

Notice of April 13-14, 2016 meeting of the Board of Architectural and Engineering Examiners.  
Posted to the Board of Architectural & Engineering Examiners' website on March 28, 2016.



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS**  
500 JAMES ROBERTSON PARKWAY  
DAVY CROCKETT TOWER  
NASHVILLE, TENNESSEE 37243  
Telephone: 615-741-3221 Fax: 615-532-9410  
Program Website: <http://www.tn.gov/commerce/section/architects-engineers>

## **AGENDA**

### **BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS NOTICE OF BOARD MEETING**

Davy Crockett Tower, Conference Room 5-B  
500 James Robertson Parkway  
Nashville, Tennessee 37243

**Wednesday, April 13, 2016**

#### **1:00 P.M. ENGINEER COMMITTEE MEETING**

CALL TO ORDER – Robert Campbell, Jr.

#### **NEW BUSINESS**

- Applications and Audits for Review, Discussion and Signature
- Discussion re: 2016 NCEES Southern Zone Meeting

#### **UNFINISHED BUSINESS**

- Licensing Agreement with Japan PE/FE Examiners Council
- Energy Service Companies and Engineering Registration Laws

#### **ADJOURNMENT**

**The listed order of items and times on the agenda are subject to change, as the Board reserves the right to move to the next agenda items due to cancellations or deferrals.**

Board meetings will be conducted by permitting participation of the Board members by electronic or other means of communication if necessary. Any member participation by electronic means shall be audible to the public at the location specified above. The Department of Commerce and Insurance is committed to principles of equal access.

If you need assistance with attending this meeting due to a disability please contact the Department's ADA Coordinator at (615) 741-0481.

Davy Crockett Tower, Conference Room 1-A  
500 James Robertson Parkway  
Nashville, Tennessee 37243

**Thursday, April 14, 2016**

**8:00 A.M. GRANTS TO HIGHER EDUCATION COMMITTEE MEETING**

CALL TO ORDER – Susan Ballard, Chair

NEW BUSINESS

- Review of Budget Projections
- Proposal for Use of Additional Grant Funds

ADJOURNMENT

**8:45 A.M. NOMINATIONS COMMITTEE MEETING**

CALL TO ORDER – Philip Lim, Chair

NEW BUSINESS

- Discuss Nominations for Board Officers

ADJOURNMENT

**9:00 A.M. BOARD MEETING**

CALL TO ORDER – Robert Campbell, Jr., Chair

- Roll Call
- Acknowledge Guests
- Announcements
- Review Agenda for Changes and/or Additions

CONSENT AGENDA – John Cothron, Executive Director

- Minutes from February 2016 Board Meeting
- Staff Complaint Report

PROFESSIONAL SOCIETY REPORTS

LEGAL CASE REPORT – Benjamin Glover

DIRECTOR'S REPORT – John Cothron

- Complaint Data

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- Financial Data

LEGISLATIVE UPDATE – John Cothron

ENGINEER COMMITTEE REPORT – Robert Campbell, Jr.

GRANTS COMMITTEE REPORT – Susan Ballard

#### UNFINISHED BUSINESS

- Action Items – John Cothron
- Reference Manual and Expert Testimony Policy – Benjamin Glover
- Qualifications-Based Selection
  - Submission of Historical Data
  - Submission of Hourly Rates

#### NEW BUSINESS

- 2017 Legislative Proposals – John Cothron
- Report on SC/NCARB Educators & Practitioners Conference – Jerry Headley
- Report on NCARB Regional Summit – John Cothron
- Officer Nominations – Philip Lim
- Authorization of Travel and Speakers

#### ADJOURNMENT

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**FIVE-YEAR BUDGET PROJECTION  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS**

PROJECTIONS WITH NO FEE CHANGES			HISTORICAL DATA					PROJECTIONS				
			FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
REVENUE												
<b>ALL PROFESSIONS</b>			1,582,869	1,576,975	1,576,171	1,462,109	1,544,275	1,525,800	1,546,421	1,568,847	1,591,688	1,614,947
<b>STATE REGULATORY FEE</b>			(73,625)	(75,825)	(101,500)	(93,300)	(100,690)	(102,200)	(103,733)	(105,289)	(106,869)	(108,472)
			<b>1,509,244</b>	<b>1,501,150</b>	<b>1,474,671</b>	<b>1,368,809</b>	<b>1,443,585</b>	<b>1,423,600</b>	<b>1,442,687</b>	<b>1,463,557</b>	<b>1,484,819</b>	<b>1,506,476</b>
EXPENDITURES												
<b>REGULAR SALARIES &amp; WAGES</b>			231,473	231,332	244,249	262,709	253,519	259,857	266,353	273,012	279,838	286,834
<b>PART-TIME SALARIES &amp; WAGES (PER DIEM)</b>			13,050	12,250	11,000	12,850	12,850	12,850	12,850	12,850	12,850	12,850
<b>EMPLOYEE BENEFITS</b>			104,870	103,410	109,763	116,098	112,988	115,812	118,708	121,675	124,717	127,835
<b>TRAVEL</b>			39,747	40,240	44,106	40,462	39,899	41,096	42,329	43,599	44,907	46,254
<b>PRINTING &amp; DUPLICATING</b>			1,913	2,077	1,958	375	66	1,300	1,300	1,300	1,300	1,300
<b>COMMUNICATIONS &amp; SHIPPING COSTS</b>			20,679	23,259	18,170	21,467	23,087	23,000	23,000	23,000	23,000	23,000
<b>MAINTENANCE &amp; REPAIRS</b>			425	-	-	230	17	100	100	100	100	100
<b>THIRD PARTY PROFESSIONAL SERVICES</b>			289,987	297,836	286,476	182,361	59,164	60,000	60,000	60,000	60,000	60,000
<b>SUPPLIES &amp; OFFICE FURNITURE</b>			1,635	1,627	1,102	2,540	796	1,500	1,500	1,500	1,500	1,500
<b>RENTALS &amp; INSURANCE</b>			4,858	1,614	2,028	1,851	1,358	1,500	1,500	1,500	1,500	1,500
<b>GRANTS &amp; SUBSIDIES</b>			200,000	250,000	250,000	300,000	300,000	308,700	350,000	350,000	350,000	350,000
<b>TRAINING OF STATE EMPLOYEES</b>			9,190	6,850	10,780	5,680	4,970	7,000	7,000	7,000	7,000	7,000
<b>COMPUTER RELATED ITEMS</b>			6,417	18,850	611	2,221	609	1,000	12,000	1,000	1,000	1,000
<b>STATE PROFESSIONAL SERVICES</b>			86,112	80,042	75,452	52,446	47,192	50,000	50,000	50,000	50,000	50,000
<b>TOTAL DIRECT EXPENDITURES</b>			<b>1,010,356</b>	<b>1,069,386</b>	<b>1,055,694</b>	<b>1,001,290</b>	<b>856,514</b>	<b>883,716</b>	<b>946,640</b>	<b>946,537</b>	<b>957,712</b>	<b>969,173</b>
COST BACKS												
<b>DEPARTMENT</b>			327,828	273,783	215,746	208,238	278,665	282,845	287,088	291,394	295,765	300,201
<b>INVESTIGATIONS</b>			3,066	-	-	3,297	7,845	7,962	8,082	8,203	8,326	8,451
<b>LEGAL</b>			-	-	20,252	45,605	-	-	-	-	-	-
<b>CORE EXPENSE</b>			-	-	-	88,954	-	-	-	-	-	-
<b>TOTAL EXPENDITURES</b>			<b>1,341,250</b>	<b>1,343,169</b>	<b>1,291,692</b>	<b>1,347,384</b>	<b>1,143,023</b>	<b>1,174,523</b>	<b>1,241,810</b>	<b>1,246,133</b>	<b>1,261,803</b>	<b>1,277,825</b>
<b>SURPLUS</b>			167,994	157,981	182,979	21,425	300,561	249,077	200,878	217,424	223,016	228,651
<b>ACCUMULATED RESERVE</b>			850,615	1,008,596	1,191,575	1,213,000	1,513,561	1,762,638	1,963,516	2,180,940	2,403,956	2,632,606

Budget Projection Calculations

# registrants	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>		
Arch	3571	3625	3679	3734	3790		
Eng	14241	14455	14671	14892	15115		
LA	367	373	378	384	390		
RID	397	381	366	351	337		
active, inactive only	18576	18833	19094	19361	19632		
1/2 renew each yr	9288	9416	9547	9680	9816	x \$140	
	\$ 1,300,320	\$ 1,318,296	\$ 1,336,603	\$ 1,355,244	\$ 1,374,220		
# exam applicants							
Arch	100	102	104	106	108		
Eng	270	275	281	287	292		
LA	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>		
	375	383	390	398	406	x \$30	
	\$ 11,250	\$ 11,475	\$ 11,705	\$ 11,939	\$ 12,177		
# comity/initial/reapps							
Arch	220	224	229	233	238		
Eng	670	683	697	711	725		
LA	20	20	21	21	22		
RID	18	18	19	19	19		
	928	947	965	985	1004	x \$195	
	\$ 180,960	\$ 184,579	\$ 188,271	\$ 192,036	\$ 195,877		
# FE apps	418	325	325	325	325	x \$15	
Note: FY 2016 number includes some applicants who applied and failed exam between 7/1 and 12/31/15.							
	\$ 6,270	\$ 4,875	\$ 4,875	\$ 4,875	\$ 4,875		
Misc. (late fees, etc.)	\$ 13,000	\$ 13,195	\$ 13,393	\$ 13,594	\$ 13,798		
Civil penalties (avg.)	\$ 14,000	\$ 14,000	\$ 14,000	\$ 14,000	\$ 14,000		
FY Totals	\$ 1,525,800	\$ 1,546,421	\$ 1,568,847	\$ 1,591,688	\$ 1,614,947		

GUIDELINES FOR ADMINISTERING BLOCK GRANTS TO  
TENNESSEE INSTITUTIONS OF HIGHER EDUCATION  
WITH ACCREDITED ARCHITECTURE, ENGINEERING, LANDSCAPE  
ARCHITECTURE AND INTERIOR DESIGN PROGRAMS

Solicitation of Proposals:

Each eligible institution of higher education will be contacted by the Board's Executive Director after August 1<sup>st</sup> each year grants are available for distribution. Grants may be used only for computers to be utilized by students, laboratory or instructional equipment, library resources, or to pay intern development program fees or examination fees for students, and may not be used toward staff salaries, administrative costs, etc. Equipment purchased by the university with grant funds must remain the property of the university.

- EAC/ABET Programs—

Board of Regents System—University of Memphis, Tennessee State University, Tennessee Technological University

University of Tennessee System—University of Tennessee at Knoxville, University of Tennessee at Chattanooga, University of Tennessee at Martin

Private Institutions—Christian Brothers University, Lipscomb University, Union University, Vanderbilt University

- NAAB Programs—

Board of Regents System—University of Memphis

University of Tennessee System—University of Tennessee at Knoxville

Private Institutions—none

- CIDA (formerly FIDER) Programs—

Board of Regents System—University of Memphis, Middle Tennessee State University

University of Tennessee System—University of Tennessee at Knoxville, University of Tennessee at Chattanooga

Private Institutions—O'More College of Design, Watkins College of Art, Design & Film

- LAAB Programs—

Board of Regents System—none

University of Tennessee System—University of Tennessee at Knoxville

Private Institutions—none

Architecture, engineering, landscape architecture, and interior design programs at colleges and universities that are within two (2) academic years of receiving accreditation are also eligible for grant funds.

Submission of Proposals:

- Eligible programs desiring to seek a grant from the Board will submit a written request by September 15<sup>th</sup> of each year (or date determined by the Board) that grants are available for distribution to the attention of the Board’s Executive Director. Programs that do not submit requests by the established deadline may be excluded from the grant distribution. Requests are to include the following information:
  - Name of Institution and College/School of Architecture, Engineering, Landscape Architecture or Interior Design seeking grant.
  - Name of Dean or his/her Designee who will be responsible for overseeing the administration of the grant.
  - Mission Statement, Goals, and Objectives of the Schools of Architecture, Engineering, Landscape Architecture and Interior Design seeking grants.
  - General profile of each accredited program and average number of students participating in program.
  - Name of account into which grant funds will be deposited.
  - Number of students for whom the school proposes to pay intern development program fees or examination fees, if applicable.
  - Current level of spending for laboratory and computer equipment.
  - Specific computer or laboratory needs, ranked from highest to lowest priority, designated by each accredited program, to include the following information:
    - Description of the equipment to be purchased.
    - Cost estimate for each piece of equipment.
    - Justification statement (including age of current equipment and any supporting documentation, if available, backing up specific needs).
    - Assurance that equipment will be purchased utilizing the institution’s purchasing guidelines and identified through the institution’s inventory control procedures.

Review of Proposals by Board:

- Grants Committee, appointed annually by the Chair of the Board, will review submitted proposals, and make recommendations to the full Board for disbursement of grant funds. Recommendations are to be finalized/acted upon no later than the February Board Meeting.
- Following approval by the Board of amounts, if any, to be expended to each program, designated member(s) of the Board's staff will draft the appropriate grant contract documents for review and approval by designated reviewing and approval authorities—Department of Commerce and Insurance, Department of Finance and Administration, and State Comptroller's Office.

Administering Grant Funds:

Grant funds will be awarded upon completion of the contract process based upon the amount approved by the Board. A year-end report should be submitted, utilizing an inventory control report, to the Board office as determined by the Board. The inventory control report must include the following information:

- Itemized list of equipment purchased
- The accredited program for which the equipment was purchased
- Actual cost of the equipment
- Property tag numbers

A copy of the invoice(s) for the respective equipment purchased should accompany the inventory control report. If grant funds are utilized to pay intern development program fees or examination fees, documentation of these payments should also be provided.

If the terms of the grant contract are not met by the stated deadlines, the program will forfeit the grant money allocated to them for that year.

Approved by the Board: August 16, 2001

Revised July 18, 2002

Revised July 22, 2004

Revised October 12, 2006

Revised October 19, 2007

Revised September 18, 2008

Revised June 16, 2011

Revised October 12, 2012

Revised June 12, 2013

Revised June 12, 2014

Revised October 16, 2015

<b>2015-16 GRANT DISTRIBUTION</b>								
Total:	\$ 300,000	(additional \$50,000 available to fund 1% minimum--\$3,000--for programs)						
<b>Architecture Distribution</b>		<b>\$ 57,600</b>						
	50% divided equally		<u>Enrollment</u>	<u>%</u>	<u>Request</u>	<u>Enroll Amt</u>	<u>Grant</u>	
UT Knoxville	\$ 14,400		310	75.43	\$ 52,760	\$ 21,724	\$ 36,124	
U of Memphis	\$ 14,400		101	24.57	\$ 29,810	\$ 7,076	\$ 21,476	
<i>Totals</i>	\$ 28,800		411	100		\$ 28,800	\$ 57,600	
<b>Landscape Arch Distribution</b>		<b>\$ 6,000</b>						
		<u>Enrollment</u>			<u>Request</u>		<u>Grant</u>	
UT Knoxville		20			Combined with Arch.		\$ 6,000	
<b>Interior Design Distribution</b>		<b>\$ 6,300</b>						
<u>Institution</u>	50% divided equally		<u>Enrollment</u>	<u>%</u>	<u>Request</u>	<u>Enroll Amt</u>	<u>1% Min. Amt.</u>	<u>Grant</u>
UT Knoxville	\$ 630		100	26.32	Combined	\$ 829	\$ 1,541	\$ 3,000
UT Chattanooga	\$ 630		90	23.68	\$ 3,000	\$ 746	\$ 1,624	\$ 3,000
MTSU	\$ 630		73	19.21	\$ 1,787	\$ 605	\$ 1,765	\$ 3,000
O'More	\$ 630		67	17.63	\$ 3,000	\$ 555	\$ 1,815	\$ 3,000
U of Memphis	\$ 630		50	13.16	Combined	\$ 415	\$ 1,955	\$ 3,000
<i>Totals</i>	\$ 3,150		380	100		\$ 3,150	\$ 8,700	\$ 15,000
<b>Engineering Distribution</b>		<b>\$ 230,100</b>						
<u>Institution</u>	50% divided equally		<u>Enrollment</u>	<u>%</u>	<u>Request</u>	<u>Enroll Amt</u>	<u>Grant</u>	
UT Knoxville	\$ 11,505		2613	27.82	\$ 50,000	\$ 32,007	\$ 43,512	
TN Tech	\$ 11,505		2108	22.44	\$ 63,828	\$ 25,817	\$ 37,322	
UT Chattanooga	\$ 11,505		1246	13.26	\$ 29,919	\$ 15,256	\$ 26,761	
Vanderbilt	\$ 11,505		1111	11.83	\$ 29,240	\$ 13,610	\$ 25,115	
U of Memphis	\$ 11,505		868	9.24	\$ 26,438	\$ 10,631	\$ 22,136	
TSU	\$ 11,505		687	7.31	\$ 52,211	\$ 8,410	\$ 19,915	
UT Martin	\$ 11,505		265	2.82	\$ 13,500	\$ 3,244	\$ 14,749	
CBU	\$ 11,505		264	2.81	\$ 19,006	\$ 3,233	\$ 14,738	
Lipscomb	\$ 11,505		178	1.9	\$ 19,544	\$ 2,186	\$ 13,691	
Union	\$ 11,505		54	0.57	\$ 15,000	\$ 656	\$ 12,161	
<i>Totals</i>	\$ 115,050		9394	100		\$ 115,050	\$ 230,100	
<b>Total with 1% minimum funding:</b>		<b>\$ 308,700</b>						
<i>Discussion/Methodology:</i>								
1. \$300,000 distributed among professions based on number of active & inactive registrants as of 7/1/15.								
2. Distribution calculated by dividing 50% of allotment among the schools equally, then distributing the remaining 50% based on % of enrollment.								
3. Programs with grant amount below 1% of total (\$3,000) given additional funding to raise grant to \$3,000.								
NOTE: Watkins College of Art, Design & Film elected not to submit a proposal this year.								
<i>Approved 10/16/15</i>								



MINUTES OF A MEETING OF THE  
TENNESSEE BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
Davy Crockett Tower  
Nashville, Tennessee  
Thursday, February 11, 2016

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**CALL TO ORDER**

Robert Campbell, Jr., Chair, called the regular meeting of the Tennessee Board of Architectural and Engineering Examiners to order at 9:05 a.m. on February 11, 2016, at the Davy Crockett Tower, in Nashville, Tennessee. A quorum was declared present.

The following **Board members** were present:

Hal Balthrop	Professional Engineer
Robert Campbell, Jr.	Professional Engineer
Jerome Headley	Registered Architect
Philip Lim	Professional Engineer
Bill Lockwood	Registered Landscape Architect
Rick Thompson	Registered Architect
Frank Wagster	Registered Architect

The following **Board members** were present via conference call:

Susan Ballard	Registered Interior Designer
Susan Maynor	Public Member

The following **Associate Engineer members** were present:

Richard Bursi	Professional Engineer
Stephen King	Professional Engineer
Laura Reinbold	Professional Engineer

The following **Board staff** was present:

John Cothron	Executive Director
Ellery Richardson	Legal Counsel
Zack Nitzschke	Paralegal
Wanda Phillips	Office Manager
Wanda Garner	Administrative Assistant

The following **guests** were present for part or all of the meeting:

Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN)  
Don Baltimore, Tennessee Interior Design Coalition (TIDC)  
Ashley Cates, American Institute of Architects-Tennessee (AIA-TN)  
Nathan Ridley, TN American Society of Landscape Architects (TN ASLA)  
Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE) Tennessee Section

No changes were made to the agenda.

**CONSENT AGENDA** (attached)

Motion was made by Mr. Lockwood and seconded to approve the minutes of the December 3-4, 2015 meeting. The motion passed unanimously.

Motion was made by Mr. Lim and seconded to approve the Complaints for Board Decision. The motion carried unanimously.

**PROFESSIONAL SOCIETY REPORTS**

Kasey Anderson, Ashley Cates, Don Baltimore and Nathan Ridley reported on the activities of the TSPE/ACEC-TN, AIA-TN, TIDC and TN ASLA respectively. Kasey Anderson reported that TSPE/ACEC-TN is watching the following legislation:

- House Bill (HB) 1951/Senate Bill (SB) 1919—As introduced, exempts nonresident licensees from liability for the professional privilege tax. TSPE and ACEC-TN oppose this bill.
- HB1674/SB1621—As introduced, prohibits the state or any local government from requiring a company bidding on a state or local construction project to employ individuals who reside within the jurisdiction of the state or local government. TSPE and ACEC-TN support this bill.
- HB1726/SB1672—As introduced, allows construction design professionals under contract with certain state agencies to bill and receive payment monthly; specifies services that are included in the basic services fee and the services that will require additional compensation. TSPE, ACEC-TN, and AIA-TN support this bill.
- HB2347/SB1742—As introduced, requires a local government entity to make records of proposals and statements that are received by the local government in response to a service request or a request for solicitation open for public inspection only after the contract award is announced.
- HB1892/SB1830—As introduced, requires that general permits issued under the Water Quality Control Act be no more restrictive than federal requirements for management of storm water post construction; requires that provisions of certain general permits be promulgated in rule form prior to implementation.
- HB2407/SB2093—As introduced, enacts the “Public-Private Transportation Act of 2016.”
- HB1811/SB2106—As introduced, creates the offense of using a drone to fly within 250 feet of a critical infrastructure facility for the purpose of conducting surveillance or gathering information about the facility.
- HB1533/SB2535—As introduced, allows the state fire marshal to require and perform field inspections in lieu of requiring review and approval of plans and specifications for construction and alteration of certain buildings or structures, and to charge a fee of no more than \$200 for inspections that were untimely requested.

**BUDGET PRESENTATION**

Assistant Commissioner Brian T. McCormack reviewed the Board’s expenditures and revenue for fiscal year 2015.

**LEGAL CASE REPORT** (presented by Ellery Richardson) (attached)

- *Case No. L15-AEL-RBS-2015022299* *Complaint #2015022299*  
Motion was made by Mr. Lim and seconded to authorize a formal hearing with authority to settle with a Consent Order for a civil penalty of five hundred dollars (\$500); 90 days from receipt of Consent Order to bring all Professional Development Hours current; an

automatic audit of continuing education hours for the next license renewal period; and to take and pass the Board's laws and rules exam. The motion passed with Mr. Thompson abstaining.

- *Case No. L15-AEL-RBS-20150217771* *Complaint #2015021777*  
Motion was made by Mr. Wagster and seconded to authorize a formal hearing with authority to settle with a Consent Order for a civil penalty of five hundred dollars (\$500) and to take and pass the Board's laws and rules exam. The motion passed unanimously.
- *Case No. L15-AEL-RBS-20150221771* *Complaint #2015022177*  
Motion was made by Mr. Balthrop and seconded to authorize a formal hearing with authority to settle with a Consent Order for a civil penalty of nine thousand two hundred and fifty dollars (\$9,250) and to take and pass the Board's laws and rules exam. The motion passed unanimously.

Board members requested that the Contractors' Board and the owner/building official be made aware of the circumstances.

- *Case No. L15-AEL-RBS-2015016881* *Complaint #201501688*  
Motion was made by Mr. Balthrop and seconded to authorize a formal hearing with authority to settle with a Consent Order for a civil penalty of one thousand dollars (\$1,000) and to take and pass the Board's laws and rules exam. The motion passed unanimously.

Break 10:40 – 10:50 a.m.

#### **DIRECTOR'S REPORT**

Mr. Cothron reported his activities and those of his staff and Board members. Licensing Data, Complaint Data, Financial Data and Budget Projections were submitted and reviewed for informational purposes.

#### **LEGISLATIVE UPDATE** (attached)

Mr. Cothron reviewed pending legislation of interest to the Board, including the following:

- HB1615/SB1503—Extends the Board of Architectural and Engineering Examiners four years to June 30, 2020, and establishes minimum attendance requirement for Board members.
- HB2201/SB2469—As introduced, enacts the "Right to Earn a Living Act." Would require agencies to conduct an annual review of all rules to ensure that regulations of entry into businesses, professions, and occupations are demonstrably necessary and carefully tailored to legitimate health, safety, and welfare objectives. Also would allow individuals to petition an agency to repeal or modify a regulation.
- HB2569/SB2534—Amends T.C.A. § 62-2-304 relative to comity registration requirements for architects; allows acceptance of applicants whose qualifications do not meet the requirements of the laws and rules if they hold a license in another jurisdiction and a NCARB certificate.

Mr. Cothron also reported that Section 7, Item 31 of the appropriations bill (SB2653/HB2629) earmarks \$350,000 for the Board's grants program.

## **ENGINEER COMMITTEE REPORT**

The Engineer Committee, through Mr. Balthrop, reported on topics discussed. The minutes of the Engineer Committee meeting follow these minutes.

Based on evidence received from NCEES regarding a Principles and Practice of Engineering (PE) examination irregularity and a review of records and recommendation by Mr. Cothron and Ms. Richardson, the Engineer Committee, through Mr. Balthrop, moved

- to release the October 2015 exam results of Test Taker A (Candidate #16-122-40) and
- to invalidate the results of Test Taker B (Candidate #13-509-71) and place the candidate on a proctor watch if the applicant takes any future exams.

The motion passed unanimously.

## **UNFINISHED BUSINESS**

- *Action Items* (attached)

The action items taken from the December meeting were reviewed and the required action had either been taken or is in process.

In regard to the question about professional corporations issuing shares of stock to non-licensed individuals, Mr. Cothron reported that very few professional corporations in Tennessee provide services regulated by the Board. The vast majority provide medical, dental, legal, and accounting/financial services. Mr. Cothron and Ms. Richardson were asked to conduct further research on this issue.

- *Expert Testimony Policy*

Ms. Richardson reported that she will prepare language for consideration at the next meeting.

- *Proposed Rule Changes* (attached)

The Board expressed a desire to increase the grants appropriation to support education in lieu of reducing fees, since a fee reduction would have a minimal impact on registrants. The Grants Committee of the Board will meet to develop a proposal and guidelines for the use of additional grant funds.

Motion was made by Mr. Balthrop and seconded to file the proposed rule changes presented by Ms. Richardson as proposed rules (instead of rulemaking hearing rules), with the exception of the proposed change to Rule 0120-01-.10 Education and Experience Requirements – Engineer, which was deleted. The motion passed unanimously.

## **NEW BUSINESS**

- *Authorization of Travel and Speakers*

Motion was made by Mr. Lim and seconded to authorize Mr. Balthrop to speak to engineering students at Tennessee Technological University in March and to authorize three members of the Board/Staff to attend the University of Tennessee at Knoxville College of Architecture and Design Career Day on February 26, 2016. The motion passed unanimously.

- *Call for Officer Nominations*

The Chair announced that the Nominations Committee will meet prior to the April meeting to create a slate of officers for fiscal year 2016-2017 and for Board members to give nominations to the Chair of the Nominations Committee.

- *Qualifications-Based Selection and Submission of Historical Data*  
Mr. Cothron noted that he had received a question from a registrant regarding the acceptability of submitting historical data in response to a RFQ, which would include fees associated with past public projects. The Board expressed concerns that submission of historical data opens up fee discussions that are not in the spirit of qualifications-based selection and may circumvent the law and put a registrant in jeopardy. The Board asked Ms. Richardson to prepare a legal opinion on the issue.

Ms. Maynor disconnected from the conference call at 12:55 p.m.

**UNFINISHED BUSINESS, cont.** (Economic Impact Statement and Regulatory Flexibility Analysis are attached.)

- *Proposed Rule Changes, cont.*  
Motion was made by Mr. Balthrop and seconded to approve the Economic Impact Statement prepared by Ms. Richardson. The motion passed with Ms. Ballard abstaining.

Motion was made by Mr. Balthrop and seconded to approve the Regulatory Flexibility Analysis prepared by Ms. Richardson. The motion passed with Ms. Ballard abstaining.

The meeting adjourned at 1:00 p.m.

#### ATTACHMENTS

Minutes of the December 3-4, 2015 meeting  
Complaints for Board Decision  
Legal Case Report  
Legislative Update  
Action Items  
Proposed Rule Changes  
Economic Impact Statement  
Regulatory Flexibility Analysis



MINUTES  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
ENGINEER COMMITTEE MEETING  
Davy Crockett Tower  
Nashville, Tennessee  
Wednesday, February 10, 2016

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**CALL TO ORDER**

Hal Balthrop, P.E., Committee Chair, called the Engineer Committee meeting to order at 1:05 p.m. on February 10, 2016, in Room 5-B of the Davy Crockett Tower at 500 James Robertson Parkway, Nashville, Tennessee.

The following **Board members** were present:

Hal Balthrop, P.E.	Chair, Middle TN Member
Robert Campbell, P.E.	East TN Member
Philip Lim, PE	West TN Member
Ricky Bursi, P.E.	West TN Associate Member
Stephen King, P.E.	East TN Associate Member
Laura Reinbold, P.E.	Middle TN Associate Member

A quorum was present.

The following **Board staff** was present:

John Cothron	Executive Director
Ellery Richardson	Legal Counsel
Wanda Phillips	Administrative Manager

**Visitors present:** Chris Gwaltney, P.E., representing the American Society of Civil Engineers (ASCE), Tennessee Section, and Kasey Anderson, Tennessee Society of Professional Engineers/American Council of Engineering Companies of Tennessee (TSPE/ACEC-TN)

**NEW BUSINESS**

**APPLICATIONS FOR DISCUSSION**

- **Haider Fadhil Al-Mamoury** (Comity) – A NCEES evaluation determined that the applicant’s degree is deficient one course in general chemistry or biological sciences and 6 semester hours in general education. After allowing general education credit for citizenship, civic involvement, and an ethics course, the committee concluded that the applicant must complete one course in general education and one course in general chemistry or biological sciences to remedy the deficiencies.
- **Kevin Jon Burgers** (Exam) – The application was approved.
- **Olivia Cynthia Freeman** (Exam) – The committee concluded that the applicant needs more experience.
- **Kyle Eugene Griffin** (Exam) – The committee requested that the applicant submit an updated experience record for review to sit for the October 2016 PE exam.
- **Tyler Joyner, Sr.** (Exam) – The committee concluded that the applicant needs more experience.
- **Christopher James Morrival** (Exam) – The application was approved.
- **Michael Eugene Nightingale** (Comity) – The application was denied since the applicant’s undergraduate degree is in engineering technology.
- **Thomas Brent Porter** (Exam) – The application was approved.
- **Brock Leon Shepard** (Comity) – The application was denied since the applicant’s undergraduate degree is in engineering technology.

#### **APPLICANT INTERVIEW**

- **April Michelle Brown** (Exam) – A phone interview was conducted with the applicant at 2:00 p.m. The committee requested that the applicant submit an updated experience record for review to sit for the October 2016 PE exam.

## **2015 EXAMINATION RESULTS**

Mr. Cothron reviewed the 2015 engineering examination results and noted that there was a 48% increase in the number of candidates for the Fundamentals of Engineering (FE) exam in 2015 compared to 2014.

Mr. Cothron reported that NCEES identified an exam irregularity during the October 2015 PE exam administration. Two candidates were flagged by a copying/collusion detection analysis, requiring Board investigation and action. After reviewing the evidence, the committee decided to recommend that the Board release the results of Candidate #16-122-40 and invalidate the results of Candidate #13-509-71, who will also be placed on proctor watch.

## **REPORT ON NCEES MEMBER BOARD ADMINISTRATORS' (MBA) MEETING**

Mr. Cothron provided a brief report on the NCEES MBA Meeting, which was held in Atlanta, Georgia, on February 6, 2016. Key takeaways included:

- Nationally, the number of FE exam candidates is increasing slightly, but is still well below the levels seen prior to the conversion of the exam to a computer-based format.
- NCEES will begin transitioning the PE exams to a computer-based format in 2018, a process expected to take about four (4) years. The 16-hour Structural exam has not yet been evaluated for computer-based testing.
- The NCEES Financial Reserves Task Force is developing guidelines for using reserves and will present a motion at the Annual Meeting to create a standing committee to oversee the use of reserves.
- The Education Committee is discussing experience credit for concurrent time (i.e., time spent in engineering work while completing a graduate degree in engineering), and will present a motion on the issue.
- The Technology Task Force is discussing electronic seals and signatures, building information modeling (BIM), and the use of remote sensing technology. The task force is working on position statements.
- The MBA Committee is proposing rule changes to accept the NCEES continuing education standard (on a calendar year basis) to improve mobility.
- Application and renewal fees are being eliminated for NCEES record holders, and continuing education tracking will be available to record holders (at no cost) in June 2016.

**UNFINISHED BUSINESS**

**UPDATE ON 2016 NCEES SOUTHERN ZONE MEETING**

Mr. Cothron reviewed plans for the 2016 NCEES Southern Zone Interim Meeting in Nashville on April 7-9.

**LICENSING AGREEMENTS WITH FOREIGN JURISDICTIONS**

The committee members reviewed a draft memorandum of understanding with the Japan PE/FE Examiners Council (JPEC) and asked Mr. Cothron to pursue an agreement with JPEC.

**DECOUPLING OF EXPERIENCE AND EXAMINATION REQUIREMENTS FOR PE REGISTRATION**

Kasey Anderson reported that TSPE/ACEC-TN are planning to pursue legislation next year to decouple the experience and examination requirements for PE registration in Tennessee.

**DISCUSSION RE: APPLICANTS WHO SIT FOR THE PE EXAM IN ANOTHER JURISDICTION AND THEN APPLY FOR REGISTRATION BY EXAMINATION IN TENNESSEE**

Committee members discussed the application process for individuals who sit for the PE exam in another jurisdiction (but are not licensed in that jurisdiction) and then apply for registration by examination in Tennessee. Ms. Richardson advised that there is no provision in the laws and rules for the past practice of allowing such applicants to apply for registration by examination. Following the advice of legal counsel, the committee concluded that such applicants must first become registered in the jurisdiction where they sat for the exam, and then apply for registration in Tennessee by comity. Consequently, the committee decided not to pursue the proposed change to Rule 0120-01-.10 Education and Experience Requirements – Engineer stating that applicants who have already passed the examination in another jurisdiction are not required to have completed their experience by the date of the examination.

**ENERGY SERVICE COMPANIES AND ENGINEERING REGISTRATION LAWS**

The committee expressed concern about non-registrants offering energy services involving the practice of engineering. This issue will continue to be monitored.

**Adjourn.** The Chair adjourned the meeting at 4:46 p.m.

April 14, 2016

**COMPLAINTS FOR BOARD DECISION**

1. Complaint #201600417

Respondent was disciplined by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

2. Complaint #201600946

Respondent was disciplined by the Iowa Engineering and Land Surveying Examining Board for the State of Iowa. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

3. Complaint #201601513

Respondent was disciplined by the Alabama Board for Registration of Architects. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

4. Complaint #201601515

Respondent was disciplined by the Florida Board of Professional Engineers. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

5. Complaint #201602054

Respondent was disciplined by the Nevada State Board of Architecture, Interior Design and Residential Design. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

6. Complaint #201602056

Respondent was disciplined by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

7. Complaint #201602060

Respondent was disciplined by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors. The disciplinary action was less than a suspension or revocation. The Board's Executive Director issued a Letter of Caution in accordance with Board policy. Recommend closure.

**Board of Architectural and Engineering Examiners  
Open Complaints**

	<b>Profession</b>	<b>Complaint #</b>	<b>Received</b>	<b>Allegation</b>	<b>Status</b>	<b>Comments</b>
<b>1</b>	Architect	201202668	12/17/2012	Practice outside area(s) of competency.	Open-Legal	Monitoring compliance with final order
<b>2</b>	Architect	201401761	7/23/2014	Practice outside area(s) of competency.	Open-Legal	Monitoring compliance with final order
<b>3</b>	Architect	201600300	1/21/2016	Disciplined in another jurisdiction.	Open-Legal	
<b>4</b>	Architect	201600417	1/25/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>5</b>	Architect	201600717	2/10/2016	Practice outside area(s) of competency.	Open-Legal	Board member review
<b>6</b>	Architect	201601513	3/7/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>7</b>	Architect	201602054	4/1/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>8</b>	Engineer	201500204	1/12/2015	Disciplined in another jurisdiction.	Open-Legal	Referred to litigation
<b>9</b>	Engineer	201501688	7/9/2015	Practice outside area(s) of competency.	Open-Legal	Issued consent order
<b>10</b>	Engineer	2015021777	10/22/2015	Practice on an expired license.	Open-Legal	Issued consent order
<b>11</b>	Engineer	2015022177	11/20/2015	Practice outside area(s) of competency.	Open-Legal	Issued consent order
<b>12</b>	Engineer	201600741	2/10/2016	Plan stamping.	Open-Legal	Board member review
<b>13</b>	Engineer	201600946	2/22/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>14</b>	Engineer	201601501	3/10/2016	Unlicensed practice prior to registration.	Open-Staff	Response requested
<b>15</b>	Engineer	201601515	3/8/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>16</b>	Engineer	201601769	3/28/2016	Practice outside area(s) of competency.	Open-Staff	Response requested
<b>17</b>	Engineer	201601874	3/28/2016	Felony conviction.	Open-Legal	
<b>18</b>	Engineer	201602056	4/1/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>19</b>	Eng Firm	201602060	4/1/2016	Disciplined in another jurisdiction.	Open-Staff	Issued letter of caution
<b>20</b>	Int Des	2015022299	12/3/2015	Continuing education violation.	Open-Legal	Issued consent order
	<b>Number over 180 days old without "clock stopping" action: 0 (0%)</b>					
	<b>Number of formal hearings authorized to be heard by ALJ: 1</b>					
	<b>Number of formal hearings authorized to be heard by Board: 0</b>					
	<b>Number in Investigations: 0</b>					
	<b>Percent on time (clock stopped within 180 days) last 18 months: 98% (80% is goal)</b>					

Complaints Fiscal Year 2016	2015		2016		Fiscal Year Totals
	July 1-Sept.30	Oct.1-Dec. 31	Jan.1-Mar. 31	April 1-June 30	
Complaints/Cases Opened	14	8	12		
Complaints/Cases Closed	14	12	6		
Formal Disciplinary Actions Taken	2	1	4		
Letters of Warning, Caution, etc.	11	12	2		
Civil Penalties Assessed	2	1	4		
Total Amount Assessed	\$7,000.00	\$500.00	\$11,250.00		
Civil Penalties Collected	1	1	0		
Total Amount Collected	\$2,000.00	\$500.00	\$0.00		

Complaints Fiscal Year 2015	2014		2015		Fiscal Year Totals
	July 1-Sept.30	Oct.1-Dec. 31	Jan.1-Mar. 31	April 1-June 30	
Complaints/Cases Opened	17	18	14	21	70
Complaints/Cases Closed	10	12	8	9	39
Formal Disciplinary Actions Taken	3	1	2	0	6
Letters of Warning, Caution, etc.	6	12	8	15	37
Civil Penalties Assessed	3	0	1	0	4
Total Amount Assessed	\$1,500.00	\$0.00	\$500.00	\$0.00	\$2,000.00
Civil Penalties Collected	3	0	1	0	4
Total Amount Collected	\$1,500.00	\$0.00	\$500.00	\$0.00	\$2,000.00

## **SECOND QUARTER FISCAL YEAR 2016 FINANCIAL REPORT**

### **Revenue:**

- Licensing revenue for the second quarter of fiscal year 2016 decreased \$47,825 from the second quarter of fiscal year 2015, due largely to the issuance of early renewal notices encouraging registrants to renew prior to the implementation of our new licensing system. Revenue is expected to normalize in the third quarter.

### **Expenses:**

- Personal services expenditures (staff salaries, per diems, employee benefits) decreased \$11,772 from the second quarter of fiscal year 2015, due primarily to the retirement of an employee in April 2015.
- In-state travel expenses increased \$2,828.
- Out-of-state travel expenses decreased \$5,326.
- Communication costs decreased \$1,031.
- Third Party Professional Services increased \$13,198, due to expert review services associated with the August 2015 formal hearing.
- We received \$17,849 in grant refunds from TSU for unused grant money.
- State Professional Services expenses remained consistent.
- Overall, direct expenditures decreased \$19,429.
- The year-to-date reserve balance is \$288,325.

**FY 2015-2016 FINANCIAL REPORT  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS**

	1ST QUARTER JULY-SEPT 2015	1ST QUARTER JULY-SEPT 2014	2ND QUARTER OCT-DEC 2015	2ND QUARTER OCT-DEC 2014	3RD QUARTER JAN-MAR 2016	3RD QUARTER JAN-MAR 2015	4TH QUARTER APR-JUNE 2016	4TH QUARTER APR-JUNE 2015	TOTALS
<b>REVENUE</b>									
A&E	\$ 256,637.36	\$ 340,320.00	\$ 282,645.00	\$ 330,470.61	\$ -	\$ 379,140.39	\$ -	\$ 492,193.59	539,282.36
CASE AND COMPLAINT REVENUE	-	-	-	-	-	-	-	2,150.00	-
STATE REGULATORY FEE	-	-	-	-	-	-	-	(100,690.00)	-
	<b>\$ 256,637.36</b>	<b>\$ 340,320.00</b>	<b>\$ 282,645.00</b>	<b>\$ 330,470.61</b>	<b>\$ -</b>	<b>\$ 379,140.39</b>	<b>\$ -</b>	<b>\$ 393,653.59</b>	<b>539,282.36</b>
<b>EXPENDITURES</b>									
REGULAR SALARIES & WAGES	\$ 60,117.72	66,583.00	\$ 58,932.00	\$ 65,983.34	\$ -	63,983.18	\$ -	56,969.55	119,049.72
PART-TIME SALARIES & WAGES (PER DIEM)	3,250.00	3,050.00	3,650.00	3,650.00	-	2,050.00	-	4,100.00	6,900.00
EMPLOYEE BENEFITS	24,610.38	29,307.16	24,490.27	29,210.96	-	29,411.03	-	25,058.47	49,100.65
IN-STATE TRAVEL	5,434.53	3,058.90	12,354.56	9,526.26	-	2,764.15	-	7,414.53	17,789.09
OUT-OF-STATE TRAVEL	9,078.70	4,748.35	2,159.86	7,486.78	-	1,384.61	-	3,515.66	11,238.56
PRINTING & DUPLICATING	-	-	-	65.88	-	-	-	-	-
COMMUNICATIONS & SHIPPING COSTS	3,288.28	4,552.77	4,495.32	5,526.46	-	5,297.82	-	7,709.55	7,783.60
MAINTENANCE & REPAIRS	-	-	-	-	-	17.36	-	-	-
THIRD PARTY PROFESSIONAL SERVICES	2,940.58	9,545.56	25,015.82	11,817.43	-	21,262.84	-	16,538.51	27,956.40
SUPPLIES & OFFICE FURNITURE	301.76	284.91	45.58	3.24	-	203.26	-	304.27	347.34
RENTALS & INSURANCE	-	269.04	78.32	550.50	-	403.56	-	134.52	78.32
GRANTS & SUBSIDIES	-	-	(17,849.12)	-	-	186,504.00	-	113,496.00	(17,849.12)
TRAINING OF STATE EMPLOYEES	4,375.00	2,675.00	325.00	-	-	745.00	-	1,550.00	4,700.00
COMPUTER RELATED ITEMS	576.63	122.65	411.48	-	-	145.98	-	339.90	988.11
STATE PROFESSIONAL SERVICES	10,720.03	8,207.85	12,153.78	11,871.53	-	11,589.33	-	15,523.04	22,873.81
TOTAL DIRECT EXPENDITURES	<b>\$ 124,693.61</b>	<b>\$ 132,405.19</b>	<b>\$ 126,262.87</b>	<b>\$ 145,692.38</b>	<b>\$ -</b>	<b>325,762.12</b>	<b>\$ -</b>	<b>252,654.00</b>	<b>250,956.48</b>
<b>COST BACKS</b>									
DEPARTMENT								278,665.02	-
INVESTIGATIONS								7,844.57	-
LEGAL								-	-
TOTAL COST BACKS								<b>286,509.59</b>	-
TOTAL EXPENDITURES	<b>\$ 124,693.61</b>	<b>\$ 132,405.19</b>	<b>\$ 126,262.87</b>	<b>\$ 145,692.38</b>	<b>\$ -</b>	<b>325,762.12</b>	<b>\$ -</b>	<b>539,163.59</b>	<b>250,956.48</b>
YTD RESERVE	\$ 131,943.75	\$ 207,914.81	\$ 288,325.88	\$ 392,693.04	\$ 288,325.88	446,071.31	\$ 288,325.88	300,561.31	288,325.88
BALANCE ADJUSTMENTS (CORE EXPENSE)								-	-
ACCUMULATED RESERVE								<b>1,513,561.70</b>	<b>1,801,887.58</b>

NOTES: Rentals and Insurance includes lease of reproduction equipment; Training of State Employees includes registration fees for national council meetings; State Professional Services includes printing by state agencies and lease of office space.

MONTHLY EXPENDITURE DETAIL  
FY 2015-2016

**OCTOBER 2015**

<b>REGULAR SALARIES &amp; WAGES</b>	<b>\$ 18,744.00</b>	
<b>PART-TIME SALARIES &amp; WAGES (PER DIEM)</b>	<b>\$ 1,850.00</b>	
<b>EMPLOYEE BENEFITS</b>	<b>\$ 7,968.39</b>	
 <b>IN-STATE TRAVEL</b>		
In-State Mileage	\$ 1,985.28	
In-State Airfare	\$ -	
In-State Meals & Incidentals	\$ 2,339.00	
In-State Lodging	\$ 3,315.02	
In-State Travel--Other	\$ 56.02	
	<b>\$ 7,695.32</b>	
 <b>OUT-OF-STATE TRAVEL</b>		
Out-of-State Airfare	\$ -	
Out-of-State Travel--Other	\$ 35.00	
Out-of-State Meals	\$ 248.50	
Out-of-State Mileage	\$ -	
Out-of-State Lodging	\$ 653.64	
	<b>\$ 937.14</b>	
 <b>PRINTING &amp; DUPLICATING</b>		
	<b>\$ -</b>	
 <b>COMMUNICATIONS &amp; SHIPPING COSTS</b>		
Telecommunications	\$ -	
Postal Charges	\$ 916.50	
Freight & Express Charges	\$ -	
	<b>\$ 916.50</b>	
 <b>MAINTENANCE &amp; REPAIRS</b>		
	<b>\$ -</b>	
 <b>THIRD PARTY PROFESSIONAL SERVICES</b>		
Court Reporter Services	\$ 450.00	Aug. formal hearing
Document Destruction Services	\$ -	
General Business Consulting Svcs		
Credit card fees (online renewal)	\$ 359.54	
Ted Wynne (expert review)	\$ 7,005.00	
WISEngineers (expert review)	\$ 2,850.00	
Dr. John W. Smith	\$ 50.00	
W. Michael Davis (expert review)	\$ 1,117.50	
Organization Memberships/Dues		
CLARB dues	\$ 4,530.00	
Other Legal Services	\$ -	
Other	\$ -	
Consulting Services--Testing Services	\$ -	
	<b>\$ 16,362.04</b>	
 <b>SUPPLIES &amp; OFFICE FURNITURE</b>		
Office Supplies & Furniture	\$ 38.82	
Operational Supplies	\$ -	
Training Supplies	\$ -	
Sensitive Minor Equipment	\$ -	
	<b>\$ 38.82</b>	
 <b>RENTALS &amp; INSURANCE</b>		
Rent or Lease of Buildings	\$ -	

MONTHLY EXPENDITURE DETAIL  
FY 2015-2016

Rent or Lease of Reproduction Equipment	\$ -	
	<u>\$ -</u>	
<b>GRANTS &amp; SUBSIDIES</b>		
Grant refunds	\$ (17,849.12)	
<b>TRAINING OF STATE EMPLOYEES</b>		
In-Service Training	\$ -	
Out-Service Training	\$ 325.00	CIDQ reg. fee
	<u>\$ 325.00</u>	
<b>COMPUTER RELATED ITEMS</b>		
Maintenance of Equipment	\$ -	
Data Processing Supplies	\$ 176.52	
Rent or Lease of Data Processing Equip.	\$ 156.64	
Data Processing Services (Non-State)	\$ -	
Sensitive Minor Computers	\$ -	
	<u>\$ 333.16</u>	
<b>STATE PROFESSIONAL SERVICES</b>		
Data Processing Services (F&A, OIR)	\$ -	
Statewide Accounting Billing	\$ -	
Telephone Billing	\$ 1,038.34	
Payroll Billing	\$ -	
Lock Box Billing	\$ -	
Attorney General Billings	\$ -	
Administrative Judges Billing (SOS)	\$ 1,020.00	Aug. formal hearing
Agency Internal Administrative Costs	\$ -	
Agency Internal Info Systems Costs	\$ -	
Printing & Reproduction by State Agencies	\$ 1,443.20	
Rent or Lease of State Buildings	\$ 2,492.96	
State-Owned Vehicle Charges	\$ -	
Other	\$ -	
	<u>\$ 5,994.50</u>	
<b>TOTAL OCTOBER 2015</b>	<b>\$ 43,315.75</b>	
<b>NOVEMBER 2015</b>		
<b>REGULAR SALARIES &amp; WAGES</b>	<b>\$ 21,044.00</b>	
<b>PART-TIME SALARIES &amp; WAGES (PER DIEM)</b>	<b>\$ 150.00</b>	
<b>EMPLOYEE BENEFITS</b>	<b>\$ 8,359.92</b>	
<b>IN-STATE TRAVEL</b>		
In-State Mileage	\$ -	
In-State Airfare	\$ -	
In-State Meals & Incidentals	\$ -	
In-State Lodging	\$ -	
In-State Travel--Other	\$ -	
	<u>\$ -</u>	
<b>OUT-OF-STATE TRAVEL</b>		
Out-of-State Airfare	\$ -	
Out-of-State Travel--Other	\$ 75.00	
Out-of-State Meals	\$ 224.00	
Out-of-State Mileage	\$ 216.20	
Out-of-State Lodging	<u>\$ 707.52</u>	

MONTHLY EXPENDITURE DETAIL  
FY 2015-2016

	\$ 1,222.72
<b>PRINTING &amp; DUPLICATING</b>	\$ -
<b>COMMUNICATIONS &amp; SHIPPING COSTS</b>	
Telecommunications	\$ -
Postal Charges	\$ 1,771.89
Freight & Express Charges	\$ -
	<u>\$ 1,771.89</u>
<b>MAINTENANCE &amp; REPAIRS</b>	\$ -
<b>THIRD PARTY PROFESSIONAL SERVICES</b>	
Court Reporter Services	\$ -
Document Destruction Services	\$ 6.78
General Business Consulting Svcs	
Credit card fees (online renewal)	\$ 588.84
Dr. John W. Smith	\$ 50.00
Organization Memberships/Dues	
SC/NCARB	\$ 3,600.00
Other Legal Services	\$ -
Other	\$ -
Consulting Services--Testing Services	\$ -
	<u>\$ 4,245.62</u>
<b>SUPPLIES &amp; OFFICE FURNITURE</b>	
Office Supplies & Furniture	\$ 3.38
Operational Supplies	\$ -
Training Supplies	\$ -
Sensitive Minor Equipment	\$ -
	<u>\$ 3.38</u>
<b>RENTALS &amp; INSURANCE</b>	
Rent or Lease of Buildings	\$ -
Rent or Lease of Equipment	\$ -
Rent or Lease of Reproduction Equipment	\$ -
	<u>\$ -</u>
<b>GRANTS &amp; SUBSIDIES</b>	\$ -
<b>TRAINING OF STATE EMPLOYEES</b>	
In-Service Training	\$ -
Out-Service Training	\$ -
	<u>\$ -</u>
<b>COMPUTER RELATED ITEMS</b>	
Maintenance of Equipment	\$ -
Data Processing Supplies	\$ -
Rent or Lease of Data Processing Equip.	\$ 78.32
Data Processing Services (Non-State)	\$ -
Sensitive Minor Computers	\$ -
	<u>\$ 78.32</u>
<b>STATE PROFESSIONAL SERVICES</b>	
Data Processing Services (F&A, OIR)	\$ -
Statewide Accounting Billing	\$ -
Telephone Billing	\$ 273.30
Payroll Billing	\$ -

MONTHLY EXPENDITURE DETAIL  
FY 2015-2016

Lock Box Billing	\$ -
Attorney General Billings	\$ -
Administrative Judges Billing (SOS)	\$ -
Agency Internal Administrative Costs	\$ -
Agency Internal Info Systems Costs	\$ -
Printing & Reproduction by State Agencies	\$ 598.98
Rent or Lease of State Buildings	\$ 2,492.96
State-Owned Vehicle Charges	\$ -
Other	\$ -
	<u>\$ 3,365.24</u>

**TOTAL NOVEMBER 2015** **\$ 40,241.09**

**DECEMBER 2015**

<b>REGULAR SALARIES &amp; WAGES</b>	<b>\$ 19,144.00</b>
<b>PART-TIME SALARIES &amp; WAGES (PER DIEM)</b>	<b>\$ 1,650.00</b>
<b>EMPLOYEE BENEFITS</b>	<b>\$ 8,161.96</b>

**IN-STATE TRAVEL**

In-State Mileage	\$ 1,323.52
In-State Airfare	\$ -
In-State Meals & Incidentals	\$ 1,003.00
In-State Lodging	\$ 2,101.11
In-State Travel--Other	\$ 231.61
	<u>\$ 4,659.24</u>

**OUT-OF-STATE TRAVEL**

Out-of-State Airfare	\$ -
Out-of-State Travel--Other	\$ -
Out-of-State Meals	\$ -
Out-of-State Mileage	\$ -
Out-of-State Lodging	\$ -
	<u>\$ -</u>

**PRINTING & DUPLICATING**

**\$ -**

**COMMUNICATIONS & SHIPPING COSTS**

Telecommunications	\$ -
Postal Charges	\$ 1,806.93
Freight & Express Charges	\$ -
	<u>\$ 1,806.93</u>

**MAINTENANCE & REPAIRS**

**\$ -**

**THIRD PARTY PROFESSIONAL SERVICES**

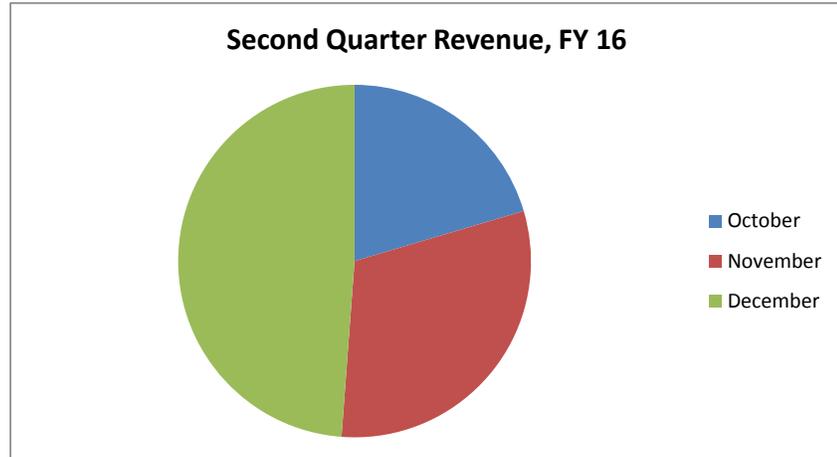
Court Reporter Services	\$ -
Document Destruction Services	\$ 23.26
General Business Consulting Svcs	
Credit card fees (online renewal)	\$ 1,184.90
Dr. Smith (transcript evaluation)	\$ 50.00
Organization Memberships/Dues	\$ -
Other Legal Services	\$ -
Other	
WISEngineers (expert testimony)	\$ 3,150.00

MONTHLY EXPENDITURE DETAIL  
FY 2015-2016

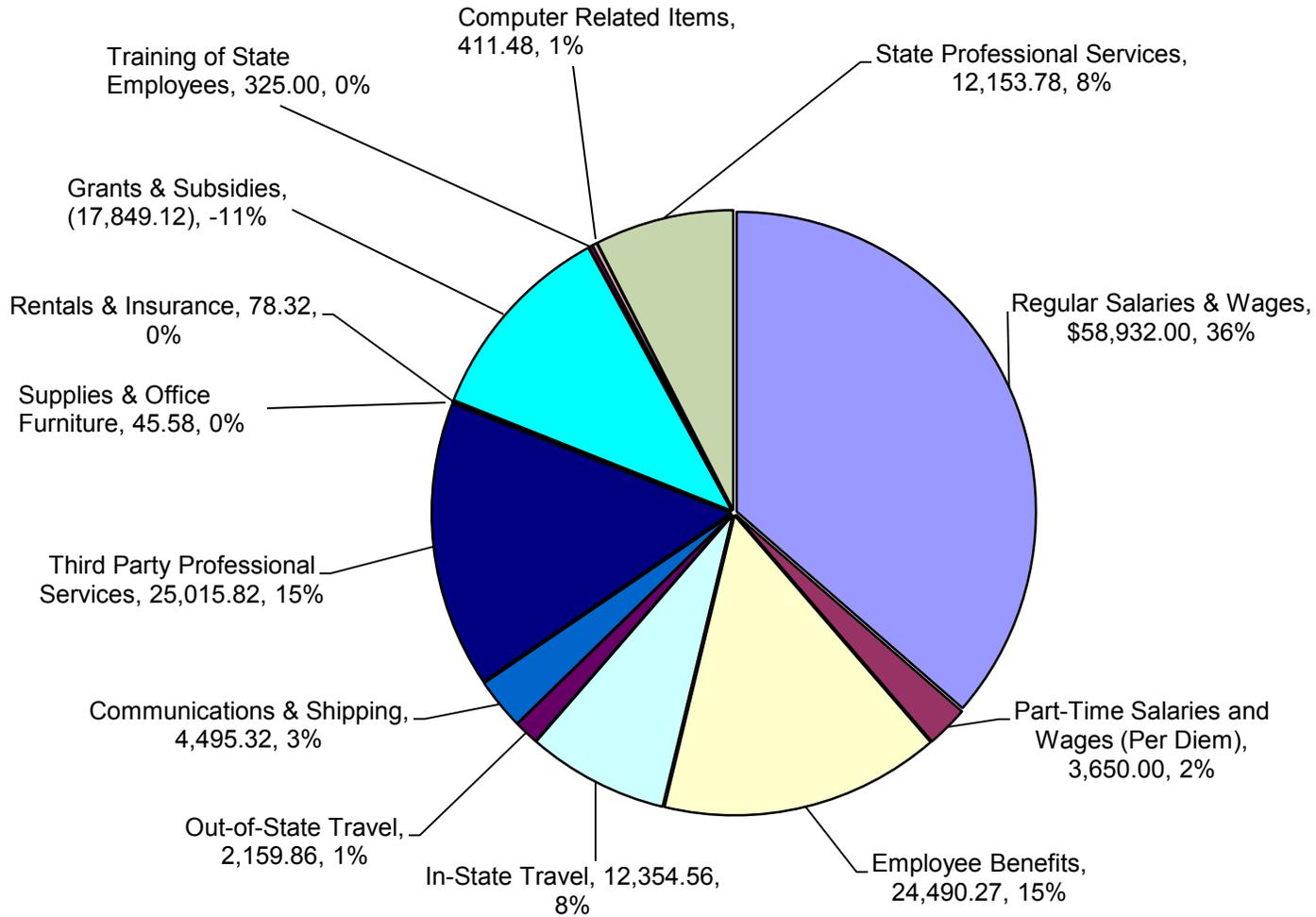
Consulting Services--Testing Services	\$ -
	<u>\$ 4,408.16</u>
<b>SUPPLIES &amp; OFFICE FURNITURE</b>	
Office Supplies & Furniture	\$ 3.38
Operational Supplies	\$ -
Training Supplies	\$ -
Sensitive Minor Equipment	\$ -
	<u>\$ 3.38</u>
<b>RENTALS &amp; INSURANCE</b>	
Rent or Lease of Buildings	\$ -
Rent or Lease of Reproduction Equipment	\$ 78.32
	<u>\$ 78.32</u>
<b>GRANTS &amp; SUBSIDIES</b>	\$ -
<b>TRAINING OF STATE EMPLOYEES</b>	
In-Service Training	\$ -
Out-Service Training	\$ -
	<u>\$ -</u>
<b>COMPUTER RELATED ITEMS</b>	
Maintenance of Equipment	\$ -
Data Processing Supplies	\$ -
Data Processing Services (Non-State)	\$ -
Sensitive Minor Computers	\$ -
	<u>\$ -</u>
<b>STATE PROFESSIONAL SERVICES</b>	
Data Processing Services (F&A, OIR)	\$ -
Statewide Accounting Billing	\$ -
Telephone Billing	\$ 277.33
Payroll Billing	\$ -
Lock Box Billing	\$ -
Attorney General Billings	\$ -
Administrative Judges Billing (SOS)	\$ 10.00
Agency Internal Administrative Costs	\$ -
Agency Internal Info Systems Costs	\$ -
Printing & Reproduction by State Agencies	\$ 13.75
Rent or Lease of State Buildings	\$ 2,492.96
State-Owned Vehicle Charges	\$ -
Other	\$ -
	<u>\$ 2,794.04</u>
<b>TOTAL DECEMBER 2015</b>	<b>\$ 42,706.03</b>

**MONTHLY REVENUE BREAKDOWN  
FY 2015-2016**

<b>First Quarter</b>	<b>Total</b>
July	\$ 136,656.08
August	\$ 70,596.32
September	\$ 49,384.96
	<b>\$ 256,637.36</b>
<b>Second Quarter</b>	
October	\$ 57,700.00
November	\$ 86,960.00
December	\$ 137,985.00
	<b>\$ 282,645.00</b>
<b>Third Quarter</b>	
January	
February	
March	
<b>Fourth Quarter</b>	
April	
May	
June	
<b>Total</b>	<b>\$ 539,282.36</b>



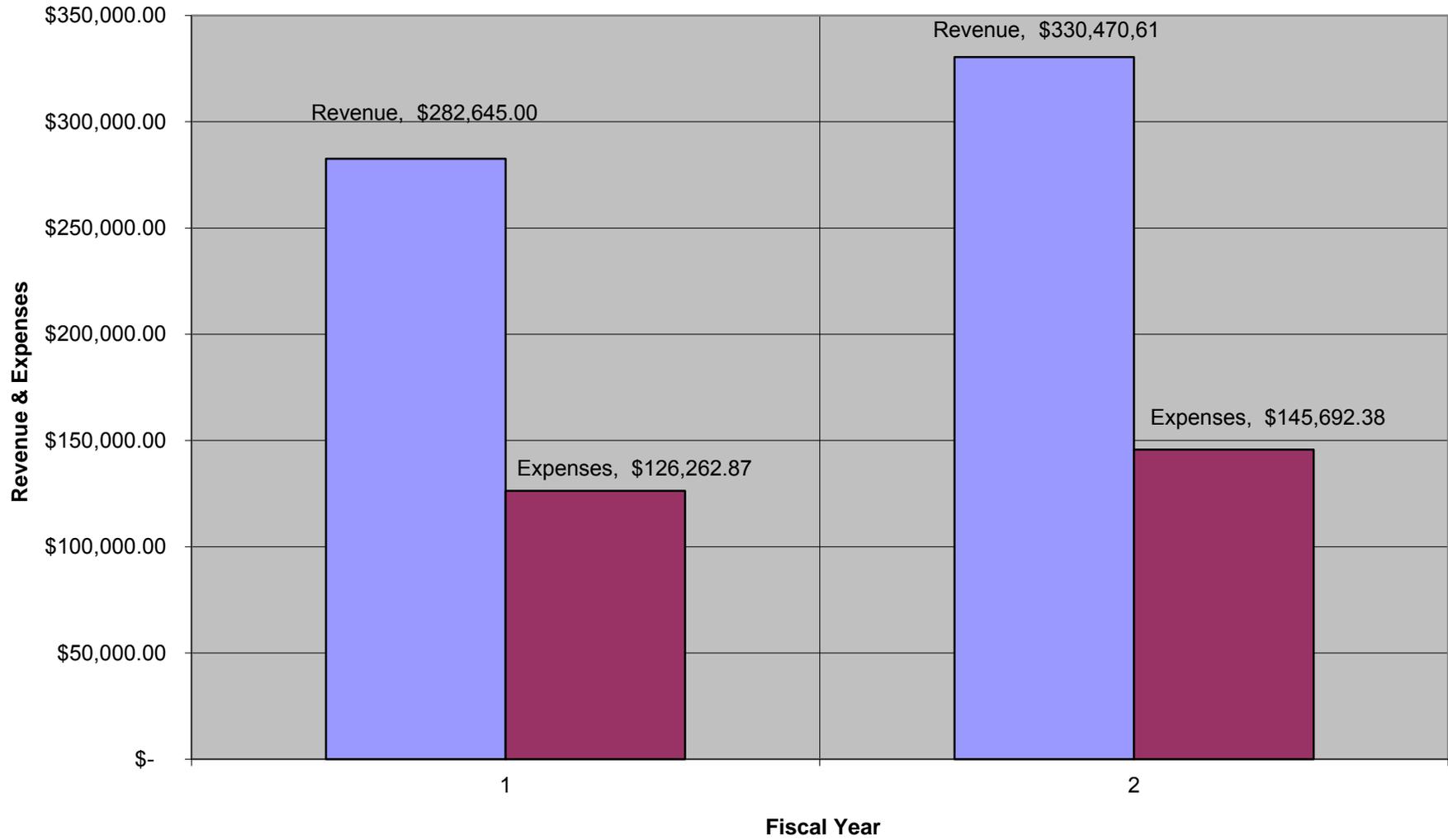
**Expenditures--2nd Quarter, FY 2016**  
**Total Expenditures: \$126,262.87**



## 2nd Quarter Comparison

FY 2016

FY 2015



**2016 PENDING LEGISLATION**

<b>Bill Number(s)/Sponsor(s)</b>	<b>Description</b>	<b>House</b>	<b>Senate</b>	<b>Board Position</b>
SB0556*/HB0678 Bowling/VanHuss  <b>Carried over from 2015</b>	As introduced, phases out the privilege tax on persons engaged in certain occupations by annually decreasing it by 20 percent over the next five years; eliminates the tax in 2019 and thereafter.	Finance, Ways & Means Subcommittee; action deferred to Sales Tax Calendar	<b>Passed</b> with amendment directing TN Advisory Comm. on Intergovernmental Relations (TACIR) to study and make recommendations relative to the privilege tax by 1/1/17.	
SB1503*/HB1615 Bell/Faison	Extends the A&E Board four years to June 30, 2020; establishes minimum attendance requirement for board members (must attend at least half of the scheduled meetings in a calendar year).	<b>Passed</b> ; Public Chapter 610	<b>Passed</b> ; Public Chapter 610	
SB2535/HB1533* Norris/McCormick	Allows the state fire marshal to require and perform field inspections in lieu of requiring review and approval of plans and specifications for construction and alteration of certain buildings or structures, and to charge a fee of no more than \$200 for inspections that were untimely requested. [Per SFMO, will only apply to small residential buildings that do not require an architect/engineer and fuel-fired equipment that only requires an inspection, as established in current rules.]	Business and Utilities Subcommittee —taken off notice	General Subcommittee of Commerce and Labor Committee	
HB1726/SB1672* Sargent/Southerland	As introduced, allows construction design professionals under contract with certain state agencies to bill and receive payment monthly; specifies services that are included in the basic services fee and the services that will require additional compensation.	Rec. for passage; Finance, Ways, and Means Subcommittee	Rec. for passage; Finance, Ways, and Means Committee	

<p>HB2201*/SB2469 Daniel/Stevens</p>	<p>As amended, enacts the "Right to Earn a Living Act." Requires licensing authorities to submit entry regulations to the House and Senate Gov't Operations Committees by 12/31/16. The committees shall issue a joint report containing findings and recommendations by 1/1/18. Also establishes a review of regulations as part of the sunset review process to ensure that rules are necessary to protect the public and do not unnecessarily inhibit competition or deny entry into a profession. The Gov't Operations Committees may request the amendment or repeal of a regulation. Agencies failing to comply with such requests may face suspension of their rulemaking authority.</p>	<p>Recommended for passage if amended; Finance, Ways &amp; Means Committee</p>	<p><b>Passed as amended</b></p>	
<p>HB2569*/SB2534 McCormick/Norris</p>	<p>Amends T.C.A. § 62-2-304 relative to comity registration requirements for architects; allows acceptance of applicants whose qualifications do not meet the requirements of the laws and rules if they hold a license in another jurisdiction and a NCARB certificate.</p>	<p><b>Passed</b></p>	<p><b>Passed</b></p>	

Section 7, Item 31 of the appropriations bill (SB2653/HB2629) earmarks \$350,000 for the Board's grants program.

## Action Items (February 2016)

### John Cothron

- Contact the Japan PE/FE Examiners Council (JPEC) regarding the establishment of a licensing agreement.

### Legal Counsel

- Conduct research and make a recommendation to the Board regarding professional corporations issuing shares of stock to non-licensed individuals.
- File proposed rule changes approved at the February meeting.
- Draft revised language regarding expert testimony for discussion.
- Provide an opinion on the submission of historical data in response to a Request for Qualifications (RFQ).

### Susan Ballard

- Prepare a list of items for deans and program directors to address at the next meeting with educators in October 2016.
- Write a newsletter article on social media ethics.

### Grants Committee

- Develop a proposal and guidelines for the use of additional grant funds.



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
BOARD OF ARCHITECTURAL AND ENGINEERING EXAMINERS  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243-1142  
Telephone: 615-741-3221 Fax: 615-532-9410  
<http://www.tn.gov/commerce/section/architects-engineers>

## **FREQUENTLY ASKED QUESTIONS ABOUT QUALIFICATIONS-BASED SELECTION FOR PUBLIC PROJECTS AS DEFINED BY T.C.A. § 12-4-107(a)**

### **1. To what projects does T.C.A. § 12-4-107(a) apply?**

T.C.A. § 12-4-107 applies to all contracts for architectural, engineering and construction services procured by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute. Some communications from the Board refer to “public works projects,” which should not be understood in the narrow sense of projects typically associated with public works departments. The term “public works” is used in the general sense of any project paid for by government funds for public use. The statute does not actually use the term “public works.”

### **2. What has changed? Is the Board of Architectural and Engineering Examiners imposing a new requirement?**

The requirement to select design professionals for public projects through qualifications-based selection is not a new requirement. This requirement has been in the law for many years, and the Board of Architectural and Engineering Examiners is not imposing any additional requirements on the state or local jurisdictions. The only change is that, effective March 11, 2013, the Board may now discipline registered architects, engineers, and landscape architects for failing to comply with T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6).

### **3. Does T.C.A. § 12-4-107(a) encompass studies and other services that do not involve the preparation of sealed plans?**

Any study or service that requires professional architectural, engineering, or landscape architectural services and expertise that requires the seal of a

registrant, or if these professional services are offered by the proposer, would fall under the scope of the statute.

**4. Does T.C.A. § 12-4-107(a) apply to public school systems and public building authorities?**

Yes. T.C.A. § 12-4-107 applies to all contracts for professional services by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute.

**5. Does T.C.A. § 12-4-107(a) apply to non-profit organizations that receive public funds, such as charter schools?**

No. T.C.A. § 12-4-107 applies only to contracts for professional services by any municipal corporation, county, state, development district, utility district, human resource agency, or other political subdivision created by statute. It does not apply to private non-profit organizations, regardless of the source of funding. However, although T.C.A. § 12-4-107(a) does not require qualifications-based selection in these instances, the conditions of the source of funding, such as a governmental grant, may still require qualifications-based selection.

**6. Does T.C.A. § 12-4-107(a) apply to landscape architectural services?**

Yes. Although the statute does not specifically reference landscape architectural services, it may be safely assumed that such services are included due to the overlap among the architectural, engineering, and landscape architectural professions, and the fact that similar qualifications and standards apply to all three design professions. Additionally, Rule 0120-02-.02(6) does reference landscape architectural services.

**7. Does T.C.A. § 12-4-107(a) apply to interior design services?**

No. The statute does not reference interior design services, and the Board of Architectural and Engineering Examiners does not regulate the practice of interior design—only use of the title “registered interior designer.”

**8. Is it permissible for a registrant to provide a description of intended compensation (i.e., whether you charge a fixed fee, percentage, etc.) in response to a RFQ/RFP for a public project?**

Yes, provided that a specific monetary amount or percentage is not included in the response.

**9. Is it permissible for a registrant to submit hourly rates and an estimate of man-hours required to complete a design project in response to a RFQ/RFP for a public project?**

No. T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) preclude a registrant from submitting any information that could be used to determine compensation in response to a RFQ/RFP for a public project.

**10. Is it permissible for a registrant to submit a price in a sealed envelope in response to a RFQ/RFP for a public project?**

No. Registrants may only state compensation to a prospective client in direct negotiation following selection based on qualifications.

**11. Does the following procedure comply with T.C.A. § 12-4-107 and Rule 0120-02-.02(6)?**

***A jurisdiction requests responses to a RFQ. Responses are evaluated to prequalify firms for participation in the RFP process. Prequalified proposers then submit formal proposals (RFPs)—including fees— for consideration and final selection.***

No. The prequalification procedure outlined above would not comply. In accordance with T.C.A. § 12-4-107(a), once the public body (client) has selected the most qualified design professional/firm, it may request a fee proposal from that firm. The agency may then negotiate a satisfactory contract with the selected firm. If an agreement cannot be reached and the negotiations are formally terminated, the agency may then proceed to select the next most qualified design professional/firm on the list and continue negotiations until an agreement is reached. However, a procedure in which the agency wishes to contract with as many qualified respondents as possible, multiple firms are selected, and a contract is negotiated with each firm separately following selection based on qualifications would be in compliance.

**12. What alternate methods are available for determining possible architectural, engineering, or landscape architectural costs?**

- a. Enlist the aid of a professional or agency such as a Development District in determining the scope of the project for a RFQ. This should

allow a realistic budget for the entire project, including construction, so that price surprises are minimized.

- b. State the budget range for professional services in the RFQ. The budgeted amount allows the design professional to determine if they can meet the stated requirements within the budget range and minimizes review time for the municipality.
- c. Use standard cost basis schedules such as used by the State Building Commission or Rural Development to determine expected design costs. These schedules have been used for many years by both governments and design professionals to establish reasonable compensation for projects of various sizes.

**13. Is it unethical for one firm/registrant to sit in on a proposal interview for another firm/registrant (a competitor)? Would this be a violation of the Rules of Professional Conduct?**

Although such conduct is unprofessional, it does not violate the Rules of Professional Conduct.

**14. Does Rule 0120-02-.02(6) apply only to individual design professionals, or does it also apply to corporations, partnerships, and firms?**

The rule applies to both individual design professionals and corporations, partnerships, and firms registered in the State of Tennessee (see Rule 0120-02-.01 Applicability).

**15. What disciplinary action may result from a violation of Rule 0120-02-.02(6)?**

Formal discipline could range from a civil penalty (\$100-\$1,000 per violation) to suspension or even revocation for repeated, grave offenses. The Board considers mitigating and aggravating factors when determining discipline.

**16. Can price be considered when selecting a design professional for a public project?**

The law does not prevent jurisdictions from negotiating price on projects requiring professional services. Upon selecting the most qualified design professional, the jurisdiction may then negotiate compensation with the registrant/firm. If the contracting agency and most highly qualified firm are unable to negotiate a fair and reasonable contract, the agency may formally terminate negotiations and

undertake negotiations with the next most qualified firm, continuing the process until an agreement is reached. The initial selection, however, must be based upon qualifications.

**17. Does T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) apply to transportation planning services for Metropolitan Planning Organizations?**

See response to question #3.

**18. Does T.C.A. § 12-4-107(a) and Rule 0120-02-.02(6) apply to subconsultants who do not contract directly with a government agency?**

No, based on the Board's current interpretation of the statute. T.C.A. § 12-4-107(a) applies only to contracts between a state or local government agency and an architect/engineer/landscape architect. If a registrant is not entering into a contract with a governmental entity, then they may include a fee in their proposal for a public project. However, in keeping with the spirit of the law, the Board urges registrants to select subconsultants on the basis of their qualifications.

**19. What is an appropriate way for a registrant to respond to a request for a price?**

If a registrant becomes aware of a state or local agency that is requesting a fee in a proposal for a public project, this should be brought to the attention of the Board office. In such cases, Board staff will send a letter to the agency issuing the RFP asking them to eliminate fees from their request. The Board has no jurisdiction over state and local government agencies, but, in most cases, the issuing agency will voluntarily remove the requirement to submit fees and reissue the request. Registrants may wish to provide information on Tenn. Code Ann. § 12-4-107(a) and Rule 0120-02-.02(6) to prospective clients so they will understand why submittals for public projects are non-responsive on the issue of fees. State professional societies may also offer assistance in educating government agencies regarding qualifications-based selection.

*The above responses reflect the Board of Architectural and Engineering Examiners' interpretation of T.C.A. § 12-4-107, as necessary to enforce Rule 0120-02-.02(6), and were adopted on June 12, 2014, and revised and adopted on October 10, 2014, June 4, 2015, and August 12, 2015. The above responses should not be viewed as comprehensive, and registrants are urged to contact the Board office for questions that are not addressed in this document.*

## REPORT ON 2016 NCARB REGIONAL SUMMIT SAVANNAH, GA

The following issues were discussed at the NCARB Regional Summit on March 10-12, 2016:

- Member Board Executive (MBE) Workshop:
  - Kingsley Glasgow (AR) was elected to serve as the Member Board Executive on the NCARB Board of Directors.
  - Roundtable discussion topics included authority and models for auditing continuing education, the recent White House report on occupational licensing, and employee recognition.
  - The workshop closed with an orientation for new Member Board Members and Executives.
  
- Draft Resolutions:
  - Resolution 2016-A—Establishes a Mutual Recognition Arrangement with Australia and New Zealand. A NCARB review term has determined that a rigorous and standardized licensure process is in place in both Australia and New Zealand that parallels NCARB's processes. If the resolution passes, a majority of member boards must sign the agreement before it becomes effective on January 1, 2017.
  - Resolution 2016-B—Amends the alternatives to the education and experience requirements in the *Certification Guidelines* by eliminating the "Broadly Experienced Architect" (BEA) designation and requiring:
    - Three (3) years of licensed practice in any U.S. jurisdiction with no disciplinary action from any jurisdiction; and
    - Documentation of work experience gained pre-licensure and/or post-licensure, to be verified in accordance with the requirements of the Intern Development Program (IDP) or by an architect familiar with the work of the applicant.
      - Applicants with a 4-year bachelor degree in an architecture-related curriculum must document two times (2x) the experience requirement of the IDP (7,480 hours).
      - Applicants who have 64 or more semester credit hours of post-secondary education must obtain an Education Evaluation Services for Architects (EESA) evaluation and document experience as a licensed architect to satisfy subject areas identified as deficient by the EESA report through a portfolio for peer review (if deficiencies are identified).
      - Applicants with less than 64 semester credit hours of post-secondary education do not require an EESA evaluation and must satisfy all education deficiencies through an education portfolio.
  - Resolution 2016-C—Amends the *Certification Guidelines* to provide exam equivalencies for ARE 5.0 divisions.
  - Resolution 2016-D—Updates the five-year rolling clock and rolling clock extension policies in the *Certification Guidelines*.

- Resolution 2016-E—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to allow access to the ARE for students enrolled in an integrated path to architectural licensure option.
  - Resolution 2016-F—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to establish an “Architect Emeritus” status.
  - Resolution 2016-G—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to add a new section regarding registration of military personnel.
  - Resolution 2016-H—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* and *Certification Guidelines* to update the name of the Intern Development Program (IDP), which will be referred to as the Architectural Experience Program (AXP).
  - Resolution 2016-I—Amends the *NCARB Bylaws* to update the name of the Internship Committee, which will be referred to as the Experience Committee.
  - Resolution 2016-J—Amends the *NCARB Legislative Guidelines and Model Law/Model Regulations* to remove references to the titles “intern architect” and “architectural intern.”
- Plenary Session: Presentation topics included the *FTC v. North Carolina Board of Dental Examiners* case and minimizing illegal and negligent practice through relationships with code officials.
  - Regional Meeting:
    - Several jurisdictions noted that use of the term “interior architecture” by interior design programs continues to be a problem.
    - Concern was expressed about elimination of the “intern” title. Many jurisdictions felt that NCARB should provide guidance on this issue to avoid confusion.
    - Julie Hildebrand (TX) was elected to serve as the Member Board Executive on the Southern Conference of NCARB Board of Directors.

The Annual Meeting is scheduled for June 15-18, 2016, in Seattle, WA. The next Regional Summit is scheduled for March 9-11, 2017, in Jersey City, NJ.