



State of Idaho
Division Of Occupational and Professional Licenses
Architects and Landscape Architects Board

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Minutes of 4/25/2023

Division: Michael Hyde, Executive Officer
Staff: Lea Kear, Legal Counsel
Sam Zahorka, Building Program Manager
Carlotta Zito, Board Support Specialist

Others Present: Jared Schmidt, Architect
Leah McMillian, The American Institute of Architects (AIA)
Ana Foster, AIA
Abby Demas

The meeting commenced at 9:00 AM MT.

Zero-Based Regulations (ZBR) 24.01.01 and 24.07.01

This is the first of two negotiated rulemaking meetings to gather public comments on IDAPA 24.01.01 *Rules of the Board of Architectural Examiners*, 24.07.01 *Rules of the Idaho State Board of Landscape Architects*, and newly combining rule chapter 24.01.02 *Rules of the Board of Architects and Landscape Architects*. The three rules, with redlines, are on DOPL's website.

Jared Schmidt, Architect, asked for an explanation of Idaho Code 67-9409 and whether the National Council of Architectural Registration Boards (NCARB) certification requirements are being removed. Executive Officer Hyde explained the statute, and the answer to Mr. Schmidt's question is no.

Mr. Schmidt questioned, and Executive Officer Hyde clarified, in IDAPA 24.01.01.450.02 *Architectural Health, Safety and Welfare Requirement*, the intent is for all 12 continuing education hours to apply to one of the three categories.

Leah McMillan, AIA Central Section President, asked, and Executive Officer Hyde explained, the difference between endorsement and reciprocity.

Executive Officer Hyde conducted an overview of the following sections of the combined rule chapter:

- 000. Legal Authority - Language was added to capture the landscape architect's platform into the architectural chapter.

- 002. Incorporation by Reference - Model rules of NCARB and the Council of Landscape Architectural Registration Boards (CLARB) were added for reference.
- 010. Definitions - Duplicative and unnecessary language was removed.
- 175. Applicant Past Crime Review - Duplicative language was removed.
- 200. Fees for Examinations and Licensure - There were no changes to the fees for architects; however, the landscape architects fees were transferred into this combined rule chapter.
- 248. Approved Education - This new subsection was added to clearly define approved education and education approvers.
- 249. Architectural Experience - This new subsection outlines the architectural experience requirement.
- 250. Practical Experience in Lieu of a Degree - Outlines the practical experience requirement for both architects and landscape architects in lieu of corresponding degrees. Leah McMillan asked if applicants are still required to pass the exams or if they are granted an Idaho license simply because they practiced in another state for a certain number of years. Executive Officer Hyde clarified that architectural applicants must still pass the exam and complete the NCARB architectural experience program. The requirement to have an accredited degree is waived if they have the necessary experience.
- 300. Application - This section was cleaned up to provide a quicker licensing process.
- 300.01 - Licensure by Examination - This section was cleaned up to make it clearer and more concise.
- 350. Examination - Applicants will now apply for testing through NCARB or CLARB, not DOPL. Exams must be completed before applying for licensure.
- 375. Architectural Intern - Duplicative language was removed as it is already in the model law.
- 400. Architectural Firm Name - The word "Architectural" was added as this applies only to architects.
- 410. Use of Architect's Seal - Duplicative language was removed.
- 450. Continuing Education For Architects - The words "For Architects" was added as this section only pertains to architects' continuing education. Duplicative language was also removed.

- 450.02 Architectural Health, Safety and Welfare Requirement - For clarity, subject areas pertaining to course requirements were removed. For continuing education to be accepted, courses will need to be approved by one of the entities in section 450.03, or by the Board.

Executive Officer Hyde asked for feedback regarding the requirement of a minimum of 12 hours of continuing education. Jared Schmidt commented that 12 hours aligns with industry. Executive Officer Hyde stated continuing education hours in Idaho must be completed every 12 months while other states have a 24 month licensing cycle.

Jared Schmidt asked, and Executive Hyde answered, why Idaho has a 12 month licensing cycle rather than a 24 month cycle. The Division is open to feedback from industry to change or modify the licensing cycle to make it easier to complete the continuing education requirement.

Leah McMillan stated Oregon has a two-year renewal cycle with twice the credits and twice the cost; however, the paperwork required to renew a license is simplified. Oregon also has the same number of credits required, 12 per year, but the American Institute of Architects (AIA) has a higher standard of 18 continuing education credits. Ms. McMillan would be in favor of moving to a two-year renewal cycle and changing the license expiration date to something other than the licensee's date of birth.

- 450.04 - Failure to Fulfill the Continuing Education Requirements - This subsection is only applicable to architects.
- 750. Code of Ethics - This subsection was removed as it is duplicative and captured in section 002. *Incorporation by Reference*.

Executive Officer Hyde stated no changes have been made to qualifications for licensure and certain burdens of the application process were alleviated.

Jared Schmidt and Leah McMillan asked, and Legal Counsel Kear explained, the grounds for discipline should someone be in violation of these rules.

A second Negotiated Rulemaking meeting is scheduled for May 24, 2023, for the purpose of gathering additional feedback from the public and industry. A regularly scheduled Board meeting will be held on June 29, 2023. The redline rule chapter containing all comments received during the negotiated rulemaking process will be presented to the Board for discussion followed by a vote to move the rules to a proposed status.

Adjournment

The meeting adjourned at 9:42 AM.