

Minutes

**BOARD OF ARCHITECTURE AND INTERIOR DESIGN
CROWNE PLAZA PENSACOLA GRAND HOTEL
200 EAST GREGORY STREET
PENSACOLA, FL 32501**

FEBRUARY 4, 2003

Committee Meetings

February 4, 2003

9:00 a.m.

INTERIOR DESIGN COMMITTEE

Board Members Present:

Mary Jane Reeves, Chair
Miguel Rodriguez
Sharon Del Bianco
Rick Gonzalez
Orlando Lopez-Isa
Ellis Bullock
Neil Hall
Kenneth Horstmeyer
Garrick Gustafson

Board Member Absent:

Ivette Planas

Others Present:

Leon Biegalski, Executive Director
Ann Cocheu, Board Counsel
David Minacci, Prosecuting Attorney
Terri Estes, Government Analyst II
Sue Markham
Bill Kobrynich
Rita Scholz
Trent Manausa
Steve Hefner
Susette Crosby
Les Smith
Shelley Siegel
L Dunn-Flispin
Julie Hargrove

Ann Wingate
Scott Shalley

Call to Order

Ms. Reeves called the meeting to order at 9:25 a.m.

Review and approval of the October 22, 2002 board meeting minutes

MOTION: Ms. Reeves moved to approve the minutes as noted in the addendum.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

NCIDQ Report - Sharon Del Bianco

Ms. Del Bianco gave an overview of the NCIDQ meeting and noted that all of the council resolutions passed. She commented that she received a book from the state of Nevada regarding the practices and hiring of architects and interior designers. She reviewed the pass rates for the NCIDQ. She stated that there was title legislation in Kentucky and New Jersey regarding changing the name designation for interior designers, however, it remained. She commented that FIDER mentioned there are 122 accredited professional programs and she reviewed those programs indicating the degree conferred was renamed or moved into other programs (i.e. architecture, art programs, human ecology, art and design). She commented that this has been an issue because the board has been receiving the interior design applications with architecture degrees.

Ms. Del Bianco confirmed that Michael Wirtz would be the new NCIDQ state delegate.

IDCEC Report - Mary Jane Reeves

Ms. Reeves committed that they would be looking more closely at the manual regarding compliance with health, safety, and welfare. She committed that they would not be going forward with AIA reciprocity and the AIA course review process is too different at this time. She stated that IDCEC has a web site and would be adding frequently asked questions and updating the web site with more information.

Discussion

Statute Re-write Report - Rita Scholz

Ms. Scholz commented she, Michael Wirtz, and Janice Young had completed the re-write and forwarded the information to Trent Manausa. She commented that they added the definition of NCIDQ.

Interior Design Education Rules Task Force members

Ms. Del Bianco commented that the Educators would meet once a year with the board. She stated that it appeared that the best meeting would be in August. She commented that the FIDER four-year degree program would need to be discussed. She would like to implement a FIDER equivalency for future use and convene a task force.

Mr. Rodriguez is working on the architecture task force.

Interior Design applicants applying by means of an architecture degree

Ms. Del Bianco commented that the statutes states that an individual must have an interior design degree. She continued that NCIDQ does not require an interior design degree to sit for the examination. She stated that NCIDQ gives 40 semester credits or 60 hour credits to individuals holding a degree in architecture. Ms. Cocheu read Chapter 481.209(2)(d), F.S., which states that subsequent to October 1, 2000, for the purpose of having education qualifications required under this subsection accepted by the board, the applicant must complete his education at a program school or college of interior design whose curriculum has been approved by the board at the time of completion. She commented that the board in the past has commented that the FIDER program is the accepted program by the board.

Ms. Del Bianco commented that the board is receiving numerous applications where the applicant has an architecture degree, interior architecture degree, etc. Ms. Reeves asked if there was a potential for NCIDQ similar to the NCARB endorsement. Ms. Cocheu replied that would require statutory change. Mr. Hall questioned whether or not a person who received an architecture degree and passed the examination could be eligible for an interior license. Ms. Del Bianco replied that the individual would need to be licensed as an architect first.

Ms. Sholz asked the board if there was a way to qualify courses conferred in interior architecture to avoid this equivalency problem. Ms. Del Bianco commented that she would like to have an equivalency check-sheet and put the burden on the institution to confirm they meet FIDER equivalency.

FIDER equivalency check sheet

Previously discussed.

FIDER - four year degree program approval only

Previously discussed.

Problems with Online licensee information and updates

Ms. Del Bianco commented that there was an incident and she reviewed the issue. Ms. Reeves commented Mr. Hefner was having difficulty searching for licensed individuals. Mr. Rodriguez commented that the search engine is too specific.

New Business

Ms. Reeves asked Ms. Del Bianco how a foreign graduate would receive an equivalency and if Mr. Butler performed that review. Ms. Del Bianco did not reply.

Ms. Del Bianco asked Ms. Reeves when the next IDCEC meeting would be held. Ms. Reeves commented it would be held March 14-16, 2003, Milligan Resort in Georgia.

Old Business

No old business.

Adjourn

MOTION: Mr. Gustafson moved to adjourn the meeting a 10:00 a.m.

SECOND: Mr. Gonzalez seconded the motion and it passed unanimously.

ARCHITECTURE COMMITTEE

Board Members Present:

Mary Jane Reeves

Miguel Rodriguez

Sharon Del Bianco

Rick Gonzalez

Orlando Lopez-Isa

Ellis Bullock, Chair

Neil Hall

Kenneth Horstmeyer

Garrick Gustafson

Board Member Absent:

Ivette Planas

Others Present:

Leon Biegalski, Executive Director

Ann Cocheu, Board Counsel

David Minacci, Prosecuting Attorney

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Susette Crosby

Les Smith
Shelley Siegel
L Dunn-Flispin
Julie Hargrove
Ann Wingate
Scott Shalley

Call to Order

Mr. Bullock, Chair called the meeting to order at 10:00 a.m.

Review and approval of the October 22, 2002 board meeting minutes.

MOTION: Mr. Rodriguez moved to approve the minutes as noted on the addendum.

SECOND: Mr. Bullock seconded the motion and it passed unanimously.

2001-2002 NCARB Prize for Creative Integration of Practice and Education in the Academy (Booklet available for review)

Mr. Bullock reviewed the booklet and commented that he served on the executive committee that reviewed this program stating that it is an energy conservation program for universities. He stated that it was a wonderful display of cooperation between the schools of architecture, interior design, industrial design and engineering. The prize was based on which program had the most energy leftover based on the square footage involved.

Discussion

ARE pass rates

Mr. Hall commented that Florida's pass rate was dismal in a number of areas. He stated that he would like to discuss what is being taught with the educators. Mr. Bullock commented that the universities and institutes are not listed. Mr. Rodriguez would like to compare the pass rates for the past five years and see if the trend is down or up. Mr. Rodriguez commented that the pass rates are not reflective of Florida schools. Mr. Biegalski commented that the information does not reflect the difference between first time takers. Mr. Manausa commented this information is for the individuals writing the examination not the institutions.

Mr. Rodriguez commented that Florida dropped the rolling window for examination. He stated the candidate can take the examination as many times for as long as it takes to pass the examination. He would like the board to revisit this issue and not have the examination open-ended. Mr. Manausa commented that once Florida began using NCARB to administer the examination then NCARB rules for time limits would be accepted. Mr. Rodriguez commented he felt that once an individual has initiated the examination they should have five

years to pass all parts of the examination. Mr. Lopez-Isa commented that there is too much importance placed on the exam. He stated it is not a test to qualify an individual's ability to protect the health, safety, and welfare of the public and that it is only a piece of the entire licensure process.

Mr. Rodriguez commented that it was not good policy to leave the test open-ended. Mr. Manausa commented that an individual learns what items he missed on the examination. He stated that over a matter of time the individual would learn how to answer those questions correctly to pass the examination.

NCARB meetings

Mr. Rodriguez stated that NCARB has an upcoming Region meeting in conjunction with Educators scheduled for February 21-22, 2003, in Austin, Texas. He stated that he would be attending the meeting with Sharon Del Bianco, Ellis Bullock, an administrator and Trent Manausa.

Mr. Rodriguez continued by stating that there will be a NCARB Combined Region meeting scheduled for April 12, 2003, in St. Thomas, USVI and the NCARB Annual meeting will be June 25-28, 2003, in San Antonio, Texas.

Mr. Rodriguez commented that NCARB would be holding a Committee meeting in Key West, Florida the same weekend as the Regional meeting February 21-22, 2003. He stated that they would be discussing the issue of the NAAB accredited degree issue requiring the EESA statement. Mr. Rodriguez commented that the board might want to forward a letter expressing the boards opinion regarding the issue.

Mr. Manausa requested that the department fund the registration fee for his attendance to San Antonio, Texas meeting.

The board determined that Sharon Del Bianco, Ellis Bullock, Miguel Rodriguez, and Rick Gonzalez would attend the St. Thomas, USVI meeting. The board determined that Neil Hall, Miguel Rodriguez, Sharon Del Bianco, and an administrator with Ellis Bullock being the alternate for the San Antonio meeting.

Ms. Del Bianco asked Mr. Rodriguez to draft a letter regarding the NAAB/ECE issue. He agreed.

Mr. Manausa commented that if the board would like to discuss the institution's pass/fail rates that the NCARB Region meeting scheduled for February would be the best time to address that issue.

Rodriguez & Manausa/ ID Committee efforts w/ regards to rule simplification

Mr. Manausa commented that the statutes should be completed before the rules were addressed.

E-mail from Education and Testing

Mr. Biegalski reviewed the e-mail and commented that he was looking for history and direction from the board. Mr. Rodriguez commented that the board has not looked at the issue before regarding the minimum passing score for examinations for continuing education courses. He stated that the board could address this in the future.

New Business

Mr. Biegalski commented that he recently received the NCARB Committee applications and wanted to share with the board because the deadline for submission was February 28, 2003. Ms. Del Bianco stated she had already applied. Mr. Rodriguez commented that many committees require prerequisites. The board discussed the different committees and the committees they would like to apply for. Mr. Biegalski requested that the board members send a copy of the applications and assignments to the board office.

Ms. Del Bianco asked the board to refer to the NCARB Directors Report in the addendum for discussion. She commented that the committee on examination was looking at evolving the ARE from pencil and paper to computer generated vignettes. Mr. Rodriguez commented that ARE currently uses vignettes for the design portions, and the complaints have been that it take portions of the vignettes as opposed to taking them as a whole. He continued by stating that the committee was working to make the examinations cross dependent upon each other so it becomes a more complete product as opposed to independent vignettes. He stated that he has received positive feedback regarding the process.

Ms. Del Bianco referred the board to the MBA 2002 Workshop Report and review. She commented on other states issues such as rules, emeritus status, fishing licenses, funds etc.

Ms. Del Bianco commented that NCARB would be funding one delegate to the San Antonio, Texas meeting.

Ms. Del Bianco discussed the disciplinary database and explained that the board administrator is to update the information with NCARB via the computer system or manually. Mr. Manausa commented that the database was used by all states to update, utilize and refer to for disciplinary information and should be updated periodically either by the administrator or the prosecuting attorney.

Old Business

No old business

Adjourn

MOTION: Mr. Rodriguez moved to adjourn at 10:50 a.m.

SECOND: Mr. Lopez seconded the motion and it passed unanimously.

Legislative and Rules Development Workshop
This Workshop will begin immediately following the Committee Meetings

Board Members Present:

Mary Jane Reeves, Chair
Miguel Rodriguez
Sharon Del Bianco
Rick Gonzalez
Orlando Lopez-Isa
Ellis Bullock
Neil Hall
Kenneth Horstmeyer
Garrick Gustafson

Board Member Absent:

Ivette Planas

Others Present:

Leon Biegalski, Executive Director
Ann Cocheu, Board Counsel
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Trent Manausa
Steve Hefner
Susette Crosby
Les Smith
Shelley Siegel
L Dunn-Flispin
Julie Hargrove
Ann Wingate
Scott Shalley

Call to Order

Ms. Del Bianco called the meeting to order at 11:10 a.m.

Rules

61G1-11, Organization and Purpose
61G1-12, Grounds for Disciplinary Proceedings

61G1-13, Education and Experience Requirements
61G1-14, Architecture Examination
61G1-16, Seals and Plans
61G1-17, Fees
61G1-18.002, Procedures for a Successor Architect Adopting as His Own the Work of Another Architect
61G1-20, Interior Design Examination and Grading System
61G1-21, Continuing Education of Interior Designers
61G1-22, Interior Design Experience and Education
61G1-23, Responsible Supervising Control
61G1-24, Continuing Education for Architects
61G1-25, Responsibility Rules of Architects Providing Threshold Building Inspection

Discussion

Definition Revisions
Electronic Signing and Sealing
Probable Cause Panel Composition
Firm names containing surname/s
Application forms revisions
Continuing Education Handbook Revisions (architect/interior design)
Probation tracking

Ms. Del Bianco commented that Ms. Cocheu noticed all of the rules for discussion and would compile a list of rules that the board would like to move forward with changes. Mr. Lopez-Isa commented that the board had requested implementing a tracking list that would identify issues discussed by the board, when this issue was discussed and the action the board had taken. Ms. Cocheu commented that she would maintain a tracking-system for rules. Mr. Biegalski commented that Mr. Lopez-Isa's request regarded issues that were discussed previously and either resolved or not and they should not duplicate the issues.

Mr. Rodriguez stated that the board should discuss the rule that JAPC rejected in October because of the wording. He commented that the attorney who substituted for Ms. Cocheu was instructed to reword the rule according to Chapter 455, Florida Statute, and resubmit to resolve the Probable Cause issue. Ms. Del Bianco stated that rule should move forward. For clarification, Ms. Cocheu commented that Rule 61G1-11.005, F.A.C., should read as the sentence noted in Chapter 455.225, F.S. Mr. Rodriguez confirmed.

Mr. Minacci asked the board about an issue affecting the Probable Cause Panel and wanted direction from the board on how to proceed. He commented that he would like board to give the Probable Cause Panel authority to revoke findings of probable cause. Ms. Cocheu commented that probable cause can not be revoked, however, the case could be dismissed. Ms. Cocheu explained to the board that Mr. Minacci was asking the board to delegate the panel authority to

dismiss a case after probable cause had been found when additional information had been presented that may change the outcome.

MOTION: Mr. Rodriguez moved to give the Probable Cause Panel the authority to dismiss a case.

SECOND: Mr. Hall seconded the motion and it passed unanimously.

Mr. Minacci commented that this does not happen very often. Ms. Del Bianco asked if the Panel would need to report this when it happened. Ms. Cocheu affirmed.

David Minacci, Rules suggestions

Mr. Minacci addressed the board regarding Rule 61G1-23.010, Responsible Supervisory Control. He commented that it was his understanding that the board's intent was this rule specify that in any office where architectural drawings are being prepared there would need to be an architect in that office full time. Mr. Manausa has worked on language to clarify that issue. Ms. Cocheu confirmed that the board has language submitted to JAPC regarding this issue and they are not signing off on the rule. Mr. Manausa asked Ms. Cocheu why they are not signing. Ms. Cocheu commented that Ms. Prity does not agree with the percentage.

Mr. Manausa commented that they needed to clarify what the board considers to be full time. Ms. Cocheu stated that Ms. Prity would not sign off on this percentage because there is not specific statutory authority. Mr. Rodriguez stated that a follow-up states that an architect may not provide responsible supervisory control at more than one office. He continued by stating that the board should define full time by saying a majority of the time.

Mr. Shalley asked Ms. Cocheu if Ms. Prity had responded written a response. Ms. Cocheu replied in the negative because the full committee has not reviewed the rules. Mr. Shalley encouraged the board to be more formal regarding the submissions of the statutory and rules revisions so the board could understand why JAPC is accepting or rejecting the revisions. Mr. Shalley commented he feels there is statutory authority for the wording and did not understand why it's not accepted.

Ms. Cocheu stated that maybe the board should tweak the wording to read, the responsible supervisory control must be a full time employee within that office and can not be in responsible supervisory control of more than one office. Mr. Manausa suggested there must be a full time employee with responsible supervisory control for projects in that office and continue with an architect can not be in responsible supervisory control of more than one office. Mr. Hall

commented that a person could be a full time employee by virtue of remote control.

Mr. Lopez-Isa asked the board about the issue concerning an individual having more than one business in his name. Mr. Manausa commented that if the businesses are in the same office the individual could run as many businesses as he/she wants. Mr. Rodriguez commented that was a good point because the board had previously determined that an individual could provide supervisory control over more than one office as long as they were housed in same physical location. Ms. Cocheu commented that an architect can qualify several business entities but could only be the responsible supervisor in control of one location, pursuant to subsection 2 of this rule. Mr. Rodriguez commented as long as the firms are in the same physical location and the board was trying to avoid an individual that would move from firm to firm for the purposes of signing and sealing. Mr. Rodriguez commented that the intent would be one office location.

Mr. Biegalski recommended that the board look at some language used by the Board of Surveyors and Mappers. Ms. Cocheu noted the language to be the architect providing supervisory control must be a full time employee within that office location with responsible control for projects within that office therefore an architect can only provide responsible supervisory control for one office location.

Mr. Minacci commented that they should avoid JAPC's concerns with the numbers and that if an individual can only provide supervisory control of one office then therefore a majority of your time is within that office. Mr. Lopez-Isa asked how the board would handle an individual that only works part-time. Mr. Rodriguez posed a follow-up question asking what if an individual's definition of full time is ten hours a week. Mr. Lopez-Isa commented that they should tie the time to when a supervisor is in that office when work is being produced. Mr. Rodriguez went through some synopsis that may affect decisions made by the Probable Cause Panel. Ms. Cocheu commented that legally in the absence of defining meanings in technical terms then the common meaning is presumed. She continued that full time might consist of 32 hours. Mr. Rodriguez commented that they should leave as is and then define full time at a later date.

Mr. Minacci stated that his concerns were with individuals that live in one location and drive to another location on the other side of the state for one day a week to sign and seal drawings, or a person that travels down to Florida a few days a month. Mr. Rodriguez commented that placing definitions within this rule makes for sloppy rules and definitions and they should be in the definition sections. He continued by stating that the rules rewrite should have a definitions section. Mr. Manausa commented that Rule 61G1-16 ties with Rule 61G1-23.010.

Mr. Manausa read Rule 61G1-16, F.A.C., which refers to the drawings and plans being signed and sealed and refers back to Rule 61G1-23.010. He continued by

stating he is using language from the Model Law for the statute rewrite and tying the two rules together gives the board more authority.

Mr. Gustafson asked why JAPC does not formally respond to the board regarding their objections. Ms. Cocheu responded that it was politics. Mr. Lopez-Isa commented that JAPC rejected this already and they asked for clarification and additional information.

Ms. Del Bianco commented that interior design should have the same language implemented.

MOTION: Mr. Rodriguez moved to accept the modification to Rule 61G1-23.010, F.A.C., as stated and add a similar of duplicate interior design.

SECOND: Mr. Gonzalez seconded the motion.

Modification reads: 61G1-23.010(1), F.A.C., the architect providing supervisory control must be a full time employee within that office location in responsible control for projects in that office, therefore, an architect can only provide responsible supervisory control over one office location.

The board discussed and confirmed the order of the rule regarding numbering. Ms. Cocheu confirmed that the above verbiage would be number 1. She continued by stating that subsection 2, would read; an architect may be the qualifier of several business entities, but can only be the architect providing responsible supervisory control over one business location pursuant to subsection 2 of this rule; every office offering architectural services must have a resident full time architect meeting the requirements of subsection 1 of this rule. In the current rule paragraph 1 would become 3 and paragraph 2 would become 4.

Mr. Minacci commented that he is concerned with the new rule 1, 2, 3, or 4. He requested that the word or be stricken.

The motion was called and it passed unanimously.

Mr. Minacci commented that his firm is encountering draftsmans that are having licensed architects signing and sealing drawings without responsible supervision. He referred the board to Rule 61G1-23.025, F.A.C., which deals with responsible supervisory control for exempt buildings, which requires an architect's signature and seal for building permits. He continued by stating this rule refers to Rule 61G1-23.020, F.A.C., to define what is responsible supervisory control over interior design documents, which require and an architect's signature and seal. He would like to see the reference be to Rule 61G1-23.015, F.A.C., responsible supervisory control over architectural practice outside of the architect's office.

Mr. Minacci requested that rule read 61G1-23.025, F.A.C., read that the procedures set forth in 61G1-23.015, F.A.C.

MOTION: Mr. Gonzalez moved to accept Mr. Minacci's recommendation.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

Ms. Cocheu confirmed with the board that there was no other rule language changes.

Mr. Minacci commented he would like to maintain a database referencing the responsible supervisor in control of offices. He continued by stating he would like to have the application reflect who the responsible supervisor is and if that information changes they must notify the department in writing within 30 days of the change. He commented that this would alleviate a lot of plan stamping. Mr. Lopez-Isa commented that could be up to 50 people. Mr. Manausa stated that they are looking for at least one person in the office. Mr. Biegalski commented that the application asks for the information only on the branch offices. Mr. Rodriguez recommended that the word branch be stricken and replace with all offices in the state be listed with the responsible supervisors in control for those offices an example would be 50 offices in the state and they must list all 50 with at least one supervisor in control. Ms. Del Bianco asked that be added to the interior design certificate of authorization.

Ms. Cocheu commented that the Rule 61G1-23.040, F.A.C., is the parallel for interior design responsible supervisory control. She would like to confirm that the changes for 61G1-23.010, F.A.C., would apply to 23.040. The board confirmed.

Mr. Minacci referred to Rule 61G1-12.001(3), F.A.C., which states an architectural firm may not offer services to the public under a firm name which contains only the name of an individual not licensed as a professional engineer or registered architect in any state. He is encountering firms that have individuals in the firm name that are not licensed. He would like to send a letter stating they are in violation of the rule and they must change their name or they will be subject to future discipline. The board had a discussion of associates and planners. Mr. Rodriguez stated the he does not interpret architects or associates as being misleading if the firm is initially licensed correctly and due to the economic conditions they are no longer plural. He also stated that the issue becomes a "consumer beware" if they are hiring based on the name or plural alone.

Mr. Minacci commented that the board has given a certificate of authorization in the past and he would like to pursue the issue because his interpretation is that it is a violation if an individual's name is in the certificate of authorization and that

person is not a licensed engineer or architect. He would like to have the board's backing if he pursues this issue.

Mr. Shalley commented that this has been an issue with AIA and does not feel that there would be a downside to having Mr. Minacci notifying the individuals that a license was issued in error and encourage them to correct this issue. He would encourage the board to put the licensee's on notice.

Mr. Gonzalez commented that it was clear that if you are not a licensed professional then the name could not stand-alone. Mr. Minacci stated he would bet that the certificates of authorizations that have the name of a non-licensed professional are not exercising proper responsible supervision. Ms. Sholtz asked the board if an architect that has an architectural firm could also have an interior design firm in the same location. Ms. Del Bianco replied that they could qualify and be the responsible supervisor if they are in the same location. Ms. Cocheu commented that they must have dual licensure. Ms. Del Bianco commented that if it was an architectural firm that had interior design work it was considered incidental to the practice and they did not need the dual licensure. She continued by stating that if the firm is soliciting for interior design work then they need a dual certificate of authorization. Ms. Cocheu confirmed.

Mr. Lopez-Isa commented that he does not agree with the language in subsection 3 which reads, "an architectural firm may not offer services to the public under a firm name which contains only an individual not licensed as a professional engineer or architect in any state". He stated he does not agree with the words "in any state". He commented that it is misleading to have a Georgia registered architect in the title of the firm that can not obtain licensure in Florida. Mr. Manausa commented that the purpose of that statement was to allow for foreign corporations to register in the state. Mr. Lopez-Isa commented that the name in the title implicates the individual is licensed in Florida so therefore it is misleading to the public.

Mr. Biegalski asked the board if the individuals have passed away how does that affect the licensed company. Mr. Gonzalez commented that there was a continuing line of successor. Mr. Manausa commented they do not have problems with the deceased issues.

Ms. Del Bianco commented the board needed to give Mr. Minacci direction to issue a letter to companies where a certificate of authorization was issued in error with an individual's name that is not a licensed professional. She continued by stating it does not affect the plural or association issue.

MOTION: Mr. Bullock moved to grant Mr. Minacci the authority to issue the letter.

SECOND: Mr. Gonzalez seconded the motion and it passed unanimously.

Ms. Del Bianco would like to notice this rule again to look at Mr. Lopez-Isa's issue with the individuals names being licensed on certificates of authorization and being registered in many states except for Florida. Mr. Lopez-Isa commented he would also like to address the issue where the certificates do not identify that the company offers architectural services in the title. Mr. Gonzalez and Mr. Rodriguez commented that the rule allows for "in conjunction with", therefore, it could be identified on the business letterhead. Mr. Manausa commented they have allowed for the company to identify this information on the letterhead when applying for licensure. Ms. Del Bianco would like this issue addressed with interior design. Ms. Del Bianco commented that Ms. Cocheu would work on language to address the issues.

Mr. Minacci commented that the board should have disciplinary guidelines for failure to perform any statutory or legal obligations placed upon the registered architect or interior designer. He continued by stating there are no disciplinary guidelines for violations of the title block requirements. Mr. Biegalski commented that if the rule is opened that Ms. Printy might question what constitutes a meaning range for disciplinary guidelines. Mr. Minacci stated that the maximum penalty for plan stamping could be increased to allow for some leeway. He stated that he would like to see revocation for a second offense.

MOTION: Mr. Rodriguez moved to draft language for disciplinary guidelines for legal obligations, title block requirements, and increase the maximum penalty for plan stamping.

SECOND: Mr. Lopez-Isa seconded the motion and it passed unanimously.

Mr. Rodriguez commented to raise the second offense to add the range for revocation and then implement the third offense to mandatory revocation.

MOTION: Mr. Rodriguez moved to amend the previous motion to raise the second offense to add the range for revocation and the third offense to mandatory revocation.

SECOND: Mr. Gustafson seconded the motion and it passed unanimously.

Mr. Minacci commented that he would like to see Rule 61G1-23.030, F.A.C., which are the responsible supervisory control standards for marketing offices, reworded and made clearer. He continued by stating that individuals are using this section to argue they do not need an architect in the office. He commented that the board's practice act does not contain a morality clause like other professions. He commented that he has had complaints against architects that have rape, murder, and child molestation charges and the board can not pursue these issues because violations must be directly related to the practice or the ability to practice architecture or interior design. He commented that there is

case law that narrows the "related" to professionals. He stated that the Board of Accountancy has language in their practice act that is more open ended to allow latitude to pursue cases.

Ms. Cocheu commented that there is old case law that speaks to the morality issue and the board may use that language, however, it may not work. She continued by stating if does not work then it may help the proposed language pass more quickly through legislation. Mr. Minacci stated he was not aware of any language he could utilize for the morality issue. The board discussed further and concluded they would like to pursue language.

Mr. Minacci commented that the department should take a hard look at the unlicensed activity account. He would like to see the fines for the certificates of authorizations as a condition of licensure deposited in the unlicensed activity account. Mr. Biegalski commented that the department was looking at the issue, as, it is an issue in itself.

Mr. Manausa commented he would like to review Rule 61G1-16.003, F.A.C., When a seal may be affixed, he would like to add a paragraph that includes when a seal may not be affixed. Mr. Lopez-Isa stated to re-title the rule or paragraph, "Use of a seal". Mr. Rodriguez asked if they have a paragraph regarding when it may not be affixed, and if it could be used as a defense because the issue is not listed as either "may affix" or "may not affix". Mr. Lopez-Isa commented he would prefer not to word the rules in the negative and stay in the positive. Ms. Cocheu commented to change the title to "Use of a seal". Mr. Rodriguez commented to break the information into a sub-paragraph 2 so information of when not to use the seal appears more prominent in the paragraphs.

Mr. Biegalski commented that the language in the practice act that does not allow for electronic signing and sealing only affects the architects. He continued by stating that it does not affect the interior designers.

Ms. Del Bianco commented that all the items were covered with the exception of the Continuing Education Handbook Revisions and Probation Tracking. She commented that Mr. Rodriguez would work on the revisions for architecture and Ms. Reeves was working on revisions for interior design.

Mr. Minacci commented that he was currently tracking the probation cases.

New Business

No new business

Old Business

No old business

Adjourn

MOTION: Mr. Gustafson moved to adjourn at 12:50 p.m.

SECOND: Mr. Rodriguez seconded the motion and it passed unanimously.

**General Business Meeting
February 4, 2003**

Board Members Present:

Mary Jane Reeves, Chair
Miguel Rodriguez
Sharon Del Bianco
Rick Gonzalez
Orlando Lopez-Isa
Ellis Bullock
Neil Hall
Kenneth Horstmeyer
Garrick Gustafson

Board Member Absent:

Ivette Planas

Others Present:

Leon Biegalski, Executive Director
Ann Cocheu, Board Counsel
David Minacci, Prosecuting Attorney
Terri Estes, Government Analyst II
Sue Markham
Bill Kobrynich
Rita Scholz
Trent Manausa
Steve Hefner
Susette Crosby
Les Smith
Shelley Siegel
L Dunn-Flispin
Julie Hargrove
Ann Wingate
Scott Shalley

Call to Order

Ms. Del Bianco, Chair, called the meeting to order at 2:33 p.m.

Review and Approval of Minutes

May 8, 2002 General Business Minutes
September 3, 2002 Telephone Conference Call Minutes
October 7, 2002 Telephone Conference Call Minutes
October 22-23, 2002, Committee and General Board Meetings Minutes
November 20, 2002, Telephone Conference Call General Business Meeting Minutes
December 20, 2002, Telephone Conference Call General Business Meeting Minutes

MOTION: Mr. Gonzalez moved to approve the minutes as presented from May 8, 2002 through December 20, 2002.

SECOND: Ms. Reeves seconded the motion and it passed unanimously.

Continuing Education Exemption requests

Letter from Mr. Selzer

Ms. Cocheu reviewed the letter submitted from Mr. Selzer stating he was not physically able to complete the continuing education during the required time frame and requested an extension to complete. Mr. Lopez-Isa commented that Mr. Selzer should place his license in an inactive status. Ms. Cocheu commented that he would not be able to practice if his license is on an inactive status. Mr. Lopez-Isa commented his best option is to place the license on inactive status. Mr. Rodriguez stated he is asking for an extension to allow him to complete the continuing education requirements on the computer system. Mr. Hall commented that he also has an issue with the cost of obtaining the continuing education. Mr. Rodriguez commented that this is an issue of both physical and financial limitation.

MOTION: Mr. Rodriguez moved to grant a 6-month extension to complete his continuing education.

SECOND: Mr. Gonzalez seconded the motion.

Mr. Lopez-Isa stated that the board needed to be consistent. He commented that the board should set a protocol. Ms. Reeves commented that she does not see a problem with him placing his license on inactive status. Mr. Lopez-Isa commented that he could not call himself an architect if his license is on an inactive status. Mr. Manasa commented that if he were not able to complete his continuing education then he would not be able to protect the health, safety, and welfare of the public. Ms. Cocheu commented that they can use the term architect on inactive status, however, they can not practice.

MOTION: Mr. Rodriguez rescinded his original motion and moved to deny the request and explain to the licensee the inactive status only precludes the licensee from working but not retaining the use of the

title and he can reinstate his license when the requirements are complete.

SECOND: Mr. Gustafson seconded the motion.

The motion passed with Mr. Gonzalez opposing.

Letter from Mr. Rios

Ms. Cocheu commented that this request was covered by Chapter 455, F.S., and does not require action from the board.

Continuing Education Provider and Course

Architecture Provider and Course Ratification List

Ms. Del Bianco commented that there were several computer AutoCad courses and she thought the board agreed not to consider these types of courses for continuing education. Mr. Rodriguez commented that they were referring to advanced courses that taught new technologies. Ms. Cocheu commented that the board wanted to look at the lists prior approval and therefore it is before the board. Ms. Estes commented that at the May 2002 meeting the board ratified the entire list and wanted to see future courses that were approved. Mr. Manausa commented that the AutoCad courses were approved for the older practitioners to take the beginner courses to catch-up. Mr. Rodriguez commented either they ratify or not.

MOTION: Mr. Bullock moved to approve the list as submitted.

SECOND: Mr. Rodriguez seconded the motion and it passed.

Mr. Gonzalez was recused.

Robert Daniel - Licensee Seeking Individual Credit

Mr. Rodriguez reviewed the information and stated that this gentleman is submitting a course for individual credit, Architectural Design 3, which is in the normal course curriculum for a NAAB accredited degree and it is a core competency course which the rules prohibit granting credit.

MOTION: Mr. Rodriguez moved to deny.

SECOND: Mr. Lopez-Isa seconded the motion and it passed unanimously.

Pamela Hinson - Licensee Seeking Individual Credit

Ms. Reeves reviewed the information and stated it was a basic AutoCad course.

MOTION: Ms. Reeves moved to deny.

SECOND: Mr. Gustafson seconded the motion and it passed unanimously.

DBPR Customer Contact Center efficiency - FAQ'S

Mr. Lopez-Isa commented that it was a great list and should be sent to NCARB. Mr. Gustafson commented that there were some spelling errors. Mr. Rodriguez commented he would like to clarify that the board regulates threshold building inspectors licensed as architects. Ms. Del Bianco commented that the last question and answer on page 622 should include that the degree should be a 5-year degree in architecture. The board discussed the use of the word and differences between reciprocity and endorsement. Ms. Glispin-Dunn commented that the board should consider reciprocity from state to state with the interior design profession.

Mr. Rodriguez commented on question 10 which should read, "Does Florida have reciprocity with other states?". He suggested changing the answer to read, "No, Florida has endorsement". He continued to state that endorsement is covered in the next three questions. Mr. Lopez-Isa commented that they should reference the Rule where applicable. Mr. Bullock commented that on page 624, where it reads "state" it should include "and jurisdiction". No changes for pages 625-628. Ms. Del Bianco, commented page 629 should include a number 41 as well as include the 3-year degree and experience and FIDER equivalency. Mr. Gustafson commented that on the last sentence they change subjects from first person to second person. Ms. Del Bianco commented that on page 630 the 3-year education and 3-year experience for interior design and the FIDER equivalency should be included.

Mr. Gonzalez commented on page 631, strike county and replace with local jurisdiction. Mr. Gonzalez commented on page 632 to strike the rule reference. The board commented that was a picture of the seal. Mr. Gonzalez commented that on page 633, the word should be they instead of the. Mr. Gustafson commented on page 634, item 1 should be capitalized. Ms. Del Bianco commented that on page 634, question 3, the answer should be separated. Mr. Gustafson commented on page 635, answer 5, should read complete "one" core course. No changes to page 636.

Letter from Richard S. Browdy, Florida Building Commission

Ms. Del Bianco reviewed the letter stating that they were going to keep the core curriculum administrative course and the other core courses would expire. The Commission is asking the board if they agree with the necessity to continue to the core curriculum course. Mr. Rodriguez commented he does not feel that it is necessary to continue. He continued that the core course requirement will continue in this manner and the board can meet the requirements three ways. He stated that it could be included in the licensure examination, develop an examination, or continue with courses. He commented that the statute requires core competency in administration of the code.

Mr. Rodriguez commented that the board could determine that the ARE examination sufficiently tested for this requirement. He commented that an individual needs to know how to utilize, use, and maneuver through the code not memorize. He stated it is an open book test. He commented that the needs for every profession are different.

Mr. Lopez-Isa asked Mr. Rodriguez how California administers the sysmic test. Mr. Rodriguez replied that they have an additional examination. He commented that Oregon has a personal interview. He stated that some states require that individual show competency of the laws and rules by an open book examination.

Mr. Rodriguez commented that the Commission is discussing transferring the authority to the board to make the test or continue with the courses to satisfy the code requirement. He stated that the boards know best what is in the best interest and what is necessary for their profession and licensees.

Mr. Shalley commented that the Commission will establish a minimum criteria and then let the industry bring industry specific elements to the courses for the professions. Mr. Rodriguez would like to get a feel from the board as to what direction they would like to take. Ms. Del Bianco commented that the board does not like the present form or content of the core courses and Mr. Rodriguez can share that information verbally at the next Florida Building Commission meetings.

Mr. Gonzalez left the meeting at 3:45 p.m.

Website and newsletter

The board asked that the newsletter be distributed by mail. Mr. Biegalski was directed by the board to request that the new Secretary consider allowing the newsletter to be mailed. Mr. Biegalski commented that he would approach the new administration regarding the mailing of newsletters. Ms. Reeves recommended that the newsletter be paid for by the unlicensed activity fund. The board expressed the need for the newsletter to be mailed not distributed strictly by the web site. Ms. Del Bianco recommended that broadcast e-mail be sent. Mr. Biegalski stated the only way for the individual to receive the broadcast e-mail is if the individual provides an e-mail address when they activate their online account. The board's consensus was that an individual would not take the time to go to the web site to look for the newsletter.

Strategic Plan (CAB model)

Ms. Del Bianco commented that she would like to see this produced, however, it is not the highest priority.

Unlicensed activity funds previously approved for brochures

Ms. Del Bianco commented that the board gave approval to use unlicensed activity funds for brochures. The board was informed that the department was not able to produce them at the time but would in the future. Ms. Del Bianco asked what was the outcome. Mr. Biegalski stated the funds were delegated to Mr. Minacci's group with the contract.

Meetings: CE/Education Task Force, Building Code, Regional/ National & BOAID

Ms. Del Bianco reviewed and confirmed the future meetings.

IDCEC is scheduled for Milligan Guest House, February 13-16, 2003, in Georgia. Ms. Reeves will attend this meeting. The next NCIDQ meeting is scheduled for November 7-9, 2003, in San Diego, California, they would like 2 interior designers, 2 architects, and an administrator to attend. An IDCEC meeting will in conjunction with that meeting. Ms. Del Bianco commented that Michael Wirtz needed to attend because he was the delegate.

The next board meeting was scheduled for May 22-23, 2003 in Fort Lauderdale, Florida, which will include the continuing education task force. The board scheduled July 30-31, 2003, in Sarasota, Florida, which will include the educator's and will be in conjunction with the AIA meeting. A board meeting was scheduled for October 29-30, 2003, in Orlando, Florida.

Adjourn

MOTION: Mr. Gustafson moved to adjourn at 4:25 p.m.

SECOND: Mr. Hall seconded the motion and it passed unanimously.