

A LOUISIANA ARCHITECTURAL NEWS

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“TEENY’S TALK”

CONTINUING EDUCATION AUDIT

In the May, 1999 issue, I mentioned the continuing education random audit which was begun in February of this year. On January 20, 1999, a certified letter was sent to 65 architects requesting verification of their 12 hours of continuing education which was certified on their 1999 renewal notice. This process was not as easy as it was initially thought. Several architects had changed addresses which we then had to track down. Some had neglected to pick up the certified letters at post offices which were returned to us after several weeks. We then had to call these architects advising they would soon be receiving the audit request and to return as soon as possible. Once we had received all the verifications, we divided the responses and mailed to the Board Members for approval. The majority of the audit were in full compliance. There was still confusion between learning units required by the AIA and continuing education hours required by the Board. For individuals using the AIA transcript as verification, please note that there are separate columns for hours and HSW (health, safety, welfare). This Board only counts hours, not the learning units.

ARCHITECTS SELECTION BOARD

The election results are in this issue. We had approximately 550 ballots returned. Several of the ballots had to be voided because they either had no signature or license number. On two, we could

not read the signature and the license number listed was incorrect. A few had voted for more than one candidate in a district and the vote had to be voided in that district. We will not have another election until next year. Because the votes were so close in a couple of districts, please remember to carefully follow the instructions. Your vote can make a difference.

RENEWALS FOR 2000

Enclosed is your renewal for next year. Please note that your signature is required on the bottom certifying that you have obtained at least 12 hours of continuing education in areas relating to health, safety, and welfare. If you have any questions concerning continuing education, please refer to Rule 1117 on our web site which is www.lastbdarchs.com. Also, available on this site are the approved seminar topics. If you are using an AIA transcript for verification, note this Board counts only the hours, not learning units as used by the AIA.

NEWSLETTERS

Beginning with the May, 1999 newsletter, you can also review a copy on our web site. We would appreciate any comments or suggestions for future newsletters. Much effort is given to each publication to make sure you are kept up-to-date on the latest information related to the Board and the practice of architecture in this state.

*Teeny Simmons,
Executive Director*

CONGRATULATIONS TO:

CHARLES WAYNE ABELL

DARRIN L. BADON

CHARLOTTE THROOP BELLAN

DANIEL ERIC BUSH

THOMAS EDWARD DOLL

GARY JOE DUNN

MICHAEL SAVOIE HUNLEY

NICHOLAS A. MARSHALL

MARK EDWARD SCHROEDER

ANDREW CHARLES SMITH

who have successfully completed the A.R.E.

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A MESSAGE FROM THE BOARD ATTORNEY

by: Paul H. Spaht

LOUISIANA ARCHITECTS' SELECTION BOARD:

During the most recent legislative session, the legislature made significant changes in the Architects' Selection Board. It increased the number of architectural members of the LASB from four to five; established five districts; provided that the five architectural members be elected annually, one from each district; and provided that the terms of existing members would expire on September 14, 1999. The legislature directed the LSBAE to conduct an election for membership in accordance with the new act.

The LSBAE heard comments complimenting the legislative changes (the legislature ensured that the LASB would remain politically independent by providing that all geographical areas of the state would be represented), and criticizing the changes (the legislature negated prior elections and thus "disenfranchised" architects who had voted in earlier elections). Regardless, the legislative mandate to the LSBAE was clear; it was directed to conduct an election for five new architectural members who would begin serving a one year term commencing September 15, 1999.

The LSBAE does not encourage architects to seek nomination, nor does it encourage resident architects to vote on particular candidates. The role of the LSBAE is simply to make certain

that the election to the LASB is conducted in a fair and impartial manner. The results of the recent election were remarkably close (in three districts less than 11 votes separated the top two candidates) and are published elsewhere in this newsletter.

We all remember the days, prior to the LASB, when there was a perception that politics and "who you know, not what you know" played pivotal roles in the awarding of state contracts.

Receiving nominations, preparing ballots and biographical information, mailing ballots to all resident architects, and counting ballots require large amounts of time that could be expended elsewhere. Nonetheless, the LSBAE believes that the small role that it plays in keeping politics away from the awarding of state contracts and maintaining the independence of the LASB justifies its efforts.

DESIGN/BUILD:

During the last ten years, the issue of design/build has probably received as much discussion at LSBAE meetings as any other issue. Indeed, design/build has received a huge amount of interest throughout the United States, and the debate on whether design/build is in the best interest of the public is ongoing.

Prior and current members of the LSBAE feel quite differently about what role, if any, design/build should

play in this state. At the same time, however, there is a general consensus that the LSBAE should address this issue. The Licensing Law does not mention design/build. Is design/build permissible in Louisiana? Are there limits on the role of an architect in a design/build undertaking? If so, what limits would be in the best interest of the public?

The Board is considering a proposed rule and it will be published in the next newsletter.

ARCHITECTURAL-ENGINEERING CORPORATIONS:

Architectural-engineering corporations are required by statute to file with the LSBAE an annual designation of the supervising professional architect who shall perform all professional architectural services or who shall directly supervise the performance of all architectural services by the corporation. Please remember that only full-time active employees of the architectural-engineering corporation whose primary occupation is with that corporation may be designated. If you are not a full-time active employee of an architectural-engineering corporation whose primary occupation is with that corporation, you are in violation of the law and subject to discipline if you allow yourself to be designated as the responsible supervising architect for such a corporation.

INTERN PROCEDURES

by J. David Brinson, AIA, NCARB

Most interns tend to wait too long to make contact with their registration board. Application materials related to the A.R.E. should be requested at least one year prior to the anticipated examination date. A careful review of the appropriate jurisdiction's training requirements, application procedures and licensing law should be made early in the internship.

Louisiana's procedures for licensing closely parallel those of NCARB. IDP records must be maintained through the NCARB record keeping process. The NCARB record must be requested in writing to be forwarded to the appropriate board. That written notice must be submitted to NCARB at least ninety days before the intern intends to apply to sit for the examination. This time frame allows for NCARB review of the intern's record and request for additional employment information and references if necessary.

Once the IDP record is complete and NCARB has received the transfer request and fee, the intern's record is forwarded to the registration board.

Since 1983, Louisiana has required IDP training through the NCARB record keeping process. Our state's requirements provide our interns with certain NCARB certification once the A.R.E. is successfully completed. Certification is a necessity for reciprocity. While there is a great deal of uniformity among registration boards, each state has its own requirements. Reciprocity by certification is an important advantage in today's profession because of the architectural profession's nobility.

Interns should be made aware of the importance of making contact with the registration boards. They should be encouraged to learn more about the licensing law and related statutes.

Fresh out of school and new in an office, many appear somewhat bewildered by the whole process. Sponsors and advisor/mentors should be knowledgeable of the appropriate procedures needed for the intern to navigate through IDP.

INTERNS AS CONTRACT EMPLOYEES

An emerging issue concerning interns as contract employees is creating some complications in the professional employment area. Apparently, there are a number of professional employment agencies that provide employees for architectural firms such as temporary employment services and some engineering firms have done this for years. Also, there are some "interns" who have chosen to act as "independent contractors" to provide technical and consulting services to architectural firms with overloads of work and limited personnel.

According to NCARB, an intern working as an independent contractor, offering or employed by a firm on a limited basis, using their own equipment and providing their own workspace, does not qualify for IDP credit. Even if they communicate electronically and meet several times each week, this type of employment is not eligible for training unit credits.

In order to be eligible for credit in a particular work setting, an intern must be a bonafide employee of the firm, working thirty hours or more each week and under the "responsible supervision" of an acceptable professional sponsor.

Professional employment agencies are a more complicated matter in one western state. There is currently litigation related to employment of interns through such agencies and the rejection of the experience earned as IDP credit. More information about this issue will be promulgated as it develops.

DISCIPLINARY ACTION:

The license of **William L. McElroy** to practice architecture in Louisiana was suspended for a period of six (6) months effective January 1, 1999. Further, Mr. McElroy was placed on probation for a period of one year during which he is required to provide the LSBAE with (1) any and all brochures of himself and his firm and (2) copies of any other information describing himself and his firm provided to clients. Mr. McElroy had been denied a license to practice architecture in Mississippi because the Mississippi State Board of Architecture found that Mr. McElroy had held himself out in Mississippi as practicing architecture in that state, even though he was not licensed in that state.

NATIONAL ARCHITECTURAL ORGANIZATIONS HOLD INTERNSHIP SUMMIT

At the first-ever summit of its kind, architects, interns, and representatives from five collateral organizations met to discuss the current state of the transition from architectural education to architectural practice. The “Summit on Architectural Internship,” held April 10-12, 1999, in Shaker Village, Kentucky, was organized by the Collateral Boyer Task Force, which represents the National Council of Architectural Registration Boards, the American Institute of Architects, the American Institute of Architecture Students, the Association of Collegiate Schools of Architecture, and the National Architectural Accrediting Board.

The summit is the result of several years of work on the part of diverse parties interested in the process through which emerging architects enter the profession. Conceived as an opportunity to “pull the engine” and thoughtfully examine the current internship experience, the Summit provided an opportunity for participants to critically assess, enhance, and reconceive aspects of the internship process, including how the profession defines what an “intern” is. Participants also reconsidered the connections between education and practice in preparing future architects.

The 66 delegates, which included representatives from Canada and Mexico, took part in intense facilitated discussion and visioning of the future. They developed a basis for initial communication with the profession, which says: “It seems to us that it is reasonable to consider that:

- the registration exam could be taken upon graduation from an accredited degree program;
- practice could be integrated into education;

- education could be integrated into practice;
- the term “intern” should be reconsidered;
- there be alternative paths to practical experience;
- the profession foster a culture of lifelong learning and mentorship;
- national and international reciprocity progress be preserved and enhanced; and
- accessibility to the profession be strengthened.”

Discussions at the Summit were critically tied to two of the goals identified in *Building Community: A New Future for Architecture Education and Practice*, by Ernest Boyer and Lee Mitgang, “An Enriched Mission,” which recommends connecting the schools and the profession more effectively to the changing social context, and “A Unified Profession,” which advocates strengthening the educational experience of students during school, creating a more satisfying system of internship, and extending learning throughout the profession. The issues raised at the Summit will serve as the impetus for future discussions about internship within the architectural community. The five collateral architectural organizations will appoint a steering committee to develop and implement a means to promote these discussions.

For more information on the “Summit on Architectural Internship,” contact John Edwards at the Association of Collegiate Schools of Architecture at 202/785-2324.

NEWS FROM THE STATE FIRE MARSHAL'S OFFICE

By: Henry C. Reed, Sr.

Jerry Jones, Chief Architect with the Office of the State Fire Marshal, Code Enforcement and Building Safety delivered a presentation to the architects and engineers licensing boards liaison committee meeting held in Baton Rouge. The presentation covered the status of the construction industry during the 98/99 fiscal year; who submitted what during this time frame; the quality of these submittals; areas of concern; and suggested solutions.

A total of 14,694 projects were submitted for plan review during fiscal year 98/99 (7/1/98-6/30/99). This represented approximately 4.3 billion dollars worth of construction. Although 60% of all projects were submitted by architects and engineers, 92.8% of the total construction cost for the state was submitted by architects and engineers. Licensed Louisiana architects submitted 42% of the total number of projects which represented 78.2% of the total construction cost. Louisiana licensed engineers submitted 17.7% of the total number of projects reviewed, which represented 14.5% of the total construction cost.

The quality of submittals has always been a concern of the Fire Marshal's Office. Of all the projects submitted for plan review, 6.3% received not-in-compliance letters and were required to resubmit plans prior to starting construction. The percentage of not-in-compliance letters that were issued to owners, engineers and architects were 6.9%, 6.6% and 5.7% respectively. It should be noted that a portion of the 6.9% rejection rate for projects submitted by owners was due to the fact that, under state law, these projects were required to be submitted by a licensed architect or a civil engineer. The State Fire Marshal staff is required to reject projects submitted by owners that exceed the specified limits of LRS 37:155.

Many years ago, the State Fire Marshal's Office attempted to enforce a licensing requirement for an architect on all projects exceeding \$125,000. The Architects Licensing Board partially resolved this problem by specifying that plans were required to be prepared and submitted for review by an architect or civil engineer based on square footage and occupancy classification. This improved the architectural quality of the documents submitted for review. This law clearly specified when an architect or civil engineer was required, but the laws

did not clearly indicate when an engineer was required. The law simply states that where engineering occurs, an engineer is required. This is not enforceable by the Fire Marshal's Office. It is a concern of this office that there is a transfer of design responsibility to some contractors.

It is the sub-contractors responsibility to satisfy the construction contract documents. If documents are wrong, they are not responsible to correct mistakes. It is illegal for an unlicensed individual to design electrical, mechanical, or structural systems. If it is the intent of the Engineers Licensing Law to require these systems to be designed by electrical engineers, mechanical engineers, structural engineers, etc., then the Licensing Law needs to state clearly and precisely (in a manner that is enforceable by the State Fire Marshal's Office) when the various engineers are required to be involved in a project. The law needs to better define when an engineer is required. Engineers and architects need to stop fighting about who does what. They need to work out a solution to the problem. Focus should be on public health, safety, and welfare, not profits. The design professionals need to design and quit trying to transfer design responsibility to sub-contractors (H.V.A.C., sprinklers, alarms...) in order to cut contract production cost.

How can you help us? Although it is against the law, some communities continue to issue permits prior to our review. You can help us stop this practice by communicating with the local permit office that it is a violation of state law to issue a permit prior to plan review by the Fire Marshal's Office. Additionally, you can continue to do what you are doing, to police the industry and report violations to the nearest Fire Marshal District Office. Additionally, you can continue to improve the quality of the design community through continuing education.

How can we help you? The State Fire Marshal's Office continues to maintain open lines of communication and listen to your needs. We recognize that construction is economic development in our communities. We want to assist you in those efforts but at the same time, make sure that public safety is not jeopardized. We want to work with you. Our goals are the same; People and Property Protection.

LAST 13 YEARS – PART II

By Fabian Patin, AIA, NCARB

DESIGN/BUILD

Probably a large percentage of the current Design/Build practice is in violation of the current architect's licensing law. When a contractor offers to provide Design/Build services and then hires an architect, that contractor is practicing architecture without a license, because offering to provide architectural services is defined as the practice of architecture, and that contractor could be fined by the board.

The board is currently considering a Proposed Rule to hopefully remedy the Design/Build dilemma. If the Proposed Rule 1121 is adopted, a contractor in conjunction with an architect will be able to offer and provide architectural services. If adopted, the architectural services will have to be performed by an architect. Both the architect and the contractor will have to sign the design/build agreement with the owner, and that agreement must be clear as to the duties and responsibilities of the parties.

BOARD'S INVOLVEMENT IN NCARB & AIA

During the past 13 years, our board members have been very active in both NCARB and AIA. Our representation has been higher than would be expected, based on the percent of architects that reside in Louisiana vs. the United States.

Chuck Schwing was the Regional Director of the Southern Conference of NCARB for 3 years, chair of NCARB's IDP committee, AIA President and Gulf States Regional Director.

Skipper Post was AIA President, Gulf States Director, and very involved in IDP & AIA Continuing Education.

Joe Brocato chaired the Construction Documents & Services Division of the ARE and next year he will be Chair of the Architect Registration Examination.

Most of the board members have graded the ARE and served on at least one NCARB Committee.

I was fortunate to have chaired the ARE, the Materials and Methods Division of the ARE, the Mechanical and Electrical Division of the ARE, and the Procedures and Documents Committee. Currently, I am the Director of the Southern Region. In that capacity, I serve on the NCARB Board of Directors. While the position is very time consuming, I am thoroughly enjoying the work and helping to advance the mission.

All of last year's and the current year's board members have been presidents of AIA/LA.

STAFF & COMPUTERS

The staff, always eager to serve, is courteous, cheerful, dependable, and stable. During the last 13 years, there has been zero turnover. Teeny, Anita, & Dot have always been there to help me. I get nothing but praise on how efficiently and courteously they serve the architects.

The staff is using its second generation of computers. The hardware and software improvements benefit all of us because of the higher efficiency and accuracy. One of the other NCARB jurisdictions still does not have even one computer and the Georgia board just was able to start getting email.

ARE

The office administered the paper and pencil version of the Architect Registration Examination each year until 1997. At that time the ARE

became a computer administered examination. Now it is available to take 50 weeks a year rather than only once or twice a year. It is now available to take in New Orleans, Baton Rouge, and Bossier City at the Sylvan Learning Centers rather than only at one site.

Unfortunately, the number of candidates taking the ARE has dropped off dramatically. Last year those taking the exam only equaled about 30% of those in previous years. This year we hope that number will rise to approximately 40% of the previous number of yearly ARE takers. I hope that this trend will continue for some time. Candidates now typically take only one of the nine divisions at a time rather than the previous practice of first time candidates taking all nine divisions within four days. It appears that one of the main causes for this dramatic drop in exam takers is that it is easier to justify putting it off since you can take it anytime, not just once a year as in the past. We all are guilty of that, the "I can do it next week or month". Like elastic it stretches and stretches, and before you realize the weeks and months become a significant amount of time.

The pass rate is significantly higher, partially because candidates can study for individual divisions, take that division and then study for another division rather than preparing for several divisions at the same time. The new exam process is far less stressful to the candidates. The candidates prefer the computer ARE to the paper and pencil ARE for several reasons. In addition to allowing them to take the individual exam divisions, the two graphic divisions have been organized into three graphic divisions. Each graphic division has several distinct vignettes to measure more accurately specific bodies of knowledge and skill levels. Now with the vignettes, candidates that make a mistake early no longer are penalized like they were when there was only one design problem.

Because of the dramatic reduction in number of ARE takers and because the NCARB income per test division taken is less than in the paper and pencil version, NCARB has made significant adjustments. The loss of over 20% of income due to the changes in the ARE has been difficult for NCARB. A balanced budget is projected this year; it took significant cuts in expenses and a lot of cooperation from all.

The board held several exam review seminars. The number of attendees continued to decline, until the board could no longer justify the seminars. Now with the ARE given throughout the year and the significantly fewer takers, ARE seminar attendance throughout the nation is less than previously. In the foreseeable future, it will probably be difficult for the Board to justify giving seminars

WHEN IS AN ARCHITECT REQUIRED

The Fire Marshal informed us his office had difficulty enforcing the \$125,000 threshold for when an architect is required under the Architect's Licensing Law. The Fire Marshal's office is the only location capable of assisting the board in enforcing this licensing law. We were delighted to clarify the law by establishing a rule to change the dollar threshold to a square foot threshold.

The old dollar threshold had several innate problems. The \$125,000 was not adjusted with inflation. The square foot threshold is not affected by inflation. An unusually high percentage of the projects submitted to the Fire Marshal reportedly cost just under the \$125,000 threshold, obviously more than just a coincidence.

NCARB CERTIFICATION COUNTDOWN:

APPLY NOW FOR CERTIFICATION

TWO ALTERNATIVES TO PROFESSIONAL DEGREE REQUIREMENT WILL EXPIRE JULY 1, 2000

If you were an architect prior to July 1, 1984, you may qualify for NCARB Certification without an NAAB-accredited degree; but you need to apply before July 1, 2000.

Beginning July 1, 2000, architects will be required to hold a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB), or have a CACB-certified professional degree from a Canadian university in order to meet NCARB's education requirement for Certification.

If you do not have a recognized professional degree from an NAAB-accredited school, NCARB currently accepts one of four alternatives:

1. A high school diploma and the subsequent accumulation of five education credits before July 1, 1984. You may earn these credits with 10 years full-time or 20 years part-time experience in architecture, verified by an architect, or with a combination of such experience and post-secondary education.
2. A high school diploma, registration by an NCARB member board before July 1, 1984, and accumulation of five education credits before or after that date.
3. An EESA-NCARB (Educational Evaluation Services for Architects) evaluation report from Education Credential Evaluators (ECE) stating that you have met the NCARB Education Requirement with post-secondary education completed partially or entirely outside of the

U.S. If you do not meet any of the above alternatives, this clause may apply if you have a pre-professional degree, e.g. Bachelor of Arts or Science in Architecture, plus other acceptable course work; however, such individuals are encouraged to earn the professional degree previously described.

4. Satisfaction of the Broadly Experienced Architect (BEA) evaluation process if you do not meet any of the alternatives outlined above. To qualify for consideration, you must have at least 10 years of substantial and verified post-registration experience in responsible charge of an architectural practice.

After June 30, 2000, the first two alternatives to the professional degree requirement will expire. While the Broadly Experienced Architect alternative will continue to be available (see July 1999 News Clips), it is a far more complicated and expensive route to certification and NCARB highly recommends that you apply for certification, using alternatives 1 or 2 above before July 1, 2000. Council Record applications that are already in process on July 1, 2000 and that meet all certification requirements in effect prior to that date will be approved for the Council Certificate.

For further information about education requirements for architects registered in the U.S., request a copy of the NCARB Education Standard or direct specific questions to the Council's Operations and Services Department at 202/879-0528. Learn about the benefits of certification at www.ncarb.org/certification.

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RESULTS OF THE ELECTION TO THE LOUISIANA ARCHITECT SELECTION BOARD

Congratulations to the following persons who were elected to the LASB for a one year term commencing September 15, 1999:

District 1: Anthony J. Gendusa, Jr., New Orleans
District 2: Jerome H. Alciatore, Metairie
District 3: Jerry W. Jones, Baton Rouge
District 4: Dan P. Branch, Lafayette
District 5: Charles D. Shope, Monroe

THE TABULATED VOTES ARE AS FOLLOWS:

District 1:	Anthony J. Gendusa, Jr.	283
	George A. Hero, IV	273
District 2:	Jerome H. Alciatore	302
	Michael A. Piazza	259
District 3:	Robin L. Carroll	148
	Jerry W. Jones	244
	Paul R. Roy	167
District 4:	Dan P. Branch	197
	Randall D. Broussard	159
	Robert S. Kleinschmidt	194
District 5:	Charles D. Shope	277
	Henry V. Stout	273

We appreciate all the candidates offering to serve in this important position.