

PROSPECTIVE ANALYSIS

BOARD OF ARCHITECTURAL EXAMINERS AND LANDSCAPE ARCHITECTS

IDAPA 24.01.01, 24.07.01

ARCHITECTS-

RULES 250 AND 300 QUALIFICATIONS OF APPLICANTS FOR LICENSURE

Education and Experience Requirements

Proposed Rule: The proposed rule allows the applicant to apply directly to the National Council of Architectural Registration Boards ("NCARB") to sit for the licensing examination. Currently, applicants apply to the Board of Architectural Examiners ("Board") to sit for the Architectural Registration Examination ("ARE").

Additionally, the proposed rule eliminates the "rolling clock" policy from rule. The "rolling clock" was a policy previously held by NCARB which required applicants to pass all divisions of the ARE within five years. If an applicant did not pass all divisions, the application expired, and the applicant had to begin the testing process anew. Boards such as Idaho's, which required application to the board rather than to NCARB, previously had this provision in rule. This is found in present IDAPA 350.03. The ARE is the single examination for architects and is adopted by the Board in rule.

Current Rule:

The current rule requires the applicant to pass the Architectural Registration Examination (ARE) within five (5) years. This rule also requires the applicant to make application directly to the Board, rather than NCARB.

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.

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 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. 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.

Legal Authority: Idaho Code 54-308(4) "to adopt rules setting the qualifications and fitness of applicants for licensure." Discretionary.

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The proposed rule is attempting to solve barriers to licensure by providing greater flexibility for applicants in the testing process. The proposed rule also aligns Idaho with surrounding states by allowing applicants to apply directly to NCARB. Additionally, because the proposed rule allows application directly to NCARB, when NCARB requirements change, no additional rule changes will be necessary to align with the national standards. This will allow greater portability of licensure.

Changes in the proposed rule eliminate previous regulatory barriers to licensing. Allowing application directly to NCARB allows the problem to be resolved through non-regulatory means.

What evidence is there that the rule, as proposed, will solve the problem?

The rolling clock policy presented a barrier to licensure by prohibiting applicants from using scores from an ARE division that was more than five years old. NCARB decided to eliminate this problem by basing ARE scores on psychometrics rather than time bound scores. NCARB's review of the rolling clock policy found that it presented an unnecessary barrier to licensure, particularly for women and people of color. A review of score validity by psychometricians found that eliminating the policy was a better measure of exam validity.

Source: <https://www.ncarb.org/blog/ncarb-retiring-the-rolling-clock-policy>

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Not applicable	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
Idaho	<i>See above</i>	
Alaska	<p>Applicant for examination and registration must complete: NAAB or CACB accredited program w/in last two years; satisfy the minimum NCARB education requirements; and complete AXP.</p> <p>Note: all applicants for registration as architects, landscape architects, and engineers in Alaska are also required to complete a Board-approved arctic engineering course.</p> <p>chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.commerce.alaska.gov/web/Portals/5/pub/aels/statutesregs.pdf</p>	N/A
Montana	<p>Applicants for examination must: submit a completed examination on board approved forms; take and pass ARE; submit ARE scores from applicant's designated state; complete AXP requirements; and submit a complete NCARB record.</p> <p>https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E114%2E502</p>	N/A
Nevada	<p>Applicant must be at least 21 years old and good moral character; completed or enrolled in AXP; OR integrated path to Architectural Licensure (IPAL) option that is accredited by NAAB. Special rules for applicants licensed prior to 1986.</p> <p>https://www.leg.state.nv.us/nac/nac-623.html</p> <p>For IPAL information, see: https://www.ncarb.org/earn-a-degree/ipal</p>	N/A

Oregon	<p>A professional degree in architecture from a program approved by NAAB, CACB or a professional degree in architecture exam certified by CACB from a Canadian University; completion of AXP; and jurisprudence exam (JE). An interview may be required if the Board chooses.</p> <p>https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=3</p>	N/A
South Dakota	<p>A professional degree in architecture from a program accredited by NAAB; a professional degree in architecture from a program accredited by CACB; or a degree in architecture or a bachelor's degree in an architecture-related program satisfying a degree evaluation by EESA as part of NCARB's education alternative certification program; or a degree in architecture from a foreign education program that satisfies EESA requirements.</p> <p>chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://dlr.sd.gov/btp/documents/blue_book.pdf</p>	N/A
Utah	<p>Utah requires applicant to apply directly to NCARB to sit for the examination after completing the education requirements. Utah's educational requirements are: NAAB or CACB accredited program or an architectural program substantially similar to NAAB. Equivalency is demonstrated by: for foreign educated applicants, the applicant may submit an EESA report; OR verification of current NCARB Certification. Experience requirements are satisfied by documentation of AXP; current licensure in another jurisdiction; or current NCARB certification.</p> <p>https://adminrules.utah.gov/public/rule/R156-3a/Current%20Rules</p>	N/A
Washington	<p>Washington requires an NAAB accredited degree or: high school diploma; completion of ARE and; eight years' work experience that includes completion of the AXP. At least three years work experience must be under the direct supervision of a licensed architect. Washington also requires successful completion of the Washington State law review exam.</p> <p>https://app.leg.wa.gov/WAC/default.aspx?cite=308-12-025</p>	N/A
Wyoming	<p>Wyoming requires: Degree in architecture from an NAAB accredited program, or a foreign degree in architecture from a program having requirements substantially equal to those established by NAAB and evaluated by EESA; and AXP requirements.</p> <p>https://rules.wyo.gov/Search.aspx?Agency=012</p>	N/A

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

Not applicable.

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	Not applicable.
Impact to Idaho businesses, with special consideration for small businesses	Eliminating this regulatory barrier allows greater portability of licensure which could have a positive impact on small architectural firms seeking to recruit out-of-state candidates.
Impact to any local government in Idaho	Not applicable.

Rule 450 CONTINUING EDUCATION

Proposed Rule: The proposed rule simplifies the Continuing Education (CE) requirement by granting credit for CE's which are germane to the practice of architecture.

Current Rule:

Licenses must complete 12 hours of Continuing Education (CE's) per year. Renewal cycle is annual. There is a maximum of six carryover credits. One CE credit is equal to one clock hour of attendance. To qualify for credit, the 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. Continuing education credits must be through NAAB; NCARB; or AIA. Requests for approval outside of these providers must be made to the Board.

Exemptions are given to licenses who are on military duty, working outside of the United States, or suffering an individual hardship.

Continuing Education must be in architectural health, safety and welfare and must be one of the following subject areas: legal; building systems; environmental; occupant comfort; materials and methods; preservation; pre-design; design; construction documents; or construction contract administration.

Legal Authority: Idaho Code 54-308(5) "To approve continuing education courses and prescribe by rule the minimum number of continuing education hours required of each licensee seeking to obtain or renew an architect's license in the state of Idaho." Discretionary.

Define the specific problem the proposed rule is attempting to solve. Can it be solved through non-regulatory means?

The proposed rule is attempting to provide greater flexibility to licensees to obtain continuing education credits. Rather than provide a very detailed and specific list, the proposed rule

What evidence is there that the rule, as proposed, will solve the problem?

The proposed rule allows greater flexibility to licensees to obtain their required credits of continuing education.

Federal Law Comparison (where applicable)

Summary of Law (include direct link)	How is the proposed Idaho rule more stringent? (if applicable)
N/A	

State Law Comparison

State	Summary of Law (include direct link)	How is the proposed Idaho rule more
		rule more

		stringent? (if applicable)
Idaho	<i>See above.</i>	
Alaska	<p>Twenty-four units must be met in the 24 months immediately preceding renewal. There are a maximum of 12 carryover credits. Continuing education courses are not approved by the Board but must have subject matter related to public health, safety, and welfare. A sponsoring organization may be an educational institution, professional organization, or a business or governmental organization.</p> <p>chrome-extension://efaidnbmnnnibpcajpcgiclfefindmkaj/https://www.commerce.alaska.gov/web/Portals/5/pub/AELSstatutesregs.pdf</p>	AK allows more carryover credits and has a broader definition of CE's
Montana	<p>Architects must obtain 12 CE's per calendar year. CE's must be formal group or self-study courses designed to increase or update the knowledge and professional competence of architects in technical and professional subjects related to public health, safety, and welfare. AIA approved courses are accepted. At least 75 percent of course time must be in specific areas of professional development (similar to Idaho's current rule). Licensees must maintain proof of completion for two years, subject to audit.</p> <p>https://rules.mt.gov/gateway/RuleNo.asp?RN=24%2E114%2E2105</p>	N/A
Nevada	<p>Continuing education must be approved by the Board. Eight hours per year of CE's are required. Of those eight hours, there must be not more than four self-directed educational activities and not less than four units in structured educational activities. Licensee must maintain records for one year, subject to Board audit, and submit a certificate of completion with their renewal application.</p>	NV requires fewer hours.

	https://www.leg.state.nv.us/NAC/NAC-623.html#NAC623Sec630	
Oregon	<p>Renewal period is every other year ending in an odd-numbered year. The registrant must complete 24 hours of continuing education relating to health, safety and welfare (HSW). All continuing education must be in architectural health, safety and welfare (HSW) subjects, which are those technical and professional subjects deemed appropriate to safeguard the public and that are necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment. Self-directed programs of study and teaching do not count towards hours.</p> <p>https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=280455</p>	N/A
South Dakota	<p>The board does not pre-approve courses. All technical professionals, including architects, landscape architects, and engineers, must obtain a minimum of 30 professional development hours (PDH) during a two-year renewal cycle. Of the required 30 PDH, a minimum of 20 PDH must be in technical subjects that lead to further professional development in the licensee's field of practice. Technical subjects include design; environmental analysis; programming and planning; structural systems; lateral forces; mechanical, electrical, plumbing, and acoustical systems; construction methods; construction observation; site and soils analyses and design; accessibility; building codes; selection of building materials; and land survey. Of the required 30 PDH, a maximum of 10 PDH may be in professional management subjects such as total quality management, professional business practice, and ethics.</p> <p>https://sdlegislature.gov/Rules/Administrative/32373</p>	N/A
Utah	<p>During each two-year renewal cycle, an architect must obtain 24 hours of continuing education related to health safety and welfare. At least 12 hours must be completed each year. A maximum of eight hours may be recognized for teaching; a maximum of three hours for preparation of papers, and unlimited hours for home study or self-directed study may be obtained.</p> <p>https://adminrules.utah.gov/public/rule/R156-3a/Current%20Rules</p>	

Washington	<p>Twenty-four hours of professional development hours (PDH) must be completed per two-year renewal period. Up to 12 PDH credits may be carried over. Activities are not pre-approved by the Board. At least 16 PDH hours must address public health, safety, and welfare. There is no prohibition on self-directed/home study.</p> <p>https://app.leg.wa.gov/WAC/default.aspx?cite=308-12-250</p>	WA allows more carryover hours
Wyoming	<p>Wyoming requires 24 hours per 24-month renewal period. All twenty-four hours must be in health, safety and welfare (HSW). No carryover credits are allowed. HSW includes: practice management; project management; programming and analysis; project planning and design; project development and documentation; construction and evaluation. Courses sponsored by CLARB, NCARB, AIA, and ASLA have been deemed acceptable to the board (note: this is a combined board like Idaho's). Attendance does not need to be in person.</p> <p>https://rules.wyo.gov/Search.aspx?Agency=012</p>	

If the Idaho proposed rule has a more stringent requirement than the federal government or the reviewed states, describe the evidence base or unique circumstances that justifies the enhanced requirement:

TBD

Anticipated impact of the proposed rule on various stakeholders:

Category	Potential Impact
Fiscal impact to the state General Fund, any dedicated fund, or federal fund	N/A

Impact to Idaho businesses, with special consideration for small businesses	N/A
Impact to any local government in Idaho	N/A