



MARCH 2013

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BOARD MEETINGS:

May 1, 2013
August 14, 2013
November 13, 2013
All meetings in Montgomery

BOARD MEMBERS:

Daniel D. Bennett, Chair
Marzette Fisher, Vice Chair
Patrick B. Davis, Jr., Member
Kristine A. Harding, Member
Jim H. Seay, Jr., Member
Mac Walcott, Member

STAFF:

Cindy McKim
Executive Director
Bonnie Singleton
Executive Secretary
Debbie Whitman
Legal Research Asst

GOVERNOR BENTLEY APPOINTS BOARD MEMBERS

Recently, Alabama Governor Robert Bentley appointed Patrick B. Davis, Jr., FAIA, as a Board member representing the North Central District of Alabama. Patrick replaces Chuck Penuel, who served two four-year terms and opted not to pursue a third term. Davis is Vice President of Healthcare Services at CMH Architects, in Birmingham.

Kristine Harding, AIA, board member representing the North District of Alabama, was reappointed to a third four-year term. Kristine is Principal in charge of the Huntsville Office of KPS Group and is also serving as Regional Director for the Southern Conference of NCARB, a federation of 12 southeastern states and U.S. territories.

Mac Walcott, AIA, board member representing the South District of Alabama, was reappointed to a third four-year term. Mac is Principal of Walcott Adams Verneuille Architects in Fairhope.

BOARD WELCOMES NEW EMPLOYEE

John Mulligan joined the Board staff as an investigator, working on an "as-needed" basis at the discretion of the Executive Director and the Board. John brings 40 years of extensive investigative experience while employed with state and federal agencies. His duties include conducting investigations and interviews as well as obtaining documents and plans related to alleged violations of the Board's statutes.

COMMUNITY SAFE ROOMS AND SHELTERS

In April 2011, tornadoes devastated parts of Alabama, leaving behind a trail of death and destruction. Consequently, construction of individual and community safe rooms and shelters is on the increase. Plans for community safe rooms must bear the seal of a registered architect because ICC-500 classifies a community safe room (shelter) as A-3 (assembly) occupancy. In accordance with the statutes governing the practice of architecture in Alabama, a building that is classified as assembly occupancy must bear the seal of an Alabama registered architect.

In many instances, community safe rooms are pre-manufactured structures which oftentimes bear only the seal of a licensed professional engineer. While engineering is certainly required on a community safe room, it is important to note that an architect's seal is also required because of the occupancy classification of the shelter.

Board members discussed this situation and confirmed that Board regulation 100-X-5-.08 (Prototypical Documents) is applicable to this project type. The regulation requires the architect to apply a reasonable standard of care and employ other licensed professionals to ensure site adaptation and code compliance. The text of regulation 100-X-5-.08 follows:

100-X-5-.08 Prototypical Documents. Prototypical plans consist of drawings or specifications not intended as final and complete construction documents for a building project, but rather as a sample or model to provide general guidance for a building or buildings to be constructed in more than one location with substantially few design changes or additions, except those required to adapt to each particular site. Prototypical documents may or may not be premised upon laws, rules and regulations, or adopted building code of a particular state, county, or municipality, but shall be adaptable to the regulations or codes of each applicable construction location. Prototypical documents are generally not designed for a specific climate, weather, topography, soil, or other site-specific conditions or requirements, but are intended to be adapted to those and other site-specific conditions. Prototypical documents may or may not originate from a registered design professional (architect or professional engineer).

(a) Nothing in these rules precludes the use of prototypical documents, provided the architect ensures that all of the following conditions are met:

(1) Obtains written permission from the design professional who prepared or sealed the prototypical documents, or from the legal owner of the prototypical documents, to use, revise, amend and otherwise adapt the prototypical documents; and

(2) Thoroughly reviews the prototypical documents, makes necessary revisions, and adds all required elements and design information (including the design services of engineering consultants if warranted), so that the prototypical documents become suitable construction documents, in full compliance with applicable codes, regulations, and site-specific requirements; and

(3) Independently performs, and maintains on file, necessary calculations to verify the public health and safety suitability of all elements or features portrayed by the original prototypical documents; and

(4) After reviewing, analyzing, calculating and making revisions and additions, re-draws and issues the documents with the architect's title block and Alabama registration seal (or the seals of licensed consultants as applicable), maintaining responsible control over use of the final adapted documents as if they were the architect's original design and assuming full responsibility as the architect of record.

DID YOU KNOW???

- Corporations, professional corporations, professional associations, partnerships and limited liability companies that wish to practice architecture in Alabama must possess a Certificate of Authorization (COA) issued by the Board.
- An architect must notify the Board if he or she is not providing (or is no longer providing) construction administration services on a project for which he/she is the architect of record.
- Registrants are responsible for providing the Board Office with up-to-date contact information, which includes mailing address, e-mail address, and telephone number. We cannot deliver important information to you if we do not have correct contact information.
- Continuing education hours you earned during calendar year 2012 are reportable for renewal when you renew your registration in 2013. Continuing education hours earned during calendar year 2013 are reportable for renewal in 2014.



ELECTRONIC COMMUNICATION ENCOURAGED

All applicants, registrants and intern architects are encouraged to communicate electronically with the Board. In an effort to enhance electronic communication, the Board has developed on-line access to individual registration renewals as well as searchable databases of individual registrants and firms that possess a Certificate of Authorization. Registrants and intern architects can also provide a change of address through the web site as well as many other services. Several times a year, the Board e-mails potential regulation changes to registrants for comment as well as reminders and updates of interest.

If you do not have an e-mail address on file, please consider adding one to your contact information. If you have an e-mail address on file with us, please ensure that the Board is identified as a "safe sender" to ensure e-mail delivery without delay.

CITIZENSHIP DECLARATION

As a result of immigration law passed by the Alabama Legislature in 2011 and amended in 2012, all individuals applying for registration or renewal are required by law (§31-13-1 to 31-13-30 Code of Alabama 1975) to provide a signed affidavit identifying their United States citizenship or alien status. Individuals submitting initial or renewal applications will be required to declare their citizenship status on the application. One of the following choices must be selected or the application will be denied.

- I am a United States citizen.
- I am an alien, legally present in the United States.
- I am an alien outside the U.S., but legally authorized to do business in the United States

Effective with renewals received in 2013, ALL applicants and registrants must submit proof of citizenship or other documentation to verify legal presence in the United States. Watch for more information and instructions when renewal notices are mailed in August 2013.

DISCIPLINARY ACTIONS

MICHAEL R. SPENCER (#2920), Fort Walton Beach, Florida, practiced architecture in Alabama during a period when his registration was lapsed. Spencer signed a settlement agreement and paid a \$500 fine on January 5, 2010. Spencer's registration has been reinstated to active status.

WILLIAM P. SHEPPARD (#4018), Birmingham, Alabama, appeared before the Board at an administrative hearing on May 12, 2010. After presentation of evidence and deliberation by the Board members, Sheppard was found guilty of gross negligence, incompetency, or misconduct in the practice of architecture and failure to act with reasonable care and competence in applying technical knowledge and skill necessary for various projects. Sheppard's registration was revoked by order of the Board on July 15, 2010.

WALTER T. MCKEE, JR. (#1082), Montgomery, Alabama, applied his registration seal to ten projects while his Alabama registration was lapsed and failed to disclose this fact on his application for reinstatement. McKee signed a settlement agreement on March 1, 2012, and paid a fine of \$11,000--\$1,000 for failure to disclose a material fact on his application for reinstatement and \$1,000 for each project he sealed. McKee complied with the order, and his registration was reinstated on March 1, 2012.

RANDALL H. STEWART (unlicensed), Gulf Shores, Alabama, prepared drawings for a Head Start center located in Foley, Alabama, a project that statutorily requires the seal of a registered architect. Stewart signed a settlement agreement on January 17, 2012, which was approved by the Board on February 15, 2012. Stewart paid a fine of \$500.

RANDALL HENLEY (unlicensed), Lawrenceville, Georgia, prepared drawings for a church located in Tallapoosa County, Alabama, a project that statutorily requires the seal of a registered architect. Henley signed a settlement agreement on January 11, 2012, which was approved by the board on February 15, 2012. Henley paid a fine of \$1,500.

BRAD A. WALKER (#5329), Denver, Colorado, failed to respond to a notice of audit of his continuing education hours submitted for renewal. After repeated attempts by the Board, to no avail, Walker signed an order on July 21, 2011, agreeing to a revocation of his registration. The Board approved the order on August 10, 2011.

TERRY A. BEILHARZ (#4934), Defiance, Ohio, placed his seal on drawings not prepared by him or under his responsible control, and failed to comply with the Board's regulations for remediation of unsealed or improperly sealed documents, as well as provided misleading statements to the Board as part of the investigation. Beilharz signed a settlement agreement on February 3, 2012, which was adopted by the Board on February 15, 2012. Beilharz paid a \$2,500 fine.

M. DON WILLIAMS, P.E., Mobile, Alabama, prepared drawings for a day care center located in Mobile, Alabama, a project which statutorily requires the design services and seal of a registered architect. Williams signed a settlement agreement on January 30, 2012, which was adopted by the Board on February 15, 2012. Williams paid a \$1,000 fine, and the case file in this matter was referred to the Alabama Board for Licensure of Engineers and Land Surveyors.

DISCIPLINARY ACTIONS (continued from page 4)

CSABA S. BALAZS (#4362), Ebensburg, PA, failed to respond to a notice of audit of his continuing education hours submitted for renewal. After repeated attempts by the Board, to no avail, Balazs signed an order on July 9, 2012, agreeing to a revocation of his registration. The Board approved the order on August 15, 2012.

RALPH T. JACKSON (#5312), Boston, MA, failed to respond to a notice of audit of his continuing education hours submitted for renewal. After repeated attempts by the Board, to no avail, this matter was set for a hearing before the Board on August 15, 2012. As a result of the hearing, Jackson's registration was revoked.

CONGRATULATIONS!

The following individuals passed the Architects Registration Exam[®] from February 1, 2011 through February 28, 2013:

Mark M. Aldred – Mobile, AL
Robert J. Austin – Birmingham, AL
Tena Marie Barnes – Wetumpka, AL
Laura Bartlett – Birmingham, AL
Randall W. Boyd – Birmingham, AL
Courtney C. Brett – Daphne, AL
Stephanie A. Clements – Birmingham, AL
C. Lee Cooper, Jr. – Birmingham, AL
Michelle L. Crowder – Knoxville, TN
Brittany C. Foley – Birmingham, AL
Daniel M. Foley – Birmingham, AL
John H. Foshee – Montgomery, AL
Shannon Gibson-Fulenwider – Huntsville AL
Jennifer G. Givens – Mobile, AL
Christie A. Halverson – Comstock Park, MI
Elizabeth C. Heath – Atlanta, GA
Wilbur S. Hill – Montgomery, AL
F. Simon Hurst – Auburn, AL
Casey M. Ivy – Clanton, AL
Tyler J. Johnson – Atlanta, GA
Laura L. Keller – Atlanta, GA
Courtney C. Kelly – Birmingham, AL

Rebecca A. Lazenby – Birmingham, AL
J. Kent Marshall – Birmingham, AL
Laura Anderson McAllister – Chicago, IL
David R. McClendon – Somerville, AL
Jordan C. Morris – Tuscaloosa, AL
Timothy S. Neal – Fairhope, AL
Chandler P. Overcash – Tuscaloosa, AL
Thomas O. Parham – Birmingham, AL
Jon B. Penney – Montgomery, AL
Kathy A. Prochnow – Ocean Springs, MS
Alicia P. Pughsley – Birmingham, AL
Johnny B. Raines III – Montgomery, AL
Kelly R. Roeder – Norfolk, VA
Justin C. Rogers – Birmingham, AL
Bart A. Rye – Huntsville, AL
William A. Stanford II – Macon, GA
Jennifer Thorington-Hines – Huntsville, AL
Gary S. Tsai – Montgomery, AL
Ryan D. Vernon – Trussville, AL
Tracye T. Wynn – Birmingham, AL
Paul L. Zanglin – Montgomery, AL

2012 ARCHITECT REGISTRATION EXAMINATION® STATISTICS

Test Name	Total Candidates	Total Passed	Alabama Pass Rate	National Pass Rate
Building Design & Construction Systems	31	21	68%	62%
Building Systems	27	20	74%	69%
Construction Documents & Services	26	15	58%	63%
Programming/Planning/Practice	32	21	66%	62%
Schematic Design	38	32	84%	77%
Site Planning & Design	39	24	62%	71%
Structural Systems	33	24	73%	75%

NCARB TO LAUNCH EXAM PORTAL IN MY NCARB

In late August 2013, the National Council of Architectural Registration Boards (NCARB) will launch a new portal within My NCARB for Architect Registration Examination® (ARE®) candidates to access their examination information and schedule appointments. The new portal will be located within your NCARB Record and will offer several benefits, such as easy access to your exam history, authorization to test information, rolling clock dates, and score reports.

The portal will be the place where you schedule exam appointments going forward. You will no longer be able to schedule exams by calling Prometric or through Prometric's website.

More information will be available to you in the months to come regarding the portal, how to use it, how to access it, all of its benefits, and more.

2013 BLACKOUT: BEGINS JULY 1, 2013

As announced in September 2011, Alpine Testing Solutions, Inc. will take over content and candidate management for the ARE, and Prometric will continue to be the Council's site management consultant beginning July 1, 2013. In order to facilitate the migration of data to the new consultant, there will be an **estimated eight-week blackout** for candidates. This means:

- No exam appointments may be scheduled for on or after July 1, 2013 until the blackout ends in late-August 2013.
- There will be no exams administered beginning July 1, 2013 until the blackout ends.
- The last day to take an exam before the blackout will be June 30, 2013.
- The last batch of exams taken on or before June 30, 2013 will be scored by Prometric prior to the data migration to the new consultant.
- The last day to contact Prometric to receive authorization to test or candidate ID numbers will be June 30, 2013.
- Staff at the Board Office will not have access to the candidate database during the blackout so they will not be able to enter or create exam eligibilities or update your name or address information during this time.

There will be no changes to exam content post-blackout. However, the process to schedule an exam appointment and receive score reports will be different.

ARE ROLLING CLOCK

For all candidates, NCARB will grant an automatic **12-week extension** to the rolling clock post-blackout. If you are eligible to test through a jurisdiction with its own rolling clock rules, please contact your board to see how the blackout may impact you.

PLANNING FOR THE BLACKOUT

In Spring 2013, NCARB will have several resources available to introduce the new processes for the ARE. In the meantime, here are some things you should do over the next several months:

- Review your ARE plan and see if it will be affected by an eight-week blackout.
- Find your candidate ID and authorization to test numbers. Both are available on your past ARE score reports.
 - If you can't find a past score report, **you will need to contact your state board prior to June 30, 2013 to compile this information.**
 - This information may be required to gain access to your exam information in My NCARB.
- Make sure your NCARB Record is **active**. An NCARB Record has been required for newly eligible candidates to take the ARE since May 2008. Post-blackout, you will only be able to schedule ARE appointments through your NCARB Record. In addition, all future score reports will be distributed electronically in your Record.

AUTHORIZATION TO TEST POLICY CHANGE

As of January 1, 2011, **exam candidates must take a division of the ARE (pass or fail) once every five years** to keep their Authorization to Test (ATT) valid.

Authorization will not become inactive if the applicant tests and fails; it will only become inactive if the applicant does not take at least one division every five years. Candidates whose authorizations have become inactive will need to establish new eligibilities under the then current procedures of their registration boards.

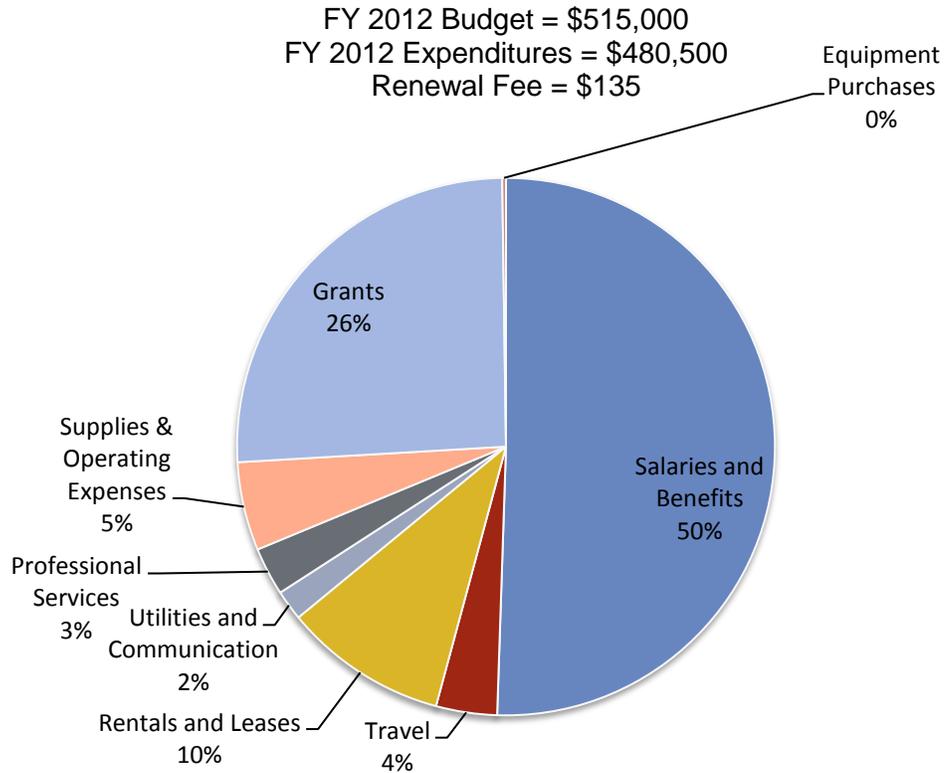
ARE DIVISIONS PASSED PRIOR TO 2006

When the ARE Rolling Clock was implemented on January 1, 2006, all exam divisions passed prior to January 1, 2006 were exempt from the rolling clock. In June 2009, NCARB's Member Boards voted to have all exempt divisions expire on **July 1, 2014** if the candidate hasn't passed all divisions of the ARE.

If you have divisions that are currently exempt because you passed them prior to January 1, 2006, you will need to complete all divisions of the ARE by July 1, 2014 to prevent them from being affected by this policy. If you do not pass all divisions by July 1, 2014, be advised you may be further impacted by the transition to ARE 4.0 and have additional divisions to pass.

Learn more about the Architect Registration Examination® at <http://www.ncarb.org>.

BY THE NUMBERS



REGISTRATION STATISTICS (as of 2/28/13)

Alabama Resident Architects

Active: 838
 Emeritus: 54
 892

Non-Resident Architects

Active: 1,761
 Emeritus: 17
 1,778

Certificates of Authorization Issued

Alabama Firms: 182
 Non-Alabama Firms: 374
 556



QUOTABLE QUOTE

Difficulties mastered are opportunities won.

--Winston Churchill