

# Washington State Board for Architects meeting transcript

January 25, 2025

Susan Cooley (00:00:03):

Well, welcome. It is 10:01 AM and I'm calling this regular meeting of the Architect Board to order. The board will provide an opportunity for public comment during the meeting. As a courtesy, we encourage participants to mute their mics or phone when not speaking to reduce background noise when others are speaking. Please remember to unmute your mic or your phone when you're speaking. Also, for board members to help us capture information correctly, can you please state your name when you're making comments? Thank you for that. Susan Nieves, at this time, would you please call role and board members, please respond if in attendance.

Susan Nieves (00:00:47):

So Scott Harm, our Chair, he has an excused absence today. So I'll start with you, Vice Chair Cooley.

Susan Cooley (00:00:55):

Here.

Susan Nieves (00:00:56):

Secretary Wu?

Paul Wu (00:01:00):

Present.

Susan Nieves (00:01:02):

Board member Loynd?

Erica Loynd (00:01:04):

Present.

Susan Nieves (00:01:06):

Board Member Manley? You're muted, Roch.

Roch Manley (00:01:17):

I'm present.

Susan Nieves (00:01:19):

Thank you. And Board Member Roberts.

Sian Roberts (00:01:22):

I'm here.

Susan Nieves (00:01:23):

Thank you.

Susan Cooley (00:01:24):

All right. We have a quorum, so let's get started. I'm looking for a motion for approval for the agenda located on Page 2 to 3 of the packet that was sent out?

Roch Manley (00:01:41):

Board Member Manley.

Erica Loynd (00:01:44):

This Board Member Loynd, I move that we approve the agenda.

Sian Roberts (00:01:50):

Board Member Robert. I second.

Susan Cooley (00:01:54):

Thank you. All opposed, aye. Oh, wait. All in favor, aye. Sorry.

Erica Loynd (00:02:01):

Aye.

Paul Wu (00:02:01):

Aye.

Susan Cooley (00:02:02):

Aye. Opposed, nay. All right. Approved for the agenda. Now moving on to the regular minutes. I'll need a motion for approval for the minutes from October 19th.

Roch Manley (00:02:21):

This is Board Member Manley. I move. We approve the minutes of October 19th.

Sian Roberts (00:02:26):

This is Board Member Roberts. I second the motion and I'm asking Roch if there's a way you can fix your audio. We can barely hear you so if you can turn it up a little bit, that'd be great.

Roch Manley (00:02:39):

Okay. I'll take a shot at that.

Susan Cooley (00:02:42):

Thank you. All in favor, aye.

Erica Loynd (00:02:45):

Aye.

Paul Wu (00:02:45):

Aye.

Roch Manley (00:02:47):

Aye.

Sian Roberts (00:02:48):

Aye.

Susan Cooley (00:02:50):

And opposed, nay. Motion approved. All right. Moving on to old business. This is the discussion of the MRA between the US and the UK. I'm going to turn it over to Sydney to present this item.

Sydney Muhle (00:03:09):

Thank you Vice Chair Cooley and thank you board members. I will start off by apologizing. I apparently have caught whatever the chronic cough is that is going around the country and refuses to let go of people. So if I suddenly go on mute is because I have lost all air and have to get it back by coughing for a moment. So please bear with me. So as the board will remember, this is a discussion of the Mutual Recognition Agreement between the United States and the United Kingdom. This was entered into by NCARB on behalf of the United States. Earlier this year, we'll allow for licensure between the two countries more smoothly due to on our side of things, the NCARB issuance of an NCARB certificate, and then making the process smoother going the opposite direction for US applicants looking to work in the United Kingdom. The board did begin the discussion in fall of 2022 with the original agreement, with the agreement originally being presented in April of 2023.

(00:04:15):

The board has discussed this item at every meeting since with additional questions being asked each time. Most recently in October, the board expressed concerns about the requirements and not being the same between the United States and the United Kingdom for licensure and particularly around the experienced time required. And the board had asked that staff put together some research and bring back additional information for the board to take a look at on what is required in the United Kingdom to become licensed, particularly around experience hours. We did provide that in your packet so we're happy to answer any questions that we can. We also had several stakeholders reach out including one who provided further information as a UK applicant and what the process that he went through was including the experience required and also included information links for the board to consider.

(00:05:20):

A large part of the process when this MRA was being negotiated between the two countries, particularly between NCARB for the US and the Architect Registration Board in the UK was to ensure that the requirements were sufficient to meet licensure standards for both countries. There was a lot of discussion on the UK side concerns that very similar to what was expressed by the board last go around, that US applicants did not have the same level of education and experience required to become licensed in the UK. Between the two countries, they were able to resolve that. That is outlined in the MRA,

particularly in Sections 2 and 3-B of the Mutual Recognition Agreement. Assistant Attorney General Elizabeth Lagerberg also provided an analysis for the board's consideration and that was sent to all of you as a confidential memo from her as attorney-client privilege. The other piece we also looked at the requirements through NCARB as well as all of the other MRAs that are currently in place between the United States, Mexico, Canada, Australia, New Zealand.

(00:06:43):

And correct me if I'm wrong, there may be another one and found that all of these were along the same lines in terms of requirements. And so with that, we are happy to answer any questions. I will say we, as staff, are getting to the point that we do need the board to reach a determination on this because we do have a considerable number of applicants who have been waiting to hear the board's determination on this subject before applying. Probably considerably more than what we're hearing other jurisdictions are receiving, we've probably had 20 to 25 inquiries at this point, which is far more significant than what we're hearing from our counterparts across the country with the exception of maybe being New York and California. And so because we have such a large number of people hanging in limbo, we would like to see if the board can reach a determination today on this so that we can give some finality. So with that, we can answer any questions. I see Elizabeth also has her hand up.

Elizabeth (00:07:45):

Yeah. I just wanted to point out, as explained in the memo that I wrote, that at this time without approval from the board, a UK applicant could come in to Washington with a certificate from NCARB and apply and be licensed under our current law. However, I believe that if this is not approved, our architects from the state of Washington may not be able to participate in the MRA going the other direction. So that's a consideration is if you want equitable treatment by your licensees, you may want to consider. That would be the strongest motive I think for passing or for approving, sorry, the MRA.

(00:08:41):

And then there's the consideration of rulemaking in the future if you did want to change the acceptance to having an extra two years. You could make a rule that requires out of state applicants to have a total number of years of experience. You couldn't make it specific to this MRA. You'd have to make it specific to every applicant who comes in from out of state. Those are, I guess, my two big points is people can already come here through NCARB and become licensed from UK and if you want to be equitable, you may want to pass. You may want to approve this. That's my two major points. Thanks.

Sian Roberts (00:09:33):

So I guess I have a quick question if that's the case and I appreciated that sort of summary of how people could come in anyway from the UK. Is that who we're getting requests from and if so, are we just directing them to get an NCARB certificate and come through that way?

Sydney Muhle (00:09:55):

So to date, we've only had a couple of people actually apply and I don't know what they have been told. Our licensing team is researching that. We just got this information from Elizabeth a couple of days before it was received by the board. So we're still looking at the applications through what we already have in place, but that's taking a little bit of time to research. Most of the inquiries have been via email

or phone call with people operating under the assumption that the MRA had to be adopted by the board before they could look at applying. And so now that we have received this guidance from Elizabeth, our advice will have to change.

Elizabeth (00:10:40):

Yup.

Sian Roberts (00:10:40):

And those are, but when you say we're getting a lot of them, obviously that's a lot of UK architects looking to get licensed in Washington.

Sydney Muhle (00:10:49):

Correct. And I will note that a lot of the UK applicants or potential applicants that we have heard from are already residing here in Washington state. They moved here for various reasons and are not working as architects, but would like to apply now that that pathway exists. So these are not London-based who are looking to come here and work. They're already here existing and just waiting to see what's going to happen.

Sian Roberts (00:11:20):

Yeah. I will say that we have seen that in our firm a couple of times with people from other countries who are here for a while, working and trying to figure out how to navigate the pathway to licensure.

Sydney Muhle (00:11:29):

And I see Board Member Wu has his hand up.

Paul Wu (00:11:42):

Yes, this is Board Member Wu. I think I make my position clear that I think the working experience must be included in this agreement. A vigorous working experience is required to protect the public health and safety, and I think that should be as stated in our position that it should be included as part of the requirements for the Mutual Recognition Agreement.

Sydney Muhle (00:12:17):

And Board Member Wu, I do understand that concern and Elizabeth, please feel free to jump in and correct me at any moment, but I believe in order for us to implement any sort of requirement for additional experience documentation, we would not only have to do that for UK applicants, but we would also have to do that for any international applicant. That would require a rule change which would take, at the earliest, about six months in order to complete. And based on the current rules that we have in place, as long as an international applicant has that NCARB certificate based on our current laws and rules, we would have to accept that until those rules are changed.

Sian Roberts (00:13:11):

So one thing we could do with the rules, am I understanding this right? I mean, I'm thinking that one thing we could do with the rules is say AXP or a certain amount of experience. So if you're getting

somebody from another state that has an NCARB certificate that has done, I don't know. I shouldn't get into the details here because I think what I'm hearing is we have to approve this or not approve this. And I'm sorry I started talking before I saw other people's hands up. I'll be quiet.

Sydney Muhle (00:13:45):

Okay. Board Member Loynd, I see you have your hand up.

Erica Loynd (00:13:48):

And I think Board Member Roch is first.

Sydney Muhle (00:13:51):

Oh, okay.

Roch Manley (00:13:53):

Thanks, Erica. This is Board Member Manley.

Sydney Muhle (00:13:59):

We can't hear you still.

Roch Manley (00:14:01):

Again?

Sydney Muhle (00:14:01):

You're very muted. I don't know if something is maybe over the top of your microphone.

Roch Manley (00:14:06):

Okay. Can you hear me now? It has been turned up fully. Can you hear me?

Sydney Muhle (00:14:13):

Not really.

Roch Manley (00:14:15):

Okay. That's all right.

Sian Roberts (00:14:18):

Wait. We can hear you enough now. Just keep speaking up.

Roch Manley (00:14:22):

Okay. So the UK architect can apply using his or her NCARB certificate and go through the process. I know I've read the agreement several times, but the nuance that I'm not able to recollect is, is there an alternate path that does not include applying for and receiving an NCARB certificate for a UK architect to get licensure under the agreement, under the Mutual Recognition Agreement? Can you answer, Elizabeth?

Elizabeth (00:15:23):

The first step in the process for a UK applicant is to get that NCARB certificate. And basically if they can show that they're licensed and their license is in good standing, they are eligible. They get that certificate. So that's the first step that they are supposed to follow in order to go through this MRA process. But again, once they have for Washington, every state is different. But for Washington, if you have an NCARB certificate currently under the WAC, you qualify for licensure. And I'm sure that they anticipated when these rules were written, that NCARB wasn't going to give certificates to people that didn't have whatever the requisite experience was.

(00:16:16):

And I will point out that the board basically put its trust in NCARB and said, "We trust that NCARB is going to make good decisions as far as experience goes." And I don't know in this case that they made a bad decision. It sounds like they get a lot of experience as part of their training. So their training isn't just going to school, their training is going to school and working at the same time. So you trusted NCARB, that's what the rule did, and if you don't like the rule, it's easily changed. It just takes a little time.

Roch Manley (00:16:51):

And Elizabeth, you pointed out that we've trusted NCRAB and in regard to Paul Wu, Board Member Paul Wu's concerns about equivalency of experience, my feeling is that yes, we trust NCARB. We are part of NCARB obviously, and we are voting members and NCARB is operating, representing us. So I have to say I feel we trust the certificate and trust the equivalencies that NCARB has work to build into that certificate.

Erica Loynd (00:17:52):

I'll follow up on this. Board Member Loynd here. I appreciate the extra detail and information here, especially from what you were able to provide, Elizabeth, and the concept of what that change would be if we were to implement additional education that would impose on many other, all of our states that are doing reciprocity as well. And one of the things I appreciate about the process for Washington is the ability to, or the path that has now become clearly aligned with the NCARB process and NCARB certificate and that it helps to allow people that have differing backgrounds to come and prosper in our state and build on our diversity of the people that are practicing here.

(00:18:41):

I cannot testify to the actual criteria of the British system, but I am familiar with it while I was around people that were going through it. And I believe in the rigor of it and NCARB has done the due diligence to test that system against what the criteria is for Washington and all the states of America. So I just wanted to thank you for the additional information. This has brought a lot of clarity to me and I do think that that experience level being included in the NCARB certificate is what we believe in and what we have put our faith in within NCARB's due diligence. And I think that's a viable thing.

Sian Roberts (00:19:21):

And I'm going to also express my support for agreeing to this MRA for Washington State and I do appreciate all the information that's been provided to us in the summary that we received that these

candidates have practicum required during education as well as two additional years of practical experience after completion of education, which is in fact more than what we require if you look at it carefully. So my only regret about this is that it excludes our Washington state licensed architects who do not have a NCARB-accredited degree. That's my only concern with this agreement. But I do know that NCARB is trying to actively make that change over time and I don't think that that warrants preventing our licensed architects here wishing to practice in the UK from being able to do that. So I believe in the experience. It's more, quite frankly than what we require and I'm okay with a NCARB-accredited degree as long as I know there's a lack of NCARB-accredited degree as long as there's movement to accepting those candidates in the future. So I'm in support of signing onto this MRA.

Sydney Muhle (00:20:49):

And if I can jump in really quick to Board Member Roberts' point on the alternative pathways, that is something NCARB is actively working on. As Board Member Roberts said, those are discussions I have had with several members of the NCARB team. They understand that they're actively working on it. What they're currently coming up against with all of the Mutual Recognition Agreements accepting those alternative pathways is that it is not currently accepted by all 55 NCARB jurisdictions. And so they're having a very hard time getting others outside of NCARB to agree to that when not all of the jurisdictions have adopted alternative pathways. And so it's a constant battle for them.

(00:21:34):

They are actively working on it. They're trying to make sure that that is built into future MRAs that they're already working on. I think they're already working on a couple of others in the EU as well as Japan and trying to bring those forward. But again, they're getting those comments back then until you can get all 55 jurisdictions to agree to that. It's really hard to ask that of our international partners. So please, for all of you, I know you were all very involved in NCARB, so please keep those discussions going. We will keep it going with the NCARB staff and the louder that voice gets, the more we can get partners across the US to agree to alternative pathways, the better opportunity we will have to get those alternative pathways accepted internationally as well. I see Board Member Manley has his hand up.

Roch Manley (00:22:25):

Yes. So this is something I brought up when the MRA first came across our desks. If I were to attempt to apply for UK licensure by a literal reading of the MRA because I have not completed an AXP, I would not qualify. And that's because I took the exams a long time ago. There was no AXP. There was no structured experience program. It was basically turning in letters testifying to your experience. So that said, I am still very much in support of our board approving or adapting the MRA and would trust that anyone in my position that there must be a workaround. Personally, I'm not seeking a licensure in the UK so I'll leave that for others to deal with. But it might be nice to get an explanation from NCARB on how that does work for those of us who are in that category. Thanks.

Sydney Muhle (00:24:05):

And Board Member Manley, we did ask that of NCARB and that was provided to the board back in October. I apologize for not including it in the summary for this meeting, but I did just pull that back up. And there is a pathway for that. It takes a little bit of additional time and a little bit of additional

documentation. Whereas with the NCARB certificate, that basically serves as that quicker documentation for the UK and going that direction for licensure. But there is an additional pathway available. Like I said, it just takes a little bit of additional time on the UK side to review the little bit of additional documentation that is required. But that pathway does exist for people who are not NCARB certificate holders in the event that you just explained. And I see Board Member Wu has his hand up.

Paul Wu (00:25:11):

This is Board Member Wu. Well the discussion, I think I'm ready to vote for the affirmative for the proposed adoption of the MRA. So if we want to take a vote, I'm ready.

Susan Cooley (00:25:23):

Well, before we take a vote, let's get somebody to have a motion on the floor. Who would like to add a motion?

Sian Roberts (00:25:33):

Board Member Roberts. I'd like to move that the board adopt the MRA between the US and the UK.

Susan Cooley (00:25:39):

NCARB's MRA.

Sian Roberts (00:25:44):

NCARB's MRA, I guess. I don't know.

Erica Loynd (00:25:47):

Board Member Loynd. I second the motion.

Susan Cooley (00:25:50):

All right. Let's take a vote. All those in favor, say aye.

Erica Loynd (00:25:52):

Aye.

Sian Roberts (00:25:53):

Aye.

Paul Wu (00:25:53):

Aye.

Susan Cooley (00:25:56):

Any opposed? All right. Motion carried. Moving on to the next old business and again, I'll turn this over to Sydney to present the board goals.

Sydney Muhle (00:26:12):

All right. Thank you, Vice Chair Cooley. This should be a very quick discussion because we did establish board goals and priorities about halfway through 2023. Because we are in a new year, we did want to bring this back to the board and ensure that we are still working in the correct direction and see if any of these need any tweaking or anything like that. So the established board goals that we've been working toward achieving or priorities, excuse me, are to establish a calendar for all regular items to be reviewed. Susan Nieves is currently working on building that for the board and we'll share that out.

(00:26:52):

For the authorizations to be reviewed regularly, they were approved in 2022 so they're probably coming up for another review this year. Looking at when annual planning should occur at the last meeting of the year. We did try to do this at the last meeting for 2023, but unfortunately ran out of time due to several other high priority items that were on there so that is why it is now coming back for the first one this year. Looking at the impact of diversity for licensure and how board criteria matches education. Outreach, looking at benefits of licensure to open candidate pool, increasing diversity of candidates, and the board working with partner groups including AIA and educational partners and differing subfields within architecture and then demystifying licensure.

(00:27:45):

So the goals that had been established for last year to work on those priorities was to develop an annual organizational plan and calendar for board operations. And as I said, Susan Nieves is working on compiling that right now and hopefully we'll be able to bring that back for your April meeting. And we will continue to work with adding any AIA and NOMA information. So I know several of you are involved with those organizations. If you have anything you would like on those calendars, if you could please share that with Susan Nieves, we'll make sure it gets on there and then obviously, we can continue to add to it throughout the year as well.

(00:28:22):

Attending the WABO event in October. We did not hear back from WABO for 2023, so we will look at reaching out to them and see if we can join their event this upcoming October and maybe setting an every other year cycle would be beneficial to them. That way, they can keep a good diversity in the things that they're educating their groups on. And then board diversity in recruitment, focusing on Eastern Washington, and recruiting through partner organizations. We do have an active recruitment that has been open for about seven months now and we have yet to receive any applicants from anywhere in the state. So if you have.

Sydney Muhle (00:29:03):

... Receive any applicants from anywhere in the state. So if you have anybody particularly from eastern Washington that you know of that you could get to apply, that would be awesome.

(00:29:11):

We are unfortunately going to be losing another board member here shortly, with Board Member Manley's time on the board expiring in June. We are not at his last meeting yet, but unfortunately that will creep up on us very quickly, and we'll have two vacancies at that point. So the sooner we can get

applications, the better. We have sent the notice out several times on our listserv. I believe AIA has also shared it. We'll ask them to share it again. Or if they have not shared it, we'll ask them to share it.

(00:29:46):

And any other organizations that you guys can think of, particularly where we can get a more diverse applicant pool, that is absolutely a priority for us internally. That is something the governor's office has also given us directive on and that they look at when they are making the final appointments, so they're very interested in having a much more diverse board.

(00:30:09):

With that, if anyone has any comments, anything that they see that we need to make adjustments to, or if you guys think these are good, we will continue in these directions. I'll open it up for discussion.

Member Manley.

PART 1 OF 4 ENDS [00:29:04]

Sian Roberts (00:30:38):

I guess I'll start by saying that... Oh, sorry Roch. You put your hand up. You go first.

Roch Manley (00:30:44):

Okay. I just had a question on, have we set venues for meetings? And if so, were we able to reel in some of the community and technical colleges and make that part of our outreach?

Sydney Muhle (00:31:06):

Are you talking about in-person meetings for the board?

Roch Manley (00:31:10):

Oh, well I guess the question that would proceed that is, are we going to be back to in-person meetings?

Sydney Muhle (00:31:18):

We will not be back to full-time in person. One of the, I guess, blessings or curses, depending on which way you look at it, that came out of COVID is that the vast majority of our boards do see a much greater amount of participation with virtual meetings.

(00:31:39):

So, we have been given the direction that most of, well... Back up. Through that, the legislature also saw that and made it a requirement that we always have to have a virtual attendance option available. Even if we were able to go back to having the rotating meetings that we had before, we would always have to have this type of setting available. That does present some challenges with moving the meetings around from one location to the next, because we have to make sure that technology is going to be able to work wherever we're at, so that's presented a lot of challenges.

(00:32:17):

The other piece is, of course, fiscal. And that is where the agency focus is, because that is the directive we have been given by the legislature, is to make sure that we are being fiscally responsible with our programs. And because we are not having to rent a venue, pay for travel, not only for board members but for staff, that fiscal piece was cut way down thanks to virtual meetings.

(00:32:47):

Trying to strike a balance with that, knowing that so many of our boards do want to go back to in-person, the agency has authorized us to do one in-person meeting a year. It will be here in Olympia, simply, for that fiscal piece, because so many support staff are located here in Olympia, and the number of people that we would have to physically move to another location is greater than the number of board members that we would have to bring in.

Roch Manley (00:33:17):

Okay.

Sydney Muhle (00:33:18):

So again, trying to strike that out. With that, we're looking at the summer quarter meeting. That way we're not trying to travel with the weather.

Roch Manley (00:33:26):

That just tweaks my question a little bit in that. Then the question would be do we have a plan? Or are we working on ways to facilitate that outreach by, perhaps at different venues that we've traditionally sought to reach out to?

(00:33:48):

Could there be a conference room with the camera where, say a group of students and instructors could join in to a meeting online from a remote location that is an online teams meeting?

Sydney Muhle (00:34:09):

We have not had that discussion with this group. We are certainly... We would love to have that discussion. We're going to rely a little bit on your all's expertise and your connections to different groups including student groups because we can reach out, but it seems to have a lot more sway when it comes from board members specifically. We are doing that with several of our other boards.

(00:34:36):

The Geologist board has a couple of those set right now as well as the Landscape Architect board has also set too. And we're finding, especially with folks that are in eastern Washington, they are much more in favor of having, exactly what board member Manley just described, setting up a Teams meeting or a Zoom meeting and having a group in Eastern Washington login and meet with a board member that way. Western Washington is much more in favor of having a board member come and be in person. So whichever way you guys would like to do that, we are happy to support in any way that we can. A lot of times what's happening now is that those are meetings with one or two board members working with those student groups and informing them about licensure and that's becoming very popular across a lot of different professions.

Roch Manley (00:35:35):

All right.

Speaker 3 (00:35:36):

So following up on that, what I might suggest is that we divide and conquer. I think that the session that Paul and I did with the AIA; and Sydney was able to remote in for that and provide the detailed staff perspectives to the specific questions that came up.

(00:35:57):

But I thought that was really effective and I think if we can do a little bit of digging and find out which programs we want to be able to outreach to, then maybe divide and conquer as a board to connect with and try to set something up with those. And it might be... We have to be realistic about our expectations, but we might do two or three a year or something like that, because there are a lot of community college programs that we'll need to talk to. So, the first take is to compile the list maybe, since it doesn't look like we're going to be able to do what we used to do, which is travel to a place for a meeting, go visit with the students, have a little chat and then for... With each meeting, so that's not going to happen again. So we need a different model for that.

(00:36:55):

I don't know, I'd be happy to at least develop the list so next time we can talk about how we might prioritize and divide the list and reach it, assign people to make the contact. Does that sound like a path forward?

Roch Manley (00:37:21):

This is-

Sydney Muhle (00:37:21):

I think that would be great. We would appreciate the help.

Roch Manley (00:37:25):

And I'd say put me down for reaching out to Clark College here in Vancouver. We've met there in the past.

Sydney Muhle (00:37:36):

Great.

Paul Wu (00:37:40):

Yeah. Board Member Wu, I completely agree with what the board members stating and I'll be doing my best to help if opportunity should arrive.

Speaker 3 (00:38:01):

Since you've already volunteered there, Roch, for Vancouver, maybe you could outreach to them and see if you can find the right person and a time, and then I don't know if... I know we have to be careful

about sending emails to everybody in the interim. If anybody's interested in volunteering to join Roch. It would have to be virtually though or it doesn't have to be but it would likely be virtual.

Roch Manley (00:38:33):

Right.

Sydney Muhle (00:38:34):

Yeah. It doesn't have to be, and we can facilitate travel for board members for those outreach events. We just have to be aware of quorums, so one additional board member would be perfect, and we can also work with whatever group if virtual is needed. We're finding that the hybrid environment is here to stay. And another way, when those communications are happening, if you want to send them to Susan and myself, we can help eliminate any of the OPMA violations by sharing that information.

Roch Manley (00:39:13):

Yeah, I'd jump in and augment what you just said Sydney, that it would be great for you guys to help us facilitate our actions with reminders of what others are doing and prompts to help us with follow through.

Sydney Muhle (00:39:38):

Yeah, absolutely. We are happy to do that. So Susan and I will work on [inaudible 00:39:45]... Getting in with Board Member Roberts and helping build that list then share that out with the board and then have it on the agenda for next meeting to have a discussion. All right, well I think that gives us a good direction for 2024, unless any other board members have anything else they'd like to add.

(00:40:21):

All right, thank you.

Speaker 2 (00:40:23):

Thank you. All right, I think we're moving on to new business. Yeah. So the national, the NCARB, Regional Summit. March 1st and 2nd in Savannah. Again, Sydney, present this item for funding and attendance.

Sydney Muhle (00:40:42):

Yes, so as board can see, we do have funding available through NCARB for travel to the regional summit. It will be March 1st and second in Savannah, Georgia. So what we are looking for is a couple of board members who would be interested in attending. Vice Chair Cooley has already indicated she's looking at her calendar to be able to attend as the public member, so her funding is separate. So it would be two licensee board members that we would be looking at. Up to two. I should say I don't think we have to send two, but we have funding available for up to two.

Erica Loynd (00:41:19):

This is Board Member Loynd. I unfortunately am going to have to decline. I am going to be out of the country at that time, or preparing to get out of the country that time.

Sydney Muhle (00:41:30):

Thanks. I'll say we do have another board member who will be attending. Chair Harm will be there, both on behalf of the board, then as a member of the NCARB executive board.

Sian Roberts (00:41:41):

This is Board Member Roberts. I would like to attend if nobody else wants to attend or if there's room for me.

Paul Wu (00:41:53):

Board Member Wu here. I am afraid that I can't join you, because I have another travel plan for the same time, so I will decline.

Roch Manley (00:42:07):

And this is Board Member Manley. Seeing as I term out in July. I think it's July, is it June? June 17th I think.

Sydney Muhle (00:42:20):

June.

Roch Manley (00:42:21):

And I have been there and done that. I would very much encourage any other board member, especially newer board members to do what they can to attend the Regional Summit and even more so the annual business meeting. So looking toward the future.

Sydney Muhle (00:42:45):

Yes. And with that, the annual business meeting will occur at the end of June, and it will be in Chicago. So we'll get the dates emailed out to the board for you all to be looking at your calendars for anybody who would like to attend. The funding structure is very similar to what it is for the Regional Summit.

(00:43:04):

So hearing that, it sounds like Board Member Roberts and Chair Harm would be the ones to attend the Regional Summit on behalf of our licensees. And then again Vice Chair Cooley is looking at her calendar already to see if she will be able to attend, but I think she was trying to work around another scheduling conflict.

Sian Roberts (00:43:28):

Can I ask if this is through... Maybe we could follow up later, but this is through NCARB. How do I pay myself and then I buy everything myself and then I do a reimbursable to NCARB? Or is this the state funded... See, I always get confused.

Sydney Muhle (00:43:42):

This is through NCARB, and Susan Nevis will get a hold of you right after the meeting and get the link to you so you can get logged in and registered and all of that, then all of the travel is orchestrated through

that process. Pieces of it will have to be reimbursed through the state, but we'll be working on your travel authorization simultaneously. It's just the registration closes pretty quickly, so Susan will get in touch with you today to get that all set.

Speaker 2 (00:44:13):

It closes tomorrow.

Sian Roberts (00:44:16):

Yeah. I'm still a little confused, so we'll talk later. This has been... Okay, we'll just follow up afterwards.

Sydney Muhle (00:44:23):

Yep. Look for contact from Susan Nevis right after this meeting.

Sian Roberts (00:44:28):

Okay.

Sydney Muhle (00:44:32):

All right, thank you.

Speaker 2 (00:44:33):

All right, thank you. On to complaint cases for review number seven and I'm going to turn this over. Is it Sydney or Grace going to take this?

Sydney Muhle (00:44:47):

It will be me and I apologize. My packet has decided to throw a temper tantrums. Please give me a moment. Got it up and ready to go and then my VPN decided not to play nice. Now the packet isn't playing nice.

(00:45:16):

There we go. Okay, so I will be presenting on behalf of Chair Harm, who unfortunately was not able to be here today. So this is case number 2023-01-0097- 000 ARC. The complaint summary is that the complainant alleges that the architect under employment with a design and construction firm specialized in mass timber construction and under federal investigation for securities fraud related to funding irregularities acted in a means that were a threat to safety and welfare. It is alleged that the respondent was somehow directly related to the fraud issues and conducted themselves in an unprofessional manner as related to stamping others' work and making changes to the complainant's work product without their prior consent and or acknowledgement. In the complaint summary, it is alleged that the architect was in apparent criminal participation in fraudulent misrepresentation and in the commission of any WAC and SEC violations while aiding and abetting the California-based startup.

(00:46:37):

The facts are that the complainant provided a copious amount of material, total of 137 pages substantiating the fraudulent activities of the design and construction firm, California-based venture,

which has been because of the federal investigation. What the complainant failed to do, in the case manager's opinion, was provide any direct evidence that the respondent was a member of the board of directors of the company or any other officer of the corporation and not just a fellow employee of the California-based corporation. As to the allegations of making willfully egregious modifications to the complainant's work product, no such evidence was provided while other actions undertaken by the respondent under the job title and responsibilities of being the designated architect for the firm in the state of Washington and under their duty of responsible control, acted in a manner consistent with their role and responsibility within the large corporation. The recommendation is to close with no further action.

(00:47:53):

I do not know if Grace is here. If anybody has any questions. We... I'm looking through the attendees really quick.

Speaker 1 (00:48:04):

I have a lot of questions.

Sydney Muhle (00:48:09):

Grace, or is there anybody else from Investigations who is on this call? And I apologize for Grace if she is not here. She is battling very serious viral infections. She messaged me this morning and said that she was not feeling very well at all.

Sian Roberts (00:48:28):

So what I'm reading in here is that, if I can try to relate it to the RCWs here, that this person basically was not... The complaint is that this person, within their role in this firm, was not in responsible control of the documents that they were stamping? That seems to be what I'm reading here and it says that the case manager's opinion is that there was not enough evidence to suggest that that was the case?

Sydney Muhle (00:49:18):

That is what I'm understanding from the report. Unfortunately I was not a part of the investigation, so I am trying to see if we have anybody from Investigations available to answer the question.

Roch Manley (00:49:30):

This is Roch. That's where my questions lie as well is... If there was any further investigation done and what was found. I can assume from the case managers recommendation that there was none found, but it would be nice to hear a little synopsis of that.

Erica Loynd (00:50:01):

This is Board Member Loynd. There's references to the federal investigation, but it's hard to see, in my opinion if there's any tie to what the complaint is. And is this federal investigation a part of it? Is there reasons the federal... Is it trying to say that this person should be included in the federal investigation? That's what I don't understand the references to that.

Sydney Muhle (00:50:31):

Those are all very good questions. I see Elizabeth has her hand up. She may be able to give us a little bit better perspective. We are trying to get somebody from investigations on the call so they can answer these questions for you hopefully.

Elizabeth (00:50:43):

Yeah. And listening to the summary, I have to agree with the board members. It's a little questionable what is happening. I understand why they're concerned, and you may be better if it's not too much of a delay. You may be better off to hold off on this one until you can get a better explanation. I would really want the case manager to give you an explanation, your board member, because he's the one who went through the whole thought process of making the determination and it may make sense once he explains it, but I agree. Just from that summary, I was a little confused by it as well.

Sian Roberts (00:51:27):

That's exactly what I was going to ask. Is it possible for us to hold on this one? I would much prefer to have the case manager present.

Sydney Muhle (00:51:37):

Yeah, I think that's going to be our best course of action. We're not getting a response from anybody in investigation. So yeah, if we could get a motion from somebody to table this one until the next meeting. We'll make sure that Chair Harm and the investigator will be both available.

Roch Manley (00:51:51):

This is Board Member Manley. I move that we table the current case under discussion till next meeting.

Sian Roberts (00:52:04):

Board Member Roberts. I second.

Speaker 1 (00:52:07):

Right. Let's call for a motion. All those in favor say "I".

In favor (00:52:13):

I.

Speaker 1 (00:52:13):

The opposed? Opposed. You want to move on to the next one?

Paul Wu (00:52:21):

Little technical issues here.

Sydney Muhle (00:52:28):

Paul, are you able to hear us okay?

Speaker 1 (00:52:30):

We can hear you.

Paul Wu (00:52:39):

Hello?

Erica Loynd (00:52:40):

Hello?

Speaker 1 (00:52:44):

We can hear you.

Paul Wu (00:52:48):

Okay. I will leave and come back in.

Sydney Muhle (00:52:58):

Board Member Loynd, are you okay to present yours or would you like me to read?

Erica Loynd (00:53:04):

I am ready to present mine if... Unless we want to wait for Paul. It might take him a minute. I don't know if we need him to be able to hear it all. Is our quorum, is just us?

Sydney Muhle (00:53:15):

There is a quorum, and we just let him back in, so please be able to connect.

Erica Loynd (00:53:24):

Can you hear us Paul?

Paul Wu (00:53:26):

Yes, I can hear you. We must be crossing another time zone here.

Erica Loynd (00:53:35):

So the case number 2023-09-1950-00 ARC. It was noted a respondent was performing unlicensed practice being not registered in the Washington State Department of Licensing. The company's website referenced the term architect throughout the website. Following with communications from the staff doing the reports, the communication with the respondent, the modifications to the website have been made, and the references have been removed. There was some delay of that communication as they worked through their third party website developer. But we did confirm at the end of the fact that... And I did a review of the website screenshots. Before and after were compared and all the references that we found had been removed, so my recommendation is closed with no further action.

Sian Roberts (00:54:34):

It's Board Member Roberts. I move that we accept the case manager's recommendation.

Roch Manley (00:54:37):

This is Board Member Manley. I second that motion.

Speaker 1 (00:54:45):

In favor, say "I".

In favor (00:54:49):

I.

Speaker 1 (00:54:50):

Any opposed?

(00:54:56):

Moving on to the next one, also Board Member Loynd.

Erica Loynd (00:54:59):

Okay. Case number 2023-05-1011-00 ARC, it was noted a respondent had references to architectural services throughout their website. The state reached out to them a few times to confirm the references were removed. They were also reworking the website. Oh, sorry. I may have said that was in the last one. They were similar. As of the beginning of the year, the new website had been updated and all references had been noted and removed. The website screenshots before and after were compared and the references were removed, so I recommend it closed with no further action.

Sian Roberts (00:55:41):

It's Board Member Roberts I recommend that we accept the recommendation of the case manager to close this case with no further action.

Roch Manley (00:55:50):

Board Member Manley. I second the recommendation to accept the case manager's recommendation.

Sydney Muhle (00:56:02):

Just for formality because of the transcript. If we could make that a motion instead of a recommendation.

Sian Roberts (00:56:10):

Oh, did I say recommendation?

Sydney Muhle (00:56:11):

Yes.

Sian Roberts (00:56:11):

I move that we accept the case manager's recommendation to close this complaint without further action.

Sydney Muhle (00:56:20):

Thank you.

Sian Roberts (00:56:21):

You're welcome.

Roch Manley (00:56:24):

Do you need another second on that?

Sydney Muhle (00:56:26):

Yes, please.

Roch Manley (00:56:28):

Okay. This is Board Member Manley. I second the motion to accept the case manager's recommendations.

Speaker 1 (00:56:42):

All those in favor say "I".

In favor (00:56:43):

I.

Speaker 1 (00:56:47):

Any opposed? I didn't say this last time. Do we need a discussion or are we ready? Can we just move on?

Sydney Muhle (00:56:57):

I think you're supposed to ask for the discussion after the second, but, yeah. The same thing, the discussion can happen even before the motioning, but I think we're good.

Speaker 1 (00:57:09):

Okay, perfect. All right, moving on to reports then. So committee and task force reports. First on a model law committee.

Speaker 3 (00:57:21):

Yeah. So...

Speaker 1 (00:57:23):

Go ahead.

Speaker 3 (00:57:23):

Do you want us to jump in?

Speaker 1 (00:57:26):

Yes, please.

Speaker 3 (00:57:27):

Okay. So finally, we pulled together a committee that was small enough that we could actually figure out how to meet together. Yay for that. So Erica and I... Do you want me to go ahead, Erica? Do you want to present?

Erica Loynd (00:57:46):

No, you go ahead.

Speaker 3 (00:57:48):

Okay. Erica and I met. We used the document that... Oh, goodness. What happened to my... We used the document that the staff had pulled together for...

Roberts (00:58:01):

... pull together for ... Sorry, for some reason my looping just went out. I might have to ask you to do it, Erica.

PART 2 OF 4 ENDS [00:58:04]

Erica Loynd (00:58:10):

Oh, okay.

Roberts (00:58:12):

I'll just introduce it. The staff put together a comparison document, kind of a table document, between NCARB's new monologue and RCW. We just went through and highlighted not only things that were different, but things that we thought bared some discussion, whether they were different or not, just so that, as a board, we can talk about what the current status of the RCWs is and whether there are any adjustments that we think we should consider pushing forward.

Erica Loynd (00:58:52):

Yeah, so, I think after looking at that, there's only a few. The first one is related to the definition of the practice of architecture. Part of the difficulty of differentiating it was the practice of architecture from engineering as a... based on some recent questions to the attorney general. The RCW refers to architectural building design. The NCARB definition is more descriptive and potentially has some more helpful issues for our practice that we're doing. So, the RCW calls practice of architecture "means the rendering of a service or related work requiring architectural education, training, and experience in connection with the art, the science."

(00:59:36):

Do I need to read these or should I just highlight the things? Be helpful to read it?

Roberts (00:59:46):

I think you can just highlight.

Erica Loynd (00:59:49):

Okay. So identifying the... Okay, where was I? It talked about the types of structures in space, in particular in the RCW. In the NCARB model law, the practice of architecture responds to a little bit more detail of how the offering of the services, developing of concepts and the steps that go into the process of doing architecture. And so there are more specific references into that.

Roberts (01:00:22):

So this one in particular is something that I know that AIA Washington Council has been thinking and talking about. I'm not sure NCARB's model law has the right answer. I think it's probably better than what we currently have.

(01:00:38):

Elizabeth, I'd actually be curious about what you think about that. But at any rate, yeah, that's kind of what we found.

Roch Manley (01:00:48):

This is a...

Elizabeth (01:00:48):

Oh, go ahead. No, please.

Roch Manley (01:00:57):

This is Board Member Manley. Just my two cents on the differences. I like that the NCARB model law talks about protection of public health, safety, and welfare, which seems like a pretty key item that's missing from our definition in the RCW on practice of architecture. My concern about the NCARB model law paragraph is the specificity that there's a lot more there and it seems like, just like with our architectural documents, when you have a lot more, there can be a lot more stuff that can get you into trouble. So I'd be interested in what Elizabeth would have to say about a comparison of the two.

Elizabeth (01:01:55):

Yeah, the risk is that if you have too much detail, of course then the things that aren't in the description fall outside of the practice of architecture... Oh, could be interpreted as falling outside. I think the way that it was originally written leaves a pretty broad interpretation. Adding the public safety and welfare I think is good. I will say that that is something that's constant throughout the professions. So land surveyors, they see themselves as protecting the public safety and welfare, and so that's not something unique to architects, that will help differentiate architecture. I mean, I feel like the purpose of this is to sort of differentiate architecture from engineering, which is just such a hard thing to do and it's up to you guys. I don't even know the answer to that question. Obviously, we've talked and talked about that and I don't know the answer, so I don't know what the best language is.

Roberts (01:03:00):

So I guess what I'm wondering is, Elizabeth, does that language as somebody who is on the outside of the profession and having dove into trying to differentiate the two, do you think that that definition would be helpful or not?

Elizabeth (01:03:20):

Can you show me the definition again on the screen?

Erica Loynd (01:03:25):

I'm not sure. Or do you have it in your packet or do I need to share my screen that I have it open?

Elizabeth (01:03:28):

Yeah, can you share your screen? That would be super helpful.

Sydney Muhle (01:03:34):

I have your guys' report up there. I can share if you want.

Erica Loynd (01:03:39):

Oh, you do? Oh, here. I have it right here, if I'm able to share. Is that popup now?

Sydney Muhle (01:03:46):

Mm-hmm.

Roberts (01:03:48):

Can you zoom in just on that part, the NCARPS paragraph?

Erica Loynd (01:03:51):

Yeah. So it's long. I was like, if I read it, it's going to kind of drain out the content. Here is where they mention the public health and safety and welfare at the line three.

Roberts (01:04:04):

Yeah, but the things that I think for the differentiation or for the incidental practice concern, I think just getting into things like the art and science of designing in whole and in part the exterior and interior buildings and the site around them. Maybe it doesn't help. Define form and function. I don't know.

Elizabeth (01:04:26):

Yeah, I remember looking at this originally when I was trying to figure out a good definition of architecture, just trying to find something that differentiated. A lot of it doesn't help, like coordinating consultants. I mean, a lot of it is still something that you would see. You would see, and engineers may do the same thing, but some of it is helpful. I think for me, the way to attack this would be to get together with the architects board and work out what language do we need to use to differentiate the two. And to me that would be the easiest way to come up with. Even like this, developing concepts is something that engineers can do. Preliminary studies, pre-design, investigations, evaluations, all of that is, it's nice, but I'm not sure it differentiates it from engineering.

Roberts (01:05:34):

Yeah. Okay. All right, well, that's helpful. Thanks. I think I know that AIA Washington council is focused on this, so maybe this is just an FYI that this is how ours differs and to Rock's perspective, maybe the

only thing we... But it wouldn't be bad to try to add that if this ever does change, but I'm not sure that this is something that rises to the, we need to focus on this right now. I don't know how everybody else feels.

Roch Manley (01:06:07):

This is Board Member Manley. I agree. It's not something that it calls out to be focused on. I wanted to say thank you, Erica, and thank you, Sean, for doing this analysis. This is really, it's really great to focus on it in this way and see where our issues might be and see what the differences are.

Roberts (01:06:44):

Sydney, were you going to...

Sydney Muhle (01:06:47):

I was just going to say maybe a place that we can go from here. I know when we had talked to AIA leading up to the Rolling Clock Legislation discussion, they had noted that there were several things they would like to see changed, and it sounded like they had quite the robust list going on. So maybe taking this report and having Board Members Roberts and Lloyd have a discussion with AIA after this legislative session is over, kind of compare notes and see what they're looking at and why. And then they can bring a report back to the board and see where there's some agreement, maybe where there's some things that AIA has seen that maybe the NCARB model law didn't catch. Just different things like that and take that as the next step in the discussion.

Roberts (01:07:40):

That sounds great.

Erica Loynd (01:07:42):

Yeah, I agree. We'll just go over the other ones that we found that will get brought up in that discussion. There's been a lot of conversation about a responsible charge, and so we went through how they were both defined. So NCARBs has recently revised their model law to align with what they consider the reality of the current practice, and Washington State addresses this issue relative to the sealing and signing of technical documents. So it's a little bit more specific to that process.

Roberts (01:08:18):

Yeah, I think my takeaway from this, having spent two years working on that one sentence there, the NCARB's model law for Responsible Charge, one of the things that we were trying to do was reflect current practice, understanding that with larger teams and larger, more complex building systems and everything that an architect and responsible control is not going to be aware of every single and designing every single detail, but there is a requirement for a responsible delegation and that kind of thing.

(01:08:57):

But in looking at our law, it's actually not as bad as NCARB's previous one was, in that it does recognize that work can be prepared under the direct supervision and it doesn't all have to be done by the architect in responsible control. So my takeaway from this is that it wouldn't be, that this language

actually is okay for how we currently practice. I didn't have concerns about it that would raise to the "We need to make this change." Because I feel like we're not, it felt like NCARBS previous language, if you read it carefully, it would basically suggest that everybody I know is not practicing with responsible control. This language that we have, I believe does reflect how we practice. So I'm feeling okay with what we have quite frankly, but I wanted to just bring it up because it had been a topic of conversation for ours over the last couple of years.

Elizabeth (01:10:12):

Yeah.

Erica Loynd (01:10:14):

The next one is the conversation about examination. So the Rolling Clock changes which are being reviewed by AIA Washington Council and with the legislature. And we wanted to note that there is the statement in the RCW that says "at least annually and at such time and place as the board determines." So we recognize that this is technically correct, and we were thinking that the change that could be made is referred to the NCAR programs here because they do have more control over how those testings are being done. And we've agreed that their process for testing is the appropriate measure. We went into a little bit of what if scenario of what if this changed or if there was a process that made the testing different, but we had this statement that seems a little bit could be interpreted in a certain way.

Roberts (01:11:12):

Yeah, it was clearly written at the time that we had an annual exam.

Erica Loynd (01:11:15):

Yes.

Roberts (01:11:17):

That we used to have, but it's not inaccurate, so yeah.

Erica Loynd (01:11:23):

Yeah, it's more like it's not really necessary to change, but the way it's worded seems out of date. The next RCW is the application of chapter. So we thought this was in alignment with the NCARB model law and we did start to look at what is or what would be a concern of single family residences regardless of size being applicable. So as houses are growing in scale and in Washington State, there's the potential to have homes that can be quite far above when this law was written. A home was much more kind of conceptualized as a smaller living unit. Some houses are becoming quite large and is that becoming a factor that would want to be addressed in here so that there would potentially be a size limit or criteria that may align with what this was intended to be acceptable for?

Roberts (01:12:32):

Yeah, this is an issue that's come up as well. We have these 20,000 square foot mega homes with heli pads and parking garages, and all of a sudden does that really fall into this category or not? So anyway, and maybe it's something that we, Erica and I take forward to talk to AIA Washington Council about what their thoughts are, but it does seem like it could be an HSW issue depending on the size and type

of the residence and having an unlicensed person, individual designing it. So thoughts from other board members?

Roch Manley (01:13:20):

This is Board Member Manley. I agree. A 50,000 square foot house would be a little bit problematic, seeing a residential designer do a structure of that magnitude and complexity. It would be interesting to see what other jurisdictions are doing, if anything, and maybe a shout out to NCARB to have them do that research for us might be in order.

Roberts (01:13:58):

Yeah, that's a good question because NCARB says the same thing, but California would be a good one to look at because they probably run into that problem. There are probably some states that don't really, that's not really an issue, but...

Erica Loynd (01:14:23):

The next one that we identified was board qualifications. So NCARB had revised their model law to require five years of practice as an architect to be a board member. Our RCW requires at least eight years of experience. So we had a discussion of would changing that requirement allow more diversity in the board? Is that holding people back from being a member of the board? Some of our final thoughts were because of the necessity of having true experience, and when you're evaluating some of the case management complaints that come through, having that experience of how the process really is working and what the implications are to be. Following the RCWs was important to have a tenure of experience in your background. And so though it's a matter of three years, it didn't seem to be something that was holding us back and it actually was allowing to make sure that the board members have enough experience to be able to make accurate assessments of the complaints.

Roberts (01:15:41):

And honestly, I could be in support of a five year. I do think we need, people definitely need some experience if you're going to be an architect board member. I think the other possibility in order to do this would be for the board to hold a seat, and I don't know if we have flexibility to do this, so staff would have to jump in and let me know or maybe do some research on it, but is there a possibility to create a special seat for somebody as a young professional or something like that? A lot of organizations do that, but I don't know. This is a regulatory board, so maybe that's not possible. So I think there are some different ways of thinking about this, but I just thought we could maybe find out what the board thinks about this five versus eight years or any other options. And I would guess that AIA Washington Council also has this on their radar.

Sydney Muhle (01:16:44):

So to answer Board Member Roberts' question, yes, the opportunity exists, but it would require an RCW change because we do have it codified for the eight years right now. We have seen those changes come up for or as recommendations for other boards. None have been implemented for any of our regulatory boards just yet, but we have heard a lot of discussions about it, but it would require an RCW change in order to occur.

Board Member Wu (01:17:13):

This is Board Member Wu. Is there any chance of having a non-professional member as part of the constitute, part of the board, or do we all have to be in the profession to participate in this board?

Sydney Muhle (01:17:34):

So our public member Vice Chair Cooley is not a member of the profession.

Roberts (01:17:41):

So yes, there is one board seat that is specifically for a non-professional. But for instance, a newly licensed architect would not be able to hold that seat.

Sydney Muhle (01:17:57):

Correct. They would not qualify. The RCW clearly states that the public member has to have no connection to the field of architecture whatsoever.

Roch Manley (01:18:09):

And this is Rock. I was going to comment on the five-year. I think it would be a doable way to expand the options for people to come onto the board having just a five- year requirement for practice. Although I agree that three years doesn't make a huge amount of difference. My only concern would be if the practice that the architect has been engaged in that it's only five years, if that would limit their ability to review cases and limit their understanding of the practice in general. But Paul's question kind of opens that door of, well, I suppose there's a precedent to a specifically named seat on the board with our public member seat in a sense that as you were suggesting, Sean, maybe there could be a seat for someone with fewer years or even if it was limited to one seat, it kind of opens the door. Maybe it could be a newly licensed architect, even... That's possibilities. There are a lot of possibilities there.

Erica Loynd (01:19:57):

Yeah. This is Board Member Lloyd. I just as you were talking through that scenario, a scenario came in my head, too. If you needed five years experience in lieu of eight, halfway through your first term, you would hit your eight year mark. And then would that open back up the five year or the earlier one if it was to be that there was a person who had an earlier license once they hit that eight year mark, that does not go back to saying that we have the ability to have another five year or less person on the thing. It could be a little rolling cycle that we get.

Roberts (01:20:31):

Well, actually that's a really good point, Erica. Because what it means is that because of our staggered terms, we're never going to have an entire board of five year experienced people because the next time a board seat comes up, that five year person will be at seven or eight years. So yeah.

Erica Loynd (01:20:53):

Yeah, it'd be interesting to kind of track or do a flow chart of how people would get in and the first, and having the term be six years, if you were to start at five years halfway through your term where you're really getting your feet together as one of the newest board members, I'm getting closer to that spot of

understanding and had my first complaint, things that I was able to address. By the time you hit the eight year mark, you've been on the board for three years and you're really able to really take hold of things. So in that situation, it seems like being at a five-year would not necessarily put the board at a disadvantage.

Roberts (01:21:36):

Yeah. I'll also say that this is the one, NCARB did their own review of their model law and our law, and this is the one item that they flagged and said, this is something you should consider.

Erica Loynd (01:21:58):

Is that good for the discussion on this one? Because we'll continue these discussions.

Roberts (01:22:02):

I think that's good.

Erica Loynd (01:22:03):

So for the next item was regarding continuing education. So should the board...

Roberts (01:22:09):

So wait, sorry, just a second, Erica. There was a second half to this piece on this, and this has to do with term limits because I think we always thought that there was a two term term limit, and then Rick Storvic, Sydney's predecessor informed us at some point that actually there is no two year term limit, but we have our own little gentlemen's and ladies' agreement that we typically term off after two. We know from NCARB that sometimes there are people that serve on these boards for decades if they don't have term limits. So I guess the question is, and should we implement a formal term limit? And I guess I'll ask Sydney, do other boards have term limits actually in the RCW or do they just kind of do what we do and just decide that there's certain amount of time that's appropriate?

Sydney Muhle (01:23:06):

There are. I think it is only one. I know we have some team members in the building, so please feel free to jump in. But I think it is just one currently, and it is one of our advisory commissions. I don't believe any of our reg boards have any term limits currently, but they all abide by that two term gentlemen's agreement. I think mainly because most of them are six year terms and by the end of 12 years, most people are burnt out.

Roberts (01:23:36):

Oh, you believe me, there are people who just want to cling on to that thing. It's like legislators.

Sydney Muhle (01:23:43):

There are. We've met some of them across other jurisdictions, but so far in Washington by the end of 12 years, most are ready to tap out. So it's not that it couldn't happen for somebody to go further, but to my knowledge, I don't think anybody, at least in recent memory has gone beyond two terms.

Roberts (01:24:04):

And of course you do have to apply again, and you do have to get approval. You do have to be selected again. So maybe that's enough of a threshold.

Sydney Muhle (01:24:14):

And under the current administration, again, yeah, can always change. Under the current administration with Governor Inslee, their team has always taken that into consideration. Even with our groups that do not have two term limits, if there is a lot of interest, they have appointed new people on a more regular basis, even when people would like to re-up. So it just kind of depends. But again, with new administrations, in the governor's office, that could change. There's no guarantee. So that's just been the common practice for several years now.

Roch Manley (01:24:49):

This is Rock.

Erica Loynd (01:24:52):

With... Sorry, go ahead.

Roch Manley (01:24:53):

Okay, so with the end of my term coming up, yes, I am done and I have no interest in going after another term. I know we had one board member a couple of years back that did apply for a third term. The one exceptional situation I could see where maybe allowing continued terms after the two terms that are traditional for us would be if someone late in their tenure on the board decided to make a run at the NCARB board, it might make their options a little more flexible if they remained on a board. Although with the restructuring of the board, there are a lot of different pathways now to be on the NCARB board, but if an analysis of some kind showed that it allowed that flexibility, if a third term was allowed, then it might be something to consider.

Erica Loynd (01:26:19):

This is Board Member Lloyd, too. One thing that may be worth not putting a term limit on is should some event happen, even though we have staggered terms, but if there is a situation where we cannot find, there isn't a lot of people coming, we still have vacancies, you said, then we're still trying to find people to fill those spots. Should there be a situation where we can't fill the board positions and there is a board member who's willing to stay on, if it's in law that they cannot, it would be a bigger obstacle than trying to convince them that they're not going to get reappointed for a third, if that makes sense.

Roberts (01:26:53):

No, that makes sense, I think. That's actually how we first originally figured out that we didn't have term limits, because I think Scott came in in the middle of a term and he-

Speaker 3 (01:27:03):

... because I think Scott came in the middle of a term and he wanted to know whether he could only do one more term or whether he could do another one. And then it was like, "Well, you can do whatever you want actually. You can do whatever you want."

(01:27:19):

I think we would want to address partial terms if this was something that had any interest of going forward.

(01:27:29):

Well, I think there's probably, that's good for now. It gives us some sense of what some of the downsides maybe of making a change.

PART 3 OF 4 ENDS [01:27:04]

Erica Loynd (01:27:39):

The next one was continuing education and the question had arisen in an earlier meeting about should we reevaluate the required continuing education for licensure? Currently, the Washington state requires 24 hours over two years and there's not a specific HSW requirement. Other states and NCARB may have different recommendations. Sean was a board member, Robert gave a lot of clarity to me of the difference between the law and the rules where our requirement is outlined in our rules, not the RCW. I got clarity on how this would need to be changed and what process that would be to make that change. It would be less formal than having to do a law than changing or addressing the rules.

Speaker 3 (01:28:33):

And we thought this was definitely worth doing as a board. We are, I would say, woefully behind in our requirements. We thought it would be worth, and I think Erica maybe volunteered, sorry, I don't want to speak for you, but to do a little bit of an analysis of what other jurisdictions are requiring and bring that to the board for discussion. See if there's any appetite for at least requiring a few HSWs or something like that.

Erica Loynd (01:29:13):

And then the final one that we found, the architecture candidate nomenclature, there was a change to NCARB over their last modifications that removed the title intern throughout their document, they have stated, by their constituency, people did not want to be referred to as interns while they're doing their licensure testing and AXP experience, they removed the term but they didn't actually replace it with something.

(01:29:42):

Our RCW allows the title for architectural associate. For those that are being enrolled in AXP, we find that appropriate and it is necessary to have something that is consistent to talk with or to reference in documentation that's going out when you're referring to a staff member. We appreciate that this was in, this is more of a for our understanding and just highlight that we do have the name architectural associate in our RSW.

(01:30:16):

Those were our findings as we did the comparison.

Speaker 3 (01:30:21):

And I guess per Sydney's comment earlier, our next step would be to maybe go through this with a watching council after this legislative session is done and maybe compare notes and report back to the board.

Speaker 4 (01:30:43):

Okay. Sounds good. So there are no real action needed at this time. Is that kind of what I'm hearing?

Speaker 3 (01:30:52):

Yeah, I think I would guess this would be something we might come back to the board next fall with maybe a report back but not in the next meeting.

Sydney Muhle (01:31:04):

Yeah, I think somewhere at the earliest but probably more likely fall.

Speaker 4 (01:31:07):

All right, moving on to staff reports. Sydney over to you.

Sydney Muhle (01:31:18):

Thank you. And we will get through these as quickly as we can because I know board member Wu is inching toward four AM. his time. So we will knock these out as quickly as we can. Current complaint status report, we have 10 cases that have been closed, five that are currently under investigation. Four that are in a management review for a grand total of 19 from January of 23 through the end of the year. Our licensee count report, we have grand total of 6,943 active across both in state and out of state 3,934 active in state only. And just showing how our renewal numbers and our new licensees look over the course of the last year.

(01:32:26):

As you can see, fairly steady numbers. All right. And then in your packets at the last meeting the board did request information about how we process licensees who have been deceased. I know that this probably came as the result of several cases that have come up and a lot of questions that have come up about what happens when an architect passes away while a project is still ongoing. How does that come about happening or being informed at DOL? So currently the Department of Licensing is notified generally by a family member, but notification can also come from a firm at the time of passing or more commonly when they receive the next renewal notice in the mail.

(01:33:20):

The current process once we receive that notification is that we do require something to be provided to the department in writing via email with a licensee's name and license number so that we can make sure that the status is changed correctly. There currently is no other means for verification other than for staff to search out for a death announcement or an obituary as independent confirmation. But again, generally we receive that from next of kin. Once staff receives the notification, the license is placed into an inactive status with a sub status underneath that as being deceased. There is no other report or notification that goes out, it's just once we receive that notification and can change status, if somebody goes and searches for that licensee they will see that they are in an inactive status.

(01:34:18):

So with that I am happy to answer any questions and I believe we have a couple members of our licensing team as well who may be able to provide more clarification.

Erica Loynd (01:34:33):

This is board member Loin. In the, I'm just trying to visualize if there was a partner or spouse to somebody who was deceased. Is there information as a family member who may not be as understanding of what the license means would know to report back to you or is it just kind of phases out?

Sydney Muhle (01:34:55):

Again unfortunately, usually know a lot of times what will happen is when they get the renewal notice in the mail for the deceased licensee that will kind of trigger the, oh, we should let them know that they've passed away and unfortunately that can be quite a while after the person has passed. All right, so if there are no other questions on this one board member Manley had asked that we have an item regarding the NCARB Regional realignment.

(01:35:49):

This is currently being discussed at the NCARB level. I believe it is in a subcommittee of the NCARB executive board. The NCARB executive committee has received ongoing reports from that subcommittee. However, nothing has been shared out in order for us to bring to you all for consideration on a vote with a resolution. I have seen a very preliminary report that was hand-drawn with a highlighter on what it could potentially look like. But we were told that that was not for consumption anywhere because it really was just hand-drawn by somebody with a highlighter and that they were going to be taking that discussion to the NCARB board for everybody to hash out. There are ongoing discussions including some recent listening sessions that occurred I believe last week was the last one. And I think they're planning on having more. What we have seen is that the larger regions, particularly region six which we are a member of, would not be directly impacted by this.

(01:37:00):

It would be more geared toward a couple of smaller regions, particularly in the northeast. And then please feel free to correct me if I'm wrong, but the upper Midwest who have smaller licensee bases, smaller number of jurisdictions and so there's been a lot of back and forth about does it bolster those smaller regions voices to tie in with a larger region or does it eliminate the additional voices at the table? So there's been a whole lot back and forth. They're hearing a whole lot of mixed from people within those regions. And so we do not know at this point what is going to happen or if a resolution will result in this and if it does, if that resolution will occur this year. Again, when I received that, "Hey this is kind of what it could potentially look like," this was just something we highlighted.

(01:38:01):

The current NCARB president was on a call and jumped in. It was like this is not a final determination. We haven't even seen this at the board level. We are really far away from anything happening with this. So they were pretty emphatic that this was not quite ready for too much of anything. So, and when we

additional information, we will certainly be providing that to the board in whatever capacity we are able to do so. But at this point nothing has come forward yet. So board member Manley, I don't know if you had anything else that you wanted out of this discussion or reporting.

Speaker 5 (01:38:45):

Yeah, did anyone else tune into the listening session?

Sydney Muhle (01:38:51):

Yeah, I did.

Speaker 5 (01:38:52):

Yeah, I thought that they answered any questions I had, which my question was what's the status of the work of the committee. And they shared some options and they shared some metrics on how different options might break out as far as the numbers of jurisdictions in various proposed new realigned regions, numbers of jurisdictions, numbers of licensed architects. I wasn't able to tune into the live listening session because of a technical issue, but I reviewed what they shared out on it and it's interesting and it looks like they're making progress and getting ready to ask some of the tough questions.

Speaker 3 (01:39:48):

Yeah, I would say that our region benefits from this regional realignment. I mean right now there are some very small regions that have an overly large representation at the national level than ours. We have a very large region, we have more jurisdictions in our region, we have more licensees in our region but we have less seats at the table per jurisdiction and per licensee than these very small regions that get a seat at the board. So I think in general to me it feels like an equaling out of the voices across the country. And I'm personally, I think probably everybody in region six will be supportive of it. We will lose a couple of states probably, depending on how this all goes down. A couple of the states closer to the East Coast, whichever one's, but it does seem more equitable basically what they're talking about doing, what these proposals are. So we'll see where it goes. There'll be some loud voices, I'm sure we'll know more after committee summit.

Speaker 5 (01:41:01):

Yeah, change is difficult but it did look like the numbers they were sharing, the ideas they were sharing, it looked like they're really trying to move toward parity. So it's good.

Speaker 3 (01:41:15):

One of the things that I was at a committee meeting talking to a woman from one of the smaller regions and she said that one of the things that they do, which I thought was kind of interesting is they got together as they would have a regional meeting outside of NCARB's regional meeting, which would be impossible for us, right? We're way too spread out but they can all drive there be like for us having a statewide a board meeting and they have a session where they talk with supervisors. It's kind of a supervisor training slash supervisor discussion group thing that they do every year or two, which I thought was a great, so she was kind of saying that's how we use the regional structure as a smaller region. But she also recognized the kind of inequity of their position with only a few states.

Sydney Muhle (01:42:17):

All right. So as we receive any additional information on that, we will certainly bring it back. And I did ask Chair Harm as he goes to the executive board meetings, if he could share anything that he's able to as well and he said he would. So we will move on to the next report. This was also a request from board member Manley. I believe you all should have received. If you did not, please let me know and I will forward it to you. But there has been a proposed change to the bylaws for West Card and mainly focusing on shifting the West Card fiscal year to match the current and carbon, which is on the July to June fiscal year schedule.

(01:43:06):

And it's kind of like that was going to make life easier for the West Card staff as well. And then also some travel funding changes as well that looked like they were going to align with pretty much what all of our states already do, requiring that any travel funded by West Card has to be through the most economical means and reasonably economical means available. So can't take the most expensive flight, can't fly business class, can't fly, all these different things. So just kind of formalizing those things. So if anybody has not received those, please let me know and I will share those with you. And then board member Manley, I don't know if you had anything else that you wanted to add.

Speaker 5 (01:44:00):

There. No, you've done a great job Sydney on bringing us up to date and really I've wanted to, I know I've said this before, but I wanted to say that you and Susan have taken on a tough role in learning the many facets of the architecture board and NCARB and our strange politics and strange, which I'm sure to you, very strange methodologies. And you did so, you took the mantle on at a time when NCARB was really going through some tough changes with the restructuring and so forth. So I want to just thank you for your hard work that you and Susan, Sydney.

Sydney Muhle (01:45:03):

Oh, thank you. We appreciate that. All right, well if there are no additional questions, I will turn it over to Susan to go over our master action item list.

Speaker 6 (01:45:19):

So we've got a report out today for the Model Law Committee. It looks like Tynna Tippley will have another report out at our fall meeting. The statistics for law law exam, excuse me, the statistics for law exam next winter. We will see about a management analyst. We're still in progress with that. Staff to reach out to NCARB and AIA regarding the five-year rolling in clock. That's still in progress.

Sydney Muhle (01:45:49):

And Susan, if I can jump in on that really quick, I'll just give the board a really brief update. I know you all have seen emails from us since we are all gathered. AIA did put forward legislation they were able to get it sponsored. They're running two concurrent bills, one in the House and one in the Senate. Putting those forward so that hopefully they get heard more quickly and can get through both chambers with very little issue. That has been heard in committee and it sounds like both committees were looking at putting their stamp of approval on them. Staff from the Department of Licensing did request one change

to the original bill and it has been amended. AIA was agreeable to that and it was just to extend the effective date from the ninety-day sine die that it originally was extending it out into, I believe, correct me if I'm wrong, end of July.

(01:46:51):

And that was to allow for DOL to make the necessary technology updates that were going to be needed for the computer system. So that was the only reason for that is it was a background support issue to make sure that we can meet whatever the deadline is going to be. And that was accepted and just confirm that is correct. So looking at an effective date of the end of July, NCARB did reach out to us yesterday morning there looking at putting out a communication to examinees that are currently being affected by this, explaining what that is going to look like for them.

(01:47:28):

And essentially once the legislation is effective, they will be able to reach out to NCARB and have the rolling clock issues straightened out and they will get credit back and will immediately be moved under the current NCARB structure so that their exams that they have taken, they will still receive credit for. So it is causing a little bit of a delay for them, but it should ultimately work out for the vast, vast majority that they will be okay to keep moving forward with their exams. So I don't know if anybody has any questions, but we will continue keep you updated by email as that legislation works through.

Speaker 3 (01:48:14):

Yay. That's all I have to say. Thank you everyone.

Speaker 6 (01:48:19):

Yeah, so the next item on the action item list was to reach out to universities and NCARB to coordinate visits. So I have on there that we're waiting direction, I believe that and NCARB is not doing the university visits and it looks like we have a game plan set up for outreach with board member Roberts giving some contact information and bringing it back as an agenda item next meeting for her conquer and divide. And then we have staff to reach out to AIA to find out about legislation impacts and send out legislative updates that are relevant to the board. That's still in progress and Sydney reported out today in regards to the deceased license status. That's all we have.

Speaker 3 (01:49:15):

Can I ask a question, Susan? On the, so NCARB is no longer doing visits with the universities? Because usually they used to go to the NAV accredited degree program.

Speaker 6 (01:49:25):

I sat in on a meeting and they said that they were going to focus on doing community colleges this year rather than universities.

Speaker 3 (01:49:38):

So are they going to go to community colleges? What we want to do is be with NCARB if they are going to meet with any colleges or universities in Washington, we want to be able to accompany them.

Speaker 6 (01:49:52):

Yeah, I could review my notes and find the contact information and reach out to the gentleman that's doing the outreach with the community colleges and see if they are doing anything in Washington State.

Speaker 3 (01:50:05):

That sounds good. They might not be doing anything here. We already have a pathway. But anyway.

Sydney Muhle (01:50:11):

Yeah, we'll reach out to and carb and just verify the other pieces. The indication I had gotten from NCARB staff is that a lot of those outreach events from NCARB are going to occur virtually.

Speaker 3 (01:50:25):

Understand that.

Sydney Muhle (01:50:27):

But we will reach out to them and verify what their plan is.

Speaker 4 (01:50:41):

Moving on? So now we're to the point of public comments. The public may address the board on matters within the board's jurisdiction, either verbally during the meeting or by submitting written comments in advance. Verbal comments are limited to one three-minute comment, written comments or no more than 500 words and must be emailed to DOL boards at [Dol.wa.gov](mailto:Dol.wa.gov). No less than two business days prior to the meeting with the subject line, public comment, architect board. In response to all public comments, the board is limited to requesting that the matter be added to the future agenda for discussion or directing staff to the study. The matter further. Inflammatory comments and language will not be permitted. Are there any public comments at this time?

Sydney Muhle (01:51:33):

I don't believe we have any members of the public and the only public comments we had received were on the mutual recognition agreement and those were provided in the packet to the board.

Speaker 4 (01:51:50):

Excellent. All right. Moving on to conclusion, our favorite part of the meeting. Do any board members or staff have any announcements or additional reports that they would like to make at this time? Hearing nothing. Are there any future agenda items that we have not yet discussed that any board members like to request for the next meeting? So hearing nothing. Okay. Moving on to the last one, Susan, can you please review the action item for today's meeting?

Speaker 6 (01:52:32):

So the action items that I captured is board staff will reach out to NCARB regarding their future outreach. And I have a couple agenda items that I noted down the development of the annual calendar or planner for the board to follow every year. The outreach with board member Roberts compiling a list and dividing out the list to the different board members for outreach. And I did make a note that ROC

would work on the Clark College or the Vancouver area. And then I have in the fall, the model law committee will most likely have an agenda item to report on the conversations that they have with their findings and AIA. And I will definitely be sending Susan and Sean the information for the registration for the regional summit. That's what I currently have.

Sydney Muhle (01:53:57):

And actually during this meeting I did receive confirmation Vice Chair Cooley. You are covered on the NCAR meeting, so we'll just be reaching out to board member Roberts to get you squared away.

Speaker 6 (01:54:08):

Thank you.

Speaker 4 (01:54:09):

Okay. Right. Anything else as we wrap up? Right. The time is now 11:55 and the meeting is adjourned. Thank you all for attending.

Sydney Muhle (01:54:21):

Thank you everyone.

Speaker 6 (01:54:21):

Thank you.

Speaker 5 (01:54:21):

Thank you.

Speaker 7 (01:54:26):

Thank-

PART 4 OF 4 ENDS [01:54:27]