



ministrative Committee to study the matter and develop recommendations for the Board's consideration.

Also at its December meeting, BOA elected Avedick Poladian as Board President and Walter Finch as Vice-President for 1994.

## ■ FUTURE MEETINGS

March 19 in San Francisco.

May 13-14 in Sacramento.

July 29-30 in San Diego.

## BOARD OF ARCHITECTURAL EXAMINERS

*Executive Officer:*  
*Stephen P. Sands*  
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The Board of Architectural Examiners (BAE) was established by the legislature in 1901. BAE establishes minimum professional qualifications and performance standards for admission to and practice of the profession of architecture through its administration of the Architects Practice Act, Business and Professions Code section 5500 *et seq.* The Board's regulations are found in Division 2, Title 16 of the California Code of Regulations (CCR). Duties of the Board include administration of the Architect Registration Examination (ARE) of the National Council of Architectural Registration Boards (NCARB), and enforcement of the Board's statutes and regulations. To become licensed as an architect, a candidate must successfully complete a written and oral examination, and provide evidence of at least eight years of relevant education and experience. BAE is a ten-member body evenly divided between architects and public members. Three public members and the five architects are appointed by the Governor. The Senate Rules Committee and the Speaker of the Assembly each appoint a public member.

## ■ MAJOR PROJECTS

**BAE Considers New Licensure Requirement: Completion of NCARB's Intern Development Program.** At its December 13 meeting, BAE discussed a proposal to require completion of all or part of NCARB's Intern Development Program (IDP) as a requirement for licensure as an architect in California.

All NCARB member boards require candidates to acquire work experience under the direct supervision of a licensed architect in order to qualify for licensure.

California requires a total of eight years of education and/or work experience; at least one year of experience must be under the supervision of a U.S.-licensed architect as a prerequisite to licensure in California. In the mid-1970s, NCARB developed the IDP, a structured training program in which architectural interns apprentice with registered professionals. Thereafter, many state boards adopted the training requirements established for IDP as their training requirements for registration. IDP training is not currently required for California licensure as an architect.

To satisfy NCARB's IDP requirements, an intern must complete training in four major categories: design and construction documents, construction administration, management, and related activities (professional and community service). These categories are subdivided into training areas, and interns must complete a specified period of training in each area. IDP training is measured in "value units" (VU), with one VU equivalent to eight hours of acceptable experience. A total of 700 VUs (approximately 2.8 years) of training is required for NCARB IDP certification.

Although there is no formal enrollment mechanism, once a candidate begins the program he/she must select an advisor and a sponsor to monitor training and develop long-range career goals. The sponsor is the individual within the firm or organization who supervises the intern daily and regularly assesses the quality of his/her work. Registered architects usually serve as sponsors; however, other professionals may qualify in certain cases. The advisor is a registered architect, usually outside the intern's firm, with whom the intern meets periodically to review training progress and discuss career objectives. The advisor serves as a mentor to the intern. The major national architectural trade association, the American Institute of Architects, has primary responsibility for identifying, organizing, and educating IDP sponsors and advisors.

The intern's participation and progress are monitored by the employer, and interns are responsible for maintaining a continuous record of their training and participation in the IDP. To accomplish this, interns may develop their own recordkeeping system, use one created by their state board, or pay NCARB to compile their training records; some state boards require interns to use NCARB's recordkeeping system.

NCARB estimates that 23 states currently require IDP training for admission to their licensing exams, and 40 states will require IDP training by 1996. At its 1993

annual meeting, NCARB itself voted to require IDP training for all applicants who wish to be NCARB-certified after July 1, 1996.

At its December meeting, the Board reviewed the minutes of the October 14 meeting of its Internship and Oral Examination Committee; at that meeting, NCARB Director of Intern Services Robert Rosenfeld made a presentation to the Committee on the IDP and answered questions. Regarding the cost to the Board of requiring the program, Rosenfeld stated that cost will depend greatly upon the regulatory requirements established by the Board. If the Board requires candidates to complete NCARB's IDP and use NCARB's recordkeeping system, then costs to the Board would be insignificant (because NCARB will keep records of the student's progress toward completion of the program, at considerable cost to the student). If the Board decides to collect and maintain the required documentation of program completion, then costs to the Board would increase substantially (and the Board would presumably pass these costs onto applicants).

Following discussion, the Board voted to direct the Internship and Oral Examination Committee to further study the proposed requirement of IDP training as a condition of architect licensure in California.

**Board to Explore Written Contract Requirement.** On October 20, Board President Betty Landess and Executive Officer Steve Sands testified before the Senate Subcommittee on the Efficiency and Effectiveness of State Boards and Commissions. The Subcommittee required the Board to present written and oral testimony on whether BAE should be retained as is, abolished, converted into a bureau within the Department of Consumer Affairs, or merged with the Board of Landscape Architects. [13:4 CRLR 5]

Although the consensus of the Subcommittee appeared to be that BAE should be retained in its present structure, the Subcommittee was interested in a suggestion by the Center for Public Interest Law that BAE adopt a written contract requirement for contracts between architects and consumers. [13:4 CRLR 9-10] These contracts would be similar to those statutorily required in the legal profession and in other trades, such as landscape architects, home improvement contractors, and electronic and appliance repair dealers.

At its December 13 meeting, BAE agreed to develop a process whereby it will consult with architects, the public, and others to determine whether there is a



need for a written contract requirement. Board President Betty Landess will establish a committee of architects to begin gathering information, and BAE staff will develop a plan for the study and present it to the Board at its February 22 meeting.

**Oral Examination Issues Revisited.** At its December 13 meeting, the Board revisited two issues related to its oral examination, which it administers in addition to NCARB's 33-hour national written exam.

First, the Board discussed whether to institute an appeals process for those who fail the oral exam. Approximately 90-95% of candidates pass the Board's oral exam within their third attempt; however, it takes some candidates eight or nine attempts to pass the exam. The Board has discussed the creation of an appeals process for two years, but has never reached consensus. [13:2&3 CRLR 47; 13:1 CRLR 19-20] At the December meeting, the Internship and Oral Examination Committee explained its recommendation that the Board not establish an appeals process, stating that the exam is legally defensible because it is based on a current occupational analysis of the architectural profession, it uses structured objective questions and grading criteria, and it uses three-person panels of exam commissioners to help ensure fairness to examinees. The Committee also noted that an appeals process may expose exam questions, thus jeopardizing the security of the oral exam. In spite of the Committee's recommendation, the Board referred this issue back to committee for further study. [13:4 CRLR 9]

The Board also discussed the fact that it has been tape-recording oral exam sessions since August 1992 and retaining the tapes at the Board's office. [13:1 CRLR 20] BAE staff consulted with the Board's legal counsel on how long to retain the tapes. Legal counsel recommended that after exam results are released to candidates, the tapes of failing candidates should be retained for six months; the tapes of passing candidates should be destroyed or erased. The Internship and Oral Examination Committee recommended that all oral examination tapes (those of both passing and failing candidates) be retained for six months, but the Board referred this issue back to the Committee for further study as well.

## LEGISLATION

**Future Legislation.** During 1994, BAE is expected to sponsor legislation authorizing it to take disciplinary action against a licensee based solely on the fact that another public agency has taken disciplinary action against that licensee. [13:4 CRLR 31] Also, the Board's Legislative, Administrative and

Budget Committee is discussing a proposed legislative change which would stagger future Board member appointments so that there is more overlap. The Board's legal counsel drafted a proposed change which would affect future Board member appointments only and would result in the appointment of some members for two- or three-year terms. At this writing, the Committee is expected to revisit this issue at its January meeting.

**AB 1807 (Bronshvag)**, as amended September 8, would authorize BAE to establish by regulation a category of inactive licensure. [A. Inactive File]

**AB 1392 (Speier)**, as amended July 1, would—among other things—provide that BAE's executive officer is to be appointed by the Governor, subject to Senate confirmation, and that the Board's executive officer and employees are under the control of the Director of the Department of Consumer Affairs. [S. B&P]

## RECENT MEETINGS

At its December 13 meeting, the Board discussed the Written Examination Committee's request to study changing the requirements to take the written examination. Currently, over forty jurisdictions require applicants to have completed eight years of education/experience before they are admitted to the written exam, while California requires only five years before candidates may sit for the exam. The Board voted to keep the present five-year eligibility requirement and asked staff to provide the Board with candidate statistics and analysis of the issue at the Written Examination Committee's February 2 meeting.

Also on December 13, the Enforcement Committee reported that it has begun to implement the new complaint closure procedure approved by BAE last June. Under that procedure, two members of the Enforcement Committee will review all disciplinary cases closed by staff (with the exception of advertising cases). [13:4 CRLR 30-31] Reviewing cases closed between September 8-November 30, 1993, Enforcement Committee members Richard Crowell and Merlyn Isaak found that all case closures were appropriate and consistent with staff's summary report of closed cases.

Also in December, the Enforcement Committee presented a revised version of BAE's complaint disclosure policy to the Board for approval. Under the revised policy, the Board would disclose to an inquiring consumer whether a licensee has been the subject of prior Board discipline (e.g., license revocation, suspension, or probation, citation, accusation, statement of issues, or stipulated settlement); the Board

would also disclose the number of complaints pending at the Board against a licensee which are under active investigation. Following discussion, the Board referred the proposed policy back to the Enforcement Committee for further work. Occupational licensing agency complaint disclosure policies are currently the subject of much controversy (see agency report on MEDICAL BOARD OF CALIFORNIA for related discussion).

## FUTURE MEETINGS

May 13 in Los Angeles (tentative).

## ATHLETIC COMMISSION

*Executive Officer:*

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The Athletic Commission is empowered to regulate amateur and professional boxing and contact karate under the Boxing Act (Business and Professions Code section 18600 *et seq.*). The Commission's regulations are found in Division 2, Title 4 of the California Code of Regulations (CCR). The Commission consists of eight members each serving four-year terms. All eight members are "public" as opposed to industry representatives. The current Commission members are Willie Buchanon, William Eastman, H. Andrew Kim, Jerry Nathanson, Carlos Palomino, Kim Welshons, and Robert Wilson. The term of Ara Hairabedian recently expired and no replacement has been named at this writing.

The Commission has sweeping powers to license and discipline those within its jurisdiction. The Commission licenses promoters, booking agents, matchmakers, referees, judges, managers, boxers, and martial arts competitors. The Commission places primary emphasis on boxing, where regulation extends beyond licensing and includes the establishment of equipment, weight, and medical requirements. Further, the Commission's power to regulate boxing extends to the separate approval of each contest to preclude mismatches. Commission inspectors attend all professional boxing contests.

The Commission's goals are to ensure the health, safety, and welfare of boxers, and the integrity of the sport of boxing in the interest of the general public and the participating athletes.

## MAJOR PROJECTS

**Commission Considers Use of MRI as Substitute for Neurological Examination.** Last June, the Commission de-