

Explanation of Proposed Changes to Regulation 11

October 2009

Reg. 11-6

- Deletes requirement to complete IDP prior to taking the ARE, but requires completion of IDP prior to licensure.
- Adds degrees accredited by the Canadian Architectural Certification Board as meeting education requirements. This change reflects 2008 changes to the statute.
- Deletes requirement to start an NCARB record one year before taking the ARE.
- Deletes requirement to wait six months after failing an exam division. However, this requirement still is in effect unless changed by NCARB.
- Changes “year” to “licensure period.”

Reg. 11-7

- Changes “year” to “licensure period.”

Reg. 11-8

- Changes licensure period to two years, changes “year” to “licensure period” and deletes specific dates for license expiration to allow the Dept. of LLR flexibility in adjusting renewal dates if necessary to evenly distribute work loads.
- Allows licenses to be reinstated within the next licensure period by paying the fee and late penalties. If not reinstated by the end of the next licensure period, the applicant must file a new application.

Reg. 11-8.1

- Deletes references to “annual” renewals
- Clarifies exemption from continuing education requirements for individuals on active military duty.
- Eliminates carte blanche acceptance of CE obtained for other state boards. All individuals licensed in SC are subject to audit of the CE requirement and must provide documentation they have met the requirement.
- Adds Emeritus architects to the list of exemptions (a previous oversight)
- Changes the CE requirement for renewal to 24 hours for a biennial licensure period. All 24 CE hours must be in topics related to health, safety, and welfare. This change merely doubles the requirement to reflect the biennial licensure period.
- Deletes previous allowance of 4 CE hours in elective topics related to other areas in the practice of architecture. This change reflects changes made in statutes.
- Changes carry-over to a maximum of 24 hours of CE.
- Clarifies that individuals who are audited must comply with deadlines and requirements.

Reg. 11-10

- Deletes requirement to notify the Board of mailing addresses in each office.

Reg. 11-11

- Deletes “personal” seal which will allow electronic seals for individuals and firms.
- Adds subsection E to clarify circumstances when an electronic seal and signature are permitted to be used. This change reflects modern practices in architecture. Rather than dictate specific encryption software or practices, the Board proposes only that, after an electronic seal and signature have been affixed to a document, any changes are clearly shown, the seal will be removed if unauthorized changes are made, and requires “view only” formats if the document is to be electronically transmitted.

Reg. 11-12

- (B)(4) requires an architect to provide minimum construction administration services for all building that require the services of an architect, including renovations to such buildings. Requires the architect to report lack of CA services to the permitting authority.
- (B)(5) clarifies that any architect licensed in South Carolina may provide the CA services. CA services do not have to be provided by the sealing architect of the project.
- Architects providing CA services must report to the building official, owner, and the sealing architect any code violations or substantial deviations from the contract documents.
- (C)(2) clarifies that architects and firms may not offer or make payment or gifts to a government official with the intent of influencing the official’s judgment regarding a prospective or existing project in which the architect or firm is interested. The previous language was deemed to be overly broad.
- (D)(2) clarifies that architects and firms may not make any gifts with the intent of influencing the judgment of a prospective or existing client regarding a project in which the architect or firm is interested. The previous language was deemed to be overly broad.
- Both of these changes bring the language in line with NCARB Model Regulation language and reflects reaction to concerns expressed to the Board by architects who wish to provide *pro bono* service to worthy causes.

Reg. 11-13

Deletes a requirement related to affidavits to be submitted by architects whose license has been suspended or revoked.

Reg. 11-14

- Requires that applications for reinstatement contain evidence that all conditions and provisions have been met. Removes one-year waiting period for reinstatement requests.