

ARCHITECTURAL EXAMINING BOARD[193B]

Adopted and Filed

Pursuant to the authority of Iowa Code section 544A.29, the Architectural Examining Board hereby amends Chapter 2, "Registration," Iowa Administrative Code.

The amendments to Chapter 2 reflect statutory changes which came about through enactment of 2007 Iowa Acts, Senate File 360, effective July 1, 2007. These amendments allow the Board more flexibility in establishing guidelines for determining when an applicant's qualifications for registration by reciprocity may be considered substantially equivalent to the requirements for initial registration. Additional amendments provide that applicants for registration by examination can begin taking the national examination upon completion of the educational requirements for registration and after enrolling in the National Council of Architectural Registration Boards (NCARB) Intern Development Program. Other amendments to Chapter 2 clarify that, upon approval of an application for the Authorization to Practice Architecture as a Business Entity, renewal of the authorization is not required and clarify when a new authorization is required.

These amendments are subject to waiver or variance pursuant to 193—Chapter 5.

Notice of Intended Action was published in Iowa Administrative Bulletin on August 15, 2007 as **ARC 6145B**.

Written comments were in favor of the amendments. As result of the comments the amendments published under Notice of Intended Action were changed. Subrule 2.3(2), internal paragraph (1) was changed to include "NCARB" before the word "Handbook " as follows: "(1) the intern architect's supervisor in accordance with the requirements outlined in the NCARB Handbook for Interns and Architects. The last sentence of the subrule was also removed.

The board adopted this amendment on September 19, 2007.

This amendment is intended to implement Iowa Code chapters 17A and 544A and section 554D.103(14).

The amendment shall become effective February 11, 2008.

The following amendments are adopted.

ITEM 1. Rescind rule 193B—2.2(544A,17A) and adopt the following **new** rule in lieu thereof:

193B—2.2(544A,17A) Application by reciprocity. Applicants for registration are required to make application to the National Council of Architectural Registration Boards (NCARB) for a council certificate. A completed state application form (available on the board's Web site) and a completed council certificate shall be filed in the board office before an application will be considered by the board.

2.2(1) Registration requirements. The board or its executive officer may waive examination requirements for applicants who, at the time of application, are registered as architects in a different jurisdiction, where the applicant's qualifications for registration are substantially equivalent to those required of applicants for initial registration in this state. All such applicants who hold an active NCARB certificate shall be deemed to possess qualifications that are substantially equivalent to those required of applicants for initial registration in this state.

2.2(2) The board may refuse to issue a certificate of registration to any person otherwise qualified upon any of the grounds for which a certificate of registration may be revoked or suspended or may otherwise discipline a registrant based upon a suspension, revocation, or other disciplinary action taken by a licensing authority in this or another jurisdiction. For purposes of this subrule, "disciplinary action" includes the voluntary surrender of a registration to resolve a pending disciplinary investigation or proceeding. A certified copy of the record or order of suspension, revocation, voluntary surrender, or other disciplinary action is prima facie evidence of such fact.

ITEM 2. Rescind rule 193B—2.3(544A,17A) and adopt the following **new** rule in lieu thereof:

193B—2.3(544A,17A) Application for registration by examination.

2.3(1) To be admitted to the examination, an applicant for registration shall have completed the eligibility requirements of the education standards for NCARB certification which include a professional degree from a program accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB) and shall be enrolled in the NCARB Intern Development Program. NCARB shall notify the testing service of the applicant's eligibility prior to the applicant's scheduling of an examination.

2.3(2) Documentation of IDP training units shall be submitted on IDP report forms, published by NCARB, verified by signatures of registered architects serving as (1) the intern architect's supervisor in accordance with the requirements outlined in the NCARB Handbook for Interns and Architects, and (2) the intern architect's mentor, usually outside the intern's firm, with whom the intern has met for guidance and evaluation of the intern's progress in the IDP. The completed IDP report form shall demonstrate attainment

of an aggregate of the minimum number of value units in each training area and shall be submitted to NCARB for evaluation.

2.3(3) All eligibility requirements shall have been verified and satisfied in accordance with the NCARB Handbook for Interns and Architects. The Handbook is available through NCARB, the architectural examining board or the state law library.

2.3(4) Applicants who have previously passed any portion of formerly required NCARB examinations will be granted credit for those portions passed in accordance with procedures established by NCARB. Applicants who have passed one or more but not all divisions of the ARE by January 1, 2006, shall have five years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five years, after which time the division must be retaken if all remaining divisions have not been passed. The rolling five-year period shall commence after January 1, 2006, on the date when the first division that has been passed is administered. Applicants who have passed no divisions of the ARE by January 1, 2006, shall be governed by the above rolling five-year requirement. The rolling five-year period shall commence on the date when the first division that has been passed is administered.

2.3(5) To be eligible for registration, all applicants shall have passed all divisions of the ARE prepared and provided by NCARB, have completed the NCARB Intern Development Program, and have attained an NCARB council record. A completed NCARB council record shall be transmitted to and filed in the board office. Upon receipt of the council record, the board shall provide the applicant with an application for registration form. The board shall issue a registration number to the applicant upon receipt of the completed application form and appropriate fee.

2.3(6) The board may refuse to issue a certificate of registration to any person otherwise qualified upon any of the grounds for which a registration may be revoked or suspended or may otherwise discipline a registrant based upon a suspension, revocation, or other disciplinary action taken by a licensing authority in this or another jurisdiction. For purposes of this subrule, “disciplinary action” includes the voluntary surrender of a registration to resolve a pending disciplinary investigation or proceeding. A certified copy of the record or order of suspension, revocation, voluntary surrender, or other disciplinary action is prima facie evidence of such fact.

ITEM 3. Amend subrule **2.10(1)**, paragraph “**b**,” as follows:

b. Type of business entity, the federal identification number of the business entity or social security number if a sole proprietorship;

ITEM 4. Renumber subrules **2.10(4)** to **2.10(6)** as **2.10(5)** to **2.10(7)** and adopt **new** subrules 2.10(4) and 2.10(8) as follows:

2.10(4) Upon approval of the Authorization to Practice Architecture as a Business Entity, the business entity shall not be required to apply for renewal of the authorization.

2.10(8) When a business entity is issued a new federal identification number, a new application for authorization must be filed with the board.