

Minutes of the Meeting of
Louisiana State Board of Architectural Examiners
Baton Rouge, Louisiana
July 11, 2014
10:00 AM

Attending John Cardone, Jr., President presiding
 Allen Bacqué
 Ronald B. Blich
 Creed W. Brierre
 J. David Brinson
 Richard LeBlanc
 Robert W. McKinney
 Teeny Simmons, Executive Director
 Paul H. Spaht, Board Attorney
 Robert Eddleman, Board Investigator

Call to Order

1. The meeting was called to order by the President.

Minutes Approved

2. The minutes from the meeting held February 28, 2014 were approved as written.

3. The minutes from the meeting held June 20, 2014 (Philadelphia), were approved as written.

IDP Report

4. Ms. Jenny Pelc, new State IDP Coordinator, presented the following IDP report.

1 – Communication

a. Note of Introduction included in Louisiana Newsletter

b. Postcard announcement sent to all LA registered architects (who are currently living in the state of Louisiana, all LA firms registered with the state board, and all IDP Educator Coordinators and Department Deans. (1579 total postcards sent).

c. Postcards announcements were not sent to non-architectural state board members, non-architectural state board executives or non-architectural Local and State Component Staff; however, I will add these individuals to my database for future mailings.

1. Several New Orleans architects have received this notification and have voiced encouragement and willingness to support/ provide time resources for events that may be planned.

2. Ladd Ehlinger contacted me to remind me about the 10 scholarships that the Professional Focus Group provides to offset ARE expenses. Their board is also exploring opportunities to provide continuing

education to interns and students at no cost to these students. He has requested assistance in announcing these during my AIA and school visits.

2 – Outreach

- a. Intend to visit all schools of architecture and all local AIA components in order to provide introduction to myself, the licensure process and the in-state resources. Will also use these meetings to assess needs specific to regions within the state as well as those that are common throughout the state.
 1. Intention is to pair trips where possible. (For example, schedule a presentation at AIA Monroe during the same trip when I will make an all-school presentation to LA Tech.)
 2. Requesting approval of funding for these trips, including mileage reimbursement and hotel (if necessary).
- b. Attended AIA National Conference in Chicago mid-June. No outreach planned for this event; however, I will report of any opportunities that surfaced.
- c. Attending IDP Coordinators Conference in Miami at the end of July. Attempting to arrange a casual meeting with all Louisiana coordinators in attendance.
- d. Attending State AIA Conference in New Orleans. Attempting to arrange a time for an informal roundtable or bootcamp for firms and interns.
 1. Requesting approval of funding, including registration fees (currently unpublished), mileage reimbursement, and hotel (\$119/ night for 2 nights). 3 – Louisiana IDP Forum
- e. Louisiana IDP Forum: This forum (if it were to stay on its schedule to date) would take place in January 2015. I believe this is too tight a timeline for me to effectively pull off; however, it is a really important program, so I would like to start planning for a 2016 event.
 1. Request approval to proceed with planning LA IDP Forum 2016. If approval granted, my first step is to secure a location and dates in order to announce a “Save-the-Date”

3 – Future Initiatives/ List of Goals

- a. Visit all Schools of Architecture in Louisiana. Develop relationships with all IDP Educator Coordinators and Deans.

- b. Visit all local AIA Components in order to begin developing relationships with firms and identifying issues of primary concern.
- c. Establish on-line presence and resources: Facebook, blog (or website), twitter.
- d. Engage firms (leaders and interns) to develop awareness of IDP Firm Award, Professional Focus Group Scholarships, continuing education opportunities
- e. Develop Best Practices manual or white pages related to architectural licensure.
 - 1. Research and document current programs available to schools, firms, students, and interns to bridge the journey from degree to licensure. (For example, IDP Firm Award, San Francisco Pact, University of Minnesota program, etc.)
 - 2. Engage younger (pre-university) generations to join the conversation. (For example, ACE Mentor and NOMA Pipeline).
- f. Plan and execute Third Louisiana IDP Forum (January 2016)

4 – Accounting

- a. Projected expenses attached for review/ approval.

5. The Executive Director gave the following report:

- A. Continuing architect renewals.
- B. Preparation for firm renewals (mailed renewal postcards, emails).
- C. Preparation and completion of Summer Newsletter.
- D. Preparation and finalized procedure for Architect Selection Board election.
- E. Attendance:
 - 1. March 5-9 – Super Regional in San Antonio, TX.
 - 2. March 21-23 – Board Member/Educator meeting Raleigh, NC.
 - 3. April 4 – Marsha Cuddeback/Jenny Pelc IDP.
 - 4. April 18 – Fire Marshal/Interior Design (Spaht, Brinson).
 - 5. April 25 – AIALA Board meeting Alexandria.
 - 6. May 2 – Interior Design Committee (Spaht, Blicht, Brinson, McKinney).
 - 7. May 20 – Spaht (NOI/firm rule).

8. May 22 – Interior Design Committee.
9. June 9 – Ellie/Peacock (newsletter).
10. June 17-22 – NCARB Annual (Philadelphia).
11. July 1 – Interior Design Committee (Maher, Nice/AIALA).

- F. Mike Armstrong and Kathy Hillegas (NCARB) will be attending our September 19, 2014 board meeting to be held in Covington at the Southern Hotel. Arrangements are being finalized.
- G. The Board agreed to continue bearing half the cost of the new licensee luncheon and awards with AIALA. The ceremony is part of AIALA's awards banquet which takes place at their annual design conference.
- H. The Executive Director advised the Board that the bank has stricter requirements relating to change in board member signature each year. In the past, they would accept a fax of required information and now they require the board member to personally appear in the bank office for completion of paper work and identification. Because the officers are changing annually and not every three (3) years as in the past, Ms. Simmons suggested beginning next year with Mr. Brinson (District 3/Baton Rouge area) as President, that the signature and authority be given and maintained by whoever the board member is from District 3, whether president or not. This change in procedure would allow an easier process to happen every five to six (5-6) years instead of annually. The Board agreed and Ms. Simmons will act accordingly. Ms. Simmons has most of the bank records/accounts to require two (2) signatures (the Executive Director and a current board member). The Board will continue to use a Chexsigner and engraved signature plate for the Board member's signature.

Legal

6. Mr. Spaht presented the following legal matters:
 - A. Rule § 1315 (Reinstatement) – The board reviewed the NOI published on January 20, 2014, in the Louisiana Register which proposes to amend existing Rule § 1315.D.4 and adopt new Rule § 1315.J. The proposed rule amendments reduce the number of continuing education hours which must be earned by a former registrant seeking to reinstate his or her architectural license, as well as by an architect emeritus seeking to return to active practice. Under the proposed amendments, the maximum number of continuing education hours to be earned shall not exceed twenty-four (24) hours.

The board also reviewed and discussed the comments concerning the proposed rule amendments made by Robert Steinmetz in his email dated June 23, 2014. Mr. Steinmetz questioned the use of the word "delinquent" to describe the hours which must be earned for reinstatement, as the Architect Emeritus or the architect who simply allowed his license to expire was not required to take CE and was therefore not "delinquent" in the same way as a currently licensed architect who failed to complete the required annual CE. In addition, Mr. Steinmetz wondered if there should be some time limit on reinstatement. If Mr. Steinmetz's suggestions are incorporated into the proposed rule amendments, another NOI will be need to be published in the Louisiana Register, the required delays set forth in the

Administrative Procedures Act will need to run again, and the proposed rule amendments will need to be considered again for adoption. The executive director will advise Mr. Steinmetz that his recommendations will be fully considered again by the board when it next considers a revision to its rules.

On motion by Mr. Blicht, seconded by Mr. Brinson, the board adopted the proposed rule amendments contained in the NOI published in the Louisiana Register. The adopted rules will now be published in the Louisiana Register.

- B. Rule Regulating Architectural Firms – Mr. Spaht reported that he had met with the staff to review the fiscal and economic impact of the proposed rule regulating firm practice. The staff is concerned that a significant number of O/S individual architects may choose to no longer register with the board if the proposed rule is adopted. Specifically, if the proposed rule is adopted, the staff is concerned that many O/S architects who are members of PACs may no longer choose to be registered in Louisiana. The Professional Architectural Corporations Law requires that a majority of the outstanding shares of a PAC shall be held by one or more natural persons duly licensed to practice architecture in Louisiana. The staff believes this the primary reason that a large number of O/S individual architects in O/S PACs are registering in Louisiana.

More than one O/S individual architects are registered for a number of O/S PACs. The records of the board indicate that during 2013-14 two hundred ninety-eight (298) O/S PACs were registered by the board. At least one hundred fifteen (115) of such PACs have more than one (1) natural person licensed to practice architecture in Louisiana. If each of these PACs reduces the number of O/S individual registrants to one (1) each, as allowed by the proposed rule, the financial impact to the board would be approximately \$46,800. The staff believes that the actual financial impact may be even greater than this number, as there are likely more than one hundred fifteen (115) O/S PACs who have more than one (1) architect registered in Louisiana.

The board observed that the I/S and O/S fees charged to architects and architectural firms are quite reasonable when compared to such fees charged by other states. The board further observed that a review of the board fees will allow an opportunity to amend the licensing law so that monies could be used for educational purposes (such as is being done in South Carolina and a few other states). After discussion, it was decided that publication of the proposed rule regulating architectural firms would be delayed until the board has made a comprehensive study of the financial impact of the proposed rule, the fees charged to I/S and O/S architects and architectural firms, and the possibility of authorizing the board to contribute monies to architecture schools or candidates for educational purposes. Mr. Bacque, Mr. Brinson, and Mr. McKinney will serve on a committee to study this issue.

- C. Interior Design Committee Report – Mr. Blicht reported that the Interior Design Committee (Mr. Blicht, Mr. Brinson, and Mr. McKinney) has assembled considerable information focusing upon the differences between an architect and an interior designer, and the practices of each. This information will be made available to Fire Marshal H. “Butch” Browning, Jr. For such purpose, Mr. Browning was invited to the Interior Design Committee meeting on July 1 and again to this board meeting; however, due to conflicts, Mr. Browning had been unable to attend. Efforts to schedule a meeting with Mr. Browning are continuing. Mr. Blicht suggested that it may be necessary for the committee to visit with Mr. Browning at his office.

- D. Sunset Legislation – Ms. Simmons reported that the legislature recently passed the sunset legislation contained in Act No. 123 of 2014 (SB 288). This legislation recreated the State Board of Architectural Examiners (and a number of other licensing boards) effective June 30, 2014. Such recreated agencies will cease on July 1, 2019, unless recreated again before such date by future sunset legislation.
- E. Federal Project in Louisiana – For informational purposes, the board reviewed a letter dated May 14, 2014, and John Works, in-house counsel of LS3P Associates Ltd., a South Carolina business corporation and a member of the South Carolina limited liability company named LS3P Collaborative LLC (the “JV”), and an email string between the executive director and Mr. Works. The JV provides architectural and engineering design services exclusively to the federal government, generally on military installations. Mr. Works advised that the JV has been approached by a federal entity to provide architectural and engineering services on a federal project located in Louisiana. If the board asserts licensing jurisdiction over services performed on federal projects located in Louisiana, Mr. Works asks permission to do so by various licensing scenarios described in the letter. After consulting with Mr. Spaht, Ms. Simmons responded that the board has no jurisdiction over design at federal military installations in Louisiana. Therefore, it was not necessary that the JV obtain a license from the board. The advice to the JV was consistent with the advice provided to other persons who had sought to perform architectural services on federal projects in previous years. No further board action on this issue was deemed necessary.
- F. Electronic Transfer of Architect Seal and Signature – The board reviewed an email dated March 26, 2014 from Brian E. Anderson, architect, asking that the board discuss the electronic transfer of seal and signature at its next meeting. Mr. Anderson advised that the City of New Orleans is now requesting that all permit plans be submitted electronically with seal and signature. Mr. Anderson is concerned regarding the security related to a seal being accessible online.
- The board discussed Mr. Anderson’s email. The board observed that the licensing law already expressly prohibits removal of an architect’s seal or stamp and/or use of an architect’s plans, unless otherwise provided by law or by written approval of the architect. *See* R.S. 37:152. Further, Rule § 1303.C already provides that rubber seals and computer generated seals are acceptable. If Mr. Anderson has any specific suggestion, the board will consider same. Ms. Simmons will so advise Mr. Anderson.
- G. Licensing through Experience – The board reviewed a letter dated June 3, 2014, from Horace J. Batiste requesting that the board consider his licensure based on his many years of experience. Mr. Batiste attached a CV showing his experience. The board observed that the licensing law and board rules clearly require that every candidate shall pass the Architectural Registration Examination as a condition for licensure. *See* La. R.S. 37:146 and Board Rule § 901. Under the Architects Licensing Law and the board rules, licensure through experience only is not allowed in Louisiana. Ms. Simmons will so advise Mr. Batiste.
- H. Scholarship Assistance Programs – The board reviewed a chart illustrating the responses from multiple states to an inquiry to all member board executives asking if there were any financial assistance programs in their respective states to help their

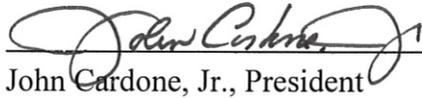
A.R.E. candidates pay for the IDP or the exams. The chart shows that the licensing laws of South Carolina and a few other states authorize board financial assistance programs for educational purposes. Mr. Blich requested that the Fee Study Committee (mentioned above in item 6.B) consider in particular the licensing law of South Carolina in this regard in its analysis.

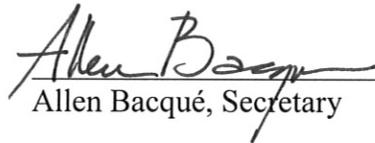
- I. Streamlining the Path to Licensure – The board reviewed the NCARB response dated March 19, 2014, to the document entitled *Streamlining the Path to Licensure* drafted by the Texas Society of Architects (“TXA”), as well as the NCARB Comparison & Commentary Statement. Mr. Blich commented that NCARB is addressing the concerns of TXA, as shown in the documents reviewed. This item was included for informational purposes, and no board action was deemed necessary.
 - J. NCARB Notice of Approved IDP Changes – Six-Month Rule – The board reviewed an email dated June 25, 2014 from Kathy Hillegas concerning approved changes to IDP. This email was sent as a follow up to the 2014 annual business meeting. Mr. Cardone explained that the NCARB Board of Directors had voted to approved the proposed changes pertaining to the IDP reporting requirement known as the “Six-Month Rule,” which will become effective July 1, 2014. This item was included for informational purposes, and no board action was deemed necessary.
 - K. NCARB Proposed Changes to IDP-BEA-BEFA – The board reviewed and discussed an email dated June 23, 2014 from Kathy Hillegas of NCARB, with attachments, seeking member board comments on proposed changes to the IDP, BEA, and BEFA. Mr. Cardone and Mr. Blich explained the background of this request. On motion by Mr. McKinney, seconded by Mr. Brierre, the board unanimously agreed with the proposed changes. More specifically, the board agreed with the proposed changes (i) to focus only on the required, or “core” hours, to complete the program; (ii) to align the required programmatic experience areas with the phases of contemporary practice; (iii) to the requirements for certification through the BEA program, and (iv) to the requirements for certification through the BEFA program. The executive director will so advise NCARB.
 - L. Enforcement Report – Mr. Eddleman presented a written Enforcement Report for the period February 28, 2014 thru July 11, 2014. As stated more fully therein, the CRC authorized the issuance of three (3) Consent Orders. Further, since the February meeting, six (6) cases have been opened, and at the direction of the CRC five (5) cases closed due to a ratified Consent Order, cease and desist letter, or no violation. Ten (10) cases were referred to the CRC for review: nine (9) cases for unlicensed practice and one (1) for informal conference.
 - M. Formal Disciplinary Actions –Case # 2013-16 – Dye Aviation Facility Administrative Services, L.L.C. – Mr. Eddleman reported on an unlicensed practice. The respondent has signed and returned the proposed Consent Order offered by the CRC. After discussion, the Board unanimously approved the motion made by Mr. Blich, seconded by Mr. Brinson, to approve the signed Consent Order.
7. For information only, a copy of the FY 14-15 budget which had been approved at the June 20, 2014 meeting in Philadelphia was included in packet.
 8. The June, 2014 budget report was reviewed.

9. Confirmed election of J. David Brinson, President and Allen Bacque Secretary beginning January 1, 2015 as discussed and agreed upon at the September 20, 2013 Board meeting.
10. Remaining Board meeting dates for 2014:
 3. September 19 (Southern Hotel in Covington)
 4. December 19 (changed to December 12 due to conflict).

9/19/14

Date


John Cardone, Jr., President


Allen Bacqué, Secretary