

MISSISSIPPI STATE BOARD OF ARCHITECTURE

NEWSLETTER

SPRING 2005

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CONTINUING EDUCATION MANDATORY FOR 2005 RENEWALS AND REINSTATEMENTS

Your Mississippi architectural license will be due for renewal between October 1 and November 30, 2005. To renew your license, you will be required to have completed 24 hours of continuing education. All hours must be in subjects related to safeguarding life or health, or promoting the public welfare. The two year reporting period is from December 1, 2003 through November 30, 2005.

Those applying for reinstatement must have 24 CEUs in a two-year period immediately preceding their application for reinstatement.

Report education units with your renewal or reinstatement application, not now. The online system will allow you to submit the required information electronically when you renew.

The applicable rules can be accessed online. The address is
<http://www.archbd.state.ms.us/pdf/amaneduc.pdf>.

by 11/30/05

TAKE NOTE OF RECENT RULE CHANGES

Effective October 10, 2004, rules were amended to provide that applications for licensure or examination will expire after a six (6) month interval during which there is no activity. The provision will allow the administrative staff to move the application process along more quickly, and to eliminate a backlog of inactive applications.

Effective May 1, 2005, rule 3.02.3 will be amended as follows: "In the case of where the firm name is considered a "trade name", the name of at least one (1) architect licensed in this state must appear ~~directly under the firm name~~ on any announcement, stationary, printed matter or listing. EXAMPLE: ABC Architects and Engineers/John Doe, Architect" If using a trade name, be certain you are in compliance with this requirement.

Rule changes are posted to the Board's website 60 days prior to adoption. Bookmark the website and visit it periodically. Go to http://www.archbd.state.ms.us/rules_law_archives.html.

ARCHITECTS BOUND TO REPORT VIOLATIONS

Rule 4.04.7

A licensee who has knowledge or reasonable grounds for believing that another member of his profession has violated any statute or rule regulating the practice of his profession shall have the duty of presenting such information to the Board.

Rule 4.04.9

An architect possessing knowledge of a violation of these rules by another architect shall report such knowledge to the Board.

According to the statutes and rules regarding architecture in Mississippi, architects are bound to report knowledge of an architect believed to have violated the governing law or rules. One may also report the practice of architecture by unlicensed individuals.

To effectively protect the public's health, safety and welfare, enforcement is crucial. When a complaint is received, it is assigned to an investigatory committee, which consists of one Board member, the Executive Director and the Board's legal counsel. The investigatory committee reports a summary of its findings to the full Board. If it is determined that charges

are warranted, the person whose actions are questioned is granted a hearing before the Board if they are licensed or an applicant, or before the Chancery Court if not.

A complaint form is accessible at http://www.archbd.state.ms.us/complaint_procedure.html.

MAISEL APPOINTED TO IDP NATIONAL COMMITTEES

During 2004, Ralph Maisel, the State Coordinator for the Intern Development Program (IDP), was appointed to serve on two national committees concerning IDP. Mr. Maisel's past experience with IDP began in 1979 when he was appointed to be an advisor for emerging interns. This occurred one year after Mississippi became the first state in the USA to require IDP as a means of documenting the period of internship after graduation. Since then, Mr. Maisel has served as a preceptor to work with 5th year students while developing their thesis projects and then began serving the State Board of Architecture in the early 1990's as IDP State Coordinator. Maisel has attended numerous IDP conferences to stay in touch with evolving requirements in the fields of mentorship and internship.

Mr. Maisel's first appointment was to serve on the Intern Development Program Coordinating Committee (IDPCC). The IDPCC is composed of the collateral organizations that are involved with the IDP process. This committee considers recommendations and ideas to assist in the improvement of IDP. Mr. Maisel represents NCARB on this committee.

His second appointment was to serve on the NCARB IDP Committee, which is an arm of NCARB. This committee considers recommendations made by the IDPCC as well as charges given to it by NCARB at large. During the committee's considerations, it assumes a policy making role and sends its findings and resolutions to NCARB for rulings that become national policy.

Two year tenures are expected for both committees, though there is no term-limit of service. Both committees require extensive participation and input from Maisel. Committee members are given charges to develop and report to each ensuing meeting. Mississippi has a strong voice in the development of our profession on a national level and is well represented by Mr. Maisel

ROLLING CLOCK AND THE ARE (AS REPORTED BY NCARB)

After spirited discussion during NCARB's 2004 Annual Meeting, a majority of Council Member Boards passed a resolution officially creating a "rolling clock" standard for the Architect Registration Examination (ARE). Under the terms of the rolling clock, which was officially implemented on January 1, 2006, candidates for the ARE must pass the nine-division exam within five years. Three transitional rules, which are noted below, will guide this process.

In its statement of support, the P&D Committee noted, "Requiring that all divisions be passed within a reasonable period will better assure that the ARE remains a valid measure of the level of competence necessary to independently practice architecture. While some changes may occur within any five-year period, there is a lower likelihood that applicants will be tested under different forms of administration and methodologies than is the case currently with applicants having unlimited time in which to pass all divisions."

The Chauncey Group International, the Council's test development and operations consultant for the ARE, also supports the rolling clock, suggesting that it is psychometrically appropriate especially as the exam continues to evolve. Unlike other professions (including the legal and accounting fields), architecture did not have a uniform, national rolling clock for examination prior to the passage of this resolution.

Transitional Rules

Three basic rules will guide the implementation of the rolling clock:

- For applicants who have passed all divisions of the ARE by January 1, 2006, regardless of the time taken, such applicants will have passed the ARE.
- For applicants who have passed one or more but not all divisions of the ARE by January 1, 2006, such applicants will have five years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five years, after which time the division must be retaken if the remaining divisions have not been passed. The five-year period shall commence after January 1, 2006, on the date when the first passed division is administered. Divisions passed before January 1, 2006 will not have to be retaken.
- For applicants who have passed no divisions of the ARE by January 1, 2006, such applicants shall be governed by the above five year requirement. The five-year period shall commence on the date when the first passed division is administered.

For more information, go to <http://www.ncarb.org/ARE/index.html>.

BOARD MEMBER ASSIGNMENTS

Board members Jody Coleman and Bill Tompkins have been given national assignments by the National Council of Architectural Registration Boards. They are members of the Architect Registration Examination Subcommittee, which writes, edits, and pretests portions of the ARE.

LICENSURE STATISTICS

	Mississippi	Non-Resident	Total
License Holders	319	1,215	1,534
Applicants	1	13	14
Examinees	47	3	50

ADDRESS CHANGE? CERTIFICATE?

You can make changes to your personal information or print your certificate of standing from the website.

Go to <http://www.archbd.state.ms.us> and click on the appropriate link in the blue box.

UTILIZE OUR WEB ROSTER

Search a roster of active and inactive registrants by license ID, name or city.

<http://www.archbd.state.ms.us/roster.html>

PLAN STAMPING A BREACH OF ARCHITECTURAL CODE OF CONDUCT

Plan stamping occurs when an architect affixes his or her seal to work that he or she did not perform or have responsible control over. To have responsible control, the architect must have direct knowledge of a project's scope, parameters, and requirements. The architect must be in responsible charge of a design from its very inception to completion. While it is common for draftsmen or other unlicensed individuals to assist with projects, the architect must maintain responsible charge of the design and all design decisions.

In the case where a licensed professional has assisted or consulted (for instance, an engineer or landscape architect), the engineer or landscape architect should stamp his or her own work. Any professional who stamps plans should hold a valid license with the appropriate licensing agency in Mississippi.

The statute and rules on seal requirements related to plan stamping are:

Miss. Code Annot. 73-1-35 Each architect, upon registration, shall obtain a seal or stamp of the design authorized by the board as set forth in the rules and regulations of the board. No architect shall affix his or her seal or stamp to any document which has not been prepared under his or her responsible control. The signature of the architect and date of execution shall appear over the seal or stamp on all documents prepared by the architect for use in this state.

Rule 3.02.4 For the purpose of properly identifying drawings, specifications, and contract documents, each architect shall obtain from the Board an individual stamp, of a design approved by the Board to be used as the stamp required by Section 73-1-35 of the registration law. The live signature of the architect and date of execution shall appear over the stamp on all documents prepared by him/her or under his/her supervision for use in the State of Mississippi.

Rule 4.03.2 The registrant shall not furnish limited services in such a manner as to enable unregistered persons to evade federal, state and local building laws and regulations, including building permit requirements.

Rule 4.05.2 An architect shall not sign or seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect; except that (i) he or she may sign or seal those portions of the professional work that were prepared by or under the responsible control of persons who are registered under the architectural registration laws of this jurisdiction if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his or her work, and (ii) he or she may sign or seal portions of the professional work that are not required by the architectural registration law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his or her work. "Responsible control" shall be that amount of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by architects applying the required professional standard of care.

Rule 4.05.5 The registrant shall stamp with his/her seal the following documents:

- All original sheets of any bound or unbound set of working drawings or plans, and
- The original cover or index page(s) identifying all specification pages covered.

Rule 4.05.7 Any portions of working drawings or plans prepared by registered consultants shall bear the seal and the signature of the consultant responsible thereof.

INVESTIGATIONS

2004 7 pending, 33 closed
To date, 2005 6 pending

DISCIPLINARY ACTIONS, MARCH 2004-MARCH 2005

Cease & Desist Orders 15 to unlicensed individuals for practicing or offering architectural services

Architects

Kaufman, James
#3262, Resident of Mississippi
Misrepresentation of facts on website
By Hearing/Final Order of the Board
Public reprimand, \$1,000 fine

Lewis, Dorris Muriel
#2913, Resident of Arkansas
Improper practice as business corporation
By Hearing/Final Order of the Board
Suspended 1 year, \$2,500 fine, probation 2
years following suspension

Northern, Hugh Vernon
#963, Resident of Tennessee
Filing of a false affidavit
By Hearing/Final Order of the Board
Public reprimand, suspended 2 years,
\$1,000 fine

Rosser, Tryon #1154
Ramos, Ricardo E. #3415
Residents of Mississippi
Improper firm advertisement
By Hearing/Final Order of the Board
Public reprimand, \$1,500 fine

Applicants

Cline, Charles A.
Resident of Alabama
Practice on inactive license
By Hearing/Final Order of the Board
Denial of reinstatement, public reprimand,
\$1,000 fine