #5: Organizational Relationships
- ✓ Break
- ✓ Discussion #6: Organizational Effectiveness and Customer Service
- ✓ Mission, Vision, Values Review, if time allows
- ✓ Conclusion

Department of Consumer Affairs

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION



Strategic Plan

Approved: March 2, 2017

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GOAL 3: Enforcement	13
GOAL 4: Public and Professional Awareness	14
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GOAL 6: Organizational Effectiveness and Customer Service	16
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Board Members

Matthew McGuinness, President | Public Member

Sylvia Kwan, Vice President | Architect Member

Tian Feng, Secretary | Architect Member

Jon Alan Baker | Architect Member

Denise Campos | Public Member

Pasqual V. Gutierrez | Architect Member

Ebony Lewis | Public Member

Robert C. Pearman, Jr. | Public Member

Nilza Serrano | Public Member

Barry Williams | Architect Member

Douglas R. McCauley, Executive Officer

Message from the Board President

I am honored to serve as Board President for 2017. As a public member of the Board, I bring my unique perspective to further our mission. Over the years, there have been mayors, former prosecutors, health care executives, corporate attorneys, and many others who have served as public members. That diversity enhances our deliberations and leads to better solutions to further our consumer protection mission.

My father served on the Board from 1983 to 1987. This provided me with early exposure to the importance of the Board's work and how it protects the public health, safety, and welfare. The amount of change that has taken place is impressive. Improvements to both the national and state examinations, the evolution of the experience requirement (Architectural Experience Program), and the innovation of Integrated Path to Architectural Licensure are all monumental and vastly improve the licensure process, which is crucial to protecting the public.

This year we embark upon a new Strategic Plan. For the second time, we have embraced a multi-year effort which is designed to facilitate deeper engagement in significant issues. The plan was facilitated by the Department of Consumer Affairs' organizational development division, called Strategic Organizational Leadership and Individual Development.

The current regulatory environment is influenced by a number of important factors: a White House report on occupational licensing; a recent United States Supreme Court decision; and a report from the Little Hoover Commission. Taken together, the imperative for boards is to put consumers first and maintain appropriate licensing standards. The Board's unwavering commitment to our consumer protection is continually exemplified through the strong results of our enforcement program. Our case load and case aging outcomes continue to exceed expectations. The Board will continue to leverage our resources and identify new ways to protect consumers. The Board is also committed to maintaining the flexibility of our licensure standards to facilitate licensure and respect the diversity that is so important to architecture.

Other important components of the Plan focus on communications with stakeholders, internal resources, and technology. The Board has an impressive history of innovation. To further those efforts, we need to continue to strive to

bolster our organizational effectiveness and the Plan has a number of important objectives to help attain that goal.

You may have noticed that the motto for our national association is “let’s go further.” That message captures the criticality of continuous improvement. I am looking forward to the Board taking important strides to continue to find new and better ways to promote efficient licensing and strong consumer protection.

About the California Architects Board

Each day, millions of Californians work and live in environments designed by licensed architects. The decisions of architects about scale, massing, spatial organization, image, materials, and methods of construction impact not only the health, safety, and welfare of the present users, but of future generations as well. To safeguard the public, reduce the possibility of building failure, encourage sustainable and quality design, and provide access for persons with disabilities, those who are authorized to design complex structures must meet minimum standards of competency. It is equally necessary that those who cannot meet minimum standards by way of education, experience, and examination be prevented from misrepresenting themselves to the public.



**Matthew
McGuinness**

The California Architects Board was created by the California Legislature in 1901 to safeguard the public's health, safety, and welfare. The activities of the Board benefit consumers in two important ways.

First, regulation protects the public at large. The primary responsibility of an architect is to design buildings that meet the owner's requirements for function, safety and durability; satisfy reasonable environmental standards; and contribute esthetically to the surrounding communities. To accomplish this, the architect's design must satisfy the applicable requirements of law and also must be a correct application of the skills and knowledge of the profession. It should be emphasized that the results of faulty design may be injurious not only to the person who engages the architect but also to third parties who inhabit or use the building.

Second, regulation protects the consumer of services rendered by architects. The necessity of ensuring that those who hire architects are protected from incompetent or dishonest architects is self-evident.

The Board is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), which is part of the Business, Consumer Services and Housing Agency under the aegis of the Governor. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides

administrative oversight and support services, the Board sets its own policies, procedures, and regulations.

The Board is composed of ten members: five public and five architects. The five architect members are all appointed by the Governor. Three of the public members are also gubernatorial appointees, while one public member is appointed by the Assembly Speaker and the other is appointed by the Senate Rules Committee. Board members may serve up to two four-year terms. Board members fill non-salaried positions, but are paid \$100 a day for each meeting day they attend and are reimbursed travel expenses.

Effective July 1, 1997, the Board of Landscape Architects' regulatory programs came under the direct authority of DCA. During the period of July 1, 1997 through December 31, 1997, the California Architects Board exercised all delegable powers under the provisions of an interagency agreement with DCA. Effective January 1, 1998, the Board assumed administrative responsibility for regulating landscape architects. Under the enabling legislation, the Legislature created the Landscape Architects Technical Committee (LATC) which acts in an advisory capacity to the Board. The LATC, which consists of five licensed landscape architects, performs such duties and functions that have been delegated to it by the Board.

How the Board Achieves its Mission

Regulation

The Board establishes regulations for examination and licensing of the profession of architecture in California, which today numbers approximately 21,000 licensed architects and approximately 7,500 candidates who are in the process of meeting examination and licensure requirements.

Licensing

A candidate must have five years of education equivalents* to be eligible for the Architect Registration Examination (ARE). Candidates must complete the Architectural Experience Program (AXP), as administered by the National Council of Architectural Registration Boards (NCARB), and the ARE prior to receiving eligibility for the California Supplemental Examination (CSE). Successful completion of the CSE is required to fulfill the Board's requirements for licensure.

* Credit for education and training is outlined in the Table of Equivalents contained in California Code of Regulations, Title 16, Division 2, section 117.

Enforcement

The Board has an active enforcement program designed to ensure the laws governing the practice of architecture are enforced in a fair and judicious manner. The program consists of a local building official contact program, consumer education, and professional information outreach designed to prevent and assist in the early detection of violations. The Board enforces legal compliance for licensees by taking disciplinary actions against those in violation of laws and regulations.

The Board's enforcement program works to address three main goal areas:

1. Establishing regulatory standards of practice for those licensed as architects
2. Increasing public awareness of the Board's mission, activities, and services
3. Protecting consumers by preventing violations, and effectively enforcing laws, codes, and standards when violations occur

The Board is responsible for investigating complaints against licensees and unlicensed individuals. The Board retains the authority to make final decisions on all enforcement actions.

2015–2016 Board Accomplishments

1. Integrated Path to Architectural Licensure (IPAL) program implemented
2. Enforcement metrics continue to exceed DCA performance standards
3. CSE Test Plan completed
4. Linkage study and review of ARE completed
5. Intern title issue
6. NCARB participation
7. Completed Sunset Review process
8. Recruited additional architect consultant
9. Outreach to veterans

Mission, Vision, and Values

Mission

The California Architects Board protects consumers by establishing standards for professional qualifications, ensuring competence through examinations, setting practice standards, and enforcing the Architects Practice Act.

Vision

The California Architects Board will be the national leader in the regulation of architectural practice.

Values

Collaborative

Professional

Innovative

Proactive

Strategic Goals

1 PROFESSIONAL QUALIFICATIONS

Ensure the professional qualifications of those practicing architecture by setting requirements for education, experience, and examinations.

2 PRACTICE STANDARDS

Establish regulatory standards of practice for California architects.

3 ENFORCEMENT

Protect consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

4 PUBLIC AND PROFESSIONAL AWARENESS

Increase public and professional awareness of the Board's mission, activities, and services.

5 ORGANIZATIONAL RELATIONSHIPS

Improve effectiveness of relationships with related organizations in order to further the Board's mission and goals.

6 ORGANIZATIONAL EFFECTIVENESS AND CUSTOMER SERVICE

Enhance organizational effectiveness and improve the quality of customer service in all programs.

GOAL 1: Professional Qualifications

Ensure the professional qualifications of those practicing architecture by setting requirements for education, experience, and examinations.

- 1.1 Conduct an analysis to determine the effectiveness of the continuing education requirement (and identify alternatives as appropriate) and prepare a report for the Legislature.
- 1.2 Collaborate with and support existing and emerging IPAL programs to promote success.
- 1.3 Revise the *Candidate Handbook* to reduce candidate confusion.

GOAL 2: Practice Standards

Establish regulatory standards of practice for California architects.

- 2.1 Update the Building Official Information Guide to better educate local building officials on the Architects Practice Act.
- 2.2 Educate consumers on the standard of care so they understand what to expect from an architect when choosing to hire one.

GOAL 3: Enforcement

Protect consumers by preventing violations and effectively enforcing laws, codes, and standards when violations occur.

- 3.1 Measure the effectiveness of the Board’s citation collection methods as a means of protecting future consumers.
- 3.2 Develop educational materials for newly licensed architects to provide more information about the requirements in order to avoid future violations.
- 3.3 Determine the necessity and implementation alternatives of a licensure fingerprint requirement as a means of protecting consumers.

GOAL 4: Public and Professional Awareness

Increase public and professional awareness of the Board's mission, activities, and services.

- 4.1 Collect data from candidates related to the licensure process and assess the need of other means (focus groups) to better foster candidate clarity.
- 4.2 Work with DCA to collaborate with the Contractors State License Board and Board for Registration for Professional Engineers, Land Surveyors, and Geologists to assess the feasibility of developing a consumer website in order to educate consumers about the design and construction sector and strengthen protection.
- 4.3 Promote the revised *Consumer's Guide to Hiring an Architect, Candidate Handbook*, and *Building Official Information Guide* to keep stakeholders better informed.
- 4.4 Explore the possibility of the Board participating in consumer events as a means of communicating directly with the public.

GOAL 5: Organizational Relationships

Improve effectiveness of relationships with related organizations in order to further the Board's mission and goals.

- 5.1 Identify organizational relationships that should be maintained and/or established in order to enhance the Board's mission to regulate the profession and protect the public.
- 5.2 Monitor Sunset Review, including the California Council for Interior Design Certification, to understand the process and advocate on common issues.
- 5.3 Encourage collaboration with other related boards in an effort to share best practices.

GOAL 6: Organizational Effectiveness and Customer Service

Enhance organizational effectiveness and improve the quality of customer service in all programs.

- 6.1 Enhance an onboarding program for new Board members to increase Board member understanding of Board functions and purpose.
- 6.2 Expand cross-training program for Board staff and revise operational manuals to retain knowledge and increase organizational effectiveness.
- 6.3 Determine current business process needs for BreEZe to allow for a smoother transition to the program.
- 6.4 Prepare for the Sunset Review process in order to facilitate a positive outcome.
- 6.5 Assess and enhance existing committee charges, process, procedures, appointments, etc. to improve effectiveness.
- 6.6 Research and work with the Department of Consumer Affairs to update communications technology in order to efficiently notify stakeholders of important information.

Strategic Planning Process

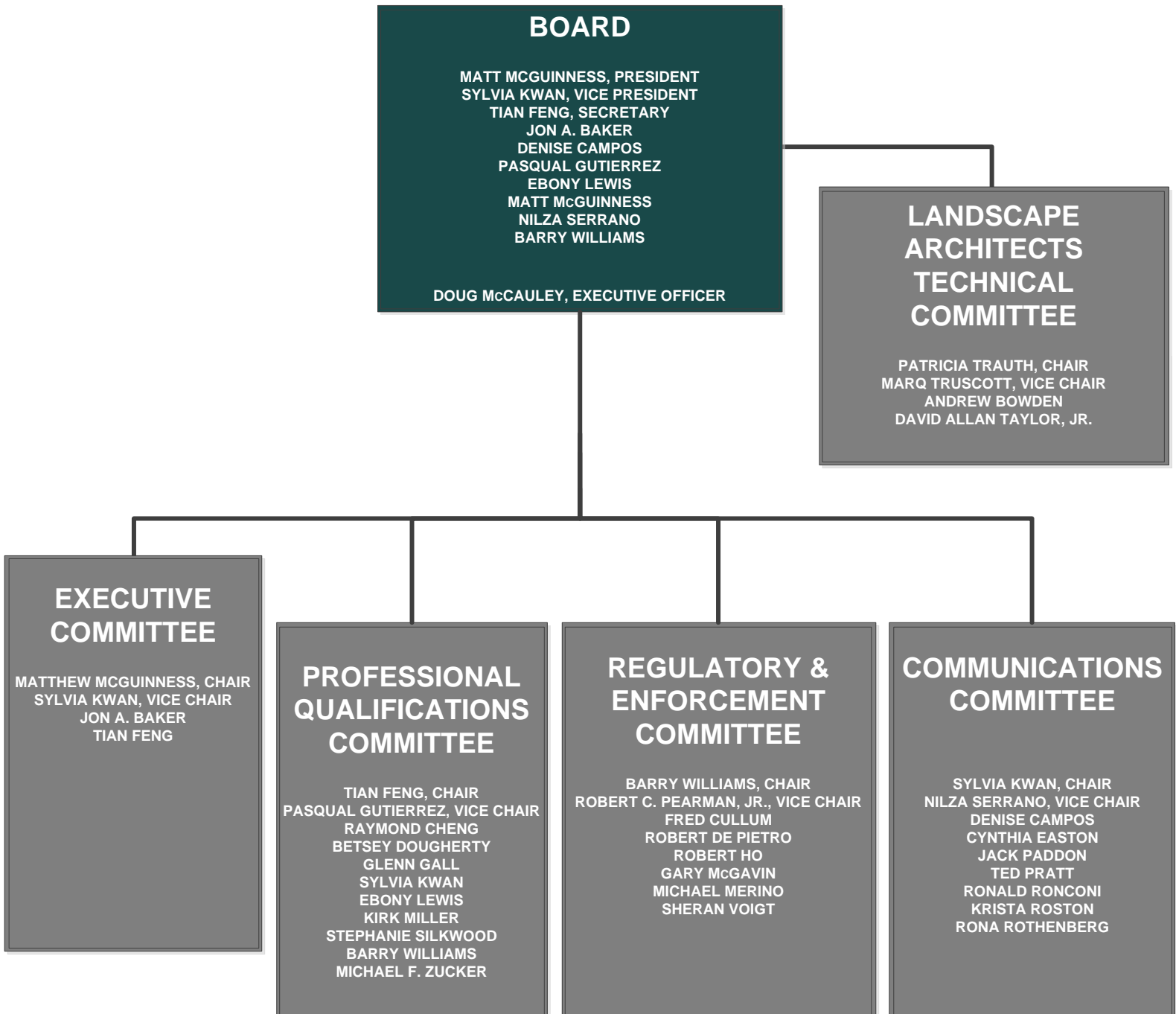
To understand the environment in which the Board operates and identify factors that could impact the Board's success, the California Department of Consumer Affairs' SOLID unit conducted an environmental scan by collecting information through the following methods:

- SOLID interviewed seven members of the Board to assess challenges and opportunities the Board is currently facing or will face in the future.
- SOLID held focus groups with the Board's management staff as well as 14 staff members to gain insight into challenges and opportunities within the organization.
- SOLID surveyed a selected stakeholder group to ensure the profession's concerns were included in the scan.

The environmental scan was discussed by Board members and the executive management team during a strategic planning session facilitated by SOLID on December 16, 2016. This information guided the Board in the development of the strategic goals and objectives outlined in this 2017–2018 Strategic Plan.

Appendix A: Organizational Structure

The Board has developed the organizational structure below to implement its Strategic Plan. Included in the organizational chart are the Board and committee members for 2017. The Board establishes subcommittees and task forces as needed.



Department of Consumer Affairs

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

ADJOURNMENT

Time: _____

