

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.01.01 – RULES OF THE BOARD OF ARCHITECTURAL EXAMINERS SURAL EXAMINERS AND LANDSCAPE ARCHITECTS

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Sections 54-306, 54-308, 54-313, and 54-3003, 67-2614, 67-9406, and 67-9409, Idaho Code. ()

001. SCOPE.

These rules govern the practice of architecture and landscape architecture in Idaho. ()

002. — INCORPORATION BY REFERENCE.

The document titled NCARB Rules of Conduct as published by the National Council of Architectural Registration Boards, dated July 2014, is hereby incorporated by reference.

The current and updated document titled "Model Rules of Conduct," published by the National Council of Architectural Registration Boards (NCARB) is herein adopted and incorporated by reference and is available on the NCARB website: <https://www.ncarb.org>. ()

The current and updated document titled "Model Rules of Professional Conduct" published by the Council of Landscape Architectural Registration Boards (CLARB) is herein adopted and incorporated by reference and is available at the CLARB website: <https://www.clarb.org>. ()

003. – 009. — (RESERVED)

010. — DEFINITIONS:

01. — AXP. Architectural Experience Program. ()

02. — Direct Supervision. Direct supervision of an unlicensed individual in the practice of architecture means the exercise of management, control, authority, responsibility, oversight and guidance over the unlicensed individuals work, activities and conduct. ()

03. — NAAB. National Architectural Accrediting Board. ()

04. — NCARB. National Council of Architectural Registration Board. ()

011. – 174. — (RESERVED)

175. — APPLICANT PAST CRIME REVIEW:

01. — Review Authority. In reviewing an Applicant for licensure who has been convicted of a felony or misdemeanor as set forth in section 54-314(1)(d) Idaho Code, the Board may utilize the follow process and factors to determine the applicant's suitability for licensure: ()

02. — Exemption Review. The exemption review consists of a review of any documents relating to the crime and any supplemental information provided by the applicant bearing upon his suitability for registration. The Board may, at its discretion, grant an interview of the applicant and consider the factors set forth in Section 67-9411,

Commented [YD1]: The NCARB code is almost completely covered in statute. There is no statutory authority to adopt the CLARB code.

~~Idaho Code. The applicant bears the burden of establishing their current suitability for licensure. ()~~

Commented [MH2]: Duplicative 67-9410 & 67-9411

~~176. – 199. (RESERVED)~~

400 200. FEES FOR EXAMINATIONS AND LICENSURE.

~~Fees are non-refundable.~~

01. Fees for Architects:

FEE TYPE	AMOUNT (Not to Exceed)
Examination	Established by NCARB
Application	\$25
Annual renewal	\$50
Endorsement license	\$50
Temporary license	\$50
Reinstatement	As provided in Section 67-2614, Idaho Code §35

Commented [YD3]: The fees should only identify what is charged by the board.

02. Fees for Landscape Architects:

FEE	AMOUNT (Not to Exceed)
Application	\$75
Landscape Architect-in-training Application	\$25
Examination	As established by CLARB
License	\$125 annually
Reinstatement	As provided in Section 67-2614, Idaho Code §35

~~201. – 2497. (RESERVED)~~

100. LICENSURE

01. Architect.

~~a. Approved architectural experience program. The Architectural Experience Program (AXP) of the National Council of Architectural Registration Boards (NCARB).~~

~~b. Satisfactory experience in lieu of education. The eight (8) years must consist of at least six (6) years of experience under the direct supervision of a licensed architect and the remaining two (2) years may be under the direct supervision of a licensed engineer who practices in the field of building construction or a licensed landscape architect so long as that experience is directly related to architecture.~~

02. Landscape Architect.

~~a. Approved Education. A landscape architecture program accredited by the Landscape Architectural Accreditation Board.~~

b. Satisfactory experience in lieu of education. The eight (8) years must consist of at least four (4) years of experience under the supervision of a licensed landscape architect, with the remainder being directly related to landscape architecture.

c. Required Examination. All four parts of the Landscape Architect Registration Examination administered by the Council of Landscape Architectural Registration Boards (CLARB).

a. An approved college or school of architecture accredited by the National Architectural Accrediting board or as determined by the board.

Commented [YD4]: This is duplicative of 54-309(2)(a)

b. An approved college or school of landscape architecture accredited by the Landscape Architectural Accreditation Board or as determined by the board.

**249. ARCHITECTURAL
02. EXPERIENCE.**

a. An applicant for licensure as an architect must complete the Architectural Experience Program (AXP) of the National Council of Architectural Registration Boards (NCARB).

Commented [YD5]: I combined all of the architectural standards and the landscape architectural standards so it is easier for an applicant to navigate.

**250. QUALIFICATIONS OF APPLICANTS FOR EXAMINATION.
03. PRACTICAL EXPERIENCE IN LIEU OF A DEGREE**

01. Accredited Degree Applicants. All applicants for the Architectural Registration Examination (ARE) will possess a professional degree in architecture from a program that is accredited by the National Architectural Accrediting Board (NAAB) or that is approved by the Board. All applicants for the ARE must have started or completed the Architectural Experience Program (AXP) requirements.

Commented [MH6]: Duplicative 54-309(2)

02. Experience in Lieu of Degree Applicants. The Board may allow an applicant without an architecture degree to sit for the architecture examination upon determining that such applicant has attained the knowledge and skill approximating that attained by graduation from an accredited architecture curriculum including the submission of a record of eight (8) years or more of experience in architecture work of a character deemed satisfactory by the Board. Said

Commented [MH7]: Duplicative 54-309(3)

a. Architects. In lieu of holding a professional degree in architecture as per 54-309(2)(a) an applicant may submit experience may include that necessary for completion of the AXP. Two (2) years of eight (8) or more years of experience may be accepted if determined that such experience is directly related to architecture under the direct supervision of a registered engineer (practicing as a structural, civil, mechanical or electrical engineer in the field of building construction) or a registered landscape architect, and at least six (6) years of such experience must be obtained while working under the direct supervision of a licensed architect. A person is qualified for the examination once they have met the experience requirement and started the AXP Architectural Experience Program.

Commented [YD8]: The board does not have authority to approve an applicant for exam. They only have the authority to approve for licensure.

b. Landscape Architects. An applicant shall document at least eight (8) years of practical experience in landscape architecture in lieu of graduation from an approved college or school of landscape architecture. Such experience shall establish the applicant's education in those subjects and areas contained in the curriculum of an approved college or school of landscape architecture. No less than fifty percent (50%) of such practical experience shall be under the supervision of a licensed landscape architect.

Commented [YD9]: Board of these provisions are largely duplicative of statute (54-309(3) and 54-3003(2)(b)). I re-phrased and moved them under Rules 100.01 and .02.

251. — 299. (RESERVED)

300.03. APPLICATION.

Applicants for licensure shall submit a complete application together with the required fees and supporting materials to the Division of Occupational and Professional Licenses.

Commented [YD10]: Duplicative of statute

a01. Licensure by Examination.

i.a. Proof of successful completion of experience or practical experience. Application for licensure by examination is made on the uniform application form adopted by the Board.

~~iii.~~ Proof of successful completion of the board approved examination. Applicants must furnish all information required by the uniform application form and will include the following: ()

~~i.~~ If applying based upon an accredited degree: Furnish certification of graduation and a certified transcript of all subjects and grades received for all college courses taken. ()

~~ii.~~ If applying based upon experience in lieu of an accredited degree: Furnish statement or statements, of all actual architectural or other applicable experience signed by the person under whose supervision the work was performed, giving kind and type of work done, together with dates of employment. ()

~~iii.c.~~ Copy of a transcript indicating successful completion of board approved education. Application will not be reviewed by the Board until all required information is furnished and the required fee is paid. ()

~~d.~~ Applications received less than seven (7) days prior to a Board meeting may be held over to the next meeting. ()

~~02. Licensure by Endorsement — Blue Cover.~~ General requirements: Application includes a current blue cover dossier compiled by the NCARB certifying that the applicant has satisfactorily passed the standard NCARB examinations, or NCARB authorized equivalent and includes letters, transcripts, and other documents substantiating all statements relative to education and experience made in said application as required by the Board. ()

~~032. Licensure by Endorsement — Equivalency.~~ An applicant shall include proof of or a copy of a valid or current license from another licensing jurisdiction as outlined in 67-9409, Idaho Code. ()

~~a.~~ Applicants for licensure by endorsement must submit a complete application, verified under oath, to the Board at its official address. The application must be on the forms approved by the Board and submitted together with the appropriate fee(s) and supporting documentation including but not limited to: ()

~~b.~~ Proof of holding a current and valid license issued by another state, a licensing authority recognized by the Board. ()

~~c.~~ Proof of satisfactorily passing the NCARB examinations or NCARB authorized equivalent examination, as determined by the Board. ()

~~301. — 349. (RESERVED)~~

~~350. — REGISTRATION 04. EXAMINATION:~~

~~a.~~ The Board, having found that the content and methodology of the ARE prepared by NCARB is the most practicable and effective examination to test an applicant's qualifications for registration, adopts the Architectural Registration Examination (ARE) as the single, written and/or electronic examination for registration of architect licensure applicants, in this state, and further adopts the following rules with respect thereto: ()

~~b.~~ The Board adopts the examination prepared by the Council of Landscape Architectural Registration Boards (CLARB) as the approved examination for landscape architect licensure applicants. ()

~~01. — When Taken.~~ The Board will cause the ARE, prepared by NCARB, to be administered to all applicants eligible, in accordance with the requirements of the Board, by their training and education to be examined for registration on dates scheduled by the NCARB. The Board will cause repeat divisions of the ARE to be administered to qualified candidates on such dates as are scheduled by the NCARB. The ARE examination is a multiple part examination prepared by NCARB. Content of the examination in all of its sections is available from the Board or NCARB. ()

~~02. — Grading.~~ The ARE is graded in accordance with the methods and procedures recommended by the NCARB. Grades from the individual division are not averaged. Applicants will have unlimited opportunities to

Commented [YD11]: These provisions are duplicative of statute and unnecessary in rule.

Commented [MH12]: Duplicative 54-310

Commented [YD13]: Duplicative of 54-309(1)(a)

Commented [YD14]: Moved to Rule 100.02

retake division which they fail except as set forth in these rules. The Board accepts passing grades of computer administered divisions of the ARE as satisfying the requirements for said division(s) when such examinations are administered as prescribed by the NCARB. ()

03. ~~Passing (ARE).~~ To pass the ARE, an applicant must achieve a passing grade on each division. Subject to certain conditions, a passing grade for any division of the ARE is valid for five (5) years, after which time the division must be retaken unless all divisions have been passed. The Board may allow a reasonable extension of such period in circumstances where completion of all divisions is prevented by a medical condition, active duty in military service, or other like causes. Approval to take the ARE will terminate unless the applicant has passed or failed a division of the ARE within a period of five (5) years. Any applicant whose approval has so terminated must reapply for approval to take the ARE. ()

351. – 374. (RESERVED)

375. ~~200.051. Architectural Intern. Only individuals who fall within the Section 54-303(2), Idaho Code, definition of "architectural intern" may represent themselves as an "architectural intern". AN INDIVIDUAL MAY REPRESENT THEMSELVES AS AN ARCHITECTURAL INTERN IF ENROLLED IN OR HAS COMPLETED THE AXP ARCHITECTURAL EXPERIENCE PROGRAM WITH NCARB, ONLY UNDER THE FOLLOWING CONDITIONS:~~ ()

Commented [YD15]: This is a practice standard.

01. ~~Supervision.~~ Each architectural intern is employed by and work under the direct supervision of an Idaho licensed architect. ()

02. ~~AXP Enrollment.~~ Each architectural intern must be enrolled in NCARB's AXP and maintain a record in good standing. ()

03. ~~Record.~~ Each architectural intern possesses either: ()

a. ~~A record with the NCARB establishing that AXP training has been started; or~~ ()

b. ~~A record establishing completion of all AXP training regulations as specified by NCARB.~~ ()

04. ~~Prohibitions.~~ An architectural intern may not sign or seal any architectural plan, specification, or other document. An architectural intern may only engage in the practice of architecture under the direct supervision of an Idaho licensed architect. ()

376. – 399. (RESERVED)

~~2300.02 400. Architectural Firm Name. The firm name may only incorporate the names of individuals who are licensed architects, with the exception that~~

01. ~~Firm Names.~~ Architectural Firm names incorporating the use of names of unlicensed individuals are considered in violation of ~~Section 54-315, Idaho Code.~~ A firm may continue to utilize the name of a retired or deceased formerly licensed architect so long as if the their unlicensed status is clearly disclosed. ()

Commented [LK16]: Unlicensed practice.

401. – 409. (RESERVED)

410. ~~USE OF AN ARCHITECT'S SEAL.~~
An architect's seal may be placed on all technical submissions prepared personally by the architect or prepared under the architect's responsible control or as otherwise allowed under the provisions of Section 54-304, Idaho Code. Nothing in this rule limits an architect's responsibility to the owner for the work of other licensed professionals to the extent established by contract between the owner and architect. ()

Commented [MH17]: Duplicative 54-304

411. – 449. (RESERVED)

450. ~~05. Continuing Education FOR ARCHITECTS.~~

In order to protect the public health and safety and promote the public welfare, the Board has adopted the following rules for continuing education. ()

~~**a. 01100.01.c.** Continuing Education Requirement. Beginning the second year of licensure, to renew, Each Idaho licensed architect must successfully complete, during the prior licensing period, and retain proof of completion of a minimum of twelve (12) hours of approved continuing education in architectural health, safety and welfare in the calendar year prior to license renewal germane to the practice of architecture. Approved courses are those offered by providers approved by NCARB, the National Architectural Accreditation Board (NAAB), or the American Institute of Architects (AIA). A licensee may seek Board approval of other courses. ()~~

~~**i. a.** Each licensee will submit to the Board their annual renewal application form and required fees, and will certify that they have complied with annual CE requirements for the previous calendar year. Each licensee will provide to the Board together with their application for reinstatement of an expired license form and required fees, proof of compliance with annual CE requirements for each year that their license was expired. A license that has been canceled for failure to renew may be reinstated in accordance with Section 67-2614, Idaho Code. ()~~

Commented [YD18]: Duplicative of 67-2614.

~~**ii. b.** A licensee is considered to have satisfied their CE requirements for the first renewal of their initial license. Licensees who have failed to meet the annual continuing education requirement may petition the Board for additional time to complete their continuing education requirements. ()~~

~~**iii. c.** A licensee may carryover a maximum of six (6) hours of continuing education to meet the next year's continuing education requirement. ()~~

Commented [YD19]: Carryover brings into question why the board requires annual CEs.

~~**iv. d.** One (1) continuing education hour is equal to one (1) learning unit, as determined by the American Institute of Architects, or one (1) clock hour of education, as determined by the Board. ()~~

~~**b. 02. Architectural Health, Safety and Welfare Requirement.** To qualify for continuing education, a course must involve architectural health, safety and welfare, which generally relates to the structural integrity or unimpairedness of a building or building sites and be germane to the practice of architecture. Courses may include the following subject areas: ()~~

~~**a.** Legal, which includes laws, codes, zoning, regulations, standards, life safety, accessibility, ethics, insurance to protect owners and public. ()~~

~~**b.** Building systems, which includes structural, mechanical, electrical, plumbing, communications, security, and fire protection. ()~~

~~**c.** Environmental, which includes energy efficiency, sustainability, natural resources, natural hazards, hazardous materials, weatherproofing, and insulation. ()~~

~~**d.** Occupant comfort, which includes air quality, lighting, acoustics, ergonomics. ()~~

~~**e.** Materials and methods, which includes construction systems, products, finishes, furnishings, and equipment. ()~~

~~**f.** Preservation, which includes historical, reuse, and adaptation. ()~~

~~**g.** Pre-Design, which includes land use analysis, programming, site selection, site and soils analysis, and surveying. ()~~

~~**h.** Design, which includes urban planning, master planning, building design, site design, interiors, safety and security measures. ()~~

~~**i.** Construction documents, which includes drawings, specifications, and delivery methods. ()~~

~~**j.** Construction contract administration, which includes contracts, bidding, contract negotiations. ()~~

()

~~e.03. Approved Credit. Continuing education courses must be presented by:~~ ()

~~a.i. Providers approved by the National Architectural Accreditation Board (NAAB) schools of architecture; or~~ ()

~~b.ii. Providers approved by the National Council of Architectural Registration Board (NCARB); or~~ ()

~~c.iii. Providers approved by the American Institute of Architects (AIA); or~~ ()

~~d.iv. Continuing education Providers as otherwise approved by the Board. All requests for approval or pre-approval of continuing education credits must be made to the Board in writing and must be accompanied by a statement that includes the name of the instructor or instructors, his or her qualifications, the date, time and location of the course, the specific agenda for the course, the number of continuing education hours requested, and a statement of how the course is believed to be in the nature of architectural health, safety and welfare.~~ ()

~~04. Verification of Attendance. The It shall be necessary for each licensee shall to maintain verification of attendance by the sponsoring institution, by securing authorized signatures or other documentation from the course instructors or sponsoring institution substantiating any and all hours attended by the licensee. This verification shall be maintained by the licensee for a period of two (2) five (5) years and provided to the Board upon request of the Board or its agent.~~ ()

~~054. Failure to Fulfill the Continuing Education Requirements. The license will not be renewed for those licensees who fail to certify or otherwise provide acceptable documentation of meeting the CE requirements. Licensees who make a false attestation regarding compliance with the CE requirements shall be subject to disciplinary action by the Board.~~ ()

~~065vi. Exemptions. A licensed architect shall be deemed to have complied with the CE requirements if the licensee meets the military exemption set forth in Section 67-2604A, Idaho Code, or is a government employee working as an architect assigned to duty outside the United State attests in the required affidavit that for not less than ten (10) months of the preceding one (1) year period of licensure, The Board shall have the authority to make exceptions for good cause as determined by the Board. The architect must provide any information requested by the Board to assist in substantiating hardship cases. the architect has met one (1) of the following criteria:~~ ()

~~a. Meets the military exemption set forth in Section 67-2602A, Idaho Code.~~ ()

~~b. Is a government employee working as an architect and assigned to duty outside the United States.~~ ()

~~c. Special Exemption. The Board shall have authority to make exceptions for reasons of individual hardship, including health (certified by a medical doctor) or other good cause. The architect must provide any information requested by the Board to assist in substantiating hardship cases. This exemption is granted at the sole discretion of the Board.~~ ()

451. - 749. (RESERVED)

750. CODE OF ETHICS.

~~01. Rules of Conduct. The NCARB Rules of Conduct are hereby adopted as the Code of Ethics for all Idaho licensed architects.~~ ()

751. - 999. (RESERVED)

Commented [YD20]: Duplicative

Commented [YD21]: As written, this conflicts with the military exemption in 67-2606 which waives all renewal requirement, regardless of how long the individual is outside of the country.

Commented [YD22]: What is the justification for waiving for non-military individuals who are out of the country, but also have access to the internet? What about private employees working outside of the US? What about individuals on sabbatical and traveling the world? The exemption for military personnel is due to lack of ready access to the internet and being on missions, etc. This is not an issue for non-military employees.

Commented [YD23]: The APA provides a pathway for petition for waiver of the rule.

Commented [MH24]: Included under Incorporated by Reference Section