TEXAS BOARD OF ARCHITECTURAL EXAMINERS  
Minutes of the Rules Committee Meeting  
July 25, 2014  
The William P. Hobby, Jr. Building  
333 Guadalupe Street, Tower II, Ste. 350L  
Austin, TX 78701

1. **Call to Order**  
The Chair called the meeting of the Rules Committee to order at 9:00 a.m.

2. **Roll Call**  
The Chair called the roll and declared a quorum of the Committee was present.

**Present Board Members:**  
Chad Davis, Chair  
Davey Edwards  
Sonya Odell  

**Excused Absence:**  
Charles A. (Chuck) Anastos  

**TBAE Staff Present**  
Cathy L. Hendricks, Executive Director  
Scott Gibson, General Counsel  
Jack Stamps, Managing Investigator  
Glenn Garry, Communications Manager  
Mary Helmcamp, Registration Manager  
Glenda Best, Director of Operations  
Katherine Crain, Legal Assistant

3. **Public Comment**  
None

4. **Amend Rules 1.69, 3.69 and 5.79 relating to continuing education reporting requirements for the initial reporting period after registration or after reinstatement of registration**

The General Counsel stated that this matter was brought to the Board’s attention and referred to the Rules Committee. The rules deal with continuing education and the continuing education exemption in the first year of a jurisdiction. These rules would make continuing education more consistent among the states.

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO AMEND RULES 1.69, 3.69 AND 5.79 RELATING TO CONTINUING EDUCATION REPORTING REQUIREMENTS FOR THE INITIAL REPORTING PERIOD AFTER REGISTRATION OR AFTER REINSTATEMENT OF REGISTRATION. THE MOTION PASSED UNANIMOUSLY.
5. Registration of military service member, military veterans and expedited reciprocal registration of military spouses

The General Counsel explained that SB162 was passed during the last legislative session which provided special provisions for the spouses of veterans and the new proposed rules were modeled after the Optometry Board. There was discussion amongst the committee members regarding the details of the new proposed rules.

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO APPROVE THE RULES FOR STAFF TO RESEARCH THE WORDING ON THE RULES REGARDING THE NATIONAL GUARD. (Ms. Odell suggested that TBAE check with NCARB, CLARB and NCIDQ to come up with a solution on the matter.) THE MOTION PASSED UNANIMOUSLY.

6. Amend Rules 1.232, 3.232 and 5.242 relating to the penalty matrix for assessing sanctions for specified violations of law enforced by the Board

The General Counsel stated that he tried to describe the violation and the recommended penalties based upon past board meetings. The Chair suggested that there be one set of rules for all 3 professions for registrants and have another set for non-registrants. In addition, he requested staff provide a list of cases and imposed sanctions for enforcement from the past four (4) years to give them a guideline on present enforcement cases.

The Committee took a break at 10:13 a.m. and reconvened at 10:24 a.m.

7. Review and possibly revise Rules 1.147 and 3.147 relating to the implementation of the Professional Services Procurement Act as it applies to a governmental entity’s procurement of architectural and landscape architectural services

The Committee discussed the revised rules and the Chair suggested that the Committee repeal Rule 3.147 altogether.

The Committee took a break for lunch at 12:00 p.m. and reconvened at 1:10 p.m.

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO REPEAL RULE 3.147. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO ACCEPT THE CHANGES TO RULE 1.147 AS OUTLINED ON PAGE 48. THE MOTION PASSED UNANIMOUSLY.

A MOTION WAS MADE AND SECONDED (Odell/Edwards) TO ACCEPT THE PENALTY MATRIX AS NOTED AND DISCUSSED WITH LEAVE TO MAKE TECHNICAL CORRECTIONS TO ALL THREE PROFESSIONS. THE MOTION PASSED UNANIMOUSLY.
8. Review Rules 1.144, 3.144 and 5.154 relating to dishonest practices and possibly define or describe the term “intent” for purposes of enforcing the rule.

The General Counsel stated that the change comes from staff and the change would define “intent” and “knowing and knowledge.” Furthermore, he borrowed the proposed language from the conflict of interest rule. This rule establishes “intent.”

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO ACCEPT THE RULES AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

9. Review Rule 1.52, relating to the Architectural Registration Examination Financial Assistance Fund and possibly amend Rule 7.10 to assess a fee upon architectural registration and renewal of architectural registration to provide funding for financial assistance to qualified applicants to cover the cost of the examination.

The Committee briefly discussed the rule and determined that they would table this rule because the member architect was not available for the meeting and they wanted his input prior to voting on the rule.

10. Amend Rules 1.43, 3.43 and 5.53 to allow for extensions to the 5-year “rolling clock” deadline for passing registration examinations for architecture, landscape architecture and registered interior design.

The General Counsel informed the committee members that this rule was being amended because TBAE’s rule does not match NCARB’s rule.

A MOTION WAS MADE AND SECONDED (Odell/Edwards) TO ACCEPT THE RULES AS PROPOSED. THE MOTION PASSED UNANIMOUSLY.

11. Adjourn

A MOTION WAS MADE AND SECONDED (Edwards/Odell) TO ADJOURN THE RULES COMMITTEE MEETING AT 2:13 P.M. THE MOTION PASSED UNANIMOUSLY.

The Committee adjourned at 2:13 p.m.

APPROVED BY THE RULES COMMITTEE:

[Signature]

MICHAEL CHAD DAVIS
Chair