

A LOUISIANA ARCHITECTURAL NEWS

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PRESIDENT'S REPORT

by Ronald B. Blitch, FAIA

Your Louisiana State Board of Architectural Examiners (LSBAE) is working on many fronts to protect the health, safety and welfare of the public using architectural services in the state of Louisiana.

The Board continues to review non-compliance letters from the State Fire Marshal's office to determine if further investigations are needed due to the non-licensed practice of architecture. Investigators also serve the Board by researching and checking with owners and municipalities to verify that licensed architects are providing services where required by law.

LSBAE manages its funds well, and the most recent 1998-1999 audit confirms that the office is run both professionally and well-managed. The Board is currently researching its office needs for the future; the current office lease expires in 2001.

At the December, 1999 Board meeting, the Board reviewed Notices of Intent for revisions to rules for the *election of Louisiana Architects Selection Board members* and for *Design/Build legislative guidelines* along the model of NCARB's model rules. At the same meeting, the Board reviewed and acted upon a complaint between two licensed architects. Representatives of the Louisiana Professional Engineering and Land Surveying Board met with the Board at the last meeting to outline proposed "thresholds" for the practice of engineering. The LSBAE offered to assist by providing an architect to work with the Engineering Board to develop these rules.

As always, the LSBAE meetings are open to the public, and your Board invites comments and input from its registrants. Also, be sure to visit the LSBAE web-site (www.lastbdarchs.com) for up to date copies of the Licensing Law and Rules.

CES 2000: Contact Hours In, Quality Levels Out

by Thom Lowther

Effective January 1, 2000, the AIA CES program will be measured by contact hour. The AIA Board of Directors voted in September to move the AIA CES program to contact hours from its current "quality level" system, which weigh contact hours spent on continuing education activities by the type of learning program to calculate LUs (learning units). Beginning January 1, for example any program that is 2.5 hours will be equal to 2.5 LUs.

The decision simplifies the recording of credits and moves the AIA's CES program closer in line with requirements of each of the 14 states mandating continuing education, all of which measure their requirements by contact hours.

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TEENY'S TALK

Another year and we are off and running. We have completed renewing 2,441 licenses for the year 2000. Shortly, certified letters will be mailed requesting completion of a continuing education log with documentation/verification to be attached and returned to this office. Prior to the March board meeting, the audited information will be reviewed by Board members and compliance will then be acknowledged. Should any problem or misunderstanding exist, you will be notified by this office.

As a point of interest, any renewal which is delinquent (post-marked after December 31) will have to be accompanied by documentation showing you have earned your 12 continuing education hours prior to renewal. Otherwise, no documentation is required with your renewal unless you are chosen by the computer in a random audit. We will advise you of the audit results in the summer or fall newsletter. Hopefully this year there will be less confusion over the AIA transcript as AIA is now using LU hours instead of learning units. Because most boards accept an hour of credit for an hour of instruction, the problem of units earned at various levels is eliminated.

Please note Mr. Spaht's request for comments on design/build in his article. The Board is very much interested in what you think. Much of our board attorney's efforts recently have been involved in bringing our licensing law and rules and regulations up to date. The practice of architecture is ever quickly changing and because of him, you and the public can be assured of an attorney who is doing his best in helping the Board maintain the highest and safest standards in the design profession.

In this issue is the conclusion of Mr. Fabian Patin's article looking back on his thirteen years of service with this Board. I found his articles to be very informative and reminded me of the unceasing efforts of each of your board members. They have in the past, and continue to do in the present, given many long hours of volunteer service which may go unnoticed by some, but is very much appreciated and admired by many, including myself and this staff.

In 1975, this Board was part of the Department of Occupational Standards and housed in a building on Government Street. When the department was abolished in 1977 and the Real Estate Commission was needing our space, we moved to Dallas Drive. Needing more space and a better location, we then moved to this site on Jefferson Highway in 1987. We are in the process of looking for another location within the next year. Are we looking forward to the move? Well, as you know when you moved before, there is no easy way to accomplish this task, but I feel it will probably be the last move the board will have to make. Several years ago we had to update our computers, now it is about time to update the furniture as most of what we now use, we had in 1977. I will keep you posted.

Again, we hope you enjoy your newsletter and remember it is also available on our website at www.lastbdarchs.com. We welcome your comments.

Architects recently licensed with this Board are as follows:

Fred S. Alexander, III-Aurora, CA
Larry W. Bishop-Brandon, MS
Philip Almeron Crannell, Jr.-West Palm Beach, FL
Kenton Montague Culverhouse-Atlanta, GA
James Zehner Gore, III-Birmingham, AL
Luther A. Hunter, II-Shreveport, LA
Thomas Jack Keller-Canfield, OH
Lolalisa DeCarlo King-Greensboro, NC
Walter R. Kilroy-Dallas, TX
Robert F. Lee-Jacksonville, FL
William M. Reveille-Atlanta, GA
John A. Marasco-Telluride, CO
James Bruce MacGregor-Atlanta, GA
Robert W. McKinney-Washington, LA
John W. Pate-Memphis, TN
Jeanne A. Seaux-Pierce-Austin, TX
Peter Tennant Smith-Las Vegas, NV
Courtney B. Swann-New Orleans, LA
V. Ronald Walker-Angleton, TX
Ronald C. Zahrt-Plano, TX
Philip M. Kennedy-Birmingham, AL
Douglas B. Kearley-Mobile, AL
Kellye J. Johnson-Arlinton, TX
John W. Albers-Minnetonka, MN
Christopher M. Haslitt-Gretna, LA
Michael Landau-Princeton, NJ
Robert G. Thompson-Philadelphia, PA
David W. Watkins-Phoenix, AZ
Jeffrey Scott Alpha-Mobile, AL
Ralph Pasquale Albanese-Brooklyn, NY
Lynn R. Arrington, III-Phoenix, AZ
G. Larry Law-Pensacola, FL
Sergie Waisman-New York, NY
William Steven Wedeking-Des Moines, IA

A MESSAGE FROM THE BOARD ATTORNEY

Design/Build:

A few states have openly embraced design/build, either by statute or case law. Although the rationale of each of these states is certainly different, an overall theme seems to be that the practice of design/build does not endanger the public health, safety, or welfare (HSW) and, therefore, should not be prohibited. In addition, these states apparently believe that some owners prefer this method of delivering a completed project, and since this preference does not endanger the public HSW at least some form of design/build should be allowed.

Other states have resisted, if not downright opposed, design/build. Although the rationale of each state certainly varies, an overall theme seems to be that the designer in a design/build undertaking is in a conflict situation and thus the public HSW is indeed threatened. Of particular concern seems to be the belief that the designer is paid by one person, normally the contractor, and therefore unable as a practical matter to protect fully the interests of another person, normally the owner.

The debate concerning whether design/build is in the public interest is evidenced in numerous articles, books, and other publications. The board has exhaustively discussed this issue at previous board meetings. Now, like the old Uncle Sam posters, the board wants **you** to become involved in this discussion.

The National Council of Architectural Registration Boards recently published the following legislative guidelines concerning design/build:

“A partnership or corporation offering a combination of architectural services together with construction services may offer to render architectural services only if (1) an architect registered in this state or otherwise permitted to offer architectural services participates substantially in all material aspects of the offering, (2) there is written disclosure at the time of the offering that such architect is engaged by and contractually responsible to such partnership or corporation, (3) such partnership or corporation agrees that such architect will have responsible control of the architectural work and that such architect's services will not be terminated prior to the completion of the project without the consent of the person engaging the partnership or corporation, and (4) the rendering of architectural services by such architect will conform to the provisions of the architectural registration law and the rules adopted thereunder.”

Should the board sponsor legislation or adopt a rule which incorporates these guidelines? What do **you** think?

In considering this issue, please remember that the purpose of the board (as codified by statute) is not to promote the interests of architects, but to safeguard life, health, and property and to promote the public welfare. Accordingly, some of the relevant

questions in the minds of the board are: Does the practice of design/build in Louisiana endanger the public HSW? Are there specific case histories in Louisiana (or elsewhere) where the public HSW has been endangered? If so, what are those cases? Is the practice of design/build in Louisiana increasing or decreasing? Are there steps that the board should consider or take in this area, other than possibly sponsoring legislation or adopting a rule and, if so, what are those steps?

Please mail, fax, or e-mail your comments **no later than March 20, 2000** (so that same may be considered at the next board meeting) to:

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Louisiana Architects Selection Board:

As discussed in an earlier newsletter, the legislature during the 1999 session mandated certain changes in the election of architects to the Louisiana Architects Selection Board (LASB). In accordance with this mandate, the board adopted emergency rules (for the election of architectural members to the LASB for terms commencing September 15, 1999) and is now in the process of adopting permanent rules (for the election of architectural members for terms commencing September 15, 2000, and thereafter). The proposed rules (which will be considered for formal adoption at the board's upcoming March meeting) provide that nominations for election to the LASB will be accepted between May 1 and May 31 at 5:00 p.m. preceding the election. If interested in serving on the LASB, please mark these dates on your calendar and contact the board office for a nomination form.

Violations of the Architects' Licensing Law:

Relatively few complaints are filed each year against architects, suggesting that the overwhelming majority of architects comply fully with all laws and rules. Nonetheless, if you have evidence that a violation is occurring, please remember that the board has an investigator who can investigate any complaints, as well as any alleged violations of the licensing law or board rules. The best way to maintain the high standards that the architectural profession has achieved is to address whatever problems may exist, rather than ignore same or pretend that no problems are present.

IDP NEWS

by: J. David Brinson

Much has been said recently about the status of graduates of architectural schools entering the practice environment. Much more is likely to be heard in the coming months. As a result of last year's IDP Summit Conference in Kentucky and the recommendations of the Boyer Report, some significant changes in the Intern Development Program are likely to occur during the next year.

Historically, "apprenticing" in an architect's office for a prescribed term was a means of qualifying for a state's registration examination. In addition to the training requirement, most all NCARB member boards now require that exam candidates hold a first professional degree from an accredited school of architecture. Every NCARB Board requires that architectural school graduates acquire experience under a registered architect's direct supervision. Other practice experience under the direct supervision of an allied professional discipline is also acceptable by some Boards. All Boards require a minimum training period. The specified training period has existed since the first registration laws were

enacted. More recently many jurisdictions have adopted the Intern Development Program as their training requirement for registration.

For most interns, their participation in the current IDP begins after they have completed the education requirement. In Louisiana, acceptable IDP experience can begin after successful completion of three years in an NAAB accredited school of architecture program. Upon completion of both the degree and training program, the individual may apply to take the Architect Registration Examination (A.R.E.).

Some of the results from last spring's IDP Summit revealed a significant amount of dissatisfaction with the current procedures. Apparently, many interns feel that they are notoriously undervalued and suffer from "low self-esteem" as a consequence. They feel that they should be allowed to take the registration exam or, at least part of it, once they have completed the education requirements. Most it seems, do not like the term "Intern" and want another more descriptive designation of their status as "Architectural

Graduates". Other objectives emanating from the "Summit" included "integrating practice into education", "alternative paths to practical experience", "that accessibility to the profession be strengthened" among others.

A collateral internship task force was created to seek input from sponsoring organizations to address these concerns. Last fall the Internship Task Force held its first meeting. They reviewed the summit program and developed a mission statement. In the words of the Task Force Document, "The Summit's outcomes have moved from the schematic phase to the design development phase."

Whether IDP, as we now know it, has been effective in providing emerging architects adequate experience or not may be arguable. However, one certainty remains, IDP as currently applied will surely change as we enter the new century. Perhaps the evolution will result in that "seamless transition" from education to practice that all practitioners and architectural graduates would gratefully welcome.

CONTINUING EDUCATION MONOGRAPHS OFFERED THROUGH NCARB

An update of monographs available through National Council of Architectural Registration Boards (NCARB) are as follows:

"Seismic Mitigation"	provides 10 contact hours
"Indoor Environment"	provides 10 contact hours
"Subsurface Conditions"	provides 10 contact hours
"Fire Safety in Buildings"	provides 10 contact hours
"Wind Forces"	provides 14 contact hours

You may contact NCARB at (202) 783-6500 or at their e-mail address www.ncarb.org.

LAST 13 YEARS – PART III

By Fabian Patin, AIA, NCARB

Enforcement

The board has made great strides on enforcement during the past 13 years.

A number of law and rule changes enabled the board to have hearings on non-architects and clarified the law and rules so they could be understood by all and interpreted fairly.

The board hired an attorney rather than relying on the Attorney General's Office. Paul Spaht has been our attorney for most of my 13 years. He is very astute, understands architects, our laws, and rules, and has done a remarkable job. He has given the board very sound advice over the years and the board has been able to make significant strides in the enforcement arena.

Through the joint efforts of the Fire Marshal, AIA/LA and the Licensing Board, a procedure was put into effect to uncover suspected violators of the Licensing Law or Rules. The AIA/LA first provided volunteers to go to the Fire Marshal's office periodically to review submittals to determine if suspected violators could be detected. Once it was determined that suspected unlicensed practice and plan stamping could be identified, the Licensing Board hired Billy Bridges, a retired review architect from the Fire Marshal office. He has been visiting the Fire Marshal's office once a week for several years.

The review architects put aside sets of submittal documents suspected to be in violation of unlicensed practice, plan stamping, or incompetent practice for Mr. Bridges. He reviews these documents, copies pertinent evidence, and reports to our board. If necessary, the Engineering Board is copied if an engineer is involved. Our Board along with the Engineering Board purchased a large format copy machine to make copies of critical evidence.

Two members of the architect's board, on a rotating basis, meet to review evidence of the suspected violators. They determine if further investigation is appropriate and define the level of investigation. Usually compliance letters are sent but sometimes an informal hearing is held for the offender and the committee to try to work out an agreeable penalty. If they can agree, the committee's recommendation is brought to the full board for approval. If the board does not agree with the recommendation, a formal hearing is called and a penalty, if any, is determined. When I first got on the board, we investigated only a small fraction of the current load, primarily because the board did not know of the suspected violations unless an architect reported one. It appears that now that with the board actively pursuing violators, there are fewer infractions. The board is still taking many more actions than thirteen years ago. One simple enforcement item is annually; the staff reviews the yellow pages in the phone book for non-architects advertising under the heading "Architects".

Several years ago, the board hired a part-time special investigator, Edward Mauri. He has been a wonderful asset to the board. He investigates suspected violators of the Architect's Licensing Law or Rules. His investigations assist the board in carrying out its duties and let the suspected offenders know their actions are subject to investigation.

The board has probably investigated approximately 500 circumstances of suspected violations during the past 13 years. When I first got on the board, we investigated only cases brought to us through a formal complaint process. Most of us would

rather not have to make a formal written complaint. Most of these investigations resulted in compliance without a formal trial or hearing. On the other hand, the board has initiated trials, informal hearings, and formal hearings and we have been consistently successful in enforcing the laws and rules. These included actions against architects, civil engineers practicing architecture under the exemption, and non-licensed design professionals.

Continuing Education

The board established voluntary continuing education six or eight years ago, the system has been working smoothly. This is the first year that continuing education is mandatory. AIA transcripts can be used to demonstrate proof of continuing education credits earned. A small percentage of architects will have their records audited to make sure the system works. We were one of the first states to establish continuing education and now it appears that many, if not most, of the states will have continuing education soon.

The AIA/LA has been an excellent provider of quality continuing education courses for a number of years. NCARB provides monographs that can be read at any time, with an examination taken to certify your knowledge of the material. These NCARB courses are of a very high quality. The knowledge that can be gained and the cost effectiveness of not having to leave the office are noteworthy. Many other providers including AIA, DPIC, Standard Building Code Congress, just to name a few make it easy to find meaningful courses on topics of interest.

In Louisiana all of the continuing education credits must be earned in Health, Safety, and Welfare topics. The board felt that architects are licensed only for the protection of the public. Therefore, credits for continuing education should be limited to those topics. On the other hand, "Welfare" encompasses a lot of a territory. The board considers any topic ("task" or "consideration") identified as a part of the ARE, as complying with the law. This way as the ARE is revised to reflect the changes in the profession, our law will automatically reflect those changes.

There are reciprocal agreements with other states that require continuing education. Therefore, if you satisfy one state you should be able to satisfy all states.

Firm Names & Structure

When I first got on the board, a significant number of inquiries and complaints came from the suspected wrong use of firm names. The board wrote a significant rule to assist architects in compliance.

Recently the board amended its rules to allow limited liability companies.

Code of Conduct

The board is currently in the process of changing the rules relating to the code of conduct. Probably the board will adopt the NCARB model code including the explanatory text. The changes are relatively minor but clearer and consistent with the model.

Prototypical Buildings

The board for many years has debated how to handle the issue of prototypical buildings. Until fairly recently, according to the

Continued on page 6

laws and rules, an architect could not use prototypical documents. In order to comply with the law, architects had to start over from scratch on the fast food store or other facility that is often built from prototypical documents.

On the other hand the board knew this law was being violated but knew it was questionable that such a law would have been upheld if it went to court. Now a rule has been adopted to allow for the use of prototypical documents provided several safeguards are present.

Roster

The roster now can include the fax number, email addresses and appropriate designations of various professional affiliations such as AIA, NCARB, CSI etc. It is now on the web rather than in hard print. The web version is less expensive for the board to maintain and more current. I hope you find it helpful.

In addition, a search feature is available on the web. See it at the Louisiana Board's web site for our laws, rules, and roster, are

included along with other southern states at the Southern Conference of NCARB Web Site www.scncarb.org.

Architectural Education

Each year the Southern Conference of NCARB hosts a Board – Educator Conference. The Louisiana Board along with the other 12 jurisdictions helps with funding for each school to participate in the conference. Last year the topic was to find ways for the licensing boards to help the schools of architecture.

The board has provided each of the five schools of architecture a confidential analysis for several years. This analysis provides that school information on how well their graduates did compared to graduates of the combined 106, or so, NAAB accredited schools in each of the nine divisions of the ARE. The scores of graduates on each division of the ARE are only a part of the information the administration and faculty should use in analyzing their curriculum to continue making improvements for the benefit of the students, profession and public.

CONGRATULATIONS TO:

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ROBERT MCKINNEY

GEOFFREY PEREGO

JEANNE A. SEAUX-PIERCE

CHRISTOPHER HASLITT

MICHAEL BUTURLA

JEFFREY SCOTT ALPHA

who have successfully completed the A.R.E.

IN APPRECIATION

The Board and its staff would like to thank Fabian for providing this interesting and informative article for the newsletter and his faithful service during his terms on the Louisiana State Board of Architectural Examiners.

NEWLY ELECTED OFFICERS OF THE BOARD FOR THE YEAR 2000 ARE:

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Raymond G. "Skipper" Post, Jr., FAIA, Secretary

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