

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda

The William P. Hobby Jr. Bldg., Tower III, Room 102

333 Guadalupe Street

Austin, Texas

Thursday, February 20, 2020

10:00 a.m. – Conclusion

1. **Preliminary Matters**
 - A. Call to order
 - B. Roll call
 - C. Excused and unexcused absences
 - D. Determination of a quorum
 - E. Recognition of guests
 - F. Chair's opening remarks
 - G. Public comments
2. **Approval of November 19, 2019 Board Meeting Minutes (Action)**
3. **Executive Director Report (Information)**
 - A. Summary of Executive Accomplishments
 - B. Operating Budget/Scholarship Fund: Presentation on 1st Quarter FY 2020 Expenditures/Revenues
4. **Office Relocation Update (Information)**
5. **Board Member Learning and Envisioning (Information)**
 - A. Updates on Strategic Plan
 - B. Examination Eligibility Process
6. **Proposed Rules for Adoption (Action)**

Consideration of amendments to 22 Tex. Admin. Code §§1.29, 3,29, and 5.39 implementing Senate Bill 1200 (86th Tex. Leg., R.S.), relating to the temporary licensure of certain military spouses.
7. **Enforcement Cases (Action)**

Review and possibly adopt ED's recommendation in the following enforcement cases:

 - A. **Registrant/Non-Registrant Cases:**

Case #425-18A	Aloway, Steven Joe	Arch #13255
Case #036-20A	Purser, Donald G.	Arch #8689
 - B. **Continuing Education Cases:**

Case #018-20A	Batoon, Hyderick DeLeon	Arch #13604
Case #047-20I	Cadwallader, Paul D.	RID #424
Case #006-20A	Keller, Michael Roy	Arch #18068
Case #049-20I	Mahurin, Robert L.	RID #6671
Case #050-20I	McGowen, Peggy	RID #4868
Case #008-20I	Lopez, Richard Daniel	RID #11247
Case #249-19L	Taylor, Robert Matthew	LA #2849

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10:00 a.m. – Conclusion

The Board may meet in closed session pursuant to TEX. GOV'T CODE ANN. §551.071(1) to confer with legal counsel

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| 8. Resolution Honoring Jim W. Sealy, FAIA <i>(Action)</i> | Debra Dockery |
| 9. Digital Model Initiative <i>(Information)</i> | Debra Dockery |
| 10. Freedom by Design Service Project <i>(Information)</i> | Debra Dockery |
| 11. Board Committee Appointments <i>(Action)</i>
Rules Committee & Legislative Review Committee | Debra Dockery |
| 12. Upcoming Board Meetings <i>(Information)</i>
Thursday, May 21, 2020
Tuesday, August 25, 2020
Thursday, November 19, 2020 | Debra Dockery |
| 13. Board Member Comments/Future Agenda Items <i>(Information)</i> | Debra Dockery |
| 14. Report on Conferences and Meetings <i>(Information)</i>
A. 2019 Government Law & Liability Conference – <i>Austin</i>
B. Joint NCARB, CLARB, NCIDQ & NCEES New Board Member & Executive Orientation – <i>Washington, DC</i>
Report on Upcoming Conferences and Meetings <i>(Information)</i>
A. NCARB Regional Summit – <i>Cambridge, MA</i>
B. Texas ASLA Conference – <i>San Antonio</i>
C. Personal Financial Statement Filing Deadline – April 30 | Debra Dockery |
| 15. Adjournment | Debra Dockery |

NOTE:

- ◆ *Items may not necessarily be considered in the order they appear on the agenda.*
- ◆ *Executive session for advice of counsel may be called regarding any agenda item under the Open Meetings Act, Government Code §551.*
- ◆ *Action may be taken on any agenda item.*

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who need auxiliary aids or services are required to call (512) 305-8548 at least five (5) workdays prior to the meeting so that appropriate arrangements can be made.

FREQUENTLY USED ACRONYMS

ACSA	Association of Collegiate Schools of Architecture
ADA	Americans with Disabilities Act
AIA	American Institute of Architects
AREFAF	Architect Registration Examination Financial Assistance Fund (Scholarship)
ASID	American Society of Interior Designers
ASLA	American Society of Landscape Architects
ARE	Architect Registration Examination
BOAT	Building Officials Association of Texas
CACB	Canadian Architectural Certification Board
CIDA	Council for Interior Design Accreditation (Formerly FIDER)
CIDQ	Council for Interior Design Qualification
CLARB	Council of Landscape Architectural Registration Boards
GAA	General Appropriations Act
GRF	General Revenue Fund
IDCEC	Interior Design Continuing Education Council
IDEC	Interior Design Educators Council
IDP	Intern Development Program
IIDA	International Interior Design Association
LARE	Landscape Architect Registration Examination
MBA	Member Board Administrator (within NCARB)
NAAB	National Architectural Accreditation Board
NCARB	National Council of Architectural Registration Boards
NCEES	National Council of Examiners for Engineering & Surveying
OAG	Office of the Attorney General
SOAH	State Office of Administrative Hearings
SORM	State Office of Risk Management
TAID	Texas Association for Interior Design
TAS	Texas Accessibility Standards
TASB	Texas Association of School Boards
TBPELS	Texas Board of Professional Engineers and Land Surveyors
TxA	Texas Society of Architects
TSPE	Texas Society of Professional Engineers

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of November 19, 2019 Board Meeting
 William P. Hobby Jr. Building, 333 Guadalupe Street
 Tower III, Conference Room 102
 Austin, TX 78701
 10:00 a.m. until completion of business

<u>AGENDA ITEMS</u>	<u>DESCRIPTIONS</u>
1A. Call to Order	Ms. Dockery called the meeting to order at 10:00 a.m.
1B. Roll Call	Ms. Smith called the roll. <u>Present Board Members</u> Debra Dockery Chair, Architect Member Robert (Bob) Wetmore Vice-Chair, Architect Member Charles (Chuck) Anastos Architect Member Jennifer Walker Architect Member Rosa G. Salazar Registered Interior Designer Chase Bearden Public Member Fernando Trevino Public Member Joyce J. Smith Public Member
1C. Excused and Unexcused Absences	Michael (Chad) Davis Landscape Architect Member A MOTION WAS MADE AND SECONDED (Bearden/Smith) TO APPROVE THE EXCUSED ABSENCE OF MR. DAVIS. THE MOTION PASSED UNANIMOUSLY.
1D. Determination of a Quorum	A quorum was present.
1E. Recognition of Guests	Ms. Dockery acknowledged the following members of TBAE staff: Julie Hildebrand, Executive Director; Lance Brenton, General Counsel; Glenn Garry, Communications; Kenneth Liles, Finance Manager; Jack Stamps, Managing Investigator; Mike Alvarado, Registration Manager; Glenda Best, Operations Manager; Christine Brister, Human Resources; Dale Dornfeld, IT Manager; and Katherine Crain, Legal Assistant. Steve Ramirez, Investigator, joined the meeting during the Board’s review of disciplinary cases. Additionally, the following guests were recognized: Kelly Barnett, Interior Designer from San Antonio; David Lancaster, Texas Society of Architects; Brent Luck, Texas ASLA; and Amanda Robertson, Office of Texas Representative Craig Goldman.

<p>1F. Chair’s Opening Remarks</p>	<p>Ms. Dockery thanked the Board and welcomed the audience. She stated that there had been a tweak to the agenda format in response to the annual review and some of the suggestions made by the Board members. The Executive Director will be spending time each Board meeting to provide a training session on a different topic relevant to the Board’s operations. Ms. Dockery also noted that because Board members are able to review Board materials ahead of Board meetings, she has encouraged Ms. Hildebrand to give a high-level overview of these topics during the Board presentation. This would include highlighting any anomalies or trends. This way, more focus can be given to topics that require additional time and attention. She also noted that time had been allotted at the end of the meeting for Board members to report on recent conferences and also to request that topics be added to the agenda for future Board meetings.</p>
<p>1G. Public Comments</p>	<p>None.</p>
<p>2. Resolution Honoring David Lancaster</p>	<p>Ms. Dockery stated that it was an honor to recognize David Lancaster on the occasion of his retirement from TxA. She noted that she started her service with AIA San Antonio and Texas Society of Architects at the same time that Mr. Lancaster became the Executive Director of Texas Architects, and like hundreds of other architects in Texas, she feels that she has a special connection with Mr. Lancaster. She noted that during his time with TxA, he provided dedicated service leading the charge in legislative battles that had profound impacts on the profession. She thanked him for this service, and read the following proclamation into the record:</p> <p>“Be it known that David Lancaster, Honorable AIA, has distinguished himself by his decades of dedicated service to the profession and the practitioners of Architecture in the State of Texas; and</p> <p>WHEREAS, Mr. Lancaster is a native Texan, hailing from the city of Seminole in Gaines County; and</p> <p>WHEREAS, Mr. Lancaster graduated from the University of Texas at Austin, earning a Bachelor of Journalism degree; and</p> <p>WHEREAS, Mr. Lancaster served the community of Dallas as a sportswriter for the Belo Corporation; and</p> <p>WHEREAS, Mr. Lancaster joined the Texas Society of Architects in 1989, beginning what would become a 30-year career; and</p> <p>WHEREAS, Mr. Lancaster was awarded Honorary AIA Membership, the highest recognition awarded to non-architects, in recognition of his contributions and service to the profession, in 2001; and</p>

	<p>WHEREAS, Mr. Lancaster has worked time and again, through legislative and other efforts, with stakeholders including this Board to protect the health, safety, and welfare of all Texas;</p> <p>Now, therefore, be it RESOLVED that the Texas Board of Architectural Examiners, in Formal Meeting assembled this 19th day of November, 2019, does publicly acknowledge its appreciation of outstanding service to the state of Texas and professional relations with this Board and have voted unanimously for this RESOLUTION OF APPRECIATION To David Lancaster, Hon. AIA, and have caused a copy of this Resolution to be included within the minutes of this Board.”</p> <p>Signed by Debra Dockery, FAIA, Chair, Bob Wetmore, AIA, Vice-Chair and Joyce J. Smith, CPA, CGMA, Secretary/Treasurer.</p> <p>Mr. Lancaster thanked the Board. He said the Board had come a long way since the first meeting he attended on Shoal Creek Boulevard, when it was only a six-member Board. He said that the Board does marvelous work and asked that they please carry on.</p>
<p>3. Approval of August 13, 2019 Board Meeting Minutes</p>	<p>A MOTION WAS MADE AND SECONDED (Wetmore/Anastos) TO APPROVE THE AUGUST 13, 2019 BOARD MEETING MINUTES. (MS. SMITH ABSTAINED FROM VOTING AS SHE WAS NOT IN ATTENDANCE AT THE MEETING). THE MOTION PASSED UNANIMOUSLY.</p>
<p>4. Executive Director’s Report</p> <p>A. Summary of Executive Accomplishments</p> <p>B. Operating Budget/Scholarship Fund: Presentation on 4th Quarter Fiscal Year 2019 Expenditures/Revenue</p> <p>C. Report on the Annual Financial Report (AFR) AFR)</p>	<p>Ms. Dockery invited Ms. Hildebrand to deliver the executive director’s report.</p> <p>Ms. Hildebrand provided a summary of the information contained in the Executive Director’s Report beginning on page 18 of the Board materials, and referred the Board to those materials as a supplement to her verbal presentation. She discussed highlights from the report, including the ongoing CAPPs project, the recent information security assessment, and the new format of the performance measures.</p> <p>Ms. Hildebrand directed the Board to the financial information and AFR Report beginning on pages 22 and 24, respectively, and invited any questions and feedback from the Board.</p>

<p>5. Trend Analysis Presentation on Agency Performance and Operations</p>	<p>Ms. Hildebrand provided a summary of the FY 2019 Annual Report, as contained in the Board materials beginning on page 41. Ms. Hildebrand began by discussing the performance measures for registration, administration, and enforcement on pages 43-50. Ms. Hildebrand also discussed the other contents of the report, including the full report on data, the strategic plan, the report on customer service and the most recent audit.</p> <p>Ms. Walker asked whether TDLR cases were considered public or staff complaints. Ms. Hildebrand stated that they were considered public complaints.</p> <p>Ms. Dockery noted that the emeritus applicants were increasing in every profession and that this trend should be observed and noted for future forecasts. She also noted that the inactive registrants were decreasing.</p> <p>Mr. Anastos commented that on page 63, the date of the Chair’s appointment was incorrect. Ms. Hildebrand stated that she believed that this document was originally submitted as part of the agency’s strategic plan, prior to the renewal of Ms. Dockery’s term.</p>
<p>10:25 a.m.</p>	<p>Ms. Dockery welcomed the following guest: Jeri Morey, architect from Corpus Christi.</p>
<p>6. Governor Abbott’s Letter – Reforming Texas’ Occupational Licensing Rules</p>	<p>Ms. Hildebrand directed the Board to page 123 of the Board materials, which is a letter that Governor Abbott sent to the heads of all state occupational licensing agencies. The purpose of the letter was to ask leaders of state agencies to act administratively to reduce unnecessary and burdensome licensing regulations, reduce fees and burdensome education requirements whenever possible, and remove barriers to licenses for people with criminal records, where appropriate. In his letter, Governor Abbott identified several steps agencies could take to accomplish these goals.</p> <p>Ms. Hildebrand discussed each of the factors with the Board. She provided her plan for gathering information prior to responding to Governor Abbott, which included an analysis of other states’ occupational licensing fees. She also provided a brief overview of the expected content of her response.</p> <p>Ms. Dockery asked whether there were any comments on what the Executive Director should include in the response.</p> <p>Ms. Smith asked when a response would be sent. Ms. Hildebrand stated that she needed to respond by December 1st.</p> <p>Mr. Anastos emphasized the importance of focusing on public safety and the need for safe buildings. He said that bonding could not offer the level of public safety that licensure does. He also suggested that the Chair could</p>

	<p>review the response prior to submitting it to the Governor’s office and Ms. Hildebrand agreed that would be a good idea.</p> <p>With respect to the governor’s inquiry about online continuing education opportunities, Ms. Dockery stated that online courses are more comprehensive than class time courses because there is generally an exam administered at the end of an online course.</p> <p>Ms. Dockery stated that she recently pulled information from a recent survey by NCARB. In this survey, seventy-three percent (73%) of the public agrees that professional licensure creates consistent standards of competency. Furthermore, after educating respondents about what architects do and what it takes to be an architect, ninety-four percent (94%) of the public believes that it is important to license architects. Ms. Dockery felt that this was good information to share in the response.</p>
<p>7. Office Relocation Update</p>	<p>Ms. Hildebrand provided an update on the office relocation update.</p> <p>She detailed the process used by staff to begin the project, from securing the services of an agent to visiting potential spaces. During this process, she has been in touch with the Texas Facilities Commission and our liaison at the Governor’s office.</p> <p>She stated that for cost reasons, the agency has decided to move forward and relocate its offices with the accounting board. The space would be shared with them, but each agency would retain separate suites. The shared spaces would include a Board room, break room and server room with IT personnel. Ms. Hildebrand shared that the two agencies had an agreement in principle with the owners of a space located at 505 E. Huntland Drive. A lease had not yet been signed, but space planning is in progress. Also, Ms. Dockery has volunteered to review space planning for the agency. The next phase in the process would be construction cost estimates. She anticipates finalizing and executing the lease by the end of the year. Hopefully, the agency would move by May 1st.</p> <p>Ms. Hildebrand provided general information about the location and the building.</p> <p>Ms. Dockery clarified that the building owner would provide the architect and engineer for the permit set and that Ms. Dockery would be reviewing the proposal.</p> <p>Mr. Anastos asked whether the building owners would take care of the improvements and hiring a contractor so the agency would not have to. Ms. Hildebrand confirmed that they would.</p> <p>Mr. Bearden encouraged Ms. Hildebrand to be proactive in ensuring the building was accessible. Ms. Hildebrand stated that she would do so.</p>

	<p>Ms. Salazar asked whether the target move-in date of May 1st would affect the Board meeting. Ms. Hildebrand stated that she would keep an eye on things and update the Board as necessary.</p>
<p>8. Letter to Region 3 Regarding NCARB Disciplinary Database</p>	<p>Ms. Dockery stated that the Board would move onto Item number 8.</p> <p>Mr. Brenton provided an update on staff's efforts to get background information from NCARB regarding the disciplinary database with the goal of drafting a letter to Region Three.</p> <p>Ms. Dockery asked Mr. Brenton to clarify the actions that staff have taken to inform respondents about the database. Mr. Brenton explained to the Board that notices of violation have been revised to incorporate language regarding the nature of disciplinary orders as public information and the importance of providing truthful information on other states' licensure and renewal applications.</p> <p>Mr. Bearden asked staff to identify the current database reporting practices. Mr. Brenton replied that staff had continued to report actions to the disciplinary database according to the guidance that TBAE had been given prior to the June letter from NCARB changing the policy. Ms. Hildebrand added that she has informed NCARB about our concerns, and that any change to TBAE's reporting practices would not take place until we have expressed our concerns to Region Three.</p>
	<p>The Board took a break at 11:20 a.m. and reconvened at 11:30 a.m.</p>
<p>10. Draft Rules for Proposal</p> <p>10D. Consideration of amendments to 22 Tex. Admin. Code §5.183, implementing House Bill 2847 (86th Tex. Leg. R.S.) relating to the elimination of administrative penalties for nonregistered persons and criminal offenses for violating Texas Occupations Code Chapter 1053.</p>	<p>Ms. Dockery stated that the Board would next address agenda item 10, because guests were in attendance with interest in the draft rules.</p> <p>Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 217. He briefly summarized those materials, provided staff's recommendation, and invited any questions or comments from the Board.</p> <p>A MOTION WAS MADE AND SECONDED (Anastos/Wetmore) TO APPROVE THE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §5.183 FOR PUBLICATION AND PROPOSAL IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FORMATTING REQUIREMENTS OF THE TEXAS REGISTER.</p> <p>Ms. Dockery invited Board members and any interested audience members to provide commentary on the draft rules for proposal.</p>

Mr. Wetmore noted that the draft rules would create a process to impose a cease and desist order on an individual who had violated the law. He asked what would happen if a person then violated a cease and desist order?

Mr. Brenton explained that the Board also has the authority to pursue injunctive relief, but that would involve the Office of the Attorney General. He noted that this would result in potentially significant costs to the agency, but also expressed his optimism that this step would rarely be necessary. Since the law change that adopted the regulated title of “registered interior designer,” all title violations relating to interior design had been addressed through the issuance of a warning, with no further enforcement action needed to remedy the violation. Given this history, he was hopeful that voluntary compliance would continue to be successful, without resorting to cease and desist actions or injunctive relief.

Mr. Bearden asked a question about process. He inquired whether the proposed rule changes would be sent to the Governor’s office for his approval and back to the Board for final passage after notice and comment on the proposed rules. Mr. Brenton answered affirmatively and stated that this was a new, slightly modified procedure that required the Board to send the actual notice of proposed rulemaking to the governor, prior to adoption by the Board.

Ms. Dockery asked if the public would like to address the Board.

Ms. Barnett approached the Board and introduced herself. She expressed her concern that she continues to get calls from the public and from designers who are confused about what the laws and rules do and don’t allow with respect to interior design. She suggested that the Board’s website is not clear enough to remove this confusion for the public and said that an FAQ would be helpful. She said it was important for that information to be in layman’s terms, compared with legalese taken from the laws and rules. She also suggested that TBAE should differentiate between RIDs who had and had not passed the CIDQ examination.

Mr. Anastos stated that the Board’s task is not to argue over turf but is solely to protect the health safety and welfare of the public.

Ms. Hildebrand stated that TBAE’s website contains information pulled directly from the laws and rules because TBAE’s role is to identify what the law is, and not to provide any advice to registrants or non-registrants. Ms. Hildebrand also stated that the agency would continue to work with Ms. Barnet to find a solution.

Mr. Anastos noted that grandfathering is a common practice in occupational regulation and expressed doubt about whether TBAE had the authority to differentiate between RIDs who had and had not passed the CIDQ.

<p>10A. Consideration of amendments to 22 Tex. Admin. Code §§ 1.5, 1.65, 3.5, 3.65, 5.5, and 5.75 implementing Senate Bill 37 (86th Tex. Leg., R.S.), which repealed a requirement for the Board to deny registration renewal to persons who had defaulted on certain student loans.</p>	<p>Ms. Hildebrand stated that it was the legislature’s decision to implement grandfathering, and then extend it, for individuals who had not passed the CIDQ examination. She shared Mr. Anastos’s view that the Board could not treat grandfathered and non-grandfathered RIDs differently. Under the determination of the legislature, all were eligible for registration, and the agency must implement that decision equally. However, she reiterated the agency’s willingness to work on a solution to provide accurate, helpful information to the public regarding the laws and rules.</p> <p>Ms. Dockery thanked Ms. Barnett for her comments.</p> <p>Ms. Dockery called for the vote. ALL IN FAVOR. THE MOTION PASSED UNANIMOUSLY.</p> <p>Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 140. He briefly summarized those materials, provided staff’s recommendation, and invited any questions or comments from the Board.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/Smith) TO APPROVE THE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §§1.5, 1.65, 3.5, 3.65, 5.5, AND 5.75 FOR PUBLICATION AND PROPOSAL IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FOREMATTING REQUIREMENTS OF THE TEXAS REGISTER.</p> <p>The Chair called for the vote. ALL IN FAVOR. THE MOTION PASSED UNANIMOUSLY.</p>
<p>10B. Consideration of amendments to 22 Tex. Admin. Code §§1.29, 3,29, and 5.39 implementing Senate Bill 1200 (86th Tex. Leg., R.S.), relating to the temporary licensure of certain military spouses.</p>	<p>Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 157. He summarized those materials, provided staff’s recommendation, and invited any questions or comments from the Board.</p> <p>A MOTION WAS MADE AND SECONDED (Wetmore/Anastos) TO APPROVE THE DRAFT AMENDMENTS TO 22 TEX. ADMIN. CODE §§1.29, 3.29, AND 5.39 FOR PUBLICATION AND PROPOSAL IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTEND AND TO COMPLY WITH THE FORMATTING REQUIREMENTS OF THE TEXAS REGISTER.</p> <p>Mr. Wetmore commented that, as a child of a military family where he moved every 3 years and often with a short notice period, he thinks this is a wonderful proposal.</p>

<p>10C. Consideration of amendments to 22 Tex. Admin. Code §§ 1.26, 1.27, 1.149, 1.153, 3.26, 3.27, 3.149, 3.153, 5.36, 5.37, 5.158, 5.162 implementing House Bill 1342 (86th Tex. Leg., R.S.), relating to the effect of certain criminal offenses on eligibility for registration.</p>	<p>Mr. Anastos asked Mr. Brenton what would happen if a person who had been granted temporary registration under the rule stayed in Texas past the three-year period. Mr. Brenton responded that that person would have to apply for a standard license and would be required to submit to a background check as with any other applicant.</p> <p>The Chair called for the vote. ALL IN FAVOR. THE MOTION PASSED UNANIMOUSLY.</p> <p>Mr. Brenton referred the Board to the summary and associated Board materials for this rulemaking action beginning on page 171. He summarized those materials, provided staff’s recommendation, and invited any questions or comments from the Board.</p> <p>A MOTION WAS MADE AND SECONDED (Walker/Bearden) TO APPROVE THE PROPOSED AMENDMENTS TO 22 TEX. ADMIN. CODE §§ 1.26, 1.27, 1.149, 1.153, 3.26, 3.27, 3.149, 3.153, 5.36, 5.37, 5.158, and 5.162 FOR PUBLICATION IN THE TEXAS REGISTER, WITH AUTHORITY FOR THE GENERAL COUNSEL TO MAKE EDITORIAL CHANGES AS NECESSARY TO CLARIFY RULE AND BOARD INTENT AND TO COMPLY WITH THE FORMATTING REQUIREMENTS OF THE TEXAS REGISTER.</p> <p>Ms. Dockery inquired about the difference between the list of offenses contained in the Code of Criminal Procedure and the list of offenses identified by the Board in the rules.</p> <p>Mr. Brenton responded that the list of offenses in the Code of Criminal Procedure includes the most serious offenses in criminal law, such as murder, rape, sexual abuse of children, etc. Within the framework of Chapter 53, the legislature has specifically identified convictions for these crimes as so serious that all occupational licensing agencies can take action based on them, regardless of whether they are directly related to the profession. Additionally, agencies are given authority to take action on criminal convictions that are directly related to their regulated professions. The list of offenses adopted by the Board in Sections 1.153, 3.153, and 5.158 are the offenses that the Board has identified as being directly related to the professions. He added that the legislature has adopted a policy in this legislation that agencies should exercise the authority to take licensure actions for criminal convictions carefully, and the list of offenses adopted by Boards should be narrowly tailored. He said that this has long been the approach of TBAE.</p> <p>The Chair called for the vote. ALL IN FAVOR. THE MOTION PASSED UNANIMOUSLY.</p> <p>The Board took at lunch break at 12:10 pm. The Board reconvened at 12:48 p.m.</p>
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	<p>Upon reconvening the meeting, Ms. Dockery stated that the Board asked the Board to direct their attention to Item number 9.</p>
<p>9. Board Member Learning and Envisioning – Strategic Plan & Performance Measures</p>	<p>Ms. Hildebrand stated that she was excited about this portion of the Board meeting. She stated that this was the first presentation resulting from feedback at the most recent Board meeting, in which Board members had requested additional training on various topics relating to the agency. She looked at these presentations as an opportunity for her to closely examine individual topics and processes, which may result in improvements where necessary. Sunset is still six years away, but this sort of close examination and consideration of agency processes will be a good preparation and opportunity to make any needed changes on our own.</p> <p>Ms. Hildebrand provided a preview of the topics she planned to address over the six-year period. She said that the topics and order thereof may change depending on current events at the agency. The first topic, relating to strategic planning, is being presented because she is currently working on the strategic plan.</p> <p>Ms. Hildebrand gave an extended presentation on the strategic planning process, as summarized in the Board materials beginning on page 125.</p> <p>Mr. Bearden noted that TDLR was currently going through Sunset. He asked whether it would be helpful or appropriate for TBAE to participate in that process with respect to the architectural barriers program.</p> <p>Ms. Hildebrand shared her expectation that once Sunset had made progress in its review of TDLR, it would reach out to stakeholders, including TBAE, for their insights. She stated that any further direction from the Board on this or any other topic could be identified as an action item in the upcoming session with Mr. Garry.</p> <p>Ms. Dockery thanked Ms. Hildebrand for the information on the state-required strategic planning process. She also shared her view that the agency should consider more extensive strategic planning processes to gain foresight about what is on the horizon for the regulated professions, including issues such as sealing digital models.</p> <p>Mr. Wetmore suggested that it would be helpful for the Board to have an idea of the Board training topics that were coming up in the next few meetings, so that the Board members could spend some advance time thinking about the issues and preparing to offer contributions at the meeting.</p> <p>Mr. Garry stated that the agency is currently in the external and internal assessment portion of the strategic planning process. He invited the Board’s input on developing that process. He noted that one item mentioned by the Chair is the process of sealing virtual documents or BIM models. This is a</p>

topic that staff have been thinking about as well. Staff have also learned that TBPELS has been asked to issue an opinion on sealing BIM models and will be convening a meeting on the topic soon, which staff plans to attend. Mr. Garry invited the Board's input on how else to address this topic.

Ms. Dockery suggested that Staff conduct initial research into what other state boards are doing on this matter and suggested that, depending on those findings, a committee could be created to address this topic, as opposed to addressing the topic by the full Board. The committee should include participation and input from stakeholders

Mr. Bearden suggested that this issue should be addressed for all three professions and also noted that the information security aspect of models and digital documents should be kept in mind during the analysis.

Mr. Anastos agreed that it would be helpful to have stakeholders and members of the public participate on any task force that might be created to address this topic.

Mr. Bearden recalled a presentation at a recent NCARB Annual Meeting by a futurist who discussed emerging technologies in the design field. He said some of these technologies are enough to blow your mind and he would encourage the inclusion of somebody with this type of expertise to encourage a forward-looking posture.

To Mr. Bearden's point, Mr. Wetmore suggested that this expertise may be found on the UT staff.

Ms. Smith asked whether staff was aware of any other jurisdiction or agency that had already adopted rules regulating BIM models.

Ms. Hildebrand responded that this would be part of staff's research, but that staff was unaware of any such jurisdictions at this time.

Ms. Hildebrand thanked the Board for their input. She stated that staff would conduct research on the topic, collaborate with TBPELS as they embark on their own proceeding, and she would be updating the Board in the future.

Ms. Hildebrand asked whether the Board had any other input for the staff's internal and external assessment in the strategic planning process.

Mr. Anastos suggested that it would be preferable for the Architectural Barriers program to be under TBAE rather than TDLR.

Ms. Hildebrand responded that she expected Sunset would be addressing the Architectural Barriers program with TBAE during its review of TDLR, and that this concept could be addressed by Sunset depending on its findings.

	<p>Ms. Dockery suggested that this might be a topic that could be addressed by the professional organizations if there was a desire to do so.</p> <p>Ms. Dockery asked whether there was anything TBAE could be doing in the enforcement division to be proactive and forward-looking. She specifically praised the cultivation of relationships with building officials and asked Mr. Stamps whether he had any input.</p> <p>Mr. Stamps stated that he continues to reach out to the building officials individually and also through their professional organization. Recently, the organization has been focused on disaster relief and he has not been able to secure presentation time at the annual meeting. However, he will continue to try to do so.</p> <p>Mr. Garry thanked the Board for their input and stated he had a lot to think about with respect to the internal and external assessment.</p>
<p>11. Enforcement Cases Review and possibly adopt ED's recommendation in the following enforcement cases:</p>	<p>Ms. Dockery stated that she needed to recuse herself from the following cases: #164-17A (John Grable); 253-19N (Robert Runyon); and 271-19A (Mary Burton). She turned the Chair over to the Vice-Chair, Mr. Wetmore.</p> <p>Mr. Wetmore asked Mr. Brenton to present the first case.</p>
<p>11A. Registrant/Non-Registrant Cases:</p>	<p>Grable, John J. (#164-17A) Mr. Brenton provided a summary of this matter as described on page 229 of the Board materials.</p> <p>A MOTION WAS MADE AND SECONDED (Bearden/Anastos) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 21, 2019.</p> <p>Mr. Anastos asked whether the Building Official turned this case into the Board. Mr. Brenton responded that the client filed the complaint in this matter. Mr. Anastos asked whether the City issued a building permit. Mr. Ramirez verified that a building permit was issued.</p> <p>THE MOTION PASSED UNANIMOUSLY, WITH ONE RECUSAL (Dockery).</p> <p>Runyon, Robert Dunham. (#253-19N) Mr. Brenton provided a summary of this matter as described on page 230 of the Board materials.</p> <p>A MOTION WAS MADE AND SECONDED (Anastos/Walker) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$5,000 AS SET FORTH IN THE REVISED</p>

REPORT AND NOTICE OF VIOLATION DATED SEPTEMBER 30, 2019. THE MOTION PASSED UNANIMOUSLY, WITH ONE RECUSAL (Dockery).

Burton, Mary Thornhill (Case #271-19A)

Mr. Brenton provided a summary of this matter as described on page 235 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Anastos) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$700 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED AUGUST 6, 2019.

Ms. Smith asked if someone had a similar problem and they lose their CE records, do they not have a way to get their records? Mr. Brenton agreed that one would think it would be relatively easy to do so. Nevertheless, many individuals respond that they have lost their CE, and one way or another are unable to provide those claimed certificates to the Board.

The Chair called for the vote. THE MOTION PASSED UNANIMOUSLY, WITH ONE RECUSAL (Dockery).

Ms. Dockery asked Mr. Brenton to continue with the next case on the agenda.

Acheson, Kirk Randal (#277-19A)

Mr. Brenton provided a summary of this matter as described on page 226 of the Board materials.

A MOTION WAS MADE AND SECONDED (Bearden/Anastos) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED SEPTEMBER 30, 2019. THE MOTION PASSED UNANIMOUSLY.

Adhamy, Dan (#240-17N)

Mr. Brenton provided a summary of this matter as described on page 227.

A MOTION WAS MADE AND SECONDED (Walker/Smith) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$10,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED OCTOBER 23, 2019.

Ms. Smith asked whether Mr. Brenton thought it was likely that Respondent would pay the fine. He answered affirmatively, because Mr. Adhamy otherwise appeared to be a responsible business owner, had hired counsel in this matter, and had fully participated in the investigation.

Mr. Bearden inquired as to whether this case came from a Building Official and Mr. Stamps replied that it had.

	<p>The Chair called for the vote. THE MOTION PASSED UNANIMOUSLY.</p> <p>Behring, Stephanie Nicole (#112-19A) Mr. Brenton provided a summary of this matter as described on page 228 of the Board materials.</p> <p>A MOTION WAS MADE AND SECONDED (Wetmore/Trevino) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,500 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED JULY 29, 2019. THE MOTION PASSED UNANIMOUSLY.</p> <p>Ward, Gerald A. (#281-19A) Mr. Brenton provided a summary of this matter as described on page 231 of the Board materials.</p> <p>A MOTION WAS MADE AND SECONDED (Bearden/Anastos) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTY OF \$1,000 AS SET FORTH IN THE REPORT AND NOTICE OF VIOLATION DATED SEPTEMBER 30, 2019. THE MOTION PASSED UNANIMOUSLY.</p>
<p>11B. Continuing Education Cases:</p>	<p>The Board considered and voted upon the continuing education cases as a group.</p> <p>A MOTION WAS MADE AND SECONDED (Anastos/Smith) TO ENTER AN ORDER WHICH ADOPTS THE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ADMINISTRATIVE PENALTIES AS SET FORTH IN THE REPORT AND NOTICES OF VIOLATION FOR EACH OF THE FOLLOWING CONTINUING EDUCATION CASES:</p> <p>Case #267-19A – Adair, Laura Jean, Arch #17603 Case #251-19I – Alanis, Tracy Puga, RID#10714 Case #270-19A – Barcinski, Derek Scott, Arch #17566 Case #248-19A - Crow, Harry Hobson, Arch #17604 Case #264-19A - Cuellar, Gabriel Andres, Arch #26214 Case #273-19I - Glass, Tamie Michele, RID #11342 Case #368-19L – Kaden, Chris Carroll, LArch#814 Case #309-19A - McComas, Jeffrey Robert, Arch #16067 Case #266-19L - May, Blaze Kenneth, LArch#2610 Case #272-19A - Siegel, Ruth, Arch #20398</p> <p>THE MOTION PASSED UNANIMOUSLY.</p>
<p>12. Upcoming Board Meetings</p>	<p>Ms. Dockery stated that the following dates have been approved for 2020: February 20, May 21, August 25 and November 19.</p>

<p>13. Board Member Comments/Future Agenda Items; Report on Conferences and Meetings</p>	<p>Ms. Salazar shared her thoughts on the CDIQ annual meeting. She discussed CIDQ’s decision to hire a contractor to develop standard computer-based graphics for the practicum. She also participated in a strategic planning session that was moderated by a consultant. She thought it was a valuable experience for the attendees and CIDQ. She shared her observation that deregulation is a common topic in many jurisdictions.</p> <p>Ms. Smith attended the CLARB meeting, as well as CIDQ. She echoed Ms. Salazar’s observations on the CIDQ conference. As for CLARB, she felt they had provided some very useful training for board members. Ms. Hildebrand discussed CLARB’s development of a national application, which is something to keep an eye on.</p> <p>Mr. Brenton stated that he was surprised by the number of people at the CIDQ conference who were aware of Governor Abbott’s letter, and noted he even received detailed questions about the letter. He said it goes to show that Texas has a nationally prominent place in licensure which allows us to provide leadership. He also noted pushback from some attendees that urged CIDQ to focus on providing good information while not stepping over the line to advocacy.</p> <p>Ms. Dockery stated that Texas Society of Architects met in Galveston, which included a panel discussion with Becky Walker from TxA. The discussion addressed the differences between our role as regulators and TxA’s role in advocacy. She thought it was an informative discussion and Mr. Garry did a good job as moderator.</p> <p>She also attended the 50th Anniversary of the College of Architecture at Texas A&M University. She particularly enjoyed a presentation on the creation of digital records of historic buildings and how that may affect the future preservation of the building itself.</p>
<p>14. Adjournment</p>	<p>A MOTION WAS MADE AND SECONDED (Wetmore/Trevino) TO ADJOURN THE MEETING AT 2:43 P.M. THE MOTION PASSED UNANIMOUSLY.</p>

APPROVED BY THE BOARD:

DEBRA J. DOCKERY, FAIA
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

TBAE Staff Accomplishments: February 2020 Board Meeting

November

- NCARB Model Law Task Force Meeting
- Cisco Certified Security Professional Training – IS
- Stephen F. Austin University Interior Design Presentation – Glenn
- Developer Week Austin – IT
- CIDQ Council of Delegates Meeting – Rosa, Debra, Joyce, Legal, Registration and Enforcement
- CAPPS – Financial Discovery Meetings – Finance (2 days a week, weekly)
- AT&T Cybersecurity Assessment
- Electronic Records Conference, Legal, IT and Registration
- TBAE Board Meeting
- Symposium on Ethics for Texas State Agencies – Julie and Legal
- Annual Staff Training – Foresightly Thinking
- CLARB MBE Committee Virtual Meeting
- Negotiate and Execute Office Lease

December

- CAPPS – Configuration, Prototyping and Conversion Meetings – Finance (weekly)
- CLARB Board of Director’s Meeting
- Risk and Information Systems Control Training – IS
- Attorney General’s Law and Liability Conference – Legal
- Fingerprinting Demo for TSBPA
- NCARB Model Law Task Force Virtual Meeting
- Negotiate and Execute Office Lease

January

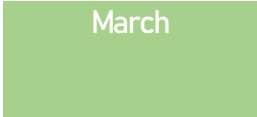
- CLARB Board of Directors Virtual Meeting
- CAPPS – Prototyping Meetings – Finance (2 dys a week, weekly)
- CLARB MBE Committee Meeting
- Digital Model Workgroup – TBPELS – Debra, Julie, Lance, Jack, Glenn
- IIDA Student Conference Dallas - Glenn
- Negotiate and Execute Office Lease
- Office Space Plan and Construction and Furniture, Fixtures and Equipment Estimates

February

- CLARB Meeting – Rethink Regulation
- NCARB Model Law Task Force Meeting
- Certified Ethical Hacker Training – IS
- AIA Ft. Worth Webinar – Glenn and Enforcement
- TBAE Board Meeting
- Release Customer Service Survey



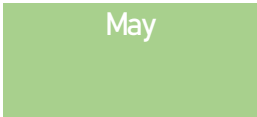
- Office Space Plan and Construction and Furniture, Fixtures and Equipment Estimates
- Office Construction Documents, Permitting and Bidding



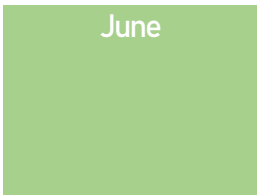
- NCARB Regional Summit
- CLARB Board of Director's Meeting
- Office Build-Out



- Texas ASLA Conference
- Office Build-Out



- NCARB Model Law Task Force Meeting
- TBAE Board Meeting
- Office Build-Out



- NCARB Annual Business Meeting
- CLARB Board of Director's Meeting
- Strategic Plan Due
- Office IT, Furniture, Fixtures and Equipment
- Office Move-In

Applicants		New Registrants		Registrants (active)		The Rest	
509 Fiscal Year to Date	-262 Year-over-Year	402 FYTD	-296 YOY	19348 As of month ended	+389 YOY	A survey of the Registration Division's additional accomplishments and activities	
By-examination applications received FYTD, by profession: Architect: 210 RID: 52 LA: 27 Subtotal: 289		By-examination registrations issued FYTD, by profession: Architect: 116 RID: 45 LA: 18 Subtotal: 179		Architects Resident: 8609 Nonresident: 4986 Subtotal: 13595		1693 exam results received FYTD 1487 Arch 0 RID 206 LA	
Reciprocal applications received FYTD, by profession: Architect: 193 RID: 4 LA: 23 Subtotal: 220		Reciprocal registrations issued FYTD, by profession: Architect: 194 RID: 5 LA: 24 Subtotal: 223		RIDs Resident: 3787 Nonresident: 254 Subtotal: 4041		689 Continuing Education audits conducted FYTD	24 referred to Investigations FYTD
<h1>About this report</h1> <p>FYTD: Fiscal Year to Date. Compares current data to that of the beginning of the current fiscal year.</p> <p>YOY: Year-over-Year. Compares current data to that of 12 months prior.</p>				Landscape Architects Resident: 1221 Nonresident: 491 Subtotal: 1712		11 scholarship applications approved FYTD	
				All registrants Resident: 13617 Nonresident: 5731 Total: 19348		66 Certificates of Standing issued FYTD	

Cases Opened		Cases Dismissed		Days to Case Resolution		Cases Resolved (as of month ended)	
37	-153	40	-101	69	65	52	
Fiscal Year to Date	Year-over-Year	FYTD	YOY	As of month ended	FY Average to Date	35 Warning(s) by Executive Director	0 Voluntary Surrender(s)
75 Case(s) referred to Legal		Dismissal details TDLR: 32 Other: 8* <small>*e.g. No evidence; not a violation.</small>		Context Typical target: 115-330 (2018-19) SDSI avg. actual: 110 (2018)		17 Disciplinary Action(s) by Board	30 *Notice(s) of Violation
						1 *Complaint(s) Filed at SOAH	0 *Informal Conference(s)

*Matters are ongoing and not yet resolved

Customer Service		Newsletter		Employee Engagement		Contact volume (to front desk alone)	
22,406	1,133	85%	21,000+	449	419	472	91
Customers surveyed	Responses	Read at least half (2018)	Recipients	Most recent score (2018)	Avg. score since 2010	Calls (January)	Emails (January)
96% Customer satisfaction (2018)		"Disciplinary Actions" Most-read topic (2018)		Strengths: Strategic Info. Systems Supervision	Weaknesses: Pay Benefits Community	Avg. monthly calls FYTD: 384	Avg. monthly emails FYTD: 71

**Texas Board of Architectural Examiners
Actual 2019 Budget**

	FY 2020 Approved Budget	FY 2020 Expenditures as of 11-30-19	FY 2020 Percentage Earned/Spent
Revenues:			
Licenses & Fees	\$ 2,852,329	\$ 714,457	25.05%
Business Registration Fees	\$ 127,000	\$ 28,890	22.75%
Late Fee Payments	\$ 135,000	\$ 37,343	27.66%
Other	\$ 5,000	\$ 737	14.74%
Interest	\$ 44,000	\$ 13,520	30.73%
Potential Draw on Fund Balance	\$ -		
Total Revenues	\$ 3,163,329	\$ 794,946	25.13%
Expenditures:			
Salaries and Wages	\$ 1,688,262	\$ 417,723	24.74%
Payroll Related Costs	\$ 584,067	\$ 139,085	23.81%
Professional Fees & Services	\$ 30,000	\$ 9,011	30.04%
Travel			
Board Travel	\$ 24,000	\$ 5,286	22.03%
Staff Travel	\$ 19,000	\$ 8,204	43.18%
Office Supplies	\$ 9,000	\$ 830	9.23%
Postage	\$ 12,000	\$ 2,962	24.68%
Communication and Utilities	\$ 18,000	\$ 4,164	23.14%
Repairs and Maintenance	\$ 1,000	\$ 176	17.60%
SWCAP Payment with Office Rental	\$ 116,000	\$ 29,000	25.00%
Equipment Leases--Copiers	\$ 8,000	\$ 1,715	21.44%
Printing	\$ 9,000	\$ 881	9.79%
Operating Expenditures	\$ 28,000	\$ 20,436	72.99%
Registration Fees--Employee Training	\$ 10,000	\$ 9,690	96.90%
Membership Dues	\$ 21,000	\$ 13,075	62.26%
Payment to GR	\$ 510,000	\$ 127,500	25.00%
IT Upgrades	\$ 55,000	\$ 34,543	62.81%
Information Security	\$ 21,000	\$ 965	4.60%
Total Expenditures	\$ 3,163,329	\$ 825,248	26.09%
Excess/ (Deficiency) of Rev over Exp.	-	\$ (30,302)	-0.96%

<i>Funding for 8 months</i>	\$ 2,108,675
<i>Excess Fund Balance</i>	\$ 892,618
Total Fund Balance	\$ 3,001,293

Administrative Penalties Collected	\$ 17,504.04
General Revenue Collected	\$ -

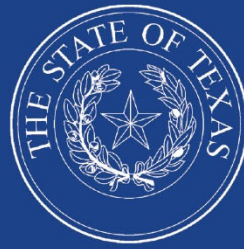
**Texas Board of Architectural Examiners
Fiscal Year 2019 Budget
Scholarship Fund**

	FY 2020 Budget	FY 2020 Actual Sept. 1, 2019-- November 30, 2019
Operating Fund Beginning Fund Balance:	-	-
Adjusted Beginning Balance	-	-
Scholarship Fund Beginning Balance	\$ 69,919.23	
Total Beginning Scholarship Fund Balance	\$ 69,919.23	\$ 69,919.23
Revenues:		
Scholarship Fees	-	\$ 230.03
Total Revenues	-	\$ 230.03
Expenditures:		
Operating Expenditures-Scholarship Payments		\$ 2,027.00
Total Expenditures		\$ 2,027.00
Excess/(Deficiency) of Rev. over Exp.	\$ 69,919.23	\$ 68,122.26
Fund Balance	\$ 69,919.23	\$ 68,122.26

Number of Scholarships Awarded

4

Frequency per Fiscal Year----September 30, January 31, and May 31



LEGISLATIVE BUDGET BOARD

Instructions for Preparing and Submitting Agency Strategic Plans

Fiscal Years 2021 to 2025

**LEGISLATIVE BUDGET BOARD STAFF
GOVERNOR'S OFFICE, BUDGET DIVISION**

WWW.LBB.STATE.TX.US

FEBRUARY 2020

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LETTER TO AGENCY ADMINISTRATORS

TO: State Agency Administrators

FROM: Sarah Hicks, Director, Governor's Office Budget Division
John McGeady, Assistant Director, Legislative Budget Board

SUBJECT: Agency Strategic Plan Instructions

The *Instructions for Preparing and Submitting Agency Strategic Plans* for fiscal years 2021 to 2025, issued jointly by the Office of the Governor's Budget and Policy Teams (OOG) and the Legislative Budget Board (LBB), are now available for download at www.gov.texas.gov/bpp and www.lbb.state.tx.us/AgenciesPortal.aspx. We appreciate your attention to this process and look forward to working with you to ensure agency strategic plans are robust, useful, and focused.

Strategic planning is a statutorily directed process to ensure effective long-range planning and to maximize the efficient use of state resources in service to the agency's core mission. The format is intended to enable agency leadership to be concise in developing a strategic vision, agency goals, and action items to achieve those goals. Additionally, agencies will need to place these goals and the action plan in the context of the statewide objectives as identified on page 3 of these instructions. Therefore, the strategic plan should be prepared principally by agency executive leadership. While a broad cross section of agency employees can be involved to support the plan development, strategic plan document preparation should not utilize excess agency resources or necessitate hiring outside contractors or consultants.

The primary effort of the strategic planning process—the statement of the agency's mission, goals, and action plan—will constitute the main body of the submitted strategic plan. The first supplemental schedule shall then describe the budget structure of objectives, strategies, and performance measures that will best enable the implementation of those goals and action plan. Performance measures allow for the evaluation of the effectiveness and efficiency of agency programs. Agencies should take this opportunity to ensure performance measures exist for high priority and significant agency programs.

In developing strategic plans for 2021 to 2025, agencies may wish to add, modify, or delete budget structure elements (e.g., goals, strategies, and performance measures) from those contained in the 2020–21 General Appropriations Act. To make such changes, agencies must submit a request to the OOG and the LBB using the template for requesting changes to agency budget structures (see Appendix 5). An agency is not required to link each element of its budget structure to its strategic plan. This budget structure will be the basic structure for agency submission of Legislative Appropriations Requests (LAR). Structures may evolve during the course of the budget and legislative processes. Both the OOG and the LBB expect that budget structure change requests will maintain or increase the transparency of agency operations.

Agency submission and posting requirements include:

- five submission dates for requesting changes to agency budget structures, beginning in late March (see Appendix 10);
- a single submission date for strategic plans and approved performance measure definitions on June 1 (see Appendix 11);
- submission of a biennial report on customer service within the strategic plan;
- electronic submission of the strategic plan, including the report on customer service, electronically to the LBB as PDF documents. Agencies will need to upload their PDF documents using the LBB application (Document Submissions) located on the LBB's website at docs.lbb.state.tx.us. Agencies that have a valid user ID and password for the Automated Budget and Evaluation System of Texas (ABEST) can access the application. The Help tab on the login screen of Document Submissions provides additional instructions to complete each agency's electronic submission. If your agency does not have access to a valid user ID and password for ABEST, your agency will need to request access by submitting a Logon Request Form at loginreqagy.lbb.state.tx.us;

- posting of the strategic plan, including the report on customer service, to the agency website; and
- electronic-only distribution of copies of the strategic plan (no printed copies are required).

Agencies that experience difficulties accessing or printing the instructions should contact the LBB ABEST help desk at 512-463-3167.

STRATEGIC PLANNING AND BUDGETING

Strategic planning is a long-term and future-oriented process of assessment, goal setting, and decision making. It includes a multiyear view of objectives and strategies for accomplishing agency goals. The strategic planning process requires each agency to clearly define the results it seeks to achieve, which drives program performance and influences future planning, resource allocation, and operating decisions.

The strategic planning process incorporates and sets direction for all agency operations. The strategic plan is the formal document that communicates the agency's goals, directions, and outcomes to various audiences, including the Governor, the Legislature, the agency's employees, client and constituency groups, and the public. The Texas Government Code, Chapter 2056, requires strategic planning for all agencies in the executive branch of state government.

STRATEGIC PLAN SUBMISSION COMPONENTS

Each agency's strategic plan submission is divided into two sections: (1) the primary strategic plan, including statements of agency mission, goals, action plan, and identification of any redundancies and impediments; and (2) supplemental elements, including a description of the budget structure linked to the strategic plan, and other statutorily required information. These state agency planning elements are in addition to the strategic planning requirements for state agencies set forth in the Texas Government Code, Chapter 2056. To the extent possible, agencies should coordinate the development of their strategic plans with these other elements and, as appropriate, cross-reference these plans and efforts.

Agency submissions include the following components in the order identified here:

- I. Strategic Plan
 - A. Title Page (template provided)
 - B. Table of Contents
 - C. Agency Mission
 - D. Agency Goals and Action Plan (template provided)
 - E. Redundancies and Impediments (template provided)
- II. Supplemental Schedules
 - A. Budget Structure—Goals, Objectives and Performance Measures
 - B. List of Measure Definitions
 - C. Historically Underutilized Business Plan
 - D. Statewide Capital Plan (if applicable)
 - E. Health and Human Services Strategic Plan (if applicable)
 - F. Agency Workforce Plan
 - G. Workforce Development System Strategic Planning (if applicable)
 - H. Report on Customer Service

Agencies should be concise in their strategic plan submissions. Please note that these instructions include **appendices** that provide templates, submission schedules, and other resources to assist agencies in their strategic plan submissions:

1. Title Page Example
2. Format for Agency Operational Goals and Action Plans
3. Strategic Plan Statutory Considerations
4. Redundancies and Impediments Template
5. Template for Requesting Change(s) to Agency Budget Structures
6. Examples of Performance Measure Definitions
7. Format for Reporting Alignment with Texas Workforce System Strategic Plan
8. Customer Service Survey
9. Economic and Population Forecast
10. Budget Structure Changes Submission Due Dates
11. Strategic Plan Submission Due Dates

12. Strategic Plan Distribution List

PART 1. STRATEGIC PLAN

This section describes components of the main body of an agency's strategic plan.

TITLE PAGE

The title page for an agency's strategic plan must contain the information listed in the example provided in Appendix 1.

TABLE OF CONTENTS

A table of contents must identify all of the strategic planning elements, appendices, and any additional materials.

AGENCY MISSION

An agency mission is the reason for an agency's existence. The mission succinctly identifies what the agency does, why, and for whom, and grounds its statements of purpose in enabling statutes or constitutional provisions.

An agency may include an optional statement on philosophy—an expression of core values and operating principles for the conduct of the agency in carrying out its mission. The agency philosophy is derived in conjunction with the agency's mission. It defines the way the agency conducts business by articulating management policies and principles. The philosophy defines a customer-oriented approach for producing and delivering government services.

AGENCY GOALS AND ACTION PLAN

Each agency shall identify core operational goals. The strategic planning process entails a thorough re-examination of an agency, and agencies are not necessarily bound to the goals established in the prior strategic plan or the current General Appropriations Act. Operational goals are the general ends toward which agencies direct their efforts. A goal addresses issues by stating policy intention. It is both qualitative and quantifiable, but is not quantified. In a strategic planning system, goals are ranked for priority. Goals stretch and challenge an agency, but they are realistic and achievable.

In developing your agency's strategic goals, agency leadership must focus on the following statewide objectives of ensuring that your agency is:

1. accountable to tax and fee payers of Texas;
2. efficient by producing maximum results with no waste of taxpayer funds and by identifying any function or provision considered redundant or not cost-effective;
3. effective by successfully fulfilling core functions, achieving performance measures, and implementing plans to continuously improve;
4. attentive to providing excellent customer service; and
5. transparent such that agency actions can be understood by any Texan.

The agency shall identify how each goal supports these statewide objectives. In addition, the agency shall identify key action items necessary to ensure that the goal is accomplished on or before August 31, 2025, and provide a date by which the action items will be accomplished. Agencies shall provide this information in a format consistent with the Agency Operational Goals and Action Plan, which appear in Appendix 2 of these instructions.

Additional considerations that an agency may be required to address in its strategic plan appear in Appendix 3.

Please note that in Part 2, Schedule A (Budget Structure), agencies are required to link identified budget objectives and strategies to their related operation goals and action plans contained here in Part 1 (Strategic Plan).

REDUNDANCIES AND IMPEDIMENTS

Each agency shall identify all services, state statutes, and state rules or regulations applicable to the agency that merit additional executive and legislative review because they may pose barriers to the economic prosperity of Texans or reduce the agency's effectiveness and efficiency in achieving its core mission. Examples include, but are not limited to, state

services, laws, and regulations that: (1) establish barriers to entry for new competition or otherwise limit free market participation; (2) impose excessive or burdensome regulatory costs; (3) result in economic inefficiencies due to administrative or procedural delays; or (4) are performed by another agency or result in unnecessary redundancies for agency staff or stakeholders. The agency shall include a rationale of why the service, statute, or regulation is problematic and the agency's recommended change, including recommendations for elimination or amendment.

In addition, each agency shall identify any state services, state laws, and state regulations administered by the agency that are redundant, distract from the core mission of the agency, and/or produce workload costs for agency staff or regulated entities that may exceed the initial time, cost, or effort assumptions that existed when the law or regulation was implemented. Please include in this analysis any instances in which the continued enactment of the law or regulation may result in an imbalanced cost-benefit outcome for the state or stakeholders. If applicable, the agency shall make recommendations based on best practices observed from the private sector or activities of other governmental entities.

Each agency shall format its response using the Redundancies and Impediments template provided in Appendix 4.

PART 2. SUPPLEMENTAL ELEMENTS

SCHEDULE A: BUDGET STRUCTURE

In this schedule, the agency shall submit the list of goals, objectives with their related outcome measures, and strategies with their related output, efficiency, and explanatory measures that constitute the agency's budget structure. This schedule includes a list of these elements, with descriptions of goals, objectives, and strategies, and the names of performance measures within their appropriate objectives and strategies. Agencies should take this opportunity to ensure performance measures exist for high priority and significant programs. These elements should be listed in the order in which they would appear in the agency's bill pattern in a general appropriations bill.

AGENCY GOALS

Agency goals are the general ends toward which agencies direct their efforts. A goal addresses issues by stating policy intention. It is both qualitative and quantifiable, but it is not quantified. In a strategic planning system, goals are ranked for priority. Goals stretch and challenge an agency, but they are realistic and achievable.

OBJECTIVES

Objectives are clear targets for specific action. They mark quantifiable interim steps toward achieving an agency's long-range mission and goals. Linked directly to agency goals, objectives are measurable, time-based statements of intent. They emphasize the results of agency actions at the end of a specific time period.

For each objective, please identify all related Strategic Planning Goals.

OUTCOME MEASURES

Outcome measures are indicators of the actual effect on a stated condition or problem. They are tools to assess the effectiveness of an agency's performance and the public benefit derived from it. An outcome measure typically is expressed as a percentage, rate, or ratio.

STRATEGIES

Strategies are methods to achieve goals and objectives. Formulated from goals and objectives, a strategy is the means for transforming inputs into outputs and, ultimately, outcomes with the best use of resources. A strategy reflects budgetary and other resources.

For each strategy, please identify which Strategic Planning Goals and Action Plans are related to this strategy.

OUTPUT MEASURES

Output measures are tools, or indicators, for counting the services and goods produced by an agency. The number of people receiving a service and the number of services delivered are typical measures of output.

EFFICIENCY MEASURES

Efficiency measures are indicators that quantify an agency's cost, unit cost, or productivity associated with a given outcome or output. Efficiency measures typically are expressed in unit costs, units of time, or other ratio-based units.

EXPLANATORY MEASURES

Explanatory measures are quantitative indicators that provide additional information that contributes to the understanding of an agency's operating environment.

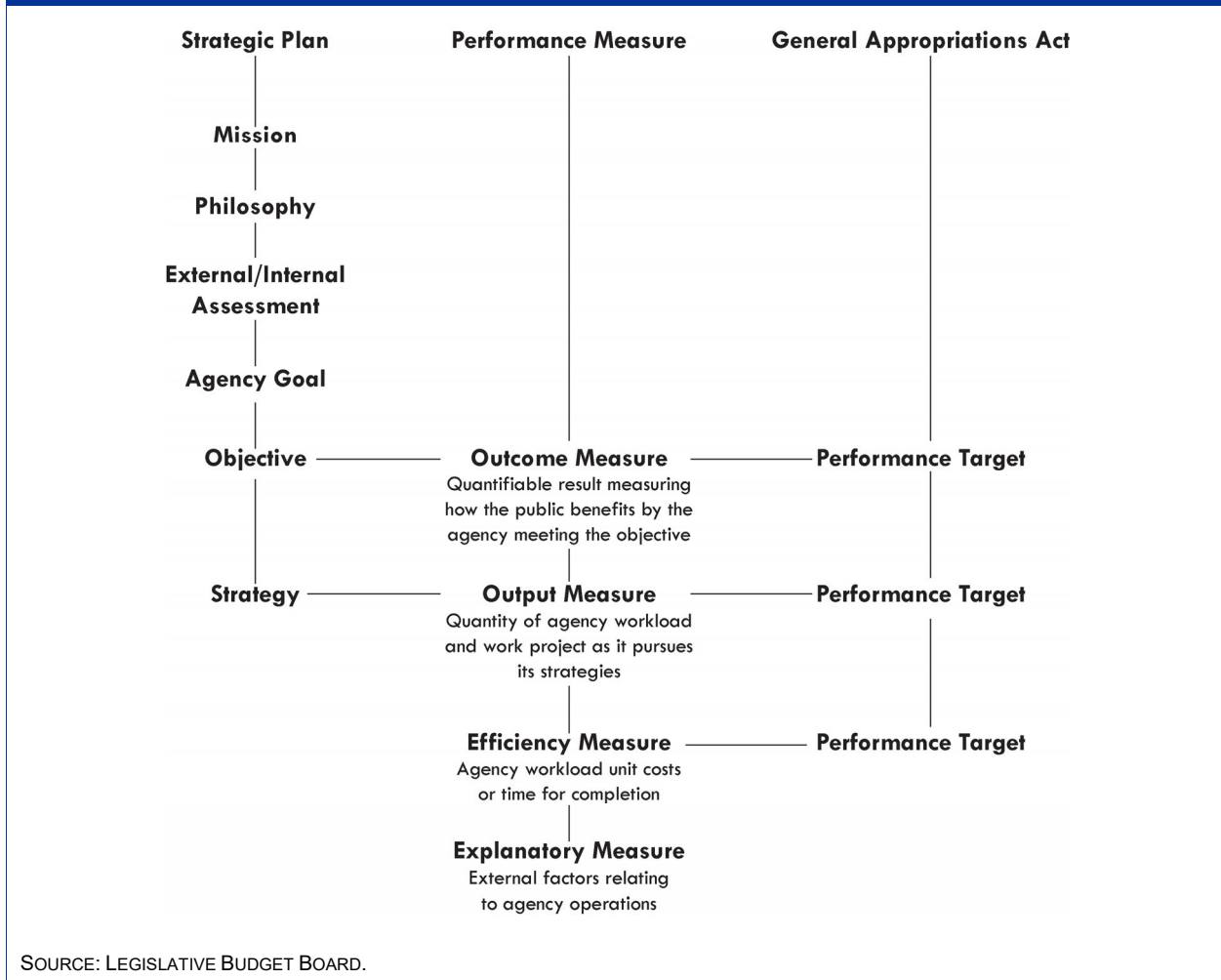
REQUESTING CHANGES TO THE BUDGET STRUCTURE

The agency's strategic plan is used as a starting point for developing the agency's budget structure. An agency's budget structure need not necessarily mirror its strategic plan. Any changes to an agency's budget structure from that in place for the 2020–21 biennium must be requested in writing by its assigned due date listed in Appendix 10 using the template shown in Appendix 5 and available at http://www.lbb.texas.gov/Agencies_Portal.aspx. Changes must be approved by the OOG and the LBB. **Figure 1** shows relationships within the Strategic Planning and Budgeting System.

NOTE ON NAMING BUDGET STRUCTURE ELEMENTS

As a reminder, budget structure elements are limited to 35 and 70 characters (including spaces) for short names and full names, respectively. For performance measures, descriptions are limited to 500 characters, and descriptions will print in an agency's bill pattern only if the measure is considered key. Agencies should consider renaming elements to limit abbreviations so that a member of the Legislature or the public may understand more readily the title and purpose of the goal, strategy, or measure.

**FIGURE 1
STRATEGIC PLANNING AND BUDGETING SYSTEM**



SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS

Each agency must complete entry of approved performance measure definitions in the Automated Budget and Evaluation System of Texas (ABEST) by the submission due date of its strategic plan (see Appendix 11 for the submission schedule). Additionally, each agency must submit, as Schedule B of its strategic plan submitted to the OOG and the LBB, the definitions for all measures contained in its approved strategic planning and budget structure.

A performance measure's definition must explain the measure and the methodology for its calculation, and provide enough information about the measure that it can be understood clearly. The description of a measure's calculation must be detailed enough to enable replication. Definitions submitted with the agency's strategic plan must include all of the following elements:

- definition—provides a brief explanation of what the measure is, with enough detail to give a general understanding of the measure;
- purpose—explains what the measure is intended to show and why it is important;
- data source—describes where the information comes from and how it is collected;
- methodology—describes clearly and specifically how the measure is calculated;
- data limitations—identifies any limitations about the measurement data, including factors that may be beyond the agency’s control;
- calculation method—identifies whether the information is cumulative or noncumulative;

NOTE

For ABEST reporting purposes, all outcome and explanatory measures are noncumulative because they are reported only once a year.

- new measure—identifies whether the measure is new, has changed significantly, or continues without change from the previous biennium; and
- target attainment—identifies whether actual performance that is higher or lower than targeted performance is desirable (e.g., a disease rate lower than targeted is desirable).

Appendix 6 provides examples of definitions in the proper format. Additional information appears in the 2012 *Guide to Performance Measure Management*, published by the State Auditor’s Office (www.sao.texas.gov/reports/main/12-333.pdf), and the guidelines in the LBB’s *ABEST Instructions for Finalizing Budget Structures and Defining Measures*, April 2020 (www.lbb.state.tx.us/Agencies_Portal.aspx → Instructions → Strategic Plan Instructions).

SCHEDULE C: HISTORICALLY UNDERUTILIZED BUSINESS PLAN

The Texas Government Code, Section 2161.123, requires that a state agency required to complete a strategic plan pursuant to the Texas Government Code, Chapter 2056, include a written plan for increasing its use of historically underutilized businesses (HUB) in purchasing and public works contracting. The plan must include a policy or mission statement relating to increasing the agency’s use of HUBs, goals to be met by the agency in carrying out the policy or mission, and specific programs that the agency must conduct to meet the goals stated in the plan, including a specific program to encourage contractors to use HUBs as partners and subcontractors.

SCHEDULE D: STATEWIDE CAPITAL PLANNING (IF APPLICABLE)

The Eighty-sixth Legislature, General Appropriations Act (GAA), 2020–21 Biennium, Article IX, Section 11.03, requires all state agencies and institutions of higher education to supply capital planning information relating to projects for the 2022–23 biennium to the Bond Review Board. Based on information submitted by agencies and institutions, the Bond Review Board is required to compile a statewide capital expenditure plan for the 2022–23 biennium for submission to the Governor and the LBB. Agencies will submit capital plans separately to the Bond Review Board in accordance with instructions issued by the board.

The Bond Review Board provides resources to guide agencies in the submission of capital planning information at the following website: www.brb.state.tx.us/programs_capital_planning.aspx.

SCHEDULE E: HEALTH AND HUMAN SERVICES STRATEGIC PLANNING (IF APPLICABLE)

The Texas Government Code, Chapter 531, requires the Executive Commissioner of Health and Human Services to develop a coordinated state strategic plan for health and human services for submission to the Governor, Lieutenant

Governor, and Speaker of the House. Chapter 531 also requires all health and human services agencies to submit strategic plans and biennial updates to the Health and Human Services Commission.

SCHEDULE F: AGENCY WORKFORCE PLAN

The Texas Government Code, Section 2056.0021, requires each state agency to conduct a strategic planning staffing analysis and to develop a workforce plan that follows guidelines developed by the State Auditor. The workforce plan addresses the agency's critical staffing and training needs, including the need for experienced employees to impart knowledge to their potential successors.

Agencies should refer to the State Auditor's Office Workforce Planning website (<http://www.hr.sao.texas.gov/WorkforceAnalysis>) to complete their plans. This website contains a Workforce Planning Guide, Workforce Plan Questionnaire, tools, and other helpful information. An agency must include this plan as an appendix to its strategic plan.

OPTIONAL

Agencies that have participated in a Survey of Employee Engagement may incorporate elements of the most recent survey results into this schedule.

SCHEDULE G: WORKFORCE DEVELOPMENT SYSTEM STRATEGIC PLAN (IF APPLICABLE)

Sections 2308.104 and 2308.1015 of Texas Government Code provide that the Texas Workforce Investment Council shall develop a single strategic plan for the Texas workforce system, which must include goals, objectives, and performance measures for the workforce system and those state agencies that administer workforce programs or services. The code further mandates that, upon approval of the strategic plan by the Governor, each agency administering a workforce program shall use that strategic plan in developing the agency's operational plan.

The approved Texas Workforce System Strategic Plan (FY 2016–FY 2023) is available at:

[https://gov.texas.gov/uploads/files/organization/twic/Texas_Workforce_System_Strategic_Plan_\(FY2016-FY2023\).pdf](https://gov.texas.gov/uploads/files/organization/twic/Texas_Workforce_System_Strategic_Plan_(FY2016-FY2023).pdf)

To demonstrate alignment with the state workforce system strategic plan, the six partner agencies, identified in this section, shall submit information within their strategic plan using the template provided in Appendix 7. The information will address key initiatives undertaken by the agency to fulfill objectives that are critical to achieve systems goals specified in the system strategic plan. Additionally, the agency will also describe approaches and strategies that the agency will employ to build internal organizational and staff competence in each of the three strategic pillars noted in the system strategic plan. Additional direction is provided in Appendix 7.

System partner agencies with workforce programs or services include:

- Texas Department of Criminal Justice – Windham School District;
- Texas Education Agency;
- Texas Higher Education Coordinating Board;
- Texas Juvenile Justice Department;
- Texas Veterans Commission; and
- Texas Workforce Commission.

SCHEDULE H: REPORT ON CUSTOMER SERVICE

The Texas Government Code, Chapter 2114, requires state agencies to submit a Report on Customer Service to the OOG and the LBB no later than June 1, 2020. Agencies should include this report within their strategic plan due on the same date. Chapter 2114 also requires agencies to develop customer service standards and implement customer satisfaction assessment plans. Agencies (i.e., newly established) that previously have not prepared a compact with Texans or appointed a customer relations representative must include this information in their required reports on customer service.

Pursuant to Chapter 2114, the LBB and OOG are required to jointly develop a standardized method to measure customer service satisfaction and create standardized performance measures for agencies. In accordance, Appendix 8 of these instructions provides customer service survey questions for agencies to include, with a corresponding scale, to measure customer satisfaction. These standardized questions should be in addition to survey questions which address customer satisfaction specific to the agencies' programs and services. Additionally, standard measures are also provided below for inclusion in reports.

An agency's report on customer service contains the following five elements:

1. an inventory of external customers served by each strategy listed in the 2020–21 GAA and a brief description of the types of services provided to them, including a description of how customers are defined (e.g. by unique customers, total customer encounters, or some other measure);
2. a brief description of the methods it used to gather information from agency customers;
3. a chart detailing the levels of customer-determined service quality and other relevant information received for each customer group, and each statutorily identified customer service quality element included in the customer service survey in Appendix 8:
 - a. facilities, including the customer's ability to access the agency, the office location, signs, and cleanliness,
 - b. staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability,
 - c. communications, including toll-free telephone access, the average time a customer spends on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications,
 - d. Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain,
 - e. complaint handling process, including whether it is easy to file a complaint and whether responses are timely,
 - f. ability to timely serve its customers, including the amount of time a customer waits for service in person, by phone, by letter, or at a website, and
 - g. brochures or other printed information, including the accuracy of that information;
4. an analysis of the findings identified from the customer satisfaction assessment – this analysis must include an identification of changes that would improve the survey process, and summary findings regarding the quality of service provided and improvements to be made in response to this assessment; and
5. performance measure information for customer service standards and customer satisfaction (i.e., wait times, complaints, responses), in addition to the standard measures shown in this section; estimated performance for fiscal year 2020 must be included for both agency-specific and standard measures.

OUTCOME MEASURES

- Percentage of Surveyed Customer Respondents Expressing Overall Satisfaction with Services Received: The total number of agency survey respondents indicating that they are satisfied or very satisfied with the agency, divided by the total number of agency survey respondents. Measure is based on responses to question 8 of Appendix 8 Customer Service Survey.

OUTPUT MEASURES

- Total Customers Surveyed: The number of customers who receive access to surveys regarding agency services. This number includes all customers who receive surveys in person or by phone, mail, email, web, or any other means.
- Response Rate: The percentage of total customers surveyed who completed the survey.
- Total Customers Served: Total number of customers receiving services through the agency's programs.

EFFICIENCY MEASURES

- Cost per Customer Surveyed: Total costs for the agency to administer customer surveys divided by the total number of customers surveyed.

EXPLANATORY MEASURES

- Total Customers Identified: The total population of customers in all unique customer groups.
- Total Customer Groups Inventoried: The total number of unique customer groups identified for each agency program. Customer groups served by more than one agency program should be counted only once.

APPENDIX 1. TITLE PAGE

The title page for an agency's strategic plan shall include the elements shown in the example below.

AGENCY STRATEGIC PLAN		
FISCAL YEARS 2021 TO 2025		
BY		
AGENCY, DEPARTMENT, BOARD, OR COMMISSION		
Board Member	Dates of Term	Hometown
DATE OF SUBMISSION		
SIGNED: _____		
APPROVED: _____		

APPENDIX 2. FORMAT FOR AGENCY OPERATIONAL GOALS AND ACTION PLANS

AGENCY OPERATIONAL GOAL AND ACTION PLAN
<p style="text-align: center;">SPECIFIC ACTION ITEMS TO ACHIEVE YOUR GOAL</p> <ol style="list-style-type: none">1.2.3.
<p style="text-align: center;">DESCRIBE HOW YOUR GOAL OR ACTION ITEMS SUPPORT EACH STATEWIDE OBJECTIVE</p> <ol style="list-style-type: none">1. Accountable to tax and fee payers of Texas.2. Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.3. Effective in successfully fulfilling core functions, measuring success in achieving performance measures, and implementing plans to continuously improve.4. Attentive to providing excellent customer service.5. Transparent such that agency actions can be understood by any Texan.
<p style="text-align: center;">DESCRIBE ANY OTHER CONSIDERATIONS RELEVANT TO YOUR GOAL OR ACTION ITEM</p>

APPENDIX 3. STRATEGIC PLAN STATUTORY CONSIDERATIONS

The following are subject areas that agencies should address, if applicable, in their strategic plans, but should not be additional reports, schedules or sections of the strategic plan. Any references to these issues should be integrated into the discussion of the agency's operational goals and action plan, as submitted in the format provided in Appendix 2. Note that one area related to early childhood immunizations is required for affected agencies. Inclusion of discussion on the remaining items is left to agency discretion.

EXTERNAL/INTERNAL ASSESSMENT

In the strategic plan, agencies may consider including an evaluation of key factors that influence the agency. Detailed evaluation of trends, conditions, opportunities, and obstacles directs the development of each element of the strategic plan. An external/internal assessment may include the following information:

- an identification of groups of people served by the agency and of priority and other service populations in accordance with current law, and how those populations are expected to change within the timeframe of the strategic plan;
- an analysis of current agency resources for meeting current needs and expected needs, and a broad summary of additional resources necessary to meet future needs;
- an analysis of expected changes in services provided by the agency due to changes in state or federal law;
- further description of means and strategies for meeting the agency's needs, including future needs, and achieving its goals;
- a broad summary of the capital improvement needs of the agency during the period covered by the plan, and a prioritization of those needs (see Part 2. Supplemental Elements of these instructions for related requirement); and
- an identification of each geographic region of Texas that the agency serves, including the Texas–Louisiana and the Texas–Mexico border regions, and, if appropriate, the agency's measures and strategies for serving each region.

External factors may include economic conditions, global competitiveness impact, population shifts, technological advances, geographical changes, and statutory changes. The Office of the Comptroller of Public Accounts (CPA) provides a long-term forecast of the state's economy and population for use in the external/internal assessment. A summary of this forecast is provided in Appendix 9. The agency uses the summary to the extent that variables important to agency activities are included in the forecast. A more complete set of variables is available for agency use through the CPA's Revenue Estimating Division. All data and projections obtained from sources other than the CPA must be referenced in footnotes. Internal factors may include management policies, resource constraints, organizational structure, automation, staff, and operational procedures.

INFORMATION RESOURCES PLANNING

Agencies should examine technology solutions that advance the mission of the agency and align with statewide technology principles and priorities, pursuant to the Texas Government Code, Section 2056.002(b)(11). The agency should provide a description of the agency's information resources (IR) management organization, policies, and practices; a description of how the agency's IR programs support and promote its mission, goals, and objectives and the goals and policies of the State Strategic Plan for IR Management; and other planning components that the Department of Information Resources (DIR) may prescribe.

For reference, the *2020–2024 State Strategic Plan for Information Resources Management* is available at: dir.texas.gov/SSP.

Submit questions regarding the information resources planning section to: techplan@dir.texas.gov.

PUBLIC AWARENESS FOR EARLY CHILDHOOD IMMUNIZATIONS (REQUIRED)

Each state agency that has contact with families in the state either in person or by telephone, mail, or the Internet is required to include in the agency's strategic plan a strategy to increase public awareness of the need for early childhood immunizations, pursuant to the Texas Government Code, Section 2056.0022. The Health and Human Services Commission will identify the state agencies to which this section applies and notify the agencies of their duties pursuant to this section.

ENHANCING MILITARY FACILITIES

If applicable, a state agency should include an analysis of the agency's expected expenditures that relate to federally owned or operated military installations or facilities, or communities where a federally owned or operated military installation or facility is located, pursuant to the Texas Government Code, Section 2056.002 (b)(10). Agencies are encouraged to make this evaluation using the most current criteria provided by the Texas Military Preparedness Commission. If an agency determines that the expenditure will enhance the military value of a federally owned or operated military installation or facility based on the base realignment and closure criteria, the agency should make that expenditure a high priority.

CONTRACT MANAGER TRAINING

Agencies that contract with other state agencies, federal or local governments, or private enterprise should describe the training requirements for their contract managers, pursuant to the Texas Government Code, Section 2056.002(b)(9).

APPENDIX 4. FORMAT FOR REPORTING REDUNDANCIES AND IMPEDIMENTS

REDUNDANCIES AND IMPEDIMENTS (REPEAT SECTION AS NECESSARY FOR EACH IDENTIFIED REDUNDANCY AND IMPEDIMENT)	
SERVICE, STATUTE, RULE, OR REGULATION (PROVIDE SPECIFIC CITATION IF APPLICABLE)	
DESCRIBE WHY THE SERVICE, STATUTE, RULE, OR REGULATION IS RESULTING IN INEFFICIENT OR INEFFECTIVE AGENCY OPERATIONS	
PROVIDE AGENCY RECOMMENDATION FOR MODIFICATION OR ELIMINATION	
DESCRIBE THE ESTIMATED COST SAVINGS OR OTHER BENEFIT ASSOCIATED WITH RECOMMENDED CHANGE	
NATURAL DISASTER-RELATED REDUNDANCIES AND IMPEDIMENTS (IF APPLICABLE)	
SERVICE, STATUTE, RULE, OR REGULATION (PROVIDE SPECIFIC CITATION IF APPLICABLE)	
DESCRIBE WHY THE SERVICE, STATUTE, RULE, OR REGULATION IS RESULTING IN INEFFICIENT OR INEFFECTIVE AGENCY OPERATIONS	
PROVIDE AGENCY RECOMMENDATION FOR MODIFICATION OR ELIMINATION	
DESCRIBE THE ESTIMATED COST SAVINGS OR OTHER BENEFIT ASSOCIATED WITH RECOMMENDED CHANGE	

APPENDIX 5. TEMPLATE TO REQUEST CHANGE(S) TO AGENCY BUDGET STRUCTURES

This template can be found on the Legislative Budget Board website under Agency Portal/Strategic Planning Instructions (www.lbb.state.tx.us/Agencies_Portal.aspx). It is available in Microsoft Word and Microsoft Excel formats.

REQUESTED CHANGES TO AGENCY BUDGET STRUCTURE ELEMENTS (GOALS, STRATEGIES, MEASURES AND MEASURE DEFINITIONS) FOR THE 2022-23 BIENNIUM						
AGENCY NAME:	ELEMENT Identify the current Goal, Strategy, Measure or Measure Definition.	REQUESTED CHANGE Indicate requested change using strike-through to delete text and underscore to add text.	JUSTIFICATION FOR REQUESTED CHANGE Explain the reason for the proposed change.	LBB AND/OR OOG APPROVED CHANGE (if different from agency request)	LBB / OOG COMMENTS	STATUS
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA
						NA

Note: The most recent goal, strategy and measure definition descriptions are located on Web ABEST. After logging on, select *Performance* then *Reports* to obtain the appropriate text. Measure definition must include all eight prescribed categories of information (i.e., short definition, purpose/importance, source/collection of data, method of calculation, data limitations, calculation type, new or existing measure, and desired performance).

APPENDIX 6. EXAMPLES OF PERFORMANCE MEASURE DEFINITIONS

The following are examples of performance measures and definitions that the Department of Family and Protective Services has developed as part of its Strategic Planning and Performance Budgeting System. Each of these definitions not only contains all of the properties identified on pages 5 and 6, but the agency also has fully developed each of these elements.

Agency:	Department of Family and Protective Services
Goal:	In collaboration with other public and private entities, protect children from abuse and neglect by providing an integrated service delivery system that results in quality outcomes.
Objective:	By 2021, provide or manage a quality integrated service delivery system for 70 percent of children at risk of abuse/neglect and mitigate the effects of maltreatment and assure that confirmed incidence of abuse/neglect does not exceed 10.9 per 1,000 children.
Strategy:	Provide caseworkers and related staff to conduct investigations and deliver family-based safety services, out-of-home care, and permanency planning for children who are at risk of abuse/neglect and their families.

EXAMPLE 1

Outcome Measure: **Percent Absence of Maltreatment within Twelve Months of Intake (CPS)**

Definition

Absence of Repeat Maltreatment is the percent of all children who were confirmed victims of a validated report of maltreatment during the first Fiscal Year who did not have a subsequent validated instance of maltreatment within a twelve-month period.

Purpose

The purpose of this measure is to assess the degree to which children did not experience maltreatment after an initial validation of maltreatment in the Child Protective Services (CPS) system of care. This measure is intended to monitor the occurrence of repeat maltreatment within twelve months. This measure is one of the National Standard Data Indicators (Safety Indicator 1) used to assess states' performance on the Federal Child and Family Service Review.

Data Source

The Information Management Protecting Adults and Children in Texas (IMPACT) application is the official source of record for abuse/neglect information at DFPS.

Methodology

Divide the total number of unique confirmed victims in investigations completed during the previous Fiscal Year for whom there is not a second validated maltreatment for abuse or neglect in a completed investigation where the difference between the two intake dates is between three and 365 days (numerator) by the total number of unique confirmed victims in completed investigations where the investigation stage closure date is within previous Fiscal Year (denominator) and divide by 100 to achieve a percentage. Should the federal methodology change, the agency will work with the Legislative Budget Board (LBB) to update the measure definition in the Automated Budget and Evaluation System of Texas (ABEST).

Data Limitations

None

Calculation Method

Noncumulative

New Measure

Yes

Target Attainment:

Higher than target

EXAMPLE 2**Output Measure: Number of Completed CPS Investigations****Definition**

A completed CPS investigation is when the agency has reached a finding of abuse/neglect. The completion is determined by investigation stage closure date. The investigation stage closure date cannot be null and must occur during the reporting period.

Purpose

The purpose of this measure is to track the number of investigations of child abuse/neglect completed by CPS staff during the reporting period. This measure provides useful information for management purposes. It is helpful for noting variances and determining resource allocation.

Data Source

The Information Management Protecting Adults and Children in Texas (IMPACT) application is the official source of record for abuse/neglect information at DFPS.

Methodology

Count the number of completed CPS investigations where the investigations stage closure date is during the reporting period and the disposition has been determined regarding the allegations of child abuse/neglect. The annual or year-to-date count will be the sum of all completed investigations during the reporting period.

Data Limitations

Measure does not count investigations completed by the caseworker that are awaiting supervisory closure.

Calculation Method

Cumulative

New Measure

No

Target Attainment:

Lower than target

EXAMPLE 3**Efficiency Measure: CPS Daily Caseload per Worker: Investigation****Definition**

This measure provides the average daily caseload for CPS investigation caseworkers. Supervisors carrying investigation cases are not included in the definition of investigation caseworker. Investigation workers are defined by job class code.

Purpose

This measure is an indicator of an average amount of work handled each day by a CPS investigation

caseworker. The intent is to approximate what a caseworker would state if asked about the workload being managed.

Data Source

The Information Management Protecting Adults and Children in Texas (IMPACT) application is the official source of record for abuse/neglect information at DFPS. For each day during the reporting period, count stages from IMPACT that were open at any time during the day and for which the primary assignment is to a CPS investigation caseworker with the appropriate job class paid out of Strategy B.01.01 in HHSAS-HR. The following stages are included: Intake (INT) (if not progressed to INV in the same day), Investigation (INV), Family Preservation (FPR), Sub Care Child (SUB; including children reunified), Family Sub Care (FSU), Adoption (ADO), Foster/Adopt Home Development (FAD; if approved or receiving casework services) and Kinship (KIN).

Methodology

For the numerator, count stages assigned to caseworkers that were open during the day for each day during the reporting period if the primary assignment is to an investigative caseworker paid out of Strategy B.01.01 in HHSAS-HR.

For the denominator, calculate the total number of investigation caseworkers with primary assignments for each day during the report period, excluding trainees with less than 98 days of service. Trainees with 98-128 days of service are counted as half (0.5) a worker.

Data Limitations

Data from HHSAS-HR is point in time at the end of the month, so if a worker changed job class codes during the month, only the last one for the month is captured.

Calculation Method

Noncumulative

New Measure

No

Target Attainment

Lower than target

EXAMPLE 4

Explanatory Measure:

Percent of CPS Workers with Two or More Years of Service

Definition

CPS caseworkers providing direct services to clients are identified with the following job class codes: 1353C CPS Senior Investigator; 5024C CPS Investigator II; 5024F Faith Based CPS Specialist II; 5024K Kinship Caregiver CPS Specialist II; 5024 CPS Specialist II; 5025C CPS Investigator III; 5025F Faith Based CPS Specialist III; 5025K Kinship Caregiver CPS Specialist III; 5025 CPS Specialist III; 5026C CPS Investigator IV; 5026F Faith Based CPS Specialist IV; 5026K Kinship Caregiver CPS Specialist IV, 5026 CPS Specialist IV; 5027C CPS Investigator V; and 5027 CPS Specialist V specifying CPS direct delivery staff. Staff tenure is calculated from date of hire.

Purpose

This measure is a useful indicator of staff competencies and a general reflection of staff satisfaction.

Data Source

Information for this measure is taken quarterly from HHSAS-HR. Due to possible modifications in the FPS fiscal system, PACs, service codes and/or worker classification codes are subject to change.

Should this occur, the current equivalent codes will be substituted and documented in the performance folder.

Methodology

Divide the total number of CPS direct delivery caseworkers with two or more years of service (numerator) by the total number of CPS direct delivery caseworkers (denominator) and multiply by 100 to achieve a percentage.

Data Limitations

None

Calculation Method

Noncumulative

New Measure

No

Target Attainment

Higher than target

APPENDIX 7. FORMAT FOR REPORTING ALIGNMENT WITH TEXAS WORKFORCE SYSTEM STRATEGIC PLAN

PART 1

The following matrix shows the system objectives that are critical to achieve the system goals specified in the system strategic plan.

RESPONSIBLE AGENCY	SYSTEM OBJECTIVES
Texas Department of Criminal Justice – Windham School District	<ul style="list-style-type: none"> Expand licensure and industry certification. Expand partnerships with system partners and stakeholders to promote collaboration, joint planning, and enhanced participant outcomes.
Texas Education Agency	<ul style="list-style-type: none"> Increase business and industry involvement. Expand licensure and industry certification. Improve and enhance services, programs, and policies to facilitate effective and efficient transitions.
Texas Higher Education Coordinating Board	<ul style="list-style-type: none"> Expand licensure and industry certification. Expand partnerships with system partners and stakeholders to promote collaboration, joint planning, and enhanced participant outcomes. Improve and enhance services, programs, and policies to facilitate effective and efficient transitions. Develop and implement policies and processes to ensure portable and transferrable credit and credentials.
Texas Juvenile Justice Department	<ul style="list-style-type: none"> Develop and implement policies and processes to ensure portable and transferrable credit and credentials. Employ enhanced or alternative program and service delivery methods.
Texas Veterans Commission	<ul style="list-style-type: none"> Increase business and industry involvement. Expand licensure and industry certification.
Texas Workforce Commission	<ul style="list-style-type: none"> Expand licensure and industry certification. Expand partnerships with system partners and stakeholders to promote collaboration, joint planning, and enhanced participant outcomes. Improve and enhance services, programs, and policies to facilitate effective and efficient transitions. Employ enhanced or alternative program and service delivery methods.

For each system objective, the agency responsible for the objective is asked to provide information on key initiatives that will fulfill the intent of the objective that the agency intends to undertake, as well as the anticipated outcomes to be achieved during the agency’s strategic plan period fiscal years 2021 to 2025. Use the format on the following page. Repeat the section as necessary for each identified objective.

SYSTEM OBJECTIVE:	KEY ACTIONS/STRATEGIES/OUTCOMES:

PART 2

Describe the approach and list the strategies that your agency will employ to build internal organizational and staff competence in each of the three strategic pillars noted in The Texas Workforce System Strategic Plan (fiscal years 2016 to 2023):

1. Customer service and satisfaction
 Agency response:
2. Data-driven program improvement
 Agency response:
3. Continuous improvement and innovation
 Agency response:

APPENDIX 8. CUSTOMER SERVICE SURVEY

An agency's customer service survey must include the following questions and scale to measure satisfaction with the agency's facilities, staff interactions, communications, website, complaint handling processes, timeliness, printed information, and overall satisfaction with the agency. These standardized questions should be in addition to survey questions which address customer satisfaction specific to the agency's programs and services.

SCALE						
1 – Very unsatisfied	2 – Unsatisfied	3 – Neutral	4 – Satisfied	5 – Very satisfied	N/A – Not Applicable	

1. How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?

1 2 3 4 5 N/A

2. How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability?

1 2 3 4 5 N/A

3. How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?

1 2 3 4 5 N/A

4. How satisfied are you with the agency's Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?

1 2 3 4 5 N/A

5. How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?

1 2 3 4 5 N/A

6. How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person?

1 2 3 4 5 N/A

7. How satisfied are you with any agency brochures or other printed information, including the accuracy of that information?

1 2 3 4 5 N/A

8. Please rate your overall satisfaction with the agency.

1 2 3 4 5 N/A

APPENDIX 9. ECONOMIC AND POPULATION FORECAST

TEXAS AND THE U.S. ECONOMIC AND POPULATION FORECAST FISCAL YEARS 2020 TO 2027, FALL 2019 FORECAST								
CATEGORY	2020	2021	2022	2023	2024	2025	2026	2027
Texas								
Gross State Product (2012 dollars in billions)	\$1,777.9	\$1,822.4	\$1,865.2	\$1,909.6	1,960.5	\$2,015.2	\$2,071.1	\$2,128.0
Annual percentage change	2.6%	2.5%	2.3%	2.4%	2.7%	2.8%	2.8%	2.7%
Personal Income (current dollars in billions)	\$1,524.7	\$1,604.0	\$1,681.9	\$1,764.5	\$1,851.4	\$1,949.4	\$2,049.1	\$2,153.0
Annual percentage change	4.7%	5.2%	4.9%	4.9%	4.9%	5.3%	5.1%	5.1%
Nonfarm Employment (in thousands)	12,946.6	13,128.0	13,281.0	13,411.5	13,539.1	13,692.9	13,850.3	14,004.2
Annual percentage change	1.9%	1.4%	1.2%	1.0%	1.0%	1.1%	1.1%	1.1%
Unemployment Rate (percentage)	3.4%	3.6%	3.8%	4.1%	4.4%	4.4%	4.4%	4.4%
Resident Population (in thousands)	29,436.7	29,835.8	30,236.5	30,637.4	31,037.6	31,435.5	31,829.8	32,220.6
Annual percentage change	1.4%	1.4%	1.3%	1.3%	1.3%	1.3%	1.3%	1.2%
NYMEX Oil Price (\$ per barrel)	\$58.00	\$54.00	\$56.00	\$61.00	\$66.00	\$70.00	\$75.00	\$79.00
NYMEX Natural Gas Price (\$ per Million BTUs)	\$2.50	\$2.55	\$2.60	\$2.65	\$2.85	\$3.10	\$3.30	\$3.50
U.S.								
Gross Domestic Product (2012 dollars in billions)	\$19,397.0	\$19,823.9	\$20,186.9	\$20,509.2	\$20,841.1	\$21,239.6	\$21,657.2	\$22,093.7
Annual percentage change	2.3%	2.2%	1.8%	1.6%	1.6%	1.9%	2.0%	2.0%
Consumer Price Index (1982–84=100)	260.0	265.0	271.2	277.9	284.7	291.5	298.2	305.1

Annual percentage change	2.2%	1.9%	2.4%	2.4%	2.5%	2.4%	2.3%	2.3%
Prime Interest Rate	5.3%	5.5%	5.5%	5.7%	5.7%	5.7%	5.7%	5.7%
SOURCE: Texas Comptroller of Public Accounts.								

APPENDIX 10. BUDGET STRUCTURE CHANGES SUBMISSION DUE DATES

BUDGET STRUCTURE CHANGES SUBMISSION DUE DATES	
MARCH 20, 2020	
Department of Agriculture	Texas Medical Board
Animal Health Commission	Texas Board of Nursing
Commission on the Arts	Optometry Board
Bond Review Board	Parks and Wildlife Department
Board of Chiropractic Examiners	Pension Review Board
Texas State Board of Dental Examiners	Board of Pharmacy
Commission on Fire Protection	Executive Council of Physical Therapy and Occupational Therapy Examiners
Funeral Service Commission	Board of Plumbing Examiners
Board of Professional Geoscientists	Board of Podiatric Medical Examiners
Health Professions Council	Board of Examiners of Psychologists
Higher Education Coordinating Board	Racing Commission
Historical Commission	Securities Board
Office of Injured Employee Counsel	Teacher Retirement System
Office of Public Insurance Counsel	Office of Public Utility Counsel
Commission on Jail Standards	Veterans Commission
Board of Professional Land Surveying	Board of Veterinary Medical Examiners
Commission on Law Enforcement	Agencies and Institutions of Higher Education
Department of Licensing and Regulation	
MARCH 27, 2020	
Cancer Prevention and Research Institute	Library and Archives Commission
Courts of Appeals (14)	Low-Level Radioactive Waste Disposal Compact Commission
Court of Criminal Appeals	Soil and Water Conservation Board
Commission on State Emergency Communications	Supreme Court of Texas
Texas Emergency Services Retirement System	Office of the Attorney General
Texas Ethics Commission	
Department of Housing and Community Affairs	
APRIL 3, 2020	
State Office of Administrative Hearings	Preservation Board
Alcoholic Beverage Commission	Secretary of State
Office of Court Administration	Department of State Health Services
Department of Family and Protective Services	Public Utility Commission of Texas
Juvenile Justice Department	Department of Motor Vehicles

Texas Military Department	
APRIL 10, 2020	
Commission on Environmental Quality	Railroad Commission
Facilities Commission	State Office of Risk Management
General Land Office	Texas Department of Transportation
Health and Human Services Commission	Water Development Board
Texas Lottery Commission	Texas Workforce Commission
Department of Public Safety	
APRIL 17, 2020	
School for the Blind and Visually Impaired	Employees Retirement System
Comptroller of Public Accounts	Public Finance Authority
Department of Criminal Justice	Department of Information Resources
School for the Deaf	Department of Insurance
Texas Education Agency	

APPENDIX 11. STRATEGIC PLAN SUBMISSION DUE DATE

STRATEGIC PLAN SUBMISSION DUE DATE	
JUNE 1, 2020	
Board of Public Accountancy	Office of Public Insurance Counsel
State Office of Administrative Hearings	Commission on Jail Standards
Department of Agriculture	Juvenile Justice Department
Alcoholic Beverage Commission	Board of Professional Land Surveying
Animal Health Commission	Commission on Law Enforcement
Board of Architectural Examiners	Library and Archives Commission
Commission on the Arts	Department of Licensing and Regulation
Office of the Attorney General	Texas Lottery Commission
Department of Banking	Low-Level Radioactive Waste Disposal Compact Commission
School for the Blind and Visually Impaired	Texas Medical Board
Bond Review Board	Texas Military Department
Cancer Prevention and Research Institute	Department of Motor Vehicles
Board of Chiropractic Examiners	Texas Board of Nursing
Comptroller of Public Accounts	Optometry Board
Office of the Consumer Credit Commissioner	Parks and Wildlife Department
Office of Court Administration	Pension Review Board
Credit Union Department	Board of Pharmacy
Department of Criminal Justice	Executive Council of Physical Therapy and Occupational Therapy Examiners
School for the Deaf	Board of Plumbing Examiners
Texas State Board of Dental Examiners	Board of Podiatric Medical Examiners
Texas Education Agency	Preservation Board
Commission on State Emergency Communications	Board of Examiners of Psychologists
Texas Emergency Services Retirement System	Department of Public Safety
Employees Retirement System	Public Utility Commission of Texas
Board of Professional Engineers	Racing Commission
Commission on Environmental Quality	Railroad Commission
Texas Ethics Commission	Real Estate Commission
Facilities Commission	State Office of Risk Management
Department of Family and Protective Services	Department of Savings and Mortgage Lending
Public Finance Authority	Secretary of State
Commission on Fire Protection	Securities Board
Funeral Service Commission	Soil and Water Conservation Board
General Land Office	Department of State Health Services
Board of Professional Geoscientists	Teacher Retirement System of Texas
Health and Human Services Commission	
Health Professions Council	

Higher Education Coordinating Board	Texas Department of Transportation
Historical Commission	Office of Public Utility Counsel
Department of Housing and Community Affairs	Veterans Commission
Department of Information Resources	Board of Veterinary Medical Examiners
Office of Injured Employee Counsel	Water Development Board
Department of Insurance	Texas Workforce Commission

APPENDIX 12. STRATEGIC PLAN DISTRIBUTION LIST

STRATEGIC PLAN DISTRIBUTION LIST			
RECIPIENT	SUBMISSION	EMAIL ADDRESS	NOTES
The Honorable Greg Abbott Governor, State of Texas/ Governor's Budget and Policy Teams	Electronic Submission	budgetandpolicyreports@gov.texas.gov	
The Honorable Dan Patrick Lieutenant Governor, State of Texas	Electronic Submission	ltg.budget@ltgov.texas.gov	
The Honorable Dennis Bonnen Speaker of the Texas House of Representatives	Electronic Submission	http://docs.lbb.state.tx.us	Access through LBB document submissions application
State Auditor	Electronic Submission	submitreports@sao.texas.gov	
Legislative Budget Board	Electronic Submission	http://docs.lbb.state.tx.us	
Texas State Library Texas State Publications Depository Program	Electronic Submission	ref@tsl.texas.gov	
Legislative Reference Library	Electronic Submission	lrl.techservices@lrl.texas.gov	

Texas Board of Architectural Examiners

Initial Application Procedures for Exam Candidates

A.R.E. Exam Candidate

- Exam eligibility approval required by TBAE

L.A.R.E. Exam Candidate

- Exam eligibility approval required by TBAE

N.C.I.D.Q. Exam Candidate

- Exam eligibility approved by CIDQ

A.R.E. Exam Candidate

Apply to Texas by online application and electronic payment

- Create a TBAE online account and pay the **\$100 application fee**
- Provide TBAE your **Proof of Legal Status**.
- Contact NCARB to “Request Eligibility” to test through Texas. This is done through your “MyNCARB” account. If you do not have a “MyNCARB” account you will need to have one to record your work experience, or AXP. Almost all states require this now so it is critical that you set up your “MyNCARB” account and council record. NCARB will ask for your college transcript. For Texas, you must have a NAAB accredited degree (EESA approved is also acceptable). NCARB will notify you that your **council record summary** has been made available to this Board.
- Once Texas verifies through your council record that you have the NAAB degree, or equivalent, and minimum 6 months of approved experience we will approve testing eligibility. We will also request an annual **\$25 Record Maintenance Fee** before we open the ARE test approval on your “MyNCARB” account.

L.A.R.E. Exam Candidate

Apply to Texas by online application and electronic payment

- Create a TBAE online account and pay the **\$100 application fee**
- Provide TBAE your **Proof of Legal Status**.
- To support your application through either options below:
 - A. Complete the TBAE Employment Verification form and send to TBAE. Also, send an official college transcript to TBAE (**Must be a LAAB accredited degree or ECE approved for foreign education**).
 - B. If you have a CLARB council record established, you can ask CLARB to send it to TBAE on your behalf. Your council record will contain your current experience and college degree. CLARB will notify you when your **council record summary** has been made available to this Board.
- Once Texas verifies that you have the LAAB degree and minimum 6 months of approved experience we will approve testing eligibility. We will also request an annual **\$25 Record Maintenance Fee** before we submit your name to CLARB as an approved TBAE L.A.R.E testing candidate. At this time, you will also have to start a CLARB record in order to register to take an exam section.

N.C.I.D.Q. Exam Candidate

Apply to Texas by online application and electronic payment

- Create a TBAE online account and pay the **\$100 application fee**
- Provide TBAE your **Proof of Legal Status**.
- Submit your **CIDQ experience forms, college transcript, and the final passed scores**. Submitting your CIDQ Certificate, if you have one, is optional.
- Once Texas verifies that you have passed the NCIDQ exam, have met CIDQ experience requirements and education minimums, you will then be eligible for registration.

Adoption of Proposed Amendments to Rules 1.29, 3.29, and 5.39
Relating to Temporary Registration of Military Spouses

Background

Recently, SB 1200 was enacted, which adopts provisions that make it easier for a military spouse to engage in a business or occupation in Texas. Under newly adopted Tex. Occ. Code §55.0041(a), a military spouse may engage in a business or occupation for which a license is required without obtaining the applicable license if the spouse is currently licensed in good standing by another jurisdiction that has licensing requirements that are substantially equivalent to Texas requirements. A military spouse seeking to practice under this program is required to notify the licensing entity, submit proof of residency and military identification, and receive confirmation of qualification to practice from the state agency. *See* Tex. Occ. Code §55.0041(b). The law also authorizes state agencies to adopt rules to issue a license to an individual who qualifies to practice their profession under §55.0041(a). *See* Tex. Occ. Code §55.0041(f). A license issued under that provision must expire not later than the third anniversary of the date the agency provided the confirmation and may not be renewed. A state agency may not charge a fee for the issuance of the license. Military spouses subject to this law are required to comply with all other laws and regulations applicable to the business or occupation in this state. *See* Tex. Occ. Code §55.0041(c).

Section 55.0041 has been enacted in Chapter 55 of the Occupations Code, which includes other exceptions and amendments to licensing laws which affect military service members, military veterans, and military spouses. Previously, the Board has adopted Board Rules 1.29, 3.29, and 5.39 to implement the various provisions contained within Chapter 55. It is necessary to amend these rules to implement SB 1200.

At the November 2019 meeting, the Board proposed amendments to Rules 1.29, 3.29, and 5.39. The proposed rules were published with minor formatting changes in the January 17, 2020 edition of the Texas Register (45 TexReg 456). No comments were received on the proposed rules. Note that the language presented for the Board’s consideration today differs slightly from that which was presented to the Board in November. The version for adoption substitutes the term “jurisdiction” for “state” in subsections (c)(2)(A),(B)&(C). These changes are in response to a

comment by the governor's office, and are preferable because they mirror the language of the statute.

Proposed Amendments

The proposed amendments would incorporate subsection (c) to Board Rules 1.29, 3.29, and 5.39, impacting architects, landscape architects, and registered interior designers, respectively. These amendments would have the following effect:

- The proposed amendments provide for temporary registration for qualifying military spouses, rather than providing “authorization” to practice. Under Section 55.0041, the Board has two options for meeting the requirement to allow military spouses to practice on out-of-state licenses. First, the Board may review the spouse's out-of-state licensure and “authorize” the spouse to engage in the business or occupation without being licensed in Texas. Alternatively, the Board may issue a temporary, three-year registration to qualifying spouses. It is staff's recommendation that TBAE issue a temporary registration to qualifying spouses. Issuing registrations rather than “authorizing” practice will help to ameliorate issues that arise from the centrality of sealing documents in the practices of architecture, landscape architecture, and interior design. Military spouses who qualify to practice under §55.0041 are required to comply with the laws and regulations applicable to the profession, including sealing requirements. However, if a spouse is not registered, and therefore does not have a Texas seal, it is difficult to find a good solution for how the spouse would comply with this requirement. Potential solutions could include use of the out-of-state seal, or the development of a special seal for “authorized” professionals, but there are drawbacks to each. The simplest solution is to exercise the Board's discretion to issue a registration to qualifying military spouses. The proposed amendments do so.
- A temporary registration issued under this rule would not require a fingerprint-based background check.
 - Generally, applicants for registration are required to submit to a fingerprint-based criminal background check. However, SB 1200 describes several criteria that must be met by a military spouse in order to qualify for recognition under the new law. Background checks are not identified as one of those criteria.

- Military spouses that become registered temporarily under the draft rules would be registered for three years. After that, the registration would expire and become non-renewable, and any further practice would require going through the standard application process, including fingerprinting.
- The proposed rule would implement Tex. Occ. Code §55.0041, as follows:
 - The military spouse would be required to meet the qualification criteria identified in subsection (c)(1) and provide documentation identified in subsection (c)(3) in order to become registered. *See* Tex. Occ. Code §55.0041(a)(b)&(d).
 - A temporary registration expires three years from the date of issuance or when the military service member is no longer stationed at a military installation in Texas, whichever occurs first. *See* Tex. Occ. Code §55.0041(f).
 - A temporary registration may not be renewed. *See* Tex. Occ. Code §55.0041(f).
 - A temporary registration may be revoked if:
 - the military spouse fails to comply all applicable laws, rules, and standards governing the profession; or
 - the military spouse's out-of-state license expires or is suspended or revoked. *See* Tex. Occ. Code §55.0041(a)&(c)
 - A temporary registration is not subject to application, registration, or renewal fees. *See* Tex. Occ. Code §55.0041(f).

Staff Recommendation

Staff recommends that the Board approve the attached proposed amendments to 22 Tex. Admin. Code §§ 1.29, 3.29, and 5.39, including the revised language in subsections (c)(2)(A),(B),&(C) for final adoption.

RULE §1.29 Registration of a Military Service Member, Military Veteran, or Military Spouse

(a) – (b) NO CHANGE

(c) Alternative temporary registration procedure for military spouses.

(1) A military spouse may qualify for a temporary architectural registration if the spouse:

(A) holds a current architectural license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for architectural registration in this state;

(B) notifies the Board in writing of the spouse's intent to practice Architecture in this state;

(C) submits to the Board required information to demonstrate eligibility for temporary architectural registration; and

(D) receives a verification letter from the Board that:

(i) the Board has verified the spouse's license or registration in the other jurisdiction; and

(ii) the spouse is issued a temporary architectural registration.

(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for an architectural registration in Texas:

(A) whether the other jurisdiction requires an applicant to pass the Architect Registration Examination (ARE);

(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and

(C) any education credentials required by the jurisdiction to obtain the license or registration.

(3) The military spouse must submit the following information to the Board to demonstrate eligibility for temporary architectural registration:

(A) a written request for the Board to review the military spouse's eligibility for temporary architectural registration;

(B) sufficient documentation to verify that the military spouse is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;

(C) proof of residency in this state;

(D) a copy of the military spouse's identification card; and

(E) proof the military service member is stationed at a military installation in Texas.

(4) A temporary architectural registration issued under this subsection expires three years from the date of issuance or when the military service member is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed.

(5) Except as provided under the subsection, a military spouse who receives a temporary architectural registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the Practice of Architecture in this state.

(6) A temporary architectural registration issued under this subsection may be revoked if the military spouse:

(A) fails to comply with paragraph (5) of this subsection; or

(B) the military spouse's license or registration required under paragraph (1)(a) of this subsection expires or is suspended or revoked.

(7) The Board shall not charge a fee for the issuance of a temporary architectural registration under this subsection.

RULE §3.29 Registration of a Military Service Member, Military Veteran, or Military Spouse

(a) – (b) NO CHANGE

(c) Alternative temporary registration procedure for military spouses.

(1) A military spouse may qualify for a temporary landscape architectural registration if the spouse:

(A) holds a current landscape architectural license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for landscape architectural registration in this state;

(B) notifies the Board in writing of the spouse's intent to practice Landscape Architecture in this state;

(C) submits to the Board required information to demonstrate eligibility for temporary landscape architectural registration; and

(D) receives a verification letter from the Board that:

(i) the Board has verified the spouse's license or registration in the other jurisdiction; and

(ii) the spouse is issued a temporary landscape architectural registration.

(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for a landscape architectural registration in Texas:

(A) whether the other jurisdiction requires an applicant to pass the Landscape Architect Registration Examination (LARE);

(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and

(C) any education credentials required by the jurisdiction to obtain the license or registration.

(3) The military spouse must submit the following information to the Board to demonstrate eligibility for temporary landscape architectural registration:

(A) a written request for the Board to review the military spouse's eligibility for temporary landscape architectural registration;

(B) sufficient documentation to verify that the military spouse is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;

(C) proof of residency in this state;

(D) a copy of the military spouse's identification card; and

(E) proof the military service member is stationed at a military installation in Texas.

(4) A temporary landscape architectural registration issued under this subsection expires three years from the date of issuance or when the military service member is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed.

(5) Except as provided under the subsection, a military spouse who receives a temporary landscape architectural registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the practice of Landscape Architecture in this state.

(6) A temporary landscape architectural registration issued under this subsection may be revoked if the military spouse:

(A) fails to comply with paragraph (5) of this subsection; or

(B) the military spouse's license or registration required under paragraph (1)(a) of this subsection expires or is suspended or revoked.

(7) The Board shall not charge a fee for the issuance of a temporary landscape architectural registration under this subsection.

RULE §5.39 Registration of a Military Service Member, Military Veteran, or Military Spouse

(a) – (b) NO CHANGE

(c) Alternative temporary registration procedure for military spouses.

(1) A military spouse may qualify for a temporary Interior Design registration if the spouse:

(A) holds a current interior design license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for Interior Design registration in this state;

(B) notifies the Board in writing of the spouse's intent to practice Interior Design in this state;

(C) submits to the Board required information to demonstrate eligibility for temporary Interior Design registration; and

(D) receives a verification letter from the Board that:

(i) the Board has verified the spouse's license or registration in the other jurisdiction; and

(ii) the spouse is issued a temporary Interior Design registration.

(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for an Interior Design registration in Texas:

(A) whether the other jurisdiction requires an applicant to pass the Council for Interior Design Qualification (CIDQ) examination;

(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and

(C) any education credentials required by the jurisdiction to obtain the license or registration.

(3) The military spouse must submit the following information to the Board to demonstrate eligibility for temporary Interior Design registration:

(A) a written request for the Board to review the military spouse's eligibility for temporary Interior Design registration;

(B) sufficient documentation to verify that the military spouse is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;

(C) proof of residency in this state;

(D) a copy of the military spouse's identification card; and

(E) proof the military service member is stationed at a military installation in Texas.

(4) A temporary Interior Design registration issued under this subsection expires three years from the date of issuance or when the military service member is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed.

(5) Except as provided under the subsection, a military spouse who receives a temporary Interior Design registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the practice of Interior Design in this state.

(6) A temporary Interior Design registration issued under this subsection may be revoked if the military spouse:

(A) fails to comply with paragraph (5) of this subsection; or

(B) the military spouse's license or registration required under paragraph (1)(a) of this subsection expires or is suspended or revoked.

(7) The Board shall not charge a fee for the issuance of a temporary Interior Design registration under this subsection.

AN ACT

relating to the authority of certain military spouses to engage in a business or occupation in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 55, Occupations Code, is amended by adding Section 55.0041 to read as follows:

Sec. 55.0041. RECOGNITION OF OUT-OF-STATE LICENSE OF MILITARY SPOUSE. (a) Notwithstanding any other law, a military spouse may engage in a business or occupation for which a license is required without obtaining the applicable license if the spouse is currently licensed in good standing by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

(b) Before engaging in the practice of the business or occupation, the military spouse must:

(1) notify the applicable state agency of the spouse's intent to practice in this state;

(2) submit to the agency proof of the spouse's residency in this state and a copy of the spouse's military identification

card; and

(3) receive from the agency confirmation that:

(A) the agency has verified the spouse's license in the other jurisdiction; and

(B) the spouse is authorized to engage in the business or occupation in accordance with this section.

(c) The military spouse shall comply with all other laws and regulations applicable to the business or occupation in this state.

(d) A military spouse may engage in the business or occupation under the authority of this section only for the period during which the military service member to whom the military spouse is married is stationed at a military installation in this state but not to exceed three years from the date the spouse receives the confirmation described by Subsection (b)(3).

(e) A state agency that issues a license shall adopt rules to implement this section. The rules must establish a process for the agency to:

(1) identify, with respect to each type of license issued by the agency, the jurisdictions that have licensing requirements that are substantially equivalent to the requirements for the license in this state; and

(2) verify that a military spouse is licensed in good standing in a jurisdiction described by Subdivision (1).

(f) In addition to the rules adopted under Subsection (e), a state agency that issues a license may adopt rules to provide for the issuance of a license to a military spouse to whom the agency provides confirmation under Subsection (b)(3). A license issued under this subsection must expire not later than the third anniversary of the date the agency provided the confirmation and may not be renewed. A state agency may not charge a fee for the issuance of the license.

SECTION 2. Not later than December 1, 2019, a state agency to which Section 55.0041, Occupations Code, as added by this Act, applies, shall adopt rules to implement that section.

SECTION 3. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1200 passed the Senate on April 30, 2019, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 25, 2019, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1200 passed the House, with

amendment, on May 22, 2019, by the following vote: Yeas 144,
Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number: 425-18A
Respondent: Steven Joe Alloway
Location of Respondent: Montgomery, TX
Location of Project(s): Katy, TX
Instrument: Report and Notice of Violation

Findings:

- Steven Joe Alloway (hereafter “Respondent”) is registered as an architect in Texas with registration number 13255.
- On or about September 24, 2015, registered architect D.V., while working on behalf of Huckabee & Associates, issued construction documents for the project, *South Transportation Center Expansion for Katy ISD*. Subsequently, D.V. left Huckabee & Associates in November of 2015.
- In November of 2015, Respondent became employed with Huckabee and Associates. Prior to this time, Respondent had not exercised supervision and control over or participated in any way in the preparation of the construction documents that were previously issued and sealed by D.V.
- Following D.V.’s departure from Huckabee & Associates, the client, Katy ISD, requested additional changes to the construction documents that had been issued by D.V. on September 24, 2015.
- On or about June 15, 2016 and July 25, 2016, Respondent issued revised construction documents for the project *South Transportation Center Expansion for Katy ISD*. The construction documents issued by Respondent were identical to those that had previously been issued by D.V., other than changes to the documents that were made under the supervision and control of Respondent and indicated by bubbling. However, with respect to five sheets of construction documents included within the revised plan sets, Respondent failed to seal the sheets or indicate on the sheets that they were not for regulatory approval, permitting or construction.

Applicable Statutory Provisions and Rules:

- By failing to affix his seal or indicate on the plan sheets that they were not for regulatory approval, permitting or construction, Respondent violated 22 Tex. Admin. Code §§1.101 and/or 1.103.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,000** as set forth in the Report and Notice of Violation dated December 11, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number: 036-20A
Respondent: Donald G. Purser
Location of Respondent: Katy, TX
Location of Project(s): Houston, TX
Nature of Violation: Violation of Architectural Barriers Act (TDLR)
Instrument: Report and Notice of Violation

Findings:

- Donald G. Purser (hereafter “Respondent”) is registered as an architect in Texas with registration number 8689.
- Previous History
 - On February 7, 2017, the Executive Director issued a Warning to the Respondent based on findings that the Respondent failed to timely submit plans to TDLR for accessibility review.
- On September 18, 2019, the Texas Board of Architectural Examiners (TBAE) received a referral from the Texas Department of Licensing and Regulation (TDLR) indicating that Respondent had failed to submit plans for a project known as “SKOAH” located in Houston, Texas, to TDLR for accessibility review within 20 days of issuance as required by Texas Government Code §469.102(b). The plans and specifications were issued on February 27, 2019 and were submitted to TDLR on April 29, 2019.

Applicable Statutory Provisions and Rules:

- By failing to submit plans and specifications on a project for accessibility review no later than 20 days after issuance, Respondent violated Texas Occupations Code §1051.752(2) and Board Rule 1.170(a).

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$1,000** as set forth in the Report and Notice of Violation dated January 10, 2020.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	018-20A
Respondent:	Hyderick DeLeon Batoon
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Hyderick DeLeon Batoon (hereafter “Respondent”) is a registered architect in Texas with registration number 13604.
- Based upon the results of a random continuing education audit, it was determined that Respondent falsely reported continuing education compliance to the Board for the audit period of January 1, 2018 through December 31, 2018.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 1.69(g)(2).

Applicable Statutory Provisions and Rules:

- By indicating at the time of his online renewal that he was in compliance with the Board’s mandatory continuing education requirements, Respondent provided the Board with false information in violation of Board Rule 1.69. The Board’s standard assessment for providing false information is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated January 10, 2020.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	047-201
Respondent:	Paul D. Cadwallader
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Paul D. Cadwallader (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 424.
- On October 15, 2019, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2018 through December 31, 2018.
- On November 11, 2018, Respondent replied that he could not locate his continuing education certificates.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of his continuing education activities for the period of January 1, 2018 through December 31, 2018, Respondent violated Board Rule 5.79. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated December 17, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	006-20A
Respondent:	Michael Roy Keller
Location of Respondent:	Austin, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Michael Roy Keller (hereafter “Respondent”) is registered as an architect in Texas with registration number 18068.
- On June 17, 2019, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2017 through December 31, 2017.
- On September 17, 2019, Respondent replied that he could not locate his continuing education certificates.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of his continuing education activities for the period of January 1, 2017 through December 31, 2017, Respondent violated Board Rule 1.69. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated October 30, 2019.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	049-201
Respondent:	Robert L. Mahurin
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Robert L. Mahurin (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 6671.
- On August 15, 2019, Respondent was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2018 through December 31, 2018.
- On November 22, 2019, Respondent replied that he could not locate his continuing education certificates.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of his continuing education activities for the period of January 1, 2018 through December 31, 2018, Respondent violated Board Rule 5.79. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated January 10, 2020.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	050-201
Respondent:	Peggy McGowen
Location of Respondent:	Houston, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Peggy McGowen (hereafter “Respondent”) is registered as an interior designer in Texas with registration number 4868.
- On August 15, 2019, Respondent was notified by the Board that she was being audited for compliance with the continuing education requirements for the audit period of January 1, 2018 through December 31, 2018.
- On December 27, 2019, Respondent replied that she could not locate her continuing education certificates.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of her continuing education activities for the period of January 1, 2018 through December 31, 2018, Respondent violated Board Rule 5.79. The standard administrative penalty for failing to maintain a detailed record of continuing education activities is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated January 7, 2020.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	008-201
Respondent:	Richard Daniel Lopez
Location of Respondent:	Dallas, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Richard Daniel Lopez (hereafter “Respondent”) is a registered interior designer in Texas with registration number 11247.
- Based upon the results of a random continuing education audit, it was determined that Respondent falsely reported continuing education compliance to the Board for the audit period of January 1, 2018 through December 31, 2018.
- Subsequently, he completed supplemental CEPH pursuant to Board Rule 5.79(g)(2).

Applicable Statutory Provisions and Rules:

- By indicating at the time of his online renewal that he was in compliance with the Board’s mandatory continuing education requirements, Respondent provided the Board with false information in violation of Board Rule 5.79. The Board’s standard assessment for providing false information is **\$700**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$700** as set forth in the Report and Notice of Violation dated Richard Daniel Lopez.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
SUMMARY OF PROPOSED
ENFORCEMENT ACTION**

This document is an internal document relating to an uncontested case to be considered by the Texas Board of Architectural Examiners. This document is prepared to inform, advise and assist the Board in addressing this uncontested case.

Case Number:	249-19L
Respondent:	Robert Matthew Taylor
Location of Respondent:	Jonesboro, AR
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Robert Matthew Taylor (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 2849.
- Based upon the results of a random continuing education audit, it was determined that Respondent failed to complete his continuing education requirements for the audit period of January 1, 2017 through December 31, 2017 but completed them prior to the renewal of his landscape architectural registration.

Applicable Statutory Provisions and Rules:

- By failing to timely complete the required continuing education program hours during the audit period, Respondent violated Board Rule 3.69(b). The standard administrative penalty assessed for this violation is **\$500**.

Action Recommended by Executive Director:

- Enter an Order which adopts the findings of fact, conclusions of law, and recommended administrative penalty of **\$500** as set forth in the Report and Notice of Violation dated June 25, 2019.

The TEXAS BOARD OF ARCHITECTURAL EXAMINERS



Be It Known That JIM. W. SEALY, FAIA, NCARB, HFES, HON ICC

Has distinguished himself by his decades of dedicated service to the profession and the practitioners of Architecture in the State of Texas; and

WHEREAS, Mr. Sealy is a native Texan, hailing from the city of Hutchins in Dallas County; and

WHEREAS, Mr. Sealy graduated from the University of Oklahoma at Norman Oklahoma, earning a Bachelor of Architecture degree; and

WHEREAS, Mr. Sealy has been a Registered Architect with the State of Texas since 1967; and

WHEREAS, Mr. Sealy was admitted to the College of Fellows of the American Institute of Architects in 1993; and

WHEREAS, Mr. Sealy has been awarded numerous Lifetime Achievement Awards, including those from the American National Standards Institute, the National Institute of Standards and Technology, the Dallas Chapter of the American Institute of Architects, the International Code Council, and received the Wm. H. May Award for outstanding service to the disabled community; and

WHEREAS, Mr. Sealy has, since 2004, provided Expert Witness services to the Texas Board of Architectural Examiners in numerous enforcement cases wherein his vast institutional knowledge and expertise were instrumental in their fair and equitable resolution, now, therefore, be it

RESOLVED

That the Texas Board of Architectural Examiners, in Formal Meeting assembled this 20th day of February 2020, does publicly acknowledge its appreciation of outstanding service to the state of Texas and professional relations with this Board and have voted unanimously for this

RESOLUTION OF APPRECIATION

To Jim W. Sealy, and have caused a copy of this Resolution to be included within the minutes of this Board.

Debra Dockery, FAIA
Chair

Bob Wetmore, AIA
Vice-Chair

Joyce J. Smith, CPA, CGMA
Secretary/Treasurer

TBAE EVENT CALENDAR 2020

JANUARY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- 01 New Year's Day (Closed)
- 16 CLARB MBE (Julie)
- 20 M.L. King Day (Closed)

JULY						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- 03 Independence Day (Closed)

FEBRUARY						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

- 06 NCARB Model Law (Julie)
- 12 New Bd Mbr & Exec Orientation
- 17 Presidents' Day (Closed)
- 20 Board Meeting
Board Committee Election

AUGUST						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- NCARB Licensing Advisors Summit
- 25 Board Meeting
2021 Budget Approval
2021 Board Meetings Approval
ED Evaluation
- 27 LBJ Holiday (Skeleton)

MARCH						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

- 02 TX Independence Day (Skeleton)
- 05 NCARB Regional Summit
Cambridge, MA
- 05 CLARB Board Meeting (Julie)
- 15 Spring Break

SEPTEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

- 01 Beginning Fiscal Year 2021
- 07 Labor Day (Closed)
- 08 CLARB Annual Meeting/50th Anniversary, New York City
2020 LRGV-AIA Conf. (South Padre Island)

APRIL						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- 07 Texas ASLA Conference
San Antonio, TX
- 10 Good Friday (4 hrs. Skeleton)
- 21 San Jacinto Day (Skeleton)
- 30 Personal Financial Statement Filing Deadline

OCTOBER						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

- 29 TxA Annual Conference (Dallas)
NCARB MBM/MBE Conf.

MAY						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- 07 NCARB Model Law (Julie)
- 21 Board Meeting (Tentative)
- 25 Memorial Day (Closed)

NOVEMBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

- 11 Veterans Day (Closed)
- 13 CIDQ Council of Delegates Mtg
(Los Angeles, CA)
- 19 Board Meeting
- 25 Agency Holiday (Skeleton)
- 26 Thanksgiving Day (Closed)
- 27 Day after Thanksgiving (Closed)

JUNE						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- 04 CLARB Board Mtg (Julie)
- 19 Emancipation Day (Skeleton)
- 18 NCARB Annual Business Mtg
(Austin, TX)

DECEMBER						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- 21-23 Agency Holidays (Skeleton)
- 24 Christmas Eve (Closed)
- 25 Christmas Day (Closed)
- 31 Agency Holiday (4 hrs. Skeleton)