

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Board Meeting Agenda

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

333 Guadalupe Street

Austin, Texas

Thursday, May 7, 2015

9:00 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

Alfred Vidaurri
Paula Ann Miller
Alfred Vidaurri

2. Approval of Board Meeting Minutes (Action)

January 22, 2015

April 2, 2015

Alfred Vidaurri

3. Executive Director Report (Information)

- A. Legislative Report
- B. 2nd Quarter 2015 Operating Budget
- C. Report on Action Items assigned at the January 22, 2015 Board Meeting:
 - Architect Registration Examination Financial Assistance Fund (AREFAF) – Scholarship Fund Overview

Julie Hildebrand

D. Report on conferences and meetings

- I. NCARB Member Board Executives Workshop & Regional Summit – *March 12-14*
- II. TX ASLA Conference – *April 22-24*

Alfred Vidaurri

Chad Davis

4. Proposed Rules for Adoption (Action)

Amend Rule 1.191, relating to the Intern Development Program, to reduce the number of hours required to complete an internship by eliminating elective hours

Julie Hildebrand

Draft rule for proposal (Action)

- A. Amend Rule 7.10, relating to the fee schedule, to implement fee changes for certain online transactions
- B. New Rule 7.95 relating to the criteria for determining which agency contracts will be subject to enhanced monitoring. The draft rule also defines the term “enhanced monitoring” for purposes of the rule. The rule excludes interagency contracts from the requirements of the rule

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Board Meeting Agenda

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333 Guadalupe Street

Austin, Texas

Thursday, May 7, 2015

9:00 a.m. – Conclusion

5. Enforcement Cases (Action)

Julie Hildebrand

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

Jack Stamps

A. SOAH Case

TBAE v. Juan Giraldo, Individually and as President of Link International Design, d/b/a Interlink Consortium, Inc.; SOAH Docket No. 459-15-1174; TBAE#054-13N

B. Registrant/Non-Registrant Cases

- I. Anthony Amenta (#045-15A)
- II. Randy Harrison (#035-15N)
- III. Dawn Moore (#088-14N)

C. Continuing Education Cases

- I. Phillip R. Rivers (#049-15A)
- II. Andrew P. Sheehan (#058-15A)
- III. Joseph J. Sorci (#043-15A)
- IV. Wesley L. Wilkerson (#057-15L)

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

6. Upcoming Board Meetings (Information)

Alfred Vidaurri

Monday, August 24, 2015 – Room III-102

Thursday, October 29, 2015 – Room III-102

7. Chair's Closing Remarks

Alfred Vidaurri

8. Adjournment

Alfred Vidaurri

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) work days 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)
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
NCIDQ	National Council for Interior Design Qualification
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
TBPE	Texas Board of Professional Engineers
TxA	Texas Society of Architects
TSPE	Texas Society of Professional Engineers

TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Minutes of January 22, 2015 Board Meeting

William P. Hobby Jr. Building, 333 Guadalupe Street
Tower II, Conference Room 225
Austin, TX 78701

9:00 a.m. until completion of business

1. Preliminary Matters

A. Call to Order

Chair called the meeting of the Texas Board of Architectural Examiners to order at 9:00 a.m.

B. Roll Call

Paula Ann Miller called the roll.

C. Excused and unexcused absences

Chase Bearden (excused)

Present

Alfred Vidaurri	Chair
Debra Dockery	Vice-Chair
Paula Ann Miller	Secretary/Treasurer
Charles H. (Chuck) Anastos	Member
Bert Mijares, Jr.	Member
Sonya Odell	Member
Michael (Chad) Davis	Member
William (Davey) Edwards	Public Member

TBAE Staff Present

Glenn Garry	Interim Executive Director and Communications Manager
Scott Gibson	General Counsel
Glenda Best	Director of Operations
Christine Brister	Staff Services Officer
Kenneth Liles	Finance Manager
Jack Stamps	Managing Investigator
Dale Dornfeld	IT Manager
Katherine Crain	Legal Assistant
Matthew Le	Programmer/Web Developer

D. Determination of a quorum

A quorum was present.

E. Recognition of Guests

The Chair recognized the following guests: Melissa Juarez, Assistant Attorney General and Derek Haese, Assistant Director of Member Boards of NCARB. Donna Vining, Executive Director for Texas Association for Interior Design arrived at 9:08 a.m. and David Lancaster, Senior Advocate for Texas Society of Architects arrived at 9:40 a.m.

F. Chair's Opening Remarks

The Chair opened the meeting by remarking that this was the first meeting of the new calendar year and he was excited about a new year with a blank slate. He stated that there were major changes happening within the State and its lawmakers as well as at TBAE. The Board met yesterday for several hours to find a new Executive Director for the agency which has not occurred in at least 20 years. A small group of candidates were chosen yesterday to be interviewed. He thanked staff and the Board for all the hard work that had gone into the Executive Director search. He opined that with change and opportunities, some people react differently – some are pessimists and some are optimists. He admitted that he has always been somewhat of an optimist. There is an interesting scientific ratio of 3-1 when it comes to optimism and pessimism. We tend to tell stories that are negative rather than positive ones. Those are just easier stories to tell. Rarely, do we focus on positive stories. The 3-1 ratio says that for every one negative encounter or experience, it takes three positive ones to overcome the negative. He emphasized focusing on the positive and letting go of the negative in times of transition and change. The Chair directed the Board to public comment.

G. Public Comments

None.

2. Introduction of the newly assigned OAG attorney to TBAE, Ms. Melissa Juarez (Information)

Ms. Juarez introduced herself to the Board and the audience and stated that she had been with the OAG for more than 20 years and had provided counsel to big and small agencies on rulemaking, board meetings, enforcement cases, and general matters. The Chair thanked her for attending the meeting and introducing herself and was excited to work with her in the future.

3. Approval of the October 20, 2014 Board Meeting Minutes (Action)

The Chair put the draft minutes of the last Board meeting before the Board. A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO APPROVE THE OCTOBER 20, 2014 BOARD MEETING MINUTES. THE MOTION PASSED UNANIMOUSLY.

4. Interim Executive Director Report (Information)

A. 1st Quarter 2015 Operating Budget

The Interim Executive Director began his report with the revenues on the first quarter of the 2015 Operating Budget and stated that the business registration fees were low right now at 18% where we would expect 25% for a normal quarter. Due to the way that we started the program, it just so happens that we have fewer businesses registered that quarter as opposed to other quarters. It should be back on track next meeting or the following meeting. He stated that the late fees are at 34% whereas they should be around 25%, but he was not sure why the numbers had shifted. The Interim Executive Director expressed his wish for a better explanation as to why TBAE's late fees were consistently high.

The Interim Executive Director directed the Board to the expenditures side of the ledger. He stated that salaries and wages look normal with the exception of the one-time lump sum vacation leave accrual payment that was made to the former Executive Director. Barring that one time lump sum payment, it would be a lot lower. Operating expenditures were at 37% and not the expected 25% because of the renewal of the liability policy. Membership dues were similar as well as IT upgrades. Mr. Anastos inquired as to the \$127,500.00 payment to the General Revenue and whether that payment was made in installments. Mr. Garry answered that the Statewide Cost Allocation Plan (SWCAP) payment and General Revenue payment had not been made yet, but will be during the course of the fiscal year. Mr. Edwards inquired about the enforcement penalties and whether these figures represented actual collections or not. Mr. Liles answered affirmatively and stated that these amounts represented the enforcement penalties collected and to be sent to General Revenue.

The Interim Executive Director asked the Board members to turn to page 19 in the notebooks regarding the scholarship fund. He said the Board only gave out 8 awards this year which was low compared to previous years. By the end of the year, the agency should be where we were last year because the agency has received 18 applications. Mr. Davis wanted to know how much one had to earn in order to qualify for a scholarship. Mr. Liles stated that he did not know off the top of his head, but could get that information to him. Furthermore, Mr. Liles stated that the last time the scholarship qualifications were adjusted was in 2008 and incomes have changed since that time. It was noted that the agency has sole discretion on increasing the amount. The Chair inquired as to whether there were state guidelines to establish a new threshold for increasing the amount of income in order to change the amount of the award. The Chair suggested that the Interim Executive Director and the Finance Manager revisit this issue and report on this matter at the next board meeting. Mr. Davis stated that he felt that the Rules Committee needed an architect's input on this issue so they postponed taking anything up on the matter. Mr. Davis thought it might be prudent to check with AIA

and see the range of salaries currently being offered for new licensees in the architectural industry.

B. Report on Action Items assigned at the October 20, 2014 Board Meeting

The Board briefly discussed the items set out in the report. In particular, they questioned whether the continuing education requirements had been met and the fines had been paid by the respondents in the Corpus Christi litigation.

C. Overall analysis of agency finances and related trends

The Interim Executive Director said that the agency had seen a decline in revenues over the years, especially with regard to active status registrants. There has also been a decline in enforcement penalties collected and late fees collected until last year. Ms. Dockery stated that licensees were simply going inactive until they had a project in Texas and then they would change to active status because TBAE's renewal fees were so high. The Chair asked if a registrant could change from active to inactive and the Interim Executive Director said "yes," but they are charged a fee every time they change their status. Mr. Davis emphasized that the Board members need to take this information and statistics to their members at the conventions in order to increase registration. In addition, he stated that he would volunteer and encourage other Board members to work with staff to inform the registrants about these declining trends. The Chair agreed.

D. Report on conferences and meetings

NCARB Member Board Chairs/Member Board Executives Conference – October 31 – November 1

The Chair attended this conference by himself even though he usually attends it with the Executive Director. The meeting was held in Indianapolis and there were 49 out of 53 attending the conference. It was a well-structured meeting and they rotated around workshops and Town Hall meetings. Things that were discussed were reporting on IDP and streamlining core hours vs. elective hours. There was also an update on a title taskforce and BEA proposals in addition to a workshop on the concept of licensure graduation. He stated that it would be 2017 before the next meeting will be held for the next Chair and new ED of TBAE.

TxA Conference – November 6-9

Ms. Dockery reported on this conference and stated that it was held in Houston and the keynote speakers were fairly provocative. There was a speaker on legislative affairs, which was very rewarding. Mr. Mijares spoke on the conference

as well and said there was a great amount of variety of topics during the conference in addition to interesting keynote speakers. He thought it was well run.

The Chair thanked TxA and Mr. Lancaster as well as staff, Scott Gibson, Glenn Garry, and Jack Stamps, for their presentations. He thought they were informative presentations. He stated that he and Mr. Garry were able to participate in the new architect ceremony which was held in a beautiful historic church in Houston.

2014 NCIDQ Annual Council of Delegates Meeting – November 13-15

Ms. Odell reported on the NCIDQ convention held in Albuquerque, New Mexico in November. She said that only half of the states were represented. Also, the Council has a new website which is more appealing. She stated this conference was more educational than in the past.

Ms. Dockery reported that she is on the 5.5 writing committee for the ARE and stated that 80 architects were in Austin to work on the new exam. It was a very productive meeting.

5. Update on Social Media Plan (*Information*)

The Interim Executive Director stated that the agency had laid out its social media plans during the last Board meeting and there were discussions and research with legal, operations, and HR since that meeting. He reported that they determined that the agency is limited in what it is allowed by law to restrict. The Chair inquired as to whether the agency would be providing training and a policy on best practices. The General Counsel stated that the National Labor Board was the state regulatory agency that issues mandates for employees and what they can put on their social media page. In other words, he stated that if you can't say something in the break room at work you should not post it on your Facebook page. The Interim Executive Director gave an explanation to Mr. Edwards regarding the reasons why the agency is holding off on the LinkedIn page until the new Executive Director takes the position.

The Board took a break at 10:05 a.m. and reconvened at 10:23 a.m.

6. Update on the Executive Director vacancy (*Information*)

The Chair stated that the Board got together yesterday and worked on the Executive Director (ED) search. They reviewed resumes and narrowed down the number of candidates to 5 for consideration. They will be interviewing 5 candidates on February 19, 2015, and will be one step closer to getting a new ED. They will conduct 3 interviews in the morning and 2 interviews in the afternoon and make a decision on a new ED by the end of the day.

7. Legislative Committee Report (*Information*)

Chad Davis, Chair of the Legislative Committee, gave a report to the rest of the Board regarding their meeting on January 21, 2015. He stated that they had a productive meeting with representatives of all 3 professional organizations. It was a great collaborative session and they have a good set of issues ready for the session.

The Chair directed the Board to number 10 on the agenda as they would be taking up that item rather than the proposed rules.

10. Proposed Changes to BEA/BEFA and MBC/MBE Conference Outcomes (*Information*)

The Chair requested the Board turn to page 74 of the board notebook. He stated that there was a letter from Mr. Dale McKinney dated December 19, 2014 to NCARB Member Boards. He mentioned that it was a long and thorough letter which gives great detail and background.

The Chair introduced Derek Haese of NCARB and said he could answer any questions from the Board regarding the proposed changes to BEA/BEFA and IDP.

The Chair began the discussion with a description of the current IDP program which requires architects to acquire 5600 hours. There are 17 different categories of experience. The proposal that the member boards addressed was to eliminate the 1860 elective hours and focus on the remaining 3740 core hours required. Essentially, the proposal eliminates the elective portion of the IDP program which is phase one of the proposal. Phase two would be a realignment of the 17 areas of experience to 6 areas of practice similar to the ARE. Therefore, the board has proposed a rule that would allow Texas to reduce its IDP hours to align its rule with the NCARB proposal.

There was ample discussion amongst the Board members regarding the BEA program. The Chair stated that each state had to look at what they needed to change in order to coincide with the model law.

He directed the board to another item discussed at NCARB. He stated that there was a title task force that was dealing with the term "intern." It appears that the term is of major interest and stakeholders are discussing whether it is appropriate to use that term.

The other item was the Broadly Experienced Architect Program (BEA). More work was done and the Board continued to revise things. Page 75 describes the 5 items and the revised new proposals being offered. Mr. Mijares inquired as to why the system was being changed. The Chair responded that the model law was being changed because of high cost which is approximately \$8,000.00. He stated that the numbers were declining because the process was so expensive and unduly burdensome. The changes allow for the elimination of the dossier, the interviews and the evaluation making the process more streamlined. The Chair explained to the Board that this process would enable an architect to get reciprocity in another state through this program.

Furthermore, the Chair added that the group spent a considerable amount of time talking about licensure graduation rates. He explained that educators have been on this committee and have worked on this issue for the last year. Currently, a Request for Information was issued to the schools of architecture around the country in order to see if they were even interested in taking the lead on this new program. There were 32 positive responses out of 137 back from the schools. Then a Request for Proposal or a Request for Qualifications will be issued and the responses will be due at the end of May. The schools will need to work with the professionals and some State boards will need to make some changes. He explained that it was a pretty significant undertaking which was a less traditional path that was not for everyone. Mr. Davis inquired as to whether Academia will have to change something for this program to be successful. Mr. Haese stated that they would not need to make a change because NCARB does not want to interfere in the curriculum of the Universities.

The Chair further explained that he failed to mention the other program – the Broadly Experienced Foreign Architect (BEFA). He said that there was not as much push back on the foreign program as there was on the domestic program and that this program would come up for a vote this summer. Mr. Haese explained that this was a long and expensive process that had been streamlined. The Chair inquired as to whether Mr. Haese had any other information to share with the Board.

Mr. Haese stated that he is the Assistant Director of Member Board Relations. He explained that he has been entrenched in rules and regulations in this position and that it was a great position to be in at NCARB because every program they have at NCARB affects the Boards across the country. He said that he had been at the Council for 6 or 7 years and this was his 4th year in this position. His boss, Kathy Hillegas, and he spearheaded the position and serve as a leadership role. He said he was here to serve the Texas Board and wanted to help them lead as architects. Furthermore, he stated that they do a lot of legal research regarding implementation of programs and they track legislation proposed and passed throughout the country in all of the jurisdictions. They have a mailbox that they receive bills from across the country and they prepare a summary on them for the members section only on their website. He explained to the Board that since Mike Armstrong has come on board at NCARB, the council has made some big changes within its structure. He reiterated the fact NCARB is here to serve the member boards rather than dictate them. Ms. Dockery questioned whether NCARB would track the 5600 hours even if the Texas board did not adopt the rule. Mr. Haese answered affirmatively and said that they will support of their member boards regardless of their decision.

Further discussion was had among the Board members regarding the title “intern” versus “intern architect.” Mr. Mijares suggested that this item be sent to the Rules Committee. Mr. Haese stated that the task force was just assembled this year and they have not made a final decision. They are meeting in San Diego next week where they are going to finalize

the suggestions. Mr. Anastos stated that he liked the term “intern” and Mr. Mijares said he never has had a problem with “intern architect” and he has been in the industry for 40 years.

The Board took a break at 11:33 a.m. and reconvened at 11:50 a.m.

8. Proposed Rules for Adoption (Action)

Amend Rules 1.65, 3.65, 5.75 to require the Board to send monthly renewal statements to registrants by email instead of U.S. Mail.

The General Counsel explained to the Board that the rule is proposed for adoption after being published for 30 days without public comment.

A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO ADOPT RULES 1.65, 3.65 and 5.75. THE MOTION PASSED UNANIMOUSLY.

The General Counsel stated that the agency would be implementing this change over a period of one year.

Draft rules for proposal:

A. Amend Rule 1.191, relating to the Intern Development Program, to reduce the number of hours required to complete an internship by eliminating elective hours.

A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO PROPOSE DRAFT AMENDMENTS TO RULE 1.191. Ms. Dockery moved for discussion of the draft amendments. She stated that she was not totally happy with the reduction in the hours of the IDP program. She expressed her concern regarding the fact that an intern can earn hours upon graduation from high school without even taking a design course in college. Perhaps, it is not an issue for a person to rack up experience before they even take a design course in architecture. The Chair stated that before those hours can be accepted, an architect has to sign off and acknowledge that they got those hours. Mr. Anastos inquired as to whether they have to submit documentation. After further discussion amongst the board members regarding the reduction of hours for the IDP program, the Chair called for the vote.

THE MOTION PASSED UNANIMOUSLY.

B. Amend Rule 7.10, relating to the fee schedule to implement lower charges for certain online transactions.

The General Counsel explained that the agency that collects electronic payments for TBAE is changing the structure of their charges; therefore, this amendment was necessary for their change. The change needs to be effective September 1, 2015.

The Board had a general discussion regarding the term “ACH” and it was suggested by Sonya Odell that a more appropriate term would be “direct bank draft.” The Interim Executive Director explained to the board members that this amendment generally would save the registrants some money. The Board decided to postpone this amendment so staff has time to wordsmith the amendment further.

9. Enforcement Cases (Action)

Review and possibly adopt ED’s or Interim ED’s recommendation in the following enforcement cases:

A. Registrant & Non-Registrant Cases:

The Chair recognized the General Counsel to present the following cases to the Board for their consideration and possible approval of the proposed agreed settlements:

Bishop, Brian Lee (#097-14A)

The General Counsel stated that the Respondent had become delinquent on his registration because he left his employment with a firm and they failed to notify him that his registration had expired. He worked on four projects during his delinquent status. Upon the Board notifying Respondent of his registration status, Respondent immediately renewed his architectural registration and paid all past due fees.

A MOTION WAS MADE AND SECONDED (Anastos/Odell) TO APPROVE THE INTERIM EXECUTIVE DIRECTOR'S RECOMMENDATION IN CASE NUMBER 097-14A INVOLVING BRIAN LEE BISHOP TO IMPOSE AN ADMINISTRATIVE PENALTY OF \$750.00 PER PROJECT FOR A TOTAL ADMINISTRATIVE PENALTY OF \$3,000.00. THE MOTION PASSED UNANIMOUSLY.

Boynton, Jay W. (#008-15A)

The General Counsel explained that this case involved a referral from the Texas Department of Licensing and Regulation for failing to submit plans and specifications on two separate projects for accessibility review no later than 20 days from issuance.

A MOTION WAS MADE AND SECONDED (Mijares/Anastos) TO APPROVE THE INTERIM EXECUTIVE DIRECTOR'S RECOMMENDATION IN CASE NO. 008-15A INVOLVING JAY W. BOYNTON TO IMPOSE AN ADMINISTRATIVE PENALTY OF \$750.00 PER PROJECT FOR A TOTAL ADMINISTRATIVE PENALTY OF \$1,500.00. THE MOTION PASSED UNANIMOUSLY.

Townsend, Phillip B. (#113-13A)

The General Counsel explained that this case involved a Texas architectural registrant that was sanctioned in Oklahoma for practicing without an Oklahoma license. The Oklahoma Board issued an immediate "cease and desist for practicing or offering to practice architecture in the State of Oklahoma" as well as a \$5,000.00 administrative penalty for each project for a total administrative penalty of \$15,000.00. As a result of another State's disciplinary sanction, Respondent is subject to a disciplinary action in the registrant's state of residence.

A MOTION WAS MADE AND SECONDED (Dockery/Edwards) TO APPROVE THE EXECUTIVE DIRECTOR'S RECOMMENDATION IN CASE NO. 113-13A INVOLVING PHILLIP B. TOWNSEND TO IMPOSE AN ADMINISTRATIVE PENALTY OF \$5,000.00. THE MOTION PASSED UNANIMOUSLY.

B. Continuing Education Cases:

The General Counsel outlined the cases on the agenda. For continuing education cases, the Interim Executive Director's proposed agreed orders include a standard penalty of \$700 for misstatements to the Board, \$500 for failing to complete continuing education during the reporting period, and \$250 for failing to timely respond to an inquiry of the

Board. The Chair asked if any Board member should be recused. None responded. The Chair stated that he had a conflict of interest and recused himself. The Chair asked if any case had unusual facts or otherwise required particular discussion. The General Counsel stated that they all fit the same fact patterns and none required specific discussion and all proposed administrative penalties adhere to the standard matrix.

A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO ADOPT THE INTERIM EXECUTIVE DIRECTOR'S RECOMMENDED ADMINISTRATIVE PENALTIES IN THE PROPOSED AGREED SETTLEMENTS OF THE FOLLOWING CASES INVOLVING CONTINUING EDUCATION VIOLATIONS:

Effland, Frank L. (#025-15I)
Elliston, Stacy (#034-15I0)
Lorance, Bill (#132-14I)
O'Dell, Carl G. (#028-15A)
Peterman, Cherryl J. (#033-15A)
Pope, Lisa G. (#133-14I)
Reibenstein, Charles A. (#024-15A)
Slack, Holt M. (#026-15A)

THE MOTION PASSED UNANIMOUSLY.

11. Upcoming Board Meetings (*Information*)

Thursday, February 19, 2015, Room II-350L

Thursday, May 7, 2015, Room III-102

Discuss a date for the formal appointment of the Executive Director

There was discussion amongst board members regarding the February 19th interview date and the actual appointment date of the Board recommendation for the new Executive Director. The Chair proposed the date April 2nd as the Board appointment of the new Executive Director and the board members agreed.

12. Chair's Closing Remarks

None.

13. Adjournment

A MOTION WAS MADE AND SECONDED (Anastos/Davis) TO ADJOURN THE MEETING AT 12:50 P.M. THE MOTION PASSED UNANIMOUSLY.

Approved by the Board:

ALFRED VIDAURRI, JR., FAIA, NCARB, AICP
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Minutes of April 2, 2015 Board Meeting

William P. Hobby Jr. Building, 333 Guadalupe Street

Tower II, Conference Room 350L

Austin, TX 78701

9:00 a.m. until completion of business

1. Preliminary Matters

A. Call to Order

Chair called the meeting of the Texas Board of Architectural Examiners to order at 9:00 a.m.

B. Roll Call

Paula Ann Miller called the roll.

C. Excused and unexcused absences

(None)

Present

Alfred Vidaurri	Chair
Debra Dockery	Vice-Chair
Paula Ann Miller	Secretary/Treasurer
Charles H. (Chuck) Anastos	Member
Bert Mijares, Jr.	Member
Sonya Odell	Member
Michael (Chad) Davis	Member
William (Davey) Edwards	Public Member

TBAE Staff Present

Glenn Garry	Interim Executive Director/Communications Manager
Glenda Best	Director of Operations
Christine Brister	Staff Services Officer
Mary Helmcamp	Registration Manager
Kenneth Liles	Finance Manager
Jack Stamps	Managing Investigator
Dale Dornfeld	IT Manager
Katherine Crain	Legal Assistant

D. Determination of a quorum

A quorum was present.

2. Discussion, consideration of personnel matters relating to the appointment of Ms. Julianne Hildebrand as Executive Director (Action)

The Chair opened the meeting by remarking that this was going to be a short, but important and historical meeting of the Board. He was excited about the opportunity to

introduce the new Executive Director, Julianne Hildebrand. He stated that she has an exhaustive resume with an undergraduate degree in Sociology from the University of Texas at Austin as well as a law degree from Texas Tech University. She has been in state government for some time, working previously at the Texas Medical Board, the Pharmacy Board, and most recently the Dental Board. She is Past Chair of the Administrative Law Division of the Austin Bar Association. She is married with two children and has been actively involved in the Junior League of Austin. The Chair entertained a motion to hire the new Executive Director.

A MOTION WAS MADE AND SECONDED (Mijares/Odell) TO HIRE JULIANNE HILDEBRAND AS THE EXECUTIVE DIRECTOR OF THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS ON APRIL 2, 2015 WITH AN ANNUAL SALARY OF \$125,000.00. THE MOTION PASSED UNANIMOUSLY.

The Chair stated that before he moved to item number 3 on the agenda, he wanted to let the Board Members have an opportunity to go around the table and offer their thoughts to the new Executive Director regarding the development of the staff and the Board. The Board Members introduced themselves to the new Executive Director and gave background on themselves and their respective industries.

The Board Members complimented staff for doing an outstanding job and stated that they believed the Board operated seamlessly during the transitional period. They emphasized the importance of the role of Deputy Director and how they believe that position should be filled, as well as legal counsel for the Board. Other points of emphasis were the importance of the financial health of the agency for the future. Communications and transparency were stressed and the desire for an addition to the investigative staff was communicated to the Executive Director.

Ms. Hildebrand stated that she was very excited to be at this Board. One of the main reasons she applied for the job was to have employees with high standards and that has been reiterated by the Board Members today.

**3. Approval of Resolution Honoring: (Action)
Chase Bearden**

The Chair read the resolution as follows:

Be it known that
Corbett "Chase" Bearden

Has distinguished himself through his dedicated and conscious service as a member of this Board from 2011 through 2015, having been appointed by Governor Rick Perry; and during his term having served as Secretary-Treasurer; Member of the Legislative Committee; and Member of the Executive Director Performance Review Committee; and

Whereas, Mr. Bearden received a Bachelor's Degree from Concordia University; and

Whereas, Mr. Bearden serves in a professional capacity as advocate and organizer for the Coalition of Texas with Disabilities; and

Whereas, Mr. Bearden is a guest lecturer in the Therapeutic Recreation Department at Texas State University in San Marcos, Texas; and

Whereas, Mr. Bearden volunteers as a coach for Central Texas nurses and therapists on the provision of treatment, the teaching of life skills, and working with patients who suffer spinal cord injuries;

Now, Therefore, Be it Resolved, that the Texas Board of Architectural Examiners in Formal Meeting assembled this 2nd Day of April, 2015, does publicly acknowledge its appreciation of outstanding board service and have voted unanimously for this

Resolution of Commendation to Corbett "Chase" Bearden, and have caused a copy of this Resolution to be included within the Minutes of this Board.

A MOTION WAS MADE AND SECONDED (Anastos/Mijares) TO ADOPT THE RESOLUTION READ INTO THE RECORD FOR BOARD MEMBER, CORBETT "CHASE" BEARDEN. THE MOTION PASSED UNANIMOUSLY.

Bert Mijares, Jr.

The Chair read the resolution as follows:

Be It Known That

H. L. Bert Mijares, Jr., AIA

Has distinguished himself through his dedicated and conscious service as a member of this Board from 2009 through 2015, having been appointed by Governor Rick Perry; and during his term having served as Chair of the Rules Committee; and as a Member of the Excepted Engineer Application Committee and the Executive Committee; and

Whereas, Mr. Mijares received a Bachelor of Architecture Degree from Texas Tech University; and

Whereas, Mr. Mijares began his career in architecture in 1974 with Carroll Daeuble DuSang and Rand; and

Whereas, Mr. Mijares founded Booth Kiersey Mijares Architects in 1984, serving as managing partner from 1984 to 1994; and

Whereas, Mr. Mijares founded Mijares Mora Architects in 1994, serving as President; and

Whereas, Mr. Mijares was appointed in 1999 to the Texas Public Finance Authority, serving as Chair from 2007 to 2009; and

Whereas, Mr. Mijares has served as Chairman of the El Paso City Plan Commission; Paso del Norte Health Foundation; and Center Against Family Violence; and

Whereas, Mr. Mijares served as President of the Board of Trustees of Loretto Academy and as a Member of the Board of the El Paso Historical Landmark Commission; Cathedral High School; St. Patrick's Elementary School; Coronado Country Club; and JPMorgan Chase Bank El Paso;

Now, Therefore, Be it Resolved, that the Texas Board of Architectural Examiners in Formal Meeting assembled this 2nd Day of April, 2015, does publicly acknowledge its appreciation of outstanding board service and have voted unanimously for this

Resolution of Commendation to H. L. Bert Mijares, Jr., AIA, and have caused a copy of this Resolution to be included within the Minutes of this Board.

A MOTION WAS MADE AND SECONDED (Edwards/Anastos) TO ADOPT THE RESOLUTION READ INTO THE RECORD FOR BOARD MEMBER, H.L. (BERT) MIJARES. THE MOTION PASSED UNANIMOUSLY.

Alfred Vidaurri, Jr.

Vice-Chair Dockery read the resolution as follows:

Be It Known That
Alfred Vidaurri, Jr.

Has distinguished himself through his dedicated and conscious service as a member of this Board from 2004 through 2015, having been appointed by Governor Rick Perry; and during his term having served as Chairman; as Vice-Chairman; as a member of the Joint Advisory Committee; as Chair of the Executive Committee; and

Whereas, Mr. Vidaurri received a Bachelor and Master of Architecture from the University of Texas at Arlington; and

Whereas, Mr. Vidaurri has enriched the profession of architecture through his years as Vice President and Principal of the 500-employee multidisciplinary firm Freese and Nichols; and

Whereas, Mr. Vidaurri has served the public and further distinguished himself by serving as a member of the American Institute of Architects; the Texas Society of Architects; the

American Institute of Certified Planners; and as a member, certificate holder, and multiple officeholder of the National Council of Architectural Registration Boards; and

Whereas, Mr. Vidaurri was elevated to Fellowship in the American Institute of Architects in 2015; and

Whereas, Mr. Vidaurri was honored with the President's Medal for Distinguished Service by the National Council of Architectural Registration Boards in 2014,

Now, Therefore, Be it Resolved, that the Texas Board of Architectural Examiners in Formal Meeting assembled this 2nd Day of April, 2015, does publicly acknowledge its appreciation of outstanding board service and have voted unanimously for this

Resolution of Commendation to Alfred Vidaurri, Jr., FAIA, AICP, and have caused a copy of this Resolution to be included within the Minutes of this Board.

A MOTION WAS MADE AND SECONDED (Anastos/Davis) TO ADOPT THE RESOLUTION READ INTO THE RECORD FOR CHAIR ALFRED VIDAURRI, JR. THE MOTION PASSED UNANIMOUSLY.

4. Chair's closing comments/reflections

The Chair stated that he would be remiss in not acknowledging what a great job Glenn Garry has done as Interim Executive Director. The Chair asked the Board to publicly thank Mr. Garry for the wonderful job of leadership he demonstrated during his tenure as Interim Executive Director.

The Chair began his closing remarks by stating that although it had been eleven years since he started on this Board, it seems just like yesterday. Of all the things he has done in his life, serving on this Board will be one of the most memorable ones. He admitted that being Chair at this Board is sometimes much more difficult than his real job. He has four things he will always remember from serving on this Board:

- The peace accord with the engineers;
- Having the opportunity to sit on the NCARB Board as a result of serving on this Board;
- Hiring a new Executive Director for TBAE; and
- The number 4,675, which is the number of licenses he has signed while serving.

He emphasized making Texas the leaders in all three professions and working on a strategic plan while thinking about the future.

The Chair left the Board with an interesting quote from ice hockey player Wayne Gretzky. "I never skated to where the puck was, I always skated to where the puck was going to

be.” As a Board, we need to skate not to where the professions are now, but to where the professions will be in the future.

The Chair concluded the meeting by thanking staff and all board members for their service to the Board.

5. Adjourn

A MOTION WAS MADE AND SECONDED (Davis/Edwards) TO ADJOURN THE MEETING AT 11:54 A.M. THE MOTION PASSED UNANIMOUSLY.

Approved by the Board:

ALFRED VIDAURRI, JR., FAIA, NCARB, AICP
Chair, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

Executive Report

May 7, 2015

Executive:

1. I completed my initial orientation with Board Management Staff.
2. Board Staff has been tracking legislation for the current session and keeping board members abreast of happenings on a weekly and as needed basis.
3. Lance Brenton was hired as the new General Counsel, effective May 1, 2015.
4. The Quarterly SDSI Report was submitted to the relevant parties.
5. I have introduced myself to all associated legislators and professional and national associations to establish a working relationship.
6. Additional updates will be provided verbally.

Budget:

Summary:

After the first half of the fiscal year, the agency is running a surplus of \$77,000¹. This is due to a combination of additional revenues of \$25,000 and reduced expenditures of \$52,000 from what was budgeted. At this point, this negates any need to utilize the Potential Draw from the Reserve Fund, budgeted at \$67,105.

Revenues:

1. Licenses and Fees/Late Fees have been higher than expectations.
2. Business Registrations continue to mildly underperform expectations, a slight uptick in the second half of the fiscal year will put this item back on target.
3. There have been no draws from the Reserve Fund.

Expenditures:

1. Salaries and benefits have produced a savings of \$25,000. This is attributable to vacancies and staff wearing multiple hats, which saved the agency about \$8,000 per month in December through February. (A one-time lump sum payment in the first quarter offset these monthly savings to a degree).
2. Board travel is ahead of pace because of several extra meetings (related to hiring an Executive Director), and staff travel is low due to fewer staff and more responsibilities in Austin in recent months.
3. The remaining expenditure categories have produced a net savings of \$12,000 thus far.
4. The SWCAP bill is currently at \$38,000, netting a savings of \$15,000. It is expected that savings in the SWCAP bill will at least be somewhat negated due to the relationship between the SWCAP and TFC bills.

¹ All budgetary numbers are rounded for ease of reading.

**TEXAS BOARD OF ARCHITECTURAL EXAMINERS
Fiscal Year 2015 Budget with Servers**

Revenues:	
Licenses & Fees	
Business Registration Fees	
Late Fee Payments	
Other	
Interest	
Potential Draw on Fund Balance	
Total Revenues	
Expenditures:	
Salaries and Wages	
Payroll Related Costs	
Professional Fees & Services	
Travel	
Board Travel	
Staff Travel	
Office Supplies	
Postage	
Communication and Utilities	
Repairs and Maintenance	
Office Rental *	
Equipment Leases--Copiers	
Printing	
Operating Expenditures	
Conference Registration Fees	
Membership Dues	
Staff Training	
SWCAP Payment	
Payment to GR *	
IT Upgrades in 2014 with Servers	
Total Expenditures	
Excess/(Deficiency) of Rev over Exp.	

FY 2015 Approved Budget	FY 2015 Actual through 02-28-2015
2,446,000.00	1,262,301.20
72,000.00	33,817.50
85,000.00	62,777.60
1,000.00	1,789.66
500.00	133.13
67,105.00	
2,671,605.00	1,360,819.09
1,356,156.00	647,284.10
398,000.00	204,804.38
32,000.00	15,937.24
30,000.00	16,772.31
18,000.00	4,270.01
12,000.00	2,760.61
15,000.00	5,556.31
18,800.00	10,544.02
1,000.00	75.00
60,910.00	30,455.00
10,000.00	3,983.85
23,475.00	6,318.94
47,000.00	21,689.66
4,000.00	-
20,000.00	8,610.00
5,000.00	3,605.00
68,939.00	19,013.00
510,000.00	255,000.00
41,325.00	26,672.49
2,671,605.00	1,283,351.92
-	77,467.17

FY 2015 Actual Rev. & Expenditures as a Percentage
51.61%
46.97%
73.86%
178.97%
26.63%
0.00%
50.94%
47.73%
51.46%
49.80%
55.91%
23.72%
23.01%
37.04%
56.09%
7.50%
50.00%
39.84%
26.92%
46.15%
0.00%
43.05%
72.10%
27.58%
50.00%
64.54%
48.04%

Funding for 6 months
Ending Fund Balance

1,335,802.50	
816,336.50	

Enforcement Penalties Collected
General Revenue Collected

25,100.00
1,645,000.00

**TEXAS BOARD OF ARCHITECTURAL
EXAMINERS
Fiscal Year 2015 Budget
Scholarship Fund**

	FY 2015 Budget	FY 2015 Actual Expenditures Sept 1, 2014--- February 28, 2015	FY 2015 Remaining Budget
Operating Fund Beginning Fund Balance:	-	-	105,958.89
Adjusted Beginning Balance	-	-	-
Scholarship Fund Beginning Balance	122,951.56		
Total Beginning Scholarship Fund Balance	122,951.56	122,951.56	105,958.89
Expenditures:			
Operating Expenditures-Scholarship Payments		16,992.67	-
Total Expenditures		16,992.67	-
Excess/(Deficiency) of Rev. over Exp.	122,951.56	105,958.89	-
Fund Balance	122,951.56	105,958.89	105,958.89

Number of Scholarships Awarded

34

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

ACTION ITEMS/ITEMS OF INTEREST ASSIGNED AT TBAE BOARD MEETINGS

(January 22, 2015 Board Meeting)

Item #	Priority	Action Description	Action Details	Due Date	Status	Action Owner
1.	One	Ms. Odell asked for an update at each Board meeting on whether the four Corpus Christi Independent School District respondents have taken their required Continuing Education classes in Ethics.	INFORMATION/UPDATE – NOT CURRENTLY ON BOARD AGENDA	Ongoing	<p>The Board, through letter of 5/19/14, notified the four respondents that they must submit a certificate of completion of 2 hours of professional ethics training by 5/15/2015. They were also notified of a course approved by the Board. Staff in legal and investigations have in place a monitoring process, “compliance follow-up” in which we monitor compliance with these non-monetary sanctions. As of this date, none of the four respondents have reported taking the required Ethics courses. We will provide another update at the Jan 22 Board meeting.</p> <p>As of September 24, none of the Corpus Christi respondents have reported completion of the continuing education requirement set forth in the board orders.</p> <p>As of December 9, none of the Corpus Christi respondents have reported completion of the continuing education requirement set forth in the board orders.</p>	Jack Stamps

Item #	Priority	Action Description	Action Details	Due Date	Status	Action Owner
				Jan 8, 2015 Apr 17, 2015	All of the Corpus Christi respondents have reported completion of the continuing education requirement set forth in the board orders. Agency staff have verified through supporting documentation.	
2.	One	<p>Mr. Davis asked how much one had to earn in order to qualify for a scholarship. The Chair suggested that the Interim Executive Director and the Finance Manager revisit the issue and report on this matter at the next Board meeting.</p> <p>Mr. Davis stated that he felt that the Rules Committee needed an architect's input on this issue.</p> <p>Mr. Davis thought that it might be prudent to check with AIA and see the range of salaries currently being offered for new licensees in the architectural industry.</p>	ITEM IS POSTED ON MAY 7 BOARD AGENDA	May 7, 2015		Glenn Garry Ken Liles

AREFAF: Overview and answers to Board Member questions

Income limits for AREFAF eligibility, last revised in 2008:

- 2008—Present: \$52,000 (single), \$75,000 (married), \$63,500 (Head of Household)
- From 2005—2008: \$40,000 (single), \$60,000 (married), N/A (Head of Household)

Context, in response to Board Member inquiries:

- Agency staff has discretion in determining eligibility thresholds
- There are no state guidelines in particular speaking to setting or changing eligibility thresholds of this type; the continuation of the fund is mandated by statute

Overview of annual compensation, by experience level:

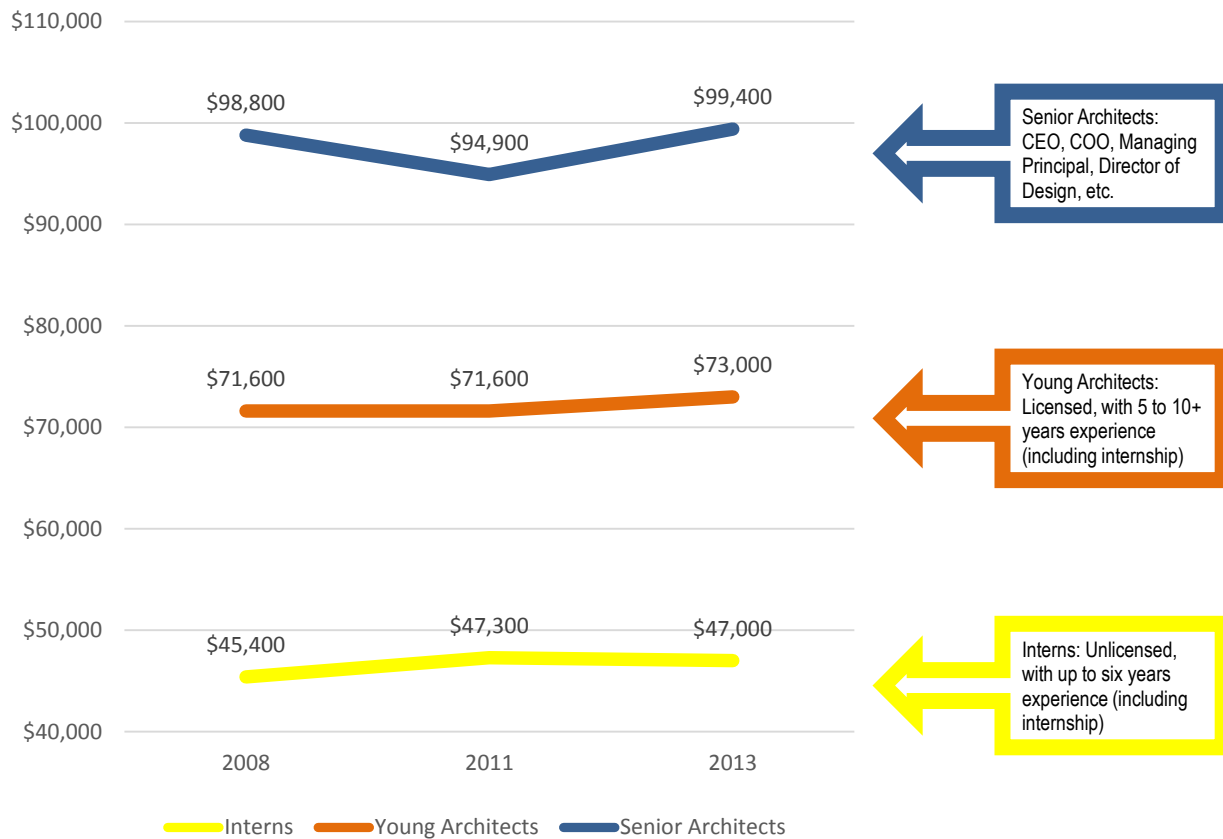


Chart created by TBAE. Data source: AIA Compensation Report, 2013, excerpted at http://www.architectmagazine.com/practice/salary-survey/2013-aia-compensation-report_o

Summary

Proposed Amendments to Rule 1.191 – Architectural Internship

Current Rule/Background

The internship development training program currently requires the completion of 5,600 training hours, with 3,740 of those hours as core requirements in specific experience areas. The remaining 1,860 hours are elective hours. The National Council of Architectural Registration Boards (“NCARB”) administers the internship development program for the Texas Board of Architectural Examiners. The Board of Directors of NCARB recently voted to eliminate the requirement to complete elective hours of training requirements. Interns will only be required to document 3,740 in 17 core experience areas to complete the program. (See attached announcements, dated September 22, 2014 and April 15, 2015.) Effective July 1, 2015, NCARB will implement the first phase of these approved changes to the Intern Development Program, referred to as IDP Streamline. NCARB will continue to accept and maintain experience records for elective hours.

Draft Amendments

The draft amendment would eliminate the requirement for interns to complete 1,860 hours of elective training from the TBAE intern training program. It would reduce the total number of hours required for completing the internship training from 5,600 to 3,740.

1 RULE §1.191 Description of Experience Required for Registration by Examination

2 (a) Pursuant to §1.21 of this title (relating to Registration by Examination), an Applicant must
 3 successfully demonstrate completion of the Intern Development Training Requirement by earning
 4 credit for at least 3,740 [~~5,600~~] Training Hours as described in this subchapter.

5 (b) An Applicant must earn credit for at least 260 Core Minimum Training Hours in the area of pre-
 6 design in accordance with the following chart:

Category 1: Pre-Design	Minimum Training Hours Required
Programming	80
Site and Building Analysis	80
Project Cost and Feasibility	40
Planning and Zoning Regulations	60
Core Minimum Hours	260

7 (c) An Applicant must earn credit for at least 2,600 Core Minimum Training Hours in the area of design
 8 in accordance with the following chart:

Category 2: Design	Minimum Training Hours Required
Schematic Design	320
Engineering Systems	360
Construction Cost	120
Codes and Regulations	120
Design Development	320
Construction Documents	1,200
Material Selection and Specification	160
Core Minimum Hours	2,600

1 (d) An Applicant must earn credit for at least 720 Core Minimum Training Hours in the area of project
 2 management in accordance with the following chart:

Category 3: Project Management	Minimum Training Hours Required
Bidding and Contract Negotiation	120
Construction Administration	240
Construction Phase: Observation	120
General Project Management	240
Core Minimum Hours	720

3 (e) An Applicant must earn credit for at least 160 Core Minimum Training Hours in the area of practice
 4 management in accordance with the following chart:

Category 4: Practice Management	Minimum Training Hours Required
Business Operations	80
Leadership and Service	80
Core Minimum Hours	160

5 (f) ~~[An Applicant must earn credit for at least 1,860 elective Training Hours. Credit for elective
 6 Training Hours may be earned in any of the categories described in subsections (b) – (e) of this
 7 section and/or in other approved activities described in subsection (g) of this section.]~~

8 ~~[(g)]~~An Applicant shall receive credit for Training Hours in accordance with the following chart:

Experience Setting	Maximum Training Hours Awarded
Experience Setting A: Practice of Architecture	No limit
Training under the Supervision and Control of an IDP supervisor licensed as an architect in Texas or another jurisdiction with substantially similar licensing requirements who works in an organization lawfully engaged in the Practice of Architecture.	Every Applicant must earn at least 1,860 Training Hours in Experience Setting A.

9

<p>Academic Internships</p> <p>Must meet durational requirements and internship must be completed training in Experience Setting A or Experience Setting O.</p>	
<p>Training Setting O: Other Work Settings</p> <p>Supervision and Control of an IDP supervisor licensed as an architect in Texas or another jurisdiction with substantially similar licensing requirements who is employed in an organization not engaged in the Practice of Architecture.</p> <p>Supervision and Control of an IDP supervisor who is not licensed in the United States or Canada but who is engaged in the Practice of Architecture outside of the United States or Canada.</p> <p>Supervision and Control by a landscape architect or licensed professional engineer (practicing as a structural, civil, mechanical, fire protection, or electrical engineer in the field of building construction).</p>	<p>1,860 Training Hours</p>
<p>Training Setting S: Supplemental Experience</p> <p>Supplemental Experience for Core Hours Core hours earned through supplemental experience are applied to specific IDP experience areas.</p> <p>Design or Construction Related Employment Design or construction related activities under the direct supervision of a person experienced in the activity (e.g. analysis of existing buildings; planning; programming; design of interior space; review of technical submissions; engaging in building construction activities).</p> <p>Leadership and Service Qualifying experience is pro bono, in support of an organized activity or in support of a specific organization. There must be an individual who can certify to NCARB that you have performed services in support of the organization.</p>	<p>930 Training Hours (Maximum)</p> <p>80 Training Hours (Minimum) 320 Training Hours (Maximum)</p>

<p>Additional Opportunities for Core Hours A maximum of 40 core hours in each of the IDP experience areas may be earned by completing any combination of these experience opportunities:</p> <ol style="list-style-type: none"> 1. NCARB’s Emerging Professional’s Companion (EPC): Activities 2. NCARB’s Professional Conduct Monograph 3. Construction Specifications Institute (CSI) Certificate Program: Certified Construction Specifier (CCS) and Certified Construction Contract Administrator (CCCA) 4. Community-Based Design Center/Collaborative 5. Design Competitions 6. Site Visit with Mentor 	600 Training Hours (Maximum)
<p>[Supplemental Experience for Elective Hours Elective hours earned through supplemental experience are not applied to any specific IDP experience area.</p> <p>Teaching or Research Teaching or research in a NAAB or CACB accredited program under the direct supervision of a person experienced in the activity.</p> <p>Additional Opportunities for Elective Hours</p> <ol style="list-style-type: none"> 1. The Emerging Professional’s Companion (EPC): Exercises 2. Green Building Certification Institute (GBCI) Leadership in Energy and Environmental Design Accredited Professional (LEED AP) Certification 3. Advanced Degrees 4. American Institute of Architects (AIA) Continuing Education 5. Construction Specifications Institute (CSI) Certificate Program: Construction Documents Technologist (CDT)] 	[1,860 Elective Hours]

NCARB Board Approves Streamlining and Overhauling of the Intern Development Program (IDP)

September 22, 2014

Washington, DC—The National Council of Architectural Registration Boards (NCARB) Board of Directors has voted to approve significant changes that will streamline and overhaul the Intern Development Program (IDP), which most states require to satisfy experience requirements for initial licensure as an architect. The changes will only be applicable where adoption has occurred by individual jurisdictional licensing boards.

The changes will be implemented in two phases. The first will streamline the program by focusing on the IDP's core requirements and removing its elective requirements. The second phase will condense the 17 current experience areas into six practice-based categories that will also correspond with the divisions tested in the Architect Registration Examination® (ARE®).

NCARB announced the proposals to modify the IDP in late June at its Annual Business Meeting, which was attended by representatives of its 54 member jurisdiction boards that oversee architect licensing in their states or territories. After reviewing the feedback from the boards, the Board of Directors voted to move forward with both proposals for implementation in mid-2015 and mid-2016.

“Streamlining of the IDP requirements will reduce complexities while ensuring that intern architects still acquire the comprehensive experience that is essential for competent practice, and result in a program that is both justifiable and defensible,” said NCARB President Dale McKinney, FAIA.

Phase 1: Focusing on Core Requirements

The IDP currently requires interns to document 5,600 hours of experience, with 3,740 of those hours as core requirements in specific architectural experience areas. The remaining 1,860 hours are elective hours. The first reinvention phase will streamline the IDP by removing the elective hour requirement, with interns documenting only the 3,740 hours in the 17 core experience areas.

In making its decision to eliminate the elective hours, the Board considered several important statistics:

- The average intern currently takes five years to complete the hours required for IDP and another 2.2 years to complete the ARE, totaling an average of more than seven years from graduation to licensure.
- With this reduction in required IDP hours, it is likely that the average intern will take roughly three to four years to complete their IDP requirements following this change.
- Combined with the time required to complete the ARE, the Board anticipates that the average intern will have five to six years of post-graduation experience prior to qualifying for initial licensure.

Implementation and Jurisdictional Adoption

NCARB expects to implement the first phase on or before June 2015. Many states will need to formally adopt the streamlined program because of how experience requirements for licensure are written in their laws or rules.

“Our planning efforts will include development of a campaign to inform interns of the importance of understanding the variables in jurisdictional laws and rules related to the experience requirement when considering where they will apply for licensure,” McKinney said.

Phase 2: Aligning Internship and Examination

The Board also agreed to a future realignment of the framework of IDP requirements into six experience categories reflecting the six general areas of practice, which were identified by the 2012 NCARB Practice Analysis of Architecture. These changes will mirror the six divisions of future version of licensing exam—ARE 5.0.

NCARB’s internship-related committees will provide guidance on mapping the existing requirements into the new, overhauled format. This work should be completed and ready for introduction in mid-2016, before the launch of ARE 5.0 in late 2016.

To learn more, interns, architects, and other stakeholders should visit the NCARB website, blog, and [frequently asked questions](#) for information as the IDP implementation plan develops.

IDP Streamline Goes Into Effect July 1

The Intern Development Program (IDP) will no longer require elective hours.

April 15, 2015

On **July 1, 2015**, NCARB will streamline the IDP by no longer requiring elective hours. Here's what you need to know about the upcoming changes:

IDP Streamline Overview

Starting July 1, the IDP will require 3,740 total hours defined by the existing 17 [experience areas](#):

Experience Areas	Required Hours
Pre-Design	
Programming	80
Site and Building Analysis	80
Project Cost and Feasibility	40
Planning and Zoning Regulations	60
Design	
Schematic Design	320
Engineering Systems	360
Construction Cost	120
Codes and Regulations	120
Design Development	320
Construction Documents	1,200
Material Selection and Specification	160
Project Management	
Bidding and Contract Negotiation	120
Construction Administration	240
Construction Phase: Observation	120
General Project Management	240

Practice Management

Business Operations	80
Leadership and Service	80

TOTAL HOURS	3,740
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Your jurisdiction may have additional requirements, as each jurisdiction sets its own requirements for initial licensure. Some may continue to require 5,600+ hours and/or have a minimum employment duration requirement. We will continue to support the individual requirements for all 54 jurisdictions. **You can find out what your jurisdiction’s experience requirement is [here](#).**

Reporting Hours

Good news—you’ll continue to report hours through My NCARB and the [My IDP](#) mobile app. You won’t lose the hours you’ve already reported, and you’ll still be able to view them in My NCARB. Plus, existing [supplemental experience opportunities](#)—including site visits, design competitions, and the *Professional Conduct Monograph*—aren’t going away.

The current [reporting requirement](#) still applies, so don’t forget to submit experience within eight months for full credit. Experience reported beyond this period and up to five years prior will be valued at 50 percent.

Important: We recommend that interns continue to report all experience. Doing so will help facilitate licensure and reciprocity in jurisdictions that require additional experience.

Key Takeaways

- **Check with NCARB or your jurisdiction.** Some jurisdictions may require additional hours and/or have a minimum employment requirement.
- **Keep reporting hours.** You can continue to document all experience through My NCARB.
- **We’re here to help.** NCARB will continue to support the individual requirements for all 54 jurisdictions.

What’s Next

We will continue to share updates with you over the next few months. Remember, it’s a good idea to check with NCARB or [your jurisdiction](#) for the latest rules and regulations. And you can always reach out to our Customer Service team at 202/879-0520 or customerservice@ncarb.org.

Summary

Draft Amendment to Rule 7.10 – Fee Schedule

Current Rule/Background

Online payment services are provided by Texas.gov, a third-party provider under contract with the Texas Department of Information Resources. The cost of providing and maintaining these services is covered by an additional charge on payments processed through the Internet. The formula for determining the amount of the additional charge is based in part upon the amount of the fee. The fee schedule lists the amount of the charge for each fee under the heading “With the 25 cents times 2.25%.” The charge applies to all online payments, including payments made by credit card and payments made through the Automated Clearing House Network (commonly referred to as “ACH”). An ACH payment makes an immediate draw upon the payer’s bank account and is sometimes called an “electronic check.”

Effective September 1, 2015, Texas.gov will assess a flat fee of \$1.00 for each ACH payment in lieu of the current charge. The charge for the online service to pay fees with a credit card is an additional \$.25 plus 2.25% of the sum of the fee and \$.25. of 2.25% of the fee plus 25 cents will remain for each credit card payment. For most who make payments through ACH, this will be a lower fee. During 2014, the number of ACH online transactions with TBAE was 713 – 3.7% of online transactions. During the same period there were 18,493 credit card transactions and 2,248 paper checks were received by the agency.

Draft Rule Amendments

The Amendments modify the fee schedule to include a separate column for ACH payments. The amendments also re-align the order of the columns as follows: the agency fee, the amount of the credit card fee, the total fee using a credit card, and the total fee using the ACH Network for payment. In the course of staff discussions, it was determined that arranging the fees from the underlying fee on the left to the total fee on the right was more logical than the current alignment. There is not a separate column listing the \$1.00 ACH fee, as there is for the credit card fee. It was determined that the ACH fee is readily apparent from the total charge, making a column listing “\$1.00” for each fee unnecessary and redundant. In addition, the rule text includes a description of each charge which explains \$1.00 is added to each fee paid through the ACH Network.

The draft amendments also revise the headings of the columns to more clearly describe the listed fees.

A copy of the current fee schedule and the draft fee schedule, without underscoring or “strike-through” legislative coding, is attached so the Board may compare the current fee schedule to the draft fee schedule as revised according to the draft amendments. (Please see the two documents following the coded rule amendment draft.)

RULE §7.10 General Fees

1 (a) FAILURE TO TIMELY PAY A REGISTRATION RENEWAL WILL RESULT IN THE
 2 AUTOMATIC CANCELLATION OF REGISTRATION BY OPERATION OF LAW.

3 (b) The following fees shall apply to services provided by the Board in addition to any fee established
 4 elsewhere by the rules and regulations of the Board or by Texas law. Payment of fees through the
 5 Internet is an online service provided by Texas.gov, the official Web site of the State of Texas. The
 6 following additional payments for the online service are not retained by the Board:

7 (1) A person who uses the online service to pay fees with a credit card must pay an additional \$.25
 8 plus 2.25% of the sum of the fee and \$.25.

9 (2) A person who uses online services to pay fees by utilizing the Automated Clearing House
 10 Network (“ACH” sometimes referred to as an “electronic check” or a “direct bank draft”) must
 11 pay \$1.00 per transaction instead of the fee referenced in Subsection (1).

12 [~~to cover the ongoing operations and enhancements of Texas.gov which is provided by a third party in~~
 13 ~~partnership with the State of Texas.~~]

Description	Architects	Landscape Architects	Registered Interior Designers	Total Fee (With the 25 cents times 2.25%)	With the 25 cents times 2.25%	Total Fee Using ACH (Fee plus \$1.00)
Exam Application	\$100	\$100	\$100	\$102.51	\$2.51	<u>\$101</u>
Examination	****	***	**			
Registration by Examination-Resident*	\$355	\$355	\$355	\$363.24	\$8.24	<u>\$356</u>
Registration by Examination--Nonresident*	\$380	\$380	\$380	\$388.81	\$8.81	<u>\$381</u>
Reciprocal Application	\$150	\$150	\$150	\$153.63	\$3.63	<u>\$151</u>
Reciprocal Registration*	\$400	\$400	\$400	\$409.26	\$9.26	<u>\$401</u>
Active Renewal--Resident*	\$305	\$305	\$305	\$312.12	\$7.12	<u>\$306</u>
Active Renewal--Nonresident*	\$400	\$400	\$400	\$409.26	\$9.26	<u>\$401</u>
Active Renewal 1-90 days late--Resident*	\$357.50	\$357.50	\$357.50	\$365.80	\$8.30	<u>\$358.50</u>
Active Renewal > than 90 days late--Resident*	\$410	\$410	\$410	\$419.48	\$9.48	<u>\$411</u>
Active Renewal 1-90 days late--Nonresident*	\$500	\$500	\$500	\$511.51	\$11.51	<u>\$501</u>

Active Renewal > than 90 days late--Nonresident*	\$600	\$600	\$600	\$613.76	\$13.76	<u>\$601</u>
Emeritus Renewal--Resident	\$10	\$10	\$10	\$10.48	\$0.48	<u>\$11</u>
Emeritus Renewal--Nonresident	\$10	\$10	\$10	\$10.48	\$0.48	<u>\$11</u>
Emeritus Renewal 1-90 days late--Resident	\$15	\$15	\$15	\$15.59	\$0.59	<u>\$16</u>
Emeritus Renewal > than 90 days late--Resident	\$20	\$20	\$20	\$20.71	\$0.71	<u>\$21</u>
Emeritus Renewal 1-90 days late--Nonresident	\$15	\$15	\$15	\$15.59	\$0.59	<u>\$16</u>
Emeritus Renewal > than 90 days late--Nonresident	\$20	\$20	\$20	\$20.71	\$0.71	<u>\$21</u>
Inactive Renewal--Resident	\$25	\$25	\$25	\$25.82	\$0.82	<u>\$26</u>
Inactive Renewal--Nonresident	\$125	\$125	\$125	\$128.07	\$3.07	<u>\$126</u>
Inactive Renewal 1-90 days late--Resident	\$37.50	\$37.50	\$37.50	\$38.60	\$1.10	<u>\$38.50</u>
Inactive Renewal > than 90 days late--Resident	\$50	\$50	\$50	\$51.38	\$1.38	<u>\$51</u>
Inactive Renewal 1-90 days late--Nonresident	\$187.50	\$187.50	\$187.50	\$191.97	\$4.47	<u>\$188.50</u>
Inactive Renewal > than 90 days late--Nonresident	\$250	\$250	\$250	\$255.88	\$5.88	<u>\$251</u>
Reciprocal Reinstatement	\$610	\$610	\$610	\$623.98	\$13.98	<u>\$611</u>
Change in Status--Resident	\$65	\$65	\$65	\$66.72	\$1.72	<u>\$66</u>
Change in Status--Nonresident	\$95	\$95	\$95	\$97.39	\$2.39	<u>\$96</u>
Reinstatement--Resident	\$685	\$685	\$685	\$700.67	\$15.67	<u>\$686</u>
Reinstatement--Nonresident	\$775	\$775	\$775	\$792.69	\$17.69	<u>\$776</u>

Certificate of Standing-- Resident	\$30	\$30	\$30	\$30.93	\$0.93	<u>\$31</u>
Certificate of Standing-- Nonresident	\$40	\$40	\$40	\$41.16	\$1.16	<u>\$41</u>
Replacement or Duplicate Wall Certificate--Resident	\$40	\$40	\$40	\$41.16	\$1.16	<u>\$41</u>
Replacement of Duplicate Wall Certificate-- Nonresident	\$90	\$90	\$90	\$92.28	\$2.28	<u>\$91</u>
Duplicate Pocket Card	\$5	\$5	\$5	\$5.37	\$0.37	<u>\$6</u>
Reopen Fee for closed candidate files	\$25	\$25	\$25	\$25.82	\$0.82	<u>\$26</u>
Annual Business Registration Fee*****	\$45	\$45	\$45	\$46.27	\$1.27	<u>\$46</u>
Business Registration Renewal 1-90 days late*****	\$67.50	\$67.50	\$67.50	\$69.27	\$1.77	<u>\$68.50</u>
Business Registration Renewal >than 90 days late*****	\$90	\$90	\$90	\$92.28	\$2.28	<u>\$91</u>
Examination--Record Maintenance	\$25	\$25	\$25	\$25.82	\$0.82	<u>\$26</u>
Returned Check Fee	\$25	\$25	\$25	\$25.82	\$0.82	<u>\$26</u>

1 *This fee includes a \$200 professional fee imposed by statute upon initial registration and renewal.
2 The Board is required to annually collect the fee and transfer it to the State Comptroller of Public
3 Accounts who deposits \$150 of each fee into the General Revenue Fund and the remaining \$50 of each
4 fee into the Foundation School Fund.

5 **Examination fees are set by the Board examination provider, the National Council for Interior
6 Design Qualification (“NCIDQ”). Contact the Board or the examination provider for the amount of the
7 fee, and the date and location where each section of the examination is to be given.

8 ***Examination fees are set by the Board’s examination provider, the Council of Landscape
9 Architectural Registration Boards (“CLARB”). Contact the Board or the examination provider for the
10 amount of the fee, and the date and location where each section of the examination is to be given.

1 ****Examination fees are set by the Board’s examination provider, the National Council of
2 Architectural Registration Boards (“NCARB”). Contact the Board or the examination provider for the
3 amount of the fee, and the date and location where each section of the examination will be given.

4 *****Notwithstanding the amounts shown in each column, a multidisciplinary firm which renders or
5 offers two or more of the regulated professions of architecture, landscape architecture, and interior
6 design is required to pay only a single fee in the same manner as a firm which offers or renders services
7 within a single profession.

8 (c) The Board cannot accept cash as payment for any fee.

9 (d) An official postmark from the U.S. Postal Service or other delivery service receipt may be
10 presented to the Board to demonstrate the timely payment of any fee.

11 (e) If a check is submitted to the Board to pay a fee and the bank upon which the check is drawn
12 refuses to pay the check due to insufficient funds, errors in routing, or bank account number, the fee
13 shall be considered unpaid and any applicable late fees or other penalties accrue. The Board shall
14 impose a processing fee for any check that is returned unpaid by the bank upon which the check is
15 drawn.

16 (f) A Registrant who is in Good Standing or was in Good Standing at the time the Registrant entered
17 into military service shall be exempt from the payment of any fee during any period of active duty
18 service in the U.S. military. The exemption under this subsection shall continue through the remainder
19 of the fiscal year during which the Registrant's active duty status expires

Electronic Fee Payment Charges – Statutory Authority

§1051.651(c)

The board may accept payment of a fee by electronic means. The board may charge a fee to process the payment made by electronic means. The board shall set the processing fee in an amount that is reasonably related to the expense incurred by the board in processing the payment made by electronic means, not to exceed five percent of the amount of the fee for which the payment is made.

Summary

Draft Amendments for Proposal – Enhanced Contract Monitoring

Current Rule/Background

A bill (SB 353) was filed during the current (84th Legislature) session which requires Boards to adopt by rule standards to determine contracts which will be subject to enhanced contract monitoring. The agency received a letter from the Governor’s office requiring the implementation of the bill, to the extent possible, immediately – prior to adoption.

Draft Amendments

The draft rule specifies criteria for determining which agency contracts will be subject to enhanced monitoring. The draft rule also defines the term “enhanced monitoring” for purposes of the rule. The rule excludes interagency contracts from the requirements of the rule.

1 **§7.95 Agency Contracts, Enhanced Monitoring**

- 2 (a) The Executive Director shall ensure contracts described as follows include requirements
3 for enhanced monitoring:
4 (1) A contract which allows a contractor access to confidential information, including
5 information relating to Board registrants or employees;
6 (2) A contract which allows a contractor access to financial data or agency moneys, or
7 otherwise creates a fiduciary duty owed by the contractor to the agency;
8 (3) A contract for the creation, repair, enhancement, augmentation, or updating of
9 information technology, including the agency's database and Web site which:
10 a. is anticipated to exceed a cost to the agency of \$50,000; and
11 b. involves services which are not likely to be understood by a reasonably
12 informed person who is not engaged in a profession or occupation relating to
13 the information technology field;
14 (4) A contract for any other service within the scope of a technically complex profession
15 or occupation which:
16 a. is anticipated to exceed a cost to the agency of \$50,000; and
17 b. is not likely to be understood by a reasonably informed person who is not
18 engaged in that profession or occupation; and
19 (5) A contract which the Board directs the Executive Director to ensure is subject to
20 enhanced monitoring.
21 (b) For purposes of this Section, the term "enhanced monitoring" may include one or more of
22 the following:
23 (1) A criminal history background check of each person working on behalf of the
24 contractor, including subcontractors and their employees, if the contract requires access
25 to confidential information, the agency's database, or agency moneys;
26 (2) Progress reporting by the contractor to the Executive Director or a contract manager
27 designated by the Executive Director at specified stages of contract performance;
28 (3) Site visits or other on-site monitoring of the contractor's performance;
29 (4) Agency reviews and verification of reported costs, time sheets, expenditures,
30 documented schedule delays and any other documentation which corroborates payment
31 requests and progress reporting;
32 (5) Verification by a third party of satisfactory contract performance as a prerequisite for
33 any payment on the contract;
34 (6) Required maintenance of records which must be accessible to the State Auditor and the
35 agency for auditing purposes;
36 (7) The retention of a third party, knowledgeable in the subject matter of the contract, to
37 administer the contract and oversee the work of the contractor; and
38 (8) Any other requirement deemed appropriate by the Executive Director.
39 (c) This Section does not apply to an interagency contract or other contract the Board is
40 required to execute pursuant to law, if the Executive Director has no authority to create or
41 alter the terms of the Contract.

By: Nelson

S.B. No. 353

A BILL TO BE ENTITLED

1

AN ACT

2 relating to state agency contracting.

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

4 SECTION 1. Sections 2155.078(a) and (b), Government Code,
5 are amended to read as follows:

6 (a) The commission shall establish and administer a system
7 of training, continuing education, and certification for state
8 agency purchasing personnel. The training and continuing education
9 for state agency purchasing personnel must include ethics training.
10 The commission may establish and offer appropriate training to
11 vendors on a cost recovery basis. The commission may adopt rules to
12 administer this section, including rules relating to monitoring a
13 certified purchaser's compliance with the continuing education
14 requirements of this section.

15 (b) Notwithstanding [~~Except as provided by~~] Subsection (n),
16 all state agency purchasing personnel, including agencies exempted
17 from the purchasing authority of the commission, must receive the
18 training and continuing education to the extent required by rule of
19 the commission. The training and continuing education must include
20 ethics training. A state agency employee who is required to receive
21 the training may not participate in purchases by the employing
22 agency unless the employee has received the required training or
23 received equivalent training from a national association
24 recognized by the commission. The equivalent training may count,

1 as provided by Subsection (k), toward the continuing education
2 requirements.

3 SECTION 2. Chapter 2261, Government Code, is amended by
4 adding Subchapter F to read as follows:

5 SUBCHAPTER F. ETHICS, REPORTING, AND APPROVAL REQUIREMENTS FOR
6 CERTAIN CONTRACTS

7 Sec. 2261.251. APPLICABILITY OF SUBCHAPTER. Section
8 2261.001 does not apply to this subchapter.

9 Sec. 2261.252. DISCLOSURE OF POTENTIAL CONFLICTS OF
10 INTEREST; CERTAIN CONTRACTS PROHIBITED. (a) Each state agency
11 employee or official who is involved in procurement or in contract
12 management for a state agency shall disclose to the agency any
13 potential conflict of interest specified by state law or agency
14 policy that is known by the employee or official with respect to any
15 contract or bid for the purchase of goods or services by the agency.

16 (b) A state agency may not enter into a contract for the
17 purchase of goods or services with a person with whom any of the
18 following agency employees or officials have a financial interest:

19 (1) a member of the agency's governing body;

20 (2) the governing official, executive director,
21 general counsel, chief procurement officer, or procurement
22 director of the agency; or

23 (3) a family member related to an employee or official
24 described by Subdivision (1) or (2) within the second degree by
25 affinity or consanguinity.

26 (c) A state agency employee or official has a financial
27 interest in a person if the employee or official:

1 (1) owns or controls, directly or indirectly, an
2 ownership interest in the person, including the right to share in
3 profits, proceeds, or capital gains; or

4 (2) could reasonably foresee that a contract with the
5 person could result in a financial benefit to the employee or
6 official.

7 Sec. 2261.253. REQUIRED POSTING OF CERTAIN CONTRACTS;
8 ENHANCED CONTRACT AND PERFORMANCE MONITORING. (a) For each
9 contract for the purchase of goods or services, each state agency
10 shall post on its Internet website a list of:

11 (1) each contract the agency enters into without
12 inviting, advertising for, or otherwise requiring competitive
13 bidding before selection of the contractor; and

14 (2) the statutory or other authority under which the
15 contract described by Subdivision (1) may be entered into without
16 compliance with competitive bidding procedures.

17 (b) Each state agency by rule shall establish a procedure to
18 identify each contract that requires enhanced contract or
19 performance monitoring and submit information on the contract to
20 the agency's governing body or, if the agency is not governed by a
21 multimember governing body, the officer who governs the agency.
22 The agency's contract management office or procurement director
23 shall immediately notify the agency's governing body or governing
24 official, as appropriate, of any serious issue or risk that is
25 identified with respect to a contract monitored under this
26 subsection.

27 Sec. 2261.254. CONTRACTS WITH VALUE EXCEEDING \$1 MILLION.

1 (a) For each contract for the purchase of goods or services that
2 has a value exceeding \$1 million, a state agency shall develop and
3 implement contract reporting requirements that provide information
4 on:

5 (1) compliance with financial provisions and delivery
6 schedules under the contract;

7 (2) corrective action plans required under the
8 contract and the status of any active corrective action plan; and

9 (3) any liquidated damages assessed or collected under
10 the contract.

11 (b) Each state agency shall verify:

12 (1) the accuracy of any information reported under
13 Subsection (a) that is based on information provided by a
14 contractor; and

15 (2) the delivery time of goods or services scheduled
16 for delivery under the contract.

17 (c) Except as provided by Subsection (d), a state agency may
18 enter into a contract for the purchase of goods or services that has
19 a value exceeding \$1 million only if:

20 (1) the governing body of the state agency approves
21 the contract and the approved contract is signed by the presiding
22 officer of the governing body; or

23 (2) for a state agency that is not governed by a
24 multimember governing body, the officer who governs the agency
25 approves and signs the contract.

26 (d) The governing body or governing official of a state
27 agency, as appropriate, may delegate to the executive director of

1 the agency the approval and signature authority under Subsection
2 (c).

3 Sec. 2261.255. CONTRACTS WITH VALUE EXCEEDING \$5 MILLION.
4 For each state agency contract for the purchase of goods or services
5 that has a value exceeding \$5 million, the contract management
6 office or procurement director of the agency must:

7 (1) verify in writing that the solicitation and
8 purchasing methods and contractor selection process comply with
9 state law and agency policy; and

10 (2) submit to the governing body of the agency, or
11 governing official of the agency if the agency is not governed by a
12 multimember governing body, information on any potential issue that
13 may arise in the solicitation, purchasing, or contractor selection
14 process.

15 Sec. 2261.256. RISK ANALYSIS PROCEDURE; CONTRACT
16 MANAGEMENT HANDBOOK; CONTRACT MANAGEMENT DATABASE. (a) Each state
17 agency shall develop and comply with a risk analysis procedure. The
18 procedure must provide for:

19 (1) assessing the risk of fraud, abuse, or waste in the
20 contractor selection process, contract provisions, and payment and
21 reimbursement rates and methods for the different types of goods
22 and services for which the agency contracts; and

23 (2) identifying contracts that require enhanced
24 contract monitoring.

25 (b) Each state agency shall publish a contract management
26 handbook that establishes consistent contracting policies and
27 practices to be followed by the agency. The handbook may include

1 standard contract provisions and formats for the agency to
2 incorporate in contracts.

3 (c) Each state agency shall establish a central contract
4 management database that identifies each contract made with the
5 agency.

6 SECTION 3. The changes in law made by this Act apply only to
7 a contract entered into on or after the effective date of this Act.
8 A contract entered into before that date is governed by the law in
9 effect immediately before the effective date of this Act, and the
10 former law is continued in effect for that purpose.

11 SECTION 4. This Act takes effect September 1, 2015.

**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:	TBAE #054-13N/SOAH #459-15-1174
Respondent:	Juan Giraldo, Individually and as President of Link International Design, a dba of Interlink Consortium, Inc.
Location of Respondent:	Houston, TX
Date of Complaint Received:	October 29, 2012
Nature of Violation:	Illegal Practice of Architecture and Title Violations
Instrument:	Final Order

This matter will be presented to the Board to accept, reject or accept with modifications a Final Order incorporating the Findings of Fact and Conclusions of Law cited as “Alleged Facts” and “Alleged Violations” in the Complaint filed at the State Office of Administrative Hearings.

Order No. 2 was issued by the Administrative Law Judge (ALJ) on January 28, 2015, after a hearing was held on the merits on January 13, 2015. Respondent did not appear and was not represented at the hearing. Upon receiving Staff’s Exhibits 5 and 5A showing proof of adequate notice to the Respondent, the ALJ found there was adequate notice and granted Staff’s Motion for Default.

HEARING CONDUCTED BY THE
TEXAS STATE OFFICE OF ADMINISTRATIVE HEARINGS
SOAH DOCKET NO. 459-15-1174

IN THE MATTER OF THE	§	BEFORE THE
	§	
COMPLAINT AGAINST	§	
	§	TEXAS BOARD OF
JUAN GIRALDO, Individually	§	
And as President of	§	
LINK INTERNATIONAL DESIGN,	§	
d/b/a INTERLINK CONSORTIUM, INC.	§	ARCHITECTURAL EXAMINERS

FINAL ORDER

During an open meeting at Austin, Texas, the Texas Board of Architectural Examiners (Board) finds that the above-styled case was heard before Administrative Law Judge Roy Scudday (ALJ) of the State Office of Administrative Hearings (SOAH) on January 13, 2015. General Counsel, Scott Gibson, appeared on behalf of the Texas Board of Architectural Examiners (Board/Staff). Respondent, Juan Giraldo, did not appear and was not represented at the hearing. Upon receiving Staff's Exhibits 5 and 5A showing proof of adequate notice to the Respondent, the ALJ found there was adequate notice and granted Staff's Motion for Default.

On January 23, 2015, Respondent filed a request to adjust the penalty, stating that he did not understand that he was required to attend the hearing. On January 26, 2015, Staff filed a response indicating that Respondent was aware of the hearing but chose not to attend.

Inasmuch as Respondent neither requested a continuance on the hearing nor requested that the granting of Staff's Motion for Default be set aside, the ALJ ordered that this matter be dismissed from the SOAH docket on a default basis in accordance with 1 Texas Administrative

Code § 155.501(d). The file has been returned to the Board for informal disposition on a default basis in accordance with Texas Government Code §2001.056. The Order was properly served on all parties, and all parties were given an opportunity to file exceptions and replies as part of the record herein.

After deliberation upon this case, and with a quorum present, the Board has voted to adopt the following Findings of Fact and Conclusions of Law outlined in Petitioner's Complaint attached to the First Amended Notice of Hearing as final agency action in this matter.

Findings of Fact

1. The Texas Board of Architectural Examiners (Board) is a state agency charged with enforcing the Architects' Practice Act, TEX. OCC. CODE ANN. §1051.001-801.
2. Juan Giraldo (Respondent) is the owner of a business named Interlink Consortium, Inc., doing business as Link International Design.
3. At no time has Respondent individually nor has any business named Link International Design, Inc. or Interlink Consortium, Inc., been registered with the Board to engage in the practice of architecture.
4. On October 29, 2012, the Board received notice from the Harris County District Attorney's Office that Respondent had offered architectural services through Link International Design and had used the title "Architectural Designer."
5. On or about October 23, 2012, October 25, 2012, January 10, 2013, July 28, 2014, August 19, 2014, and November 4, 2014, the Board accessed the Web site for Respondent's firm through the Internet¹. The words "ARCHITECTURE & CONSTRUCTION" appear at the top of each page on the Web site. On the page titled "ABOUT OUR COMPANY" a list of services offered on behalf of the firm is listed, including "Architectural Planning and Design."
6. On the page titled "PROJECTS" the Web site includes illustrations of several projects which are represented to have been designed by Respondent's firm. Several of the projects are of such a size and intended use that they would not be exempt from the Architects' Registration Law under TEX. OCC. CODE ANN. §1051.606. Therefore, by law only an architect would be permitted to prepare architectural plans and specifications for the listed projects.

¹ The URL for Respondent's business is www.linkinternationaldesign.com. All references to the Web site for Respondent's business refer to pages at this Web address.

7. The Web site lists six projects located in Texas identified as “Religious Centers,” three of which the firm is represented to have designed. By law, an architect is required to have prepared the architectural plans and specifications for each of the six projects.
8. Under the heading “Commercial/Warehouse” a project is identified as “Fairmount Shopping Center” and described as “design of new 26,000 square foot shopping center.” As a commercial building larger than 20,000 square feet, the project would exceed the threshold for exemption so the architectural design would require the services of a registered architect. Tex. Occ. Code Ann. §1051.606(a)(4)(D).
9. The Web site also lists five hotel projects and at least one stadium located in Texas, the design of which would also require the services of an architect.
10. On or about each of the above-referenced dates, Respondent’s name “Juan Giraldo” appeared over the title “Architectural Designer” on three of the four pages of the Web site for Respondent’s business, Link International Design.
11. On or about each of the above-referenced dates, the following description of Respondent’s firm appears on the home page and the page titled “ABOUT OUR COMPANY” on the Web site for Respondent’s firm: “*LINK INTERNATIONAL DESIGN* is a company of professionals headquartered in Houston, TX. We specialize in the entertainment world, structuring and developing architectural projects in the international and domestic environment. . . .”
12. The Board’s staff has periodically checked the Web site for Respondent’s business continuously since October 23, 2012, and determined Respondent’s name still appears above the title “Architectural Designer” on the Web site.
13. During the course of its investigation the Board received a copy of a contractual agreement from a building consultant from the Seven Days Adventists Church. The agreement is dated October 26, 2012, and includes Respondent’s name over the name of his business. Pursuant to this agreement, Respondent proposed design services to the Seven Days Adventist – Central Conference for the “construction of a new temple for the Seven Days Adventist Church” to be located at 9735 Rosslyn Road, Houston, Texas. Respondent had given a member of the clergy from the church the document which was titled “Contractual Agreement” and had been printed on the letterhead stationery for Respondent’s firm. The written contract included the following sentences “We (LID) proposed [sic] to draw plans for the construction of a new 100’ x 80’ (approximately) religious center and located in Houston, Texas. This includes the Architectural design” The contract form included “Site Plan, Floor Plan, Elevations, Sections” under the heading “SCOPE OF WORK.” By statutory definition, site plans, floor plans, building elevations, cross-sections, and wall sections are architectural designs. TEX. OCC. CODE ANN. §1051.0016(a)(1),(3) and (5); TEX. ADMIN CODE §1.210.

14. During the course of its investigation, the Board determined it previously investigated Respondent for similar conduct to that which is pertinent to the Complaint. On September 21, 2006, the Board sent Respondent a warning letter regarding the unlawful use of architectural titles to resolve the earlier investigation. At that time, Respondent had been given notice that he may not use any form the title “architect” to describe himself, his profession, or his business in Texas until he becomes registered as an architect. The warning notice also gave Respondent written notice that he may not practice architecture or pursue the practice of architecture except subject to certain limitations.
15. On August 22, 2014, the Staff sent Respondent a Report and Notice of Violation alleging that Respondent had violated TEX. OCC. CODE ANN. §§1051.606(a)(4)(C) and (D), 1051.701(a), 1051.701(b), and 22 TEX. ADMIN. CODE §1.211(a) by using architectural titles and by holding himself and his business out to the public as being engaged in the practice of architecture.
16. On November 12, 2014, Staff filed a Request to Docket Case and Complaint with the State Office of Administrative Hearings.
18. On November 17, 2014, a Notice of Hearing was mailed to Respondent, by certified mail to his office, Link International Design, at 7858 Country Place Drive, Houston, Texas 77079. After two notifications by the U.S. Postal Service, the Notice of Hearing was returned to the Board as “unclaimed/return to sender.”
19. On December 10, 2014, a First Amended Notice of Hearing and Complaint was mailed to Respondent by certified mail to his office, Link International Design, at 785B Country Place Drive, Houston, Texas 77079. Respondent signed for receipt of the First Amended Notice of Hearing on December 12, 2014.
20. The First Amended Notice of Hearing contained a statement of the time, place, and nature of the hearing; a statement of the legal authority and jurisdiction under which the hearing was to be held; a reference to the particular sections of the statutes and rules involved; and a short plain statement of the matters asserted.
21. The amended hearing notice contained the following language in capital letters in at least 12-point, boldface type: “UPON YOUR FAILURE TO APPEAR AT THE HEARING, THE FACTUAL ALLEGATIONS IN THIS NOTICE AND THE COMPLAINT WILL BE DEEMED ADMITTED AS TRUE, AND THE RELIEF SOUGHT BY THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS MAY BE GRANTED BY DEFAULT.”
22. The hearing convened January 13, 2015, in the William P. Clements Building, 300 West 15th St., Austin, Texas.
23. Respondent did not appear and was not represented at the hearing.
24. Staff moved for a default which was granted.

Conclusions of Law

1. The Texas Board of Architectural Examiners (Board) has jurisdiction over this matter pursuant to TEX. OCC. CODE ANN. ch. 1051.
2. The State Office of Administrative Hearings has jurisdiction over the hearing in this proceeding, including the authority to issue a proposal for decision with proposed findings of fact and conclusions of law, pursuant to TEX. GOV'T CODE ANN. ch. 2003.
3. Notice of the complaint and the hearing on the merits was provided as required by TEX. OCC. CODE ANN. §1051.455 and by the Administrative Procedure Act, TEX. GOV'T CODE ANN. §§2001.051 and 2001.052.
4. Based on 22 TEX. ADMIN. CODE §155.505(a), the facts alleged by Staff as set forth in the Alleged Facts in the Complaint are deemed admitted.
5. Based on Alleged Fact Nos. 7-15, Respondent violated TEX. OCC. CODE ANN. §§1051.701(a), 1051.701(b), and 22 TEX. ADMIN. CODE §§1.123 and 1.124.
6. The Board is authorized by TEX. OCC. CODE ANN. §1051.452 to provide an administrative penalty schedule for violations of the Code.
7. The appropriate penalty determined by the Board for a major violation (one where Respondent has received at least two prior written notices or has been subject to two disciplinary actions for violation of the rules and laws) is an administrative penalty of not more than \$5,000 per incident shall be imposed, based on the Administrative Penalty Schedule at 22 TEX. ADMIN. CODE §§1.177(2)(B) in effect at the time of the violations.
8. Based on Alleged Fact Nos. 7-15 cited in the Complaint, Respondent committed multiple violations.
9. Based on Alleged Fact Nos. 7-15 and Alleged Violation Nos. 16-18 cited in the Complaint, Respondent should be assessed an administrative penalty in the amount of \$35,000.00.
10. Based on Alleged Fact Nos. 7-15 cited in the Complaint, the Board should order Respondent to cease and desist from further violations of TEX. OCC. CODE ANN. ch. 1501 and 22 TEX. ADMIN. CODE ch. 1, pursuant to TEX. OCC. CODE ANN. §1051.504.

WHEREFORE, Respondent is ORDERED to pay an administrative penalty in the amount of \$35,000 and is further ORDERED to cease-and-desist from any and all activity which constitutes the offering of, or practice of, architecture. This ORDER shall become final on the 20th

day after it is issued as indicated by the date below; unless Respondent files a Motion for Rehearing which is granted by the Board. Not later than the 30th day after the date this ORDER becomes final Respondent shall pay the administrative penalty and come into compliance with the cease-and-desist ORDER or file a petition for judicial review as provided by TEX. OCC. CODE ANN. §1051.457 and otherwise at law.

If Respondent fails to perfect an appeal or to pay the administrative penalty as required by law, Staff is directed to henceforth refer this matter to the Office of the Texas Attorney General for immediate commencement of collection and other enforcement activity.

Signed and dated this the 7th day of May, 2015.

ALFRED VIDAURRI, JR., FAIA, NCARB, AICP
CHAIR, TEXAS BOARD OF ARCHITECTURAL EXAMINERS

**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:	045-15A
Respondent:	Anthony J. Amenta
Location of Respondent:	Hartford, CT
Date of Complaint Received:	January 22, 2015
Instrument:	Report and Notice of Violation

Findings:

- Anthony J. Amenta (hereafter “Respondent”) is a registered architect in Texas with registration number 8180.
- From July 5, 2006 through January 13, 2015, Respondent’s architectural registration was inactive, but was renewed timely each year. In addition, he was registered and engaged in the practice of architecture in other jurisdictions.
- On or about September 25, 2014, Respondent provided architectural services for a project identified as *SAS Tennant Improvements* located in Houston, Texas.
- In response to the Board’s inquiry, Respondent stated that when he received the *SAS Project*, he gave his administrative staff instructions to request a change in status, but unfortunately, the request fell through the cracks in his system and he did not become aware of it until late in the design process.
- Respondent self-reported the error, has been honest and cooperative during this investigation and has accepted responsibility for his violation.
- In addition, TBAE staff has determined that Respondent has no other projects and has not otherwise engaged in the practice of architecture in Texas during his inactive status.
- Respondent is currently in good standing with the Board and is on active status.

Applicable Statutory Provisions and Rules:

- A person may not engage in the practice of architecture or offer or attempt to engage in the practice of architecture unless the person is registered as an architect. TEX. OCC. CODE ANN. §§1051.351(a) &1051.701(a).
- The Board may impose an administrative penalty upon Respondent based upon statutory criteria. TEX. OCC. CODE ANN §§1051.451 & 1051.452.

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends, and Respondent is prepared to accept the imposition of an administrative penalty in the sum of **\$500.00**.

**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:	035-15N
Respondent:	Randy Harrison
Location of Respondent:	Hutto, Texas
Date of Complaint Received:	December 2, 2014
Instrument:	Report and Notice of Violation

Findings:

- Randy Harrison (hereafter “Respondent”) is not and never has been registered as an architect in Texas.
- Respondent was an employee of *Ilcor Homes* which is not registered with the Board as a firm which may lawfully be held out to the public as practicing or offering to engage in the practice of architecture.
- On or about January 27, 2014, *Ilcor Homes* submitted an application for a building permit for a residential project with the City of Brownwood. Construction documents for the project were submitted with the application.
- The City of Brownwood performed a plan review and prepared a list of notes to be addressed by *Ilcor Homes* which was transmitted to them on January 28, 2014. A note written on a sheet numbered “S-1” addressed the spacing of concrete cross beams in the concrete slab on grade. The note read as follows: “Minimum spacing of grade beams is 16’ 0” O.C. each way, unless an engineered plan is provided with signed seal.”
- During the course of its investigation, the Board contacted Respondent to inform him it had received information which indicated that he may have violated the laws enforced by the Board and requested he respond in writing. In his written response, he stated that upon receiving the list of notes to be addressed by *Ilcor Homes*, he contacted the owner, Jim Williamson of Central Texas Opportunities, about the additional structural needs of the project. Respondent indicated that Mr. Williamson stated that he did not have the money in the budget for the additional beam and that he would contact the architect on the project. Respondent stated that the architect on the project was identified as “Orr and Associates.”
- Furthermore, Respondent stated that Mr. Williamson subsequently contacted him and stated that the architect was in failing health and would no longer be working on the project with him. He instructed Respondent to take the original drawing with the architectural seal to the City.

- In his written response, Respondent included the following statement: “I had to make a few changes to the overall width and length of the floor plan in order for it to fit on the lot and I assumed that with those being the only changes that I had made since the architect was in failing health that I would add his seal to my drawing. It was a wrong assumption on my part and I can see now that I should have contacted the architect myself.”
- On February 4, 2014, the City of Brownwood received a resubmittal of the drawings. Sheet S-1 had an architectural seal of architect, James Orr, bearing architectural number 4692, along with the architect’s firm name and contact information.
- On or about February 7, 2014, the Board received a letter and supporting documentation from the City of Brownwood’s Building Official, which detailed the events in this matter and his requirement by rule to report an apparent violation of the Board.
- Respondent admitted to the infraction and cooperated with the investigation. In addition, he expressed remorse for his wrong assumption and bad judgment and is no longer working in the construction industry.

Applicable Statutory Provisions and Rules:

- A person may not engage in the practice of architecture or offer or attempt to engage in the practice of architecture unless the person is registered as an architect. TEX. OCC. CODE ANN. § 1051.701(a).
- A person may not use or attempt to use an architect’s seal, a similar seal, or a replica of the seal unless the use is by or through an architect. TEX. OCC. CODE ANN. § 1051.702(b)
- By creating a copy of an architect’s seal without the knowledge or consent of the architect and by affixing the copy of the seal and the architect’s signature to plans submitted to a governmental entity for permitting purposes, Respondent violated TEX. OCC. CODE ANN. § 1051.702(b).

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends, and Respondent is prepared to accept, the issuance of an Agreed Order imposing an administrative penalty in the sum of **\$2,000.00** and an Order prohibiting Respondent from practicing architecture, using any architectural title and using or replicating an architectural seal in order to mislead a governmental entity or any other person.

**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: 088-14N
Respondent: Dawn Moore
Location of Respondent: Austin, TX
Date of Complaint Received: February 10, 2014
Instrument: Agreed Order

Findings:

- Dawn Moore (hereafter “Respondent”) is not and never has been registered as an architect in Texas.
- Respondent is an owner of a business entity named “MOORE | TATE PROJECTS + DESIGN L.L.C.” (hereafter MOORE | TATE).
- MOORE | TATE has never been registered with the Board as an architectural firm.
- On or about February 10, 2014, the Board received a telephone call from a plans examiner for the City of Austin. The plans examiner advised that she had reviewed 4 sheets of construction documents for a residential project known as “New 2 Story House” to be located at 1510 Newton, Austin, Texas. The construction documents that were filed with the City of Austin had a replica of an architectural seal affixed to them.
- During the course of the investigation, the Board’s Managing Investigator interviewed architect, Steven Meyers. Mr. Meyers acknowledged that he had a business relationship with Respondent in the past and had agreed to do some design work for her business. The Board’s Investigator advised Mr. Meyers that his seal had been altered and placed on construction documents for the project located at 1510 Newton.
- Subsequently, Mr. Meyers advised the Board that he had learned that his seal image and signature had been placed on construction documents for six other residential projects wherein permits were issued and the projects were constructed.
- Mr. Meyers swore that he did not affix the seals or signatures to any of the documents and he was not familiar with the projects or the development of the project construction documents.
- Respondent has cooperated with and been forthright during the investigation as well as the Informal Settlement Conference.

Applicable Statutory Provisions and Rules:

- A person may not engage in the practice of architecture or offer or attempt to engage in the practice of architecture unless the person is registered as an architect. TEX. OCC. CODE ANN. §§1051.351(a) &1051.701(a).
- A person may not use or attempt to use an architect’s seal, a similar seal, or a replica of the seal unless the use is by or through an architect. TEX. OCC. CODE ANN. §1051.702(b).

- By creating a copy of an architect's seal without the knowledge or consent of the architect and by affixing the copy of the seal and the architect's signature to plans submitted to a governmental entity for permitting purposes, Respondent violated TEX. OCC. CODE ANN. §1051.702(b).

Action Recommended by Executive Director:

- The Executive Director recommends, and Respondent is prepared to accept, the issuance of an Agreed Order imposing an administrative penalty in the sum of **\$40,000.00** and an Order prohibiting Respondent from practicing architecture, using any architectural title and using or replicating an architectural seal in order to mislead a governmental entity or any other person.

**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:	049-15A
Respondent:	Phillip R. Rivers
Location of Respondent:	Houston, TX
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Phillip R. Rivers (hereafter “Respondent”) is registered as an architect in Texas with registration number 13130.
- On December 15, 2014, he was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2013 through December 31, 2013.
- On January 9, 2015, he responded by submitting a CEPH Log and supporting documentation. A review of the documentation by the Continuing Education Coordinator determined that a portion of his continuing education requirements were completed outside of the audit period.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of his continuing education activities for the period of January 1, 2013 through December 31, 2013, Respondent violated Board rule 1.69(g)(1). The standard administrative penalty imposed upon a registrant for failing to maintain a detailed record of continuing education activities for a period of five (5) years after the end of the registration period for which credit is claimed is **\$500.00**.

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends an administrative penalty of **\$500.00**.

**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: 058-15A
Respondent: Andrew P. Sheehan
Location of Respondent: Houston, TX
Nature of Violation: Violation of Continuing Education Requirements
Instrument: Report and Notice of Violation

Findings:

- Andrew P. Sheehan (hereafter “Respondent”) is registered as an architect in Texas with registration number 17922.
- 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, 2013 through December 31, 2013.
- In addition to completing the required continuing education hours outside of the continuing education period, Respondent falsely certified completion of CE responsibilities in order to renew his architectural registration.

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(g). The Board’s standard assessment for providing false information is **\$700.00**.
- By failing to timely complete the required continuing education program hours, Respondent violated Board rule 1.69(b). The standard administrative penalty assessed for this violation is **\$500.00**.

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends an administrative penalty of **\$1,200.00**.

**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:	043-15A
Respondent:	Joseph J. Sorci
Location of Respondent:	Orlando, FL
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Joseph J. Sorci (hereafter “Respondent”) is registered as an architect in Texas with registration number 16556.
- On October 15, 2014, he was notified by the Board that he was being audited for compliance with the continuing education requirements for the audit period of January 1, 2013 through December 31, 2013.
- On December 22, 2014, he responded by submitting a CEPH Log and supporting documentation. A review of the documentation by the Continuing Education Coordinator determined that a portion of his continuing education requirements were completed outside of the audit period.

Applicable Statutory Provisions and Rules:

- By failing to maintain a detailed record of his continuing education activities for the period of January 1, 2013 through December 31, 2013, Respondent violated Board rule 1.69(g)(1). The standard administrative penalty imposed upon a registrant for failing to maintain a detailed record of continuing education activities for a period of five (5) years after the end of the registration period for which credit is claimed is **\$500.00**.

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends an administrative penalty of **\$500.00**.

**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:	057-15L
Respondent:	Wesley L. Wilkerson
Location of Respondent:	Baton Rouge, LA
Nature of Violation:	Violation of Continuing Education Requirements
Instrument:	Report and Notice of Violation

Findings:

- Wesley L. Wilkerson (hereafter “Respondent”) is registered as a landscape architect in Texas with registration number 2691.
- On February 15, 2015, he was notified by the Board that he was subject to a random audit for compliance with the continuing education requirements for the audit period of January 1, 2013 through December 31, 2013.
- On February 26, 2015, the Board received his CEPH Log and supporting documentation for the audit period. A review of the documentation by the Continuing Education Coordinator determined that a portion of the continuing education requirements were completed outside of the audit period.

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 3.69(g). The Board’s standard assessment for providing false information is **\$700.00**.

Action Recommended by Interim Executive Director:

- The Interim Executive Director recommends an administrative penalty of **\$700.00**.

TBAE EVENT CALENDAR 2015

01 New Year's Day (*Agency Closed*)
 02 TBAE Holiday (*Skeleton Crew*)
 19 M.L. King Day (*Agency Closed*)
 21 Board Meeting – Select Candidates
 22 Board Meeting

84th Legislative Session begins

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

JULY						
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26	27	28	29	30	31	

03 Independence Day (*Agency Closed*)

16 Presidents Day (*Agency Closed*)
 19 Board Meeting – ED Position Interviews

FEBRUARY						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28

AUGUST						
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23	24	25	26	27	28	29
30	31					

13 METROCON15 (*Aug 13-14*)
 24 Board Meeting
 18 2015 Bldg. Officials Assoc. of Texas (BOAT) Annual Conference (*Aug 18-21*) Texarkana
 27 LBJ Birthday (*Skeleton Crew*)

*2016 BOAT Annual Conference (*Aug 2-5*) Sugarland

02 Texas Independence (*Skeleton Crew*)
 12 NCARB MBE Workshop – (12-14) Hilton Long Beach, Long Beach, CA
 13 NCARB Regional Summit – Long Beach, CA

MARCH						
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22	23	24	25	26	27	28
29	30	31				

SEPTEMBER						
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27	28	29	30			

07 Labor Day (*Agency Closed*)
 2015 LRGV-AIA Conference
 16 CLARB Annual Meeting (*Sep 16-19*) Loews New Orleans Hotel New Orleans, LA

03 Good Friday (*Optional*)
 21 San Jacinto Day (*Skeleton Crew*)
 22 TX ASLA Conference – Galveston
 30 Personal Financial Statement due to the Ethics Commission

APRIL						
S	M	T	W	Th	F	S
			1	2	3	4
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26	27	28	29	30		

OCTOBER						
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

29 Board Meeting

25 Memorial Day (*Agency Closed*)
 07 Board Meeting

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						

NOVEMBER						
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

05 TxA 76th Annual Convention (*Nov 5-7*) – Dallas, TX
 13 CIDQ Annual Meeting (*Nov 13-14*) Atlanta, GA
 11 Veterans Day (*Agency Closed*)
 26 Thanksgiving Day (*Agency Closed*)
 27 Day after Thanksgiving (*Agency Closed*)

1 84th Legislative Session Ends
 17 NCARB Annual Meeting (*Jun 17-20* Roosevelt Hotel, New Orleans, LA)
 19 Emancipation Day (*Skeleton Crew*)

JUNE						
S	M	T	W	Th	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

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		

24 Christmas Eve (*Agency Closed*)
 25 Christmas Day (*Agency Closed*)