

DON'T GET FINED! Architecture firm renewals due by June 30!

All architectural firms licensed in Louisiana are required to renew their licenses by June 30! Firm licenses are not renewable online, so firms must go to the LSBAE website: www.lastbdarchs.com. Click on the correct form to download from the home page, print and complete the form and send it, with the \$50 renewal fee, to LSBAE.

All forms must be postmarked by June 30, 2012 or an additional \$50 delinquency fee will apply, for a total of \$100 required to renew.

All firms conducting business in Louisiana are subject to laws established by the legislature. LSBAE sets the rules and regulations for which firms are held accountable. Violations of rules are investigated by LSBAE and disciplinary action is determined based on the laws and rules in effect at the time of the infraction.



Intern development success stories and brainstorming sessions highlight IDP Forum 2012

by: J. David Brinson, La. Board Member

The IDP Forum held at LSU on January 21, 2012 was a day of intense participation for the interns, practitioners, students and other officials who gathered for a lively exchange of experiences related to intern development as a path to licensure and certification. It was truly a unique informational event.

NCARB's Assistant Director, Nick Serfass, AIA, NCARB, LEED, made a major presentation concerning the changes to IDP that were imminent in April 2012. Nick explained the new experience settings. He had previously spent travel time in a number of states to somewhat "unveil" what would be coming as part of IDP 2.0. Several schools he visited were in Louisiana.

New supervisor requirements were also discussed along with academic internships, the revised rollover rules and the current resources and tools available for interns, educational coordinators, state coordinators and firms for administering IDP. While the continuing sluggish economy has made it increasingly difficult for prospective architects to find valuable work experience, Mr. Serfass feels NCARB and AIA are making sure those opportunities for students, interns and the next generation of architects have never been greater.

As head of the NCARB Outreach team, Nick was the perfect presenter for the Forum to inform the group of NCARB's management of the program nationally. The Outreach program serves to inform the interns that navigating the path to licensure is not something that they have to do alone.

Two firms presented their award winning programs for guiding their interns through the internship process. These firms were invited to illustrate their approach to going beyond merely satisfying the five categories necessary for qualification for the

(continued on page 3)

IN THIS ISSUE

LSBAE busy on many fronts	Page 2
New Licensees	Page 3
NCARB Report	Page 4
Attorney Report	Page 5
General Disciplinary Guidelines	Page 6
Three years of investigative action	Page 11
What's the difference between architecture degrees	Page 12
Disciplinary action taken by Board	Page 13



Teeny's Talk

A Message from the Executive Director: **Teeny Simmons**

LSBAE busy on many fronts

We have rushed to get this newsletter out before the end of June in order to remind firms that renewals are due by June 30! Earlier we mailed a reminder postcard.

If you are practicing in LA as a professional architectural corporation, architectural/engineering corporation or limited liability company, please make sure you have renewed by deadline in order to avoid a delinquent fee and disciplinary action if continuing to practice with an expired license. The 2012-2013 firm renewal applications may be downloaded from our website at www.lastbdarchs.com.

We have been busy over the last year working with the Engineer's Licensing Board (LAPELS) and the Fire Marshal's Office updating a reference guideline for building officials. Hopefully this will go to print in July and will be sent to all building officials and permit offices. It will also be posted on our website.

Mr. Spaht, our Board Attorney, will be addressing the possible adoption of general disciplinary guidelines. This has been a project we've been working on for the last year. We have contacted licensing boards throughout the country and talked with several member board executives to assure that fines assessed by this Board are reasonable and fair.

We would like to thank the AIA/LA and Representative Scott Simon for helping get legislation passed that will allow the Board to regulate firms through rules instead of having to go back to the

Legislature. The Board has a goal of making it easier and more efficient for firms to register in this state, yet still making sure the public is protected. I also want to acknowledge and thank Peacock Communications for producing our newsletter for the past several years. The layout and graphics are outstanding.

We are proud, and again congratulate, our own Ron Blitch, who will be NCARB's incoming President beginning July 1, 2012. He has worked long and hard to achieve this long time goal and will continue to work hard leading our state and NCARB into a brighter future.

All LSBAE Board Members, including this Member Board Executive, will be serving on national committees. Our State IDP Coordinator, Marsha Cuddeback, has been appointed again to the IDPAC.

I am so thankful to be working for such an active board who continuously keeps the health, safety and welfare of our state as a high priority. To make sure this office is responding to you and your needs, we will be working on a customer service questionnaire in the next month and will be asking you to take time to complete so we can make sure we are efficiently and effectively meeting your needs and requests.

As we tell most of you when you call, we are here for you!

Professional Focus Group awards grants to intern architects

By **Ladd Ehlinger**

In 1996, Ladd Ehlinger, AIA, and the late Jerry Alciatore, AIA, FCSI, and a group of about 30 architects gathered to start an educational program for practicing architects which would direct its emphasis upon the technical aspects of design. The group was incorporated in 2003 as a 501c(3) non-profit in Louisiana named Professional Focus Group.

Once a year, the group holds 2 day continuing education seminars. The cost of the seminars covers the lunch meal, the meeting facility, and expenses of speakers.

The small excess funds over expenses raised each year goes to encourage and help Louisiana intern architects to get their licenses.

At the seminar in March, the group chose grant winners by picking applicant names out of a hat. The LSBAE assisted by publicizing the program across the entire state and for the first time this year, there was a good geographic distribution of applicants. Each winner won two test vouchers (\$420.00 total), paid for by the Focus Group, to be used on ARE.

This year's grants were issued to:

Sara Freudensprung - Shreveport
Alan Goodman - Greenwell Springs
Willie J. Marshall, Jr. - Baton Rouge, LA
Michael C. Miller - Baton Rouge, LA
Paul M. Pacanovsky - Baton Rouge, LA
Chris Provost - Sulphur, LA
Benjamin A. Rath - Baton Rouge, LA
William T. Sandlass - New Orleans, LA
Josie Sexton - New Orleans, LA
Anna Soniat - New Orleans, LA

Congratulations and study hard!

Congratulations to our new licensees by examination

The board is pleased to announce that the following individuals have been licensed by examination from December 20, 2011 through May 30, 2012.

FIRST NAME	LAST NAME	CITY	FIRST NAME	LAST NAME	CITY
Stephanie Lessans	Adler	New Orleans	Michael	Kennedy	Baton Rouge
Lester A.	Alfortish, III	New Orleans	Jeffrey M.	La Rosa	Walker
Jose Luis	Alvarez	New Orleans	Jay	Langham	Shreveport
Brent M.	Baumbach	Hammond	Lance Steven	Malley	Baton Rouge
Karl Christophe	Bernhard	New Orleans	Myles M.	Martin	New Orleans
Brett	Bouillion	Baton Rouge	Michael Glenn	McCune	Baton Rouge
Barry J.	Broussard, Jr.	Lafayette	Amanda Reboul	Mire	Baton Rouge
M. Brandon	Burr	Prairieville	Micah	Morgan	Baton Rouge
Joseph Michael	Crowley	New Orleans	Jason W.	Simoneaux	Lafayette
Gregory Vincent	Damico	Lafayette	Elizabeth Ann	Stelter	New Orleans
Shawn Thomas	Fisher	Baton Rouge	Shelly R.	Strange	Alexandria
Robert R.	Gray, III	Baton Rouge	Jessica Dixon	Tippens	Portland
Nathan D.	Hills	Oakland	Brian A.	Waits	New Orleans
Jeffrey Cuppy	Harwood	Mandeville	Jessica McCormick	Walker	Mount Hermon
Bridget E.	Johnson	New Orleans	Jessica A.	Walker	New Orleans
Ross Joseph	Karsen	New Orleans			

IDP Forum 2012 (continued from page 1)

NCARB Firm Award to showing an “unsurpassed and proactive approach to the development of the intern experience.” Interns, practitioners, educators and IDP coordinators from several states participated.

Work groups were organized and led by some of the educators to explore ideas and possibilities proposed by those in attendance. Also students, interns, educators and architects were divided into individual discussion groups. Each group appointed its own moderator and lists of considered topics and proposals were made on flip charts which were subsequently presented to the entire assembly before adjourning for a general reception in the atrium of the LSU Design Building. Publication of the full proceedings is expected in June, 2012.

A total of 100 firms registered, and 75 attended, with the majority of participants being Louisiana firms. Seven of the 8 Louisiana AIA chapters were represented. Members of 22 Louisiana firms participated. Several Louisiana Board members, the Louisiana and Alabama Member Board Executives, AIA State

President, Vice President and Executive Director, the Louisiana and Texas State IDP Coordinators, several IDP Educator Coordinators and the National AIAS Vice President all attended. A special guest was Louisiana State Representative Scott Simon of District 74 who participated in a panel discussion.

This year’s Forum was directed and produced by IDP state coordinator, Marsha Cuddeback. She briefly addressed the gathering, welcoming the participants and explaining the objectives of the various sessions. The entire program was considered a resounding success and a new milestone in the evolution of the IDP. Marsha spent a lot of long hard hours putting the program together and making the arrangements for the Forum to again be held at LSU. Marsha is to be heartily congratulated for her continuous hard work in the development of the Forum and its benefits for IDP in general. The Louisiana State Board of Architectural Examiners, along with AIA/LA, is proud to have sponsored and to have been a part of this year’s Forum.



World War II Museum Expansion – Voorsanger Mathes



NCARB President's Report

By Ron Blitch FAIA, FACHA, NCARB
La. Board Member

NCARB focused on five initiatives

The NCARB Annual Meeting is being held in Minneapolis, MN in late June and marks the completion of the very successful first year of our new CEO, Mike Armstrong, and the beginning of my year as President of NCARB.

We live in interesting times, as they say, and the Council is moving forward in many concurrent arenas and showing agility and success in its efforts.

The AIA National Convention just wrapped up in Washington, DC, and we had great representation from Louisiana architects. Our relationship with AIA's current president, Jeff Potter, and next president, Mickey Jacobs, is very collaborative and productive.

The Council remains focused on its five Long Range Strategic Initiatives, and is currently focusing on LRSI #5 - Organizational Agility, and LRSI #2, Continuing Education. Your Louisiana Board modified the Continuing Education Rule in Louisiana to conform to NCARB's new Model Law, which involved only a minor modification to carryover rules.

Most of the other States in the US with Continuing Education requirements are modifying their rules and laws as well to facilitate reciprocity between jurisdictions. Any Louisiana architect with multiple state licenses understands the benefits of a simpler, singular method of requiring and reporting CEH requirements.

I just returned from a FY 13 budget meeting to work on the Council's budget for our next fiscal year, which will be presented to the Board of Directors at its June pre-annual meeting for approval.

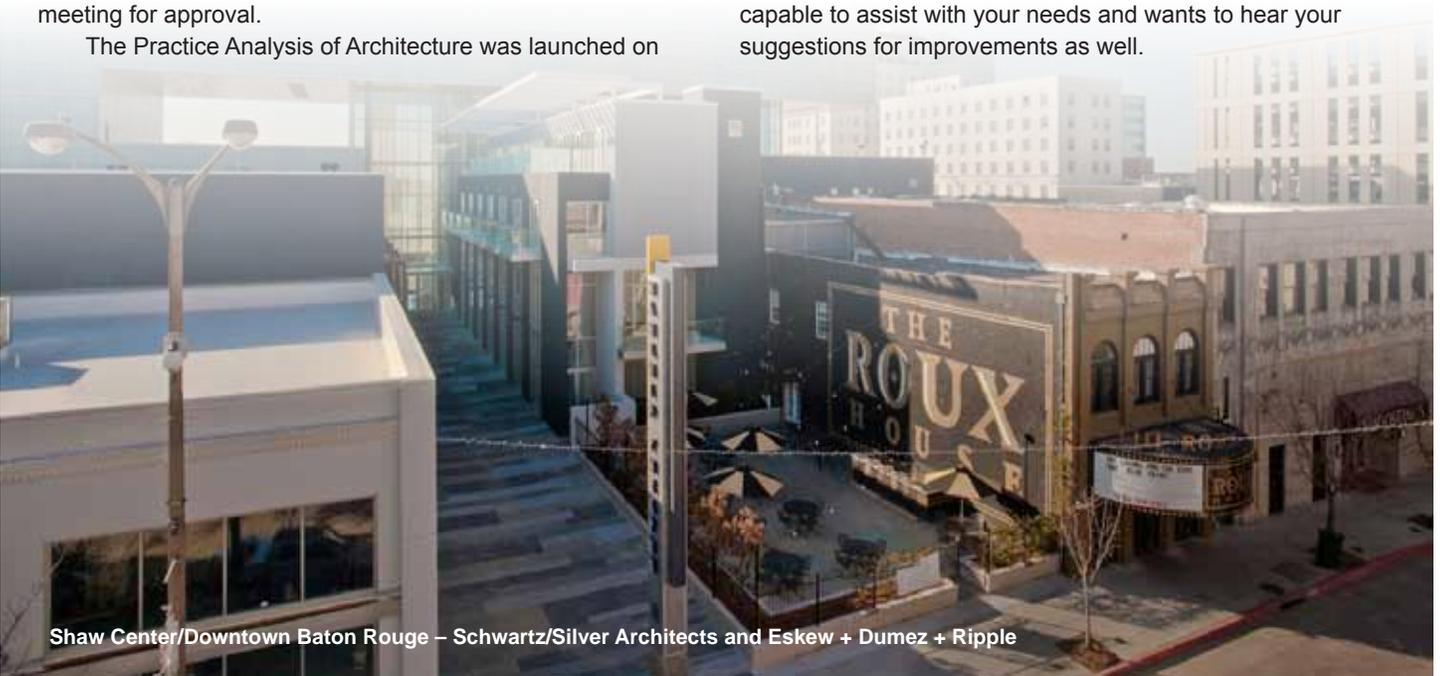
The Practice Analysis of Architecture was launched on

April 2nd, and closed on May 6th - after many thousands of responses were received from architects and other stakeholders. The responses are being analyzed now by our Practice Analysis team and will begin to guide the direction of the ARE and IDP programs, and help us respond to NAAB's (National Architectural Accreditation Board) Accreditation Review Conference in the fall. The sampling tools and the power of the internet will allow the results of this Practice Analysis, which is conducted every 5-7 years, to inform our efforts in greater detail and depth than ever before.

NCARB's Communications Department has won numerous awards in international competitions for NCARB's branding efforts, the "Direct Connection" publication, and for the NCARB prize (now the NCARB Award). Communications is also developing "NCARB by the Numbers" for release at the Annual Meeting, including summaries of findings from the 2012 Perception Survey and analyses of key performance indicators from the NCARB customer record database.

NCARB's booth at the AIA National Convention also won "Best in Show" in the small booth category. Note that NCARB's Monograph series is a very cost-effective and high-quality method to acquire Continuing Education hours. Some of the monographs offer up to 14-20 CEH's, at very reasonable rates.

As I begin this year as NCARB's President, I offer my thanks to the Louisiana Board and Staff for their support and guidance, and ask for anyone with questions or suggestions to please contact me. The NCARB staff is very willing and capable to assist with your needs and wants to hear your suggestions for improvements as well.



Shaw Center/Downtown Baton Rouge – Schwartz/Silver Architects and Eskew + Dumez + Ripple



BOARD ATTORNEY REPORT

By Paul H. Spaht, LSBAE Board Attorney

New rules on continuing education and proposed rules on disciplinary guidelines

In the previous newsletter, this report discussed proposed amendments to the board's rules concerning continuing education (Rule §1315), which the board was then considering; mentioned a possible amendment to Rule §1305 concerning the placing of a seal or stamp; and advised that the Reference Manual for Building Officials and Design Professionals was being updated. This report will update the status of those matters, and in addition discuss the board's likely adoption of General Disciplinary Guidelines later this year.

Continuing Education – An underscored/stricken version of the continuing education rules showing possible amendments that the board was considering late last year was published in the previous newsletter.

In April of 2012, the board formally adopted the proposed amendments. Since the amended rules were previously published in this newsletter and are currently available on the board website at www.lastbdarchs.com, the amended rules will not be published here.

Most of the amendments to the continuing education rules are mere clarifications of previous rules. However, the following substantive changes have been made:

- Under the amended rules, credit for Individually Planned Education Activities may no longer be earned;
- Under the amended rules, excess Continuing Education Hours may no longer be credited to a future calendar year;
- Under the amended rules, an architect must remedy any disallowance of continuing education hours within sixty (60) days from notice of disallowance; and
- The amended rules contain disciplinary guidelines for violations of the continuing education rules.

Note: since the amendments were formally adopted during calendar year 2012, the board concluded that it would be unfair to disallow the carry forward of a maximum of twelve CEH earned during calendar year 2012 to 2013, as allowed by previous (now repealed) rule § 1315.F.3. Accordingly, the board *will* allow the carry forward of a maximum of twelve Continuing Education Hours earned during calendar year 2012 (January 1 – December 31) to 2013 *only*. No Continuing Education Hours earned during calendar year 2013 may be carried forward to 2014.

Rule §1305 –Rule §1305 provides that an architect shall affix his or her seal or stamp to all contract drawings and specifications requiring the services of an architect which were prepared by the architect or under the architect's responsible supervision, and contract drawings and specifications prepared by

a consulting electrical, mechanical, structural, or other engineer shall be sealed or stamped only by the consulting engineer. Rule §1305 does not define "contract drawings and specifications," and whether such terms include construction documents prepared for bidding or for receipt of proposals, as well as such documents for permitting, has been questioned.

To answer this question, the board is amending Rule §1305. The amendment adds the following sentence to Rule §1305:

Contract drawings and specifications within the meaning of the rule (Rule §1305) include construction documents prepared for bidding or for receipt of proposals, as well as such documents submitted for permitting.

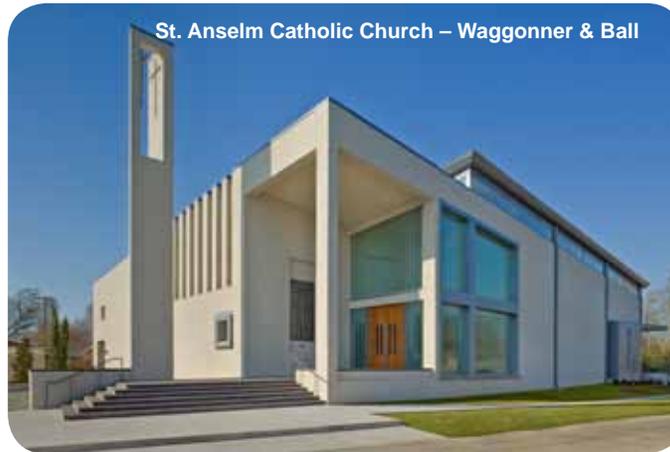
A Notice of Intent concerning

this proposed amendment was published in the January of 2012 issue of the Louisiana Register, and the board adopted this amendment at its regular meeting earlier this month (June 8, 2012). The adopted rule will be effective upon its publication in the July of 2012 issue of the Louisiana Register. After its publication, this amended rule will be available on the board website at www.lastbdarchs.com and thus will not be published here.

Reference Manual for Building Officials and Design Professionals – The board and the Louisiana Professional Engineering and Land Surveying Board continue working with the Office of State Fire Marshall and the Code Council to update the Reference Manual for Building Officials and Design Professionals. The board remains optimistic that the updated manual will be completed some time during 2012, and the finished manual will then be available to assist building officials throughout the state in the performance of their duties.

General Disciplinary Guidelines – The licensing law and the board rules prohibit certain conduct and authorize the LSBAE to discipline architects and others for violations. Possible disciplinary actions include revocation, rescission or suspension of an architectural license; probation; reprimand; admonishment; or a fine in an amount not to exceed \$5,000 per violation. Each day that a violation occurs is considered a separate violation.

To inform the architectural profession (and others) of what the board considers an appropriate discipline for a particular violation, some other states publish what is generally called General Disciplinary Guidelines. The board is in the process of adopting such Guidelines for Louisiana. It is anticipated that these Guidelines will be published in the July of 2012 issue of the Louisiana Register. A draft of the proposed General Disciplinary Guidelines is published on the following pages of this newsletter.



PROPOSED RULES RE: GENERAL DISCIPLINARY GUIDELINES

§1905. Aggravating and Mitigating Circumstances

- A. The board is authorized to discipline architects and architectural firms in accordance with the provisions of the licensing law and its rules. In considering the appropriate discipline to be imposed, the board may consider any aggravating or mitigating circumstances proven by clear and convincing evidence.
- B. Aggravating circumstances which may increase the discipline to be imposed include, but are not limited to:
1. Conduct giving rise to serious reservations about the capability of the licensee or certificate holder to effectively and safely practice;
 2. Prior disciplinary actions in any jurisdiction;
 3. Dishonest or selfish motive;
 4. A pattern of misconduct;
 5. Multiple offenses;
 6. Lack of cooperation with the board's investigation;
 7. Submission of false evidence, false statements, or other deceptive practices during the disciplinary process;
 8. Refusal to acknowledge wrongful nature of conduct;
 9. Vulnerability of victim;
 10. Substantial experience in the practice of architecture;
 11. Indifference to making restitution; and
 12. Illegal conduct, including that involving the use of controlled substances.
- C. Mitigating circumstances which may reduce the discipline to be imposed include, but are not limited to:
1. A long term of distinctive service to the profession;
 2. Self reporting of the offense or of additional projects of which the board was unaware;
 3. Absence of a prior disciplinary record;
 4. Absence of dishonest or selfish motive;
 5. Personal or emotional problems;
 6. Timely good faith effort to make restitution or to rectify consequences of misconduct;
 7. Full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
 8. Inexperience in the practice of architecture;
 9. Character or reputation;
 10. Physical disability;
 11. Mental disability or chemical dependency including alcoholism or drug abuse when:
 - a. There is medical evidence that the licensee or certificate holder is affected by a chemical dependency or mental disability;
 - b. The chemical dependency or mental disability caused the misconduct;
 - c. The licensee's recovery from the chemical dependency or mental disability is demonstrated by a meaningful and sustained period of successful rehabilitation; and
 - d. The recovery arrested the misconduct and recurrences of that misconduct is unlikely;
 12. Delay in disciplinary proceedings;
 13. Imposition of other penalties or sanctions;
 14. Remorse;
 15. Remoteness of prior offenses.
- D. The following factors should not be considered as either aggravating or mitigating:
1. Forced or compelled restitution;
 2. Agreeing to the client's demand for certain result;
 3. Withdrawal of complaint against the architect;
 4. Resignation prior to completion of disciplinary proceedings;
 5. Complainant's recommendation as to sanction; and
 6. Failure of injured client to complain.

§1907. General Disciplinary Guidelines

- A. The board sets forth below the normal minimum discipline which will be imposed upon a licensee or certificate holder found to have violated the licensing law or its rules. The purpose of these general disciplinary guidelines is to give notice to architects and architectural firms of the discipline which will be imposed upon violations of particular provisions of the law or rules. In a particular case, the discipline imposed may be increased or decreased depending upon aggravating and mitigating factors.
- B. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of the law or the rules, or other violations of the law or rules will be grounds for enhancement of penalties.
- C. The maximum fine that may be imposed under R.S. 37:153.A is \$5,000 per violation. Each day that a violation occurs shall be considered a separate violation under R.S. 37:143.A. The board may also revoke, rescind, or suspend the certificate of, place on probation, reprimand, or admonish any registrant or certificate holder found to have violated its provisions.
- D. The maximum fine that may be imposed under R.S. 37:154.A is \$1,500 per violation in the case of an individual, or \$5,000 per violation in the case of a person other than an individual. Each day the violation occurs shall constitute a separate offense.
- E. Absent aggravating or mitigating circumstances, the following minimum discipline shall be imposed for the following violations. The maximum penalty for any violation is a \$5,000 fine per violation, revocation, and public reprimand.

PROPOSED RULES RE: GENERAL DISCIPLINARY GUIDELINES

Violation	Provision	Discipline
Failure to stamp or seal plans	R.S. 37:152.A provides that all contract drawings and specifications issued by the architect for use in this state shall be stamped or sealed.	\$500 fine and private reprimand.
Fraud, deceit, dishonesty, misrepresentation, misconduct	R.S. 37:153.A.1 authorizes the board to discipline any registrant or certificate holder found to have committed an act of fraud, deceit, gross incompetence, dishonesty, misrepresentation, misconduct or gross negligence in the practice of architecture. R.S. 37:153.A.5 authorizes the board to discipline any registrant or certificate holder found to have committed an act of willfully misleading or defrauding any person employing him as an architect. R.S. 37:153.A.7 authorizes the board to discipline any registrant or certificate holder found to have committed any fraud, deceit, material misstatement, or perjury in applying for a certificate of licensure or registration or in taking any examination or in applying for any renewal certificate.	\$3,000 fine, revocation, and public reprimand.
Gross incompetence, gross negligence	R.S. 37:153.A.1 is discussed <i>supra</i> .	\$3,000 fine, suspension for no less than one year, and public reprimand.
Incompetence as defined in Rule § 1901.A	Rule § 1901.A provides that, in practicing architecture, an architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which is ordinarily applied by architects in good standing, practicing in the same locality.	\$1,500 fine, probation for one (1) year, and public reprimand.
"Plan stamping"	R.S. 37:152.B provides that no architect shall affix his seal or stamp or permit it to be affixed to any specification, drawing, or other related document which was not prepared either by him or under his responsible supervision. R.S. 37:153.A.2 authorizes the board to discipline any registrant or certificate holder found to have committed an act of affixing his seal or stamp or name to any specification, drawing, or other related document which was not prepared by him or under his responsible supervision and control, or permitting his seal, stamp, or name to be affixed to any such document. Rule § 1305 interprets R.S. 37:152.B.	\$3,000 fine, probation and/or suspension for one (1) year, and public reprimand.
Removal of an architect's seal or stamp	R.S. 37:152.A prohibits the removal of an architect's seal or stamp.	\$3,000 fine, suspension for one (1) year, and public reprimand.
Using the certificate or seal of another	R.S. 37:154.A prohibits any person from presenting or attempting to use as his own the certificate of registration or the seal of another.	\$1,000 fine for individual/\$3,000 fine for firm, suspension for one (1) year, and public reprimand.
Use of another architect's plans without written approval	R.S. 37:152.A prohibits the use of an architect's plans, unless otherwise provided by law or by written approval of the architect.	\$1,500 fine and public reprimand.
Impersonating another registrant	R.S. 37:154.A prohibits any person from falsely impersonating any other registrant or certificate holder of like or different name.	\$1,000 fine for individual/\$3,000 fine for firm, suspension for one (1) year, and public reprimand.

PROPOSED RULES RE: GENERAL DISCIPLINARY GUIDELINES

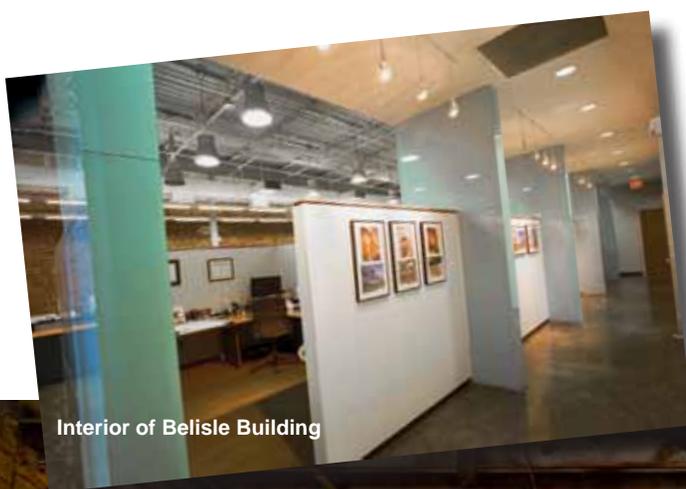
Practice on suspended license	R.S. 37:152.B provides that no architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered. R.S. 37:153.A.3 authorizes the board to discipline any registrant or certificate holder found to have used his seal or stamp or engaged in any other act constituting the practice of architecture at a time when his certificate of registration is suspended.	\$3,000 fine, revocation, and public reprimand.
Practice on revoked license in violation of R.S. 37:152.B	R.S. 37:152.B provides that no architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered.	\$3,000 fine, revocation, and public reprimand.
Practice on revoked license in violation of R.S. 37:154.A	R.S. 37:154.A prohibits the use of an expired or revoked certificate of registration.	\$1,000 fine for individual/ \$3,000 fine for firm, revocation, and public reprimand.
Individual practice without obtaining proper licensure	R.S. 37:152.B provides that no architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered.	\$1,500 fine and public reprimand.
Firm practice without obtaining proper licensure	R.S. 37:154.A prohibits any person (corporation, company, partnership, firm, business entity, or individual) from practicing or offering to practice architecture in this state without being certified in accordance with the provisions of the licensing law.	\$1,500 fine and public reprimand.
Individual or firm practice with an expired license	R.S. 37:152.B provides that no architect shall use his seal or stamp or do any other act as an architect unless he is at the time duly registered. R.S. 37:153.A.3 prohibits practicing architecture at a time when current renewal has not been obtained in accordance with the law.	Fine is based on length of time of such practice: three (3) months to six (6) months - \$500 fine; six (6) months to twelve (12) months or fraction thereof- \$1,000 fine; after one (1) year or fraction thereof, \$1,000 fine per year. Public reprimand.
Felony conviction, conviction of crime or pleading guilty or <i>nolo contendere</i>	R.S. 37:153.A.4 authorizes the board to discipline any registrant or certificate holder convicted of a felony. R.S. 37:153A.8 authorizes the board to discipline any registrant or certificate holder convicted of any crime or entering a plea of guilty or <i>nolo contendere</i> to any criminal charge an element of which is fraud or which arises out of such individual's practice of architecture.	\$3,000 fine, revocation, and public reprimand.
Licensee disciplined or refused certification or renewal by another jurisdiction	R.S. 37:153.A.9 authorizes the board to discipline any registrant or certificate holder upon refusal of the licensing authority of another state, territory, or district to issue or renew a license, permit, or certificate to practice architecture, or the revocation or suspension or other restriction imposed on a license, permit, or certificate issued by such licensing authority on grounds other than non-payment of a registration fee.	Compliance with discipline imposed by other jurisdiction.
Providing false testimony before board	R.S. 37:153.A.10 authorizes the board to discipline any registrant or certificate holder who provides false testimony before the board.	\$3,000 fine, revocation, and public reprimand.
Giving false or forged evidence to the board in obtaining a certificate of registration	R.S. 37:154.A prohibits the giving of false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of registration.	\$3,000 fine, revocation, and public reprimand.

PROPOSED RULES RE: GENERAL DISCIPLINARY GUIDELINES

Failing to provide requested information	R.S. 37:153.A.11 authorizes the board to discipline any registrant or certificate holder who fails to provide, within thirty calendar days of mailing the notice by certified mail, information requested by the executive director as a result of a formal complaint to the board alleging a violation of the licensing law.	\$1,000 fine and suspension until requested information is provided. Public reprimand.
False or misleading advertising or solicitation	R.S. 37:153.A.12 authorizes the board to discipline any registrant or certificate holder found to have used any advertising or solicitation which is false or misleading.	\$500 fine per violation and public reprimand.
Use of misleading or confusing name	Rule § 1501 prohibits the use of an assumed, fictitious or corporate name that is misleading as to the identity, responsibility, or status of those practicing thereunder or is otherwise false, fraudulent, misleading, or confusing.	For failing to respond within thirty (30) days after formal notice, \$500 fine.
Knowingly designing a project in violation of laws or regulations	Rule § 1901.A.2 prohibits an architect from knowingly designing a project in violation of applicable state and municipal building laws and regulations.	\$3,000 fine, revocation, and public reprimand.
Providing services when not qualified to do so	Rule § 1901.A.3 provides that an architect shall undertake to perform professional services only when he or she, together with those whom the architect may engage as consultants, are qualified by education, training, and experience in the specific technical areas involved.	\$2,000 fine and public reprimand.
Providing services when competence is impaired by physical or mental disabilities	Rule § 1901.A.4 provides that no person shall be permitted to practice architecture if, in the board's judgment, such person's professional competence is substantially impaired by physical or mental disabilities.	Suspension until competence proved, followed by probation.
Accepting compensation from more than one party without full disclosure and agreement, or from suppliers	Rule § 1901.B.1 provides that an architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosure and agreement to be in writing) by all interested parties. Rule § 1901.B.3 provides that an architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their projects.	\$1,500 fine and public reprimand.
Failing to render decisions impartially	Rule § 1901.B.4 provides that, when acting as the interpreter of building contract documents and the judge of contract performance, an architect shall render decisions impartially, favoring neither party to the contract. R.S. 37:153.A.6 authorizes the board to discipline any registrant or certificate holder found to have violated any lawful rule.	\$500 fine and public reprimand.
Practicing without full disclosure as defined in Rules § 1901.B.2 or § 1901.C	Rule § 1901.B.2 provides that, if an architect has any business association or direct or indirect financial interest which is substantial enough to influence his or her judgment in connection with the performance of professional services, the architect shall fully disclose in writing to his or her client or employer the nature of the business association or financial interest. Rule § 1901.C requires full disclosure by the architect under various circumstances.	\$1,500 fine and public reprimand.
Knowingly violating any state or federal criminal law	Rule § 1901.D prohibits an architect from knowingly violating any state or federal criminal law.	\$3,000 fine, revocation, and public reprimand.

PROPOSED RULES RE: GENERAL DISCIPLINARY GUIDELINES

Making improper payment or gift	Rule § 1901.D.2 provides that an architect shall neither offer nor make any payment or gift to a government official with the intent of influencing the official's judgment in connection with a perspective or existing project in which the architect is interested.	\$500 fine and private reprimand.
Aiding unlicensed practice	Rule § 1901.C.6 provides that an architect shall not assist the application or registration of a person known by the architect to be unqualified in respect to education, training, experience, or character.	\$1,500 fine and public reprimand.
Failing to report	Rule § 1901.C.7 provides that an architect possessing knowledge of a violation of the rules by another architect shall report such knowledge to the board.	\$500 fine and private reprimand.



Interior of Belisle Building



Northshore Eye Association, Pistorius Eye Associates



Prospect.1 – Eskew+ Dumez + Ripple



ENFORCEMENT REPORT

By: Robert Eddleman, Investigator

LSBAE marks three years of investigative action

June 30, 2012 will mark the end of the third year since the Board initiated the part-time investigator's position to investigate alleged violations of the laws and rules that govern the offering and/or the practice of architecture in Louisiana.

Since the inception of this program, a total of 96 investigations have been conducted. Of these cases, the Board has issued and ratified 35 Consent Orders that resulted in fines, administrative costs, and publication of the violation by name in the Board's official newsletter. Eighteen cases were issued a letter of warning, caution or a cease and desist order. Three cases are open pending disposition by the Board and the remaining 40 cases were closed after the investigation disclosed that there was not a violation of the law and rules that govern the practice and/or offering of architecture services in Louisiana.

Our previous article dealt with the laws and rules pertaining to the unlicensed offering and/or providing of architectural services without proper licensure from the Board, the signing and sealing of design drawings, documents not prepared by the licensee under the licensee's direct control and supervision. This article will present the rules pertaining to the violation of the improper use of the word architect.

Rule §1527. Unlicensed Persons

- A. Unlicensed persons cannot use the term architect, architectural, architecture or anything confusingly similar to indicate that such person practices or offers to practice architecture, or is rendering architectural services. A person who has obtained a degree in architecture may not use the title graduate architect.

Allowed	Not Allowed
Designer	Architectural Designer
Draftsman	Architectural Draftsman
Building Designer Products	Architectural Building Designer

Rule §1529. Intern Architect

- A.1. A person who:
 - a. has completed the education requirements set forth in NCARB Circular of Information No. 1;
 - b. is participating in or who has successfully completed the Intern Development Program ("IDP"); and
 - c. is employed by a firm which is lawfully engaged in the practice of architecture in this state may use the title "intern architect" but only in connection with that person's employment with such firm.
- 2. The title may not be used to advertise or offer to the public that such person is performing or offering to perform

architectural services, and accordingly such person may not include himself in any listing of architects or in any listing of persons performing architectural services. Such person may use a business card identifying himself as an "intern architect", provided such business card also includes the name of the architectural firm employing such person.

Rule §1505. Use of Term "Architect" "Architecture," or "Architectural"

- A. Whenever the term architect, architecture, or architectural is used in a firm name, or whenever a firm includes its name in any listing of architects or of firms rendering architectural services, the name of at least one Louisiana licensed architect followed by the title architect must be included either as a part of the firm title itself or at least one Louisiana licensed architect must be identified as an architect on the firm letterhead and any website.

Allowed	Not Allowed
Smith & Jones, Architecture & Planning John Smith, Architect	Smith & Jones Architecture & Planning (unless Smith & Jones are both licensed by the board to practice Architecture in Louisiana)
Smith & Jones, Architecture & Engineering John Smith, Architect	Smith & Jones Architecture & Engineering (unless Smith and Jones are both licensed by the board to practice architecture in Louisiana)
Design Professionals Architecture & Planning John Smith, Architect	Design Professionals Architecture & Planning
Heritage Architectural Services John Smith, Architect	Heritage Architectural Services
John Smith, Architect and Associates	

Offering to practice architecture or rendering architectural services without proper licensure is a violation and could result in disciplinary actions.

The law and rules can be downloaded from the Boards website www.lastbdarchs.com. If you have any questions please e-mail me at ree@lsbae.brcocmail.com or phone me at 225-925-4802.

What's the difference between architecture degrees?

*By Robert McKinney, Architect, AIA, NCARB, LEED AP
President, Louisiana State Board of Architectural Examiners*

As an educator of 23 years, and an architect of 12 years, I have been asked by many professionals, interns, students and parents to explain the difference between the various professional degrees, B.Arch, M.Arch and D.Arch. They ask, "Why aren't all professional degrees a five-year Bachelor of Architecture degree?" That's the architectural education I received.

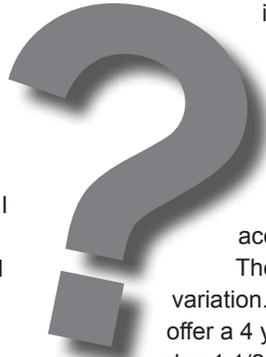
Louisiana requires a professional degree accredited by the National Architectural Accrediting Board. What does that mean? The NAAB is the sole agency authorized to accredit architecture program in the U.S. Its mission is "The NAAB develops and maintains a system of accreditation in professional architecture education that is responsive to the needs of society and allows institutions with varying resources and circumstances to evolve according to their individual needs." To allow programs to develop based on institutional and cultural circumstances, the NAAB accredits the professional degrees of the Bachelor of Architecture (B.Arch), the Master of Architecture (M.Arch), and the Doctor of Architecture.

All three professional degrees meet the NAAB Conditions and Procedures for Accreditation, and in doing so, all three meet the same 32 Student Performance Criteria that are grouped into four areas: critical thinking and representation, integrated building practices, technical skills and knowledge, and leadership and practice. According to the NAAB the difference in the three degrees is the credit hours required for each degree; the B.Arch degree requiring 150 credit hours of undergraduate course work, the M.Arch requiring 168 credit hours of undergraduate and graduate coursework, and the D.Arch requiring 210 credit hours.

According to the NAAB 2011 Report on Accreditation, there are 51 B.Arch programs, which comprise 34% of professional degrees; 99 M.Arch programs that comprise 66% of professional degrees, and one D.Arch program, which is less than 1% of the 151 degree programs.

Louisiana is in the NAAB Southwest Region, which consists of Arkansas, Louisiana, New Mexico, and Texas. In the Southwest region, 39% offer the B.Arch, and 61% of the programs offer the M.Arch. Louisiana follows that trend with the B.Arch comprising 40% of the professional programs in the state and the M.Arch comprising 60% of the professional programs. This also tracks with degrees awarded nationally - 43% of degrees are B.Arch and 57% of degrees are M.Arch.

The B.Arch and the D.Arch are the most straightforward to understand. The B.Arch is awarded for successful completion of five years of undergraduate course work. The D.Arch is awarded for 7 years of course work, including 120 hours at the undergraduate level and the remaining 90 at the graduate level. The M.Arch must meet the NAAB requirement of a minimum of 30 hours of graduate education. The typical M.Arch program



is a 4-year pre-professional degree in architectural studies and a 2-year graduate program which leads to the M.Arch. The NAAB states that the "Doctor of Architecture and the Master of Architecture programs may consist of a pre-professional undergraduate degree and a professional graduate degree that when earned sequentially constitute an accredited professional education."

The Master of Architecture degree offers the most variation. A few institutions offer a 5 year M.Arch, a few offer a 4 year preprofessional architectural studies degree plus 1 1/2 M.Arch, the overwhelming majority offer a 4 year preprofessional architectural studies degree plus a 2 year M.Arch. Several institutions also offer a 3 or 3 1/2 year M.Arch degree programs for someone with a Bachelors degree in another discipline.

Each professional curriculum must also provide 45 credit hours of general education course work outside of architecture. A typical B.Arch degree therefore, consists of 105 credits of professional architecture coursework, a typical four plus two M.Arch degree consists of 123 credits of professional architecture coursework. and a typical D.Arch degree consists of 165 credits of professional architecture coursework. The average of professional architecture coursework for a typical 3 or 3 1/2 year M.Arch program is 100 credits of professional architecture coursework.

The flexibility of types of professional degrees is necessary to allow each institution to best meet the variables of resources and circumstances. An important factor is the economic base of the students and the number students who are the first college students in their families. Individual states also play a role from how higher education is structured and governed in the state. With a tight economy many states, including Louisiana, have passed legislation setting caps of 120 credit hours for a Bachelor's degree in an effort to ensure students complete their respective degree program.

All "accredited degree programs must demonstrate that each graduate possess the knowledge and skills" specified in the Student Performance Criteria, and each program must meet the standards laid out in the "Conditions for Accreditation." Are there any real differences in preparing a student to practice architecture between the three professional degrees? The answer is no. That is the objective of the NAAB to establish the requirements for professional education and allow each institution the flexibility to determine the best way to provide a professional architectural education and to do so given the context of the institution, region, and state. The health, safety, and welfare of Louisiana's residents continues to be safeguarded with the requirement of a "professional degree from a school whose curriculum has been accredited by the National Architectural Accrediting Board" to be able to practice architecture in the state.

Formal Disciplinary Actions Taken by the Board

Below are summaries of the disciplinary actions imposed by the Board since the last newsletter on cases which have been closed.

THE UNLICENSED OFFER AND/OR PRACTICE OF ARCHITECTURE

Design Perspective, LLC ***Lafayette, Louisiana***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$200.00 fine and \$100.00 administrative fee: owner Kevin Royston to successfully complete the NARCB Professional Conduct course. Imposed by Consent Order dated December 16, 2011.

Foil Wyatt Architects & Planners, PLLC ***Jackson, Mississippi***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$700.00 fine and \$125.00 administrative fee imposed by Consent Order dated December 16, 2011.

Bounds and Gillespie Architects, PLLC ***Memphis, Tennessee***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$100.00 fine and \$100.00 administrative fee imposed by Consent Order dated December 16, 2011.

Zimmerman Weintraub Associates, LLC ***Chicago, Illinois***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural

services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$500.00 fine and \$100.00 administrative fee imposed by Consent Order dated March 16, 2012.

Cline Design Associates, PA ***Raleigh, North Carolina***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$500.00 fine and \$100.00 administrative fee imposed by Consent Order dated March 16, 2012.

Carl Trimble

Lafayette, Louisiana

Licensee offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$500.00 fine and \$150.00 administrative fee imposed by Consent Order dated June 8, 2012.

Tobin Starr + Partners, PLLC ***Charlotte, North Carolina***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$500.00 fine and \$100.00 administrative fee imposed by Consent Order dated June 8, 2012.

Omega Design Architecture, PC ***Cary, North Carolina***

Firm offered and/or provided architectural services in Louisiana without receiving a certificate of compliance or proper licensure from the Board.

VIOLATION: The offering and/or providing of architectural services in Louisiana without receiving a certificate of compliance or license from the Board. La. R.S. 154(A).

PENALTY: \$250.00 fine and \$125.00 administrative fee imposed by Consent Order dated June 8, 2012.



Kiwi House PlusOne Design + Construction



Mignon Faget retail store – Waggonner & Ball



Skyline New Orleans and World War II Building – Voorsanger Mathes



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