Annual Report FY 11

INTRODUCTION

The profession of architecture is one of the oldest and most respected in the world. The architect as the definer of our built environment bears an enormous responsibility for the comfort and security of our society.

The New Mexico Board of Examiners for Architects (NMBEA) is charged with the duty to “safeguard life, health, and property and to promote public welfare” by reviewing evidence of professional qualification of any person applying to practice architecture in this state. In addition, the agency has the duty to regulate the architectural profession and otherwise enforce the provisions of the New Mexico Architectural Act.

NMBEA is mandated to assure the citizens of New Mexico quality and safety in the professional design of the built environment. The examination and registration of architects, rule making and the enforcement of the N.M. Architectural Act and NMBEA regulations are the means by which this responsibility is achieved.

NMBEA is an executive agency under the Office of the Governor. The Board is a licensing authority operating in accordance with the statutory requirements of the Uniform Licensing Act. NMBEA is a semi-autonomous regulatory agency, in that it is not part of the N.M. Regulation and Licensing Department and operates entirely on the revenues it generates from application and registration fees. NMBEA is responsible for setting its own policies, procedures and regulations. All statutory changes and additions must be approved by the State Legislature.

The operations and duties of NMBEA are overseen by a Board consisting of seven members appointed by Governor Susana Martinez. Six of the Board members must be registered architects having ten or more years of experience in the profession, with one of the six being in architectural education at an accredited college of architecture. The seventh Board member is a public member.

Education is the watchword of much of what NMBEA pursues in thought and action. This includes the education necessary for registrants to comply with registration standards (including continuing education); the education of the public in regards to architectural practice; the education of students and interns to bring awareness of what will be expected of them in fulfilling their requirements for registration; and the education of public officials as to the rules and regulations governing the practice of architecture in New Mexico. The various methods NMBEA uses to educate this wide spectrum of society will be explained further in this report.

PATHWAYS TO ARCHITECTURAL PRACTICE
In New Mexico there are basically two methods through which one may become a registered architect. Stated in the simplest form these are:

- Following the path of the student through obtaining an accredited professional practice degree; registering with the National Council of Architectural Registration Boards (NCARB) to be an intern; passing the national Architectural Registration Examination (ARE); completing the internship training requirements; and applying for licensure through NMBEA;
- After obtaining licensure in another state/jurisdiction one can apply for a reciprocal registration through the NCARB certification program.

The first step for the student is to complete the necessary degree requirements. The N.M. Board of Examiners for Architects, being a member board of the National Council of Architectural Registration Boards, follows the standards as set out in NCARB’s Education Standard.

After obtaining the appropriate degree the student must then satisfy NCARB’s standards of training. This requires enrollment in NCARB’s Intern Development Program (IDP) and fulfilling the requirements as specified in the Handbook of Interns and Architects. It usually takes an intern approximately three to five years to obtain the necessary credit hours for completing internship. This is done by working in the employ of a registered architect.

It is not necessary to complete all IDP requirements to be eligible to take the ARE, the national examination, which is required for all architectural registrants in the United States. Each jurisdiction, such as New Mexico, determines the requirements for taking the ARE. In New Mexico the requirements are:

- Obtain an accredited degree as specified in the NCARB Education Standards, apply for the NCARB internship program (IDP) and obtain an IDP number;
- Once these two requirements are met, an individual may immediately begin taking the ARE.

This examination now consists of seven divisions, which are designed to test a candidate’s knowledge of a broad range of skills and applications. The ARE has been computerized and may be taken at testing centers throughout the U.S. A candidate must successfully pass all divisions before becoming a registered architect.

Reciprocal registration NCARB certification is the method out-of-state architects use to become registered in New Mexico. Certificate holders notify NCARB of their wish to become registered in New Mexico and NCARB then sends on the individual’s application and any other required information to NMBEA. Applications for reciprocal registered are reviewed monthly by NMBEA’s Examination and Reciprocity Committee to ascertain that all requirements for New Mexico licensure are met. If an applicant meets all requirements the Examination and Reciprocity Committee grants provisional licensure pending approval of the full Board at the next regularly scheduled Board meeting.

**SERVICES NMBEA PROVIDES**

Safeguarding life, health and property and promoting public welfare in the practice of architecture requires NMBEA to be involved in a wide spectrum of activities. As
previously mentioned, a major focus for the Board encompasses all aspects of what is required to become a registered architect. And while that is certainly a major determinant in how staff and Board member time is used, as well as the main revenue provider for NMBEA, there are other activities that play a very important role in fulfilling NMBEA’s mission.

**Enforcement**

It is the responsibility of NMBEA to investigate and, if necessary, to prosecute any violations of the N.M. Architectural Act/Rules and Regulations. This includes alleged violations by registrants and non-registrants. Complaints reported to the Board are subject to preliminary investigation by the Board’s investigator. The Rules and Regulations Committee, through its Enforcement Subcommittee, then determines if further action is required. If necessary, a Notice of Contemplated Action is issued by the Assistant Attorney General associated with NMBEA. The matter might then move to a hearing before a Board-appointed Hearing Officer or a Stipulated Agreement may be seen as the appropriate course of action in lieu of issuing a Notice of Contemplated Action or perhaps after an NCA is issued.

The results of a hearing might range from dismissal of the alleged violation(s) to revocation of a registrant’s license. A non-registrant may face a fine as provided for under the Uniform Licensing Act. While the Board does not hesitate to prosecute any valid violation of the N.M. Architectural Act, the general philosophy behind enforcement involving less serious violations is to educate and rehabilitate rather than to simply prosecute and discipline.

In an effort to educate new registrants the Board requires completion of a jurisprudence examination. This open-book exam is based on the N.M. Architectural Act/Rules and Regulations and must be passed before an individual can become licensed.

The enforcement of the N.M. Architectural Act and NMBEA Regulations is often the “proving ground” for the development of statutory changes and new rules. As will most professions, the field of architecture has undergone vast technological change and growth in recent years. With these changes comes the challenge to improve and create new provisions for public protections.

Initially, it is the purview of the NMBEA Rules and Regulations Committee to review new cases and determine an initial course of action through its Enforcement Subcommittee; analyze current rules and regulations; and recommend changes to the NM Architectural Act to the full board. All new rules and regulations must be presented to the public and approved by the Board in accordance with the Open Meetings Act.

**Education**

Through a wide array of education activities NMBEA works to offer information to those associated with the practice of architecture and the general public.

The main conduit of information is the NMBEA web site. This is located at [www.nmbea.org](http://www.nmbea.org). This site offers information and includes a complete copy of the N.M. Architectural Act/Rules and Regulations, as well as a handbook for consumers and several downloadable forms. There is also a roster of all current architectural
registrations. Access to the roster enables the public to ascertain whether the person they are working with is registered to practice architecture in New Mexico. A brief description of disciplinary cases which rose to the level of the issuance of a Notice of Contemplated Action was added in FY 10. The Board and staff are currently assessing the content of the site to determine additional information that should be included on the site.

The site offers educational opportunities for the general public and registrants through articles and continuing education activities.

The Board has also created the Student Observer position. This is a non-voting, voluntary position, which allows a student at the University of New Mexico School of Architecture and Planning to participate in regularly scheduled Board meetings. Meetings with students and the Student Observer are usually coordinated and overseen by the Board’s architect/educator member, however, due to lack of appointment of an architect in architect/educator member position for nearly four years, the tasks have been taken over by the acting director.

**Registrants**

NMBEA offers several services to its registrants. Biennially the Board notifies registrants of their responsibility to renew their license. Staff tracks licensee renewals and inputs new data into the Board’s licensee database.

In January 2000 NMBEA began to require completion of continuing education for New Mexico registrants. This requires a registrant to complete a total of 24 contact hours within a 24-month biennial renewal period. All of the contact hours must be related to public protection subjects that have direct correlation to safeguarding life, health, property and promoting the public welfare. The purpose of continuing education is to have practitioners aware of current technological advances and changes to the practice of architecture. The addition of continuing education requirements means that registrants need to certify fulfilling the specifics of the requirements as well as offering documentation in the event they are audited by the Board.

Registrants are kept informed of changes to the N.M. Architectural Act via communication through emails and the web site.

Another service available to registrants is the option of the continuing education courses offered free of charge on the NMBEA web site. This was the first, free-of-charge interactive online continuing education course created by an agency regulating the practice of architecture in the United States.

Finally, NMBEA staff responds to all inquiries from other jurisdictions whenever a New Mexico registrant is seeking reciprocity registration in another locale. Staff has a working relationship with NCARB in this regard as well.

**Examination Candidates**
Upon completing the requirements for registering for internship with NCARB, an individual is eligible to become a candidate for the Architectural Registration Examination (ARE). The candidate must successfully pass all seven divisions of the ARE before becoming a registered architect.

NMBEA staff track a candidate's exam progress, sending examination scores received from the test entity to candidates, usually through email. Staff also provides answers to exam candidates’ questions and address special needs or concerns candidates may have. NMBEA also works with representatives from NCARB and local chapters of the American Institute of Architects (AIA) to inform candidates of changes to the ARE and IDP.

**Interns**

Interns represent an often-overlooked population within the architectural community. As individuals working for practicing architects, they must concentrate on acquiring all of the necessary credit units to fulfilling their IDP requirements. In addition, with the ability to take the ARE upon completion of the required degree and signing up for the intern program, they may also be studying for the ARE and taking it while working. Given that this is a highly mobile population, it is a challenge for NMBEA to reach out to these individual when new information on the IDP or ARE becomes available.

NMBEA has three main goals regarding interns. The first is to have an up-to-day contact list for interns. The second is to provide current information to interns. This is done by sending out updated information received from NCARB and postings on the NMBEA web site. And, finally, NMBEA staff will follow up on any concerns or questions that interns may have regarding IDP status and the running clock established for the ARE. Basically, the running clock allows five years to complete all divisions of the ARE and begins once an exam candidate passes their first exam.

**NMBEA Infrastructure**

**Board Members**

Working under the direction of Governor Martinez and her office of Boards and Commissions, NMBEA endeavors to enlist its Board members from all areas of New Mexico. Board member positions are voluntary, with reimbursements for attending Board-related meetings in accordance with the New Mexico Per Diem Act. Board members are appointed to three-year terms by the Governor.

The Board consists of one public member, five architect members and one architect/educator member who must be a full-time faculty member of the University of New Mexico School of Architecture and Planning.

The list that follows applied for Fiscal Year 2011:

John Alejandro – Chair, Architect Member
Robert Calvani – Vice Chair, Architect Member
Tomas Mendez – Secretary/Treasurer, Architect Member
Jim Oschwald – Architect Member
Sam Valencia – Public Member
Michael A. Bodelson – Architect Member
Vacant – Architect/Educator Member

Officers for Fiscal Year 2012 are:
Robert Calvani – Chair
Tomas Mendez – Vice Chair
Michael A. Bodelson – Secretary/Treasurer

**NMBEA Committees**

The following are the standing committees for NMBeA, whose members are appointed by the Chair. All committee activities are reported and discussed during regular Board meetings, with the exception of the necessity of certain committee activities being addressed at special meetings of the Board called for extraordinary circumstances. The committee memberships for FY 11 were:

**RULES AND REGULATIONS COMMITTEE**

Chair: John Alejandro
Robert Calvani
Michael Bodelson

**ENFORCEMENT SUBCOMMITTEE:**
Chair: Robert Calvani
Michael Bodelson

The Rules and Regulations Committee responsibilities include: reviewing the N.M. Architectural Act, Rules and Regulations and recommending changes and/or additions to the full Board; and responding to complaints involving the practice of architecture through its Enforcement Subcommittee

**EXAMINATION AND RECIPROCITY COMMITTEE**

Chair: Tomas Mendez
Jim Oschwald

Responsibilities of the Examination and Reciprocity Committee include: review ARE applicants to determine if they are qualified to take the examination and receive licensure following passage of all the exams, and review and recommend Board action on applications for reciprocity. This committee usually meets monthly.

**FINANCE AND OPERATIONS COMMITTEE:**

Chair: John Alejandro
Jim Oschwald
Tomas Mendez

Committee responsibilities include: review all budget matters; review Board operations for efficiency, economy and security; make regular reports on these matters to the Board.

**COMMITTEE FOR PLANNING AND DEVELOPMENT:**

Chair: John Alejandro
Sam Valencia
Board Director

Committee for Planning and Development responsibilities include: developing short and long-term goals for Board consideration and approval; examine ways and methods for improving Board services; and to monitor the impact of architectural regulation and examine ways to increase its effectiveness.

**JOINT PRACTICE COMMITTEE:**

Chair: Robert Calvani
Tomas Mendez

The committee consists of NMBEA, the New Mexico Board of Licensure for Professional Engineers and Professional Surveyors, and the New Mexico Board of Landscape Architects. Board member responsibilities include: attending Joint Practice Committee meetings and reporting to the Board matters discussed at these meetings. The JPC also publishes a Handbook for New Mexico Building Officials and updates this handbook whenever necessary. A new version was published in 2007.

**Board Staff**

The Current NMBEA staff is as following
Wren Propp   Acting Director/Public Relations Specialist
Gina Junge   Administrative Services Coordinator
Rosemarie Quintana   Administrative Assistant

Ms. Propp is the Board’s investigator and information officer, handling all complaint matters. She is also the staff coordinator for all reciprocity, intern and ARE candidate activities. She is staff liaison to the Examination and Reciprocity Committee, the Rules and Regulations Committee and the Joint Practice Committee. She has been serving as acting director since the retirement of former director David Knauer on October 31, 2009. She was named chief financial officer for FY 12 during a special meeting of the Board on June 28, 2011.
Ms. Junge is responsible for maintaining oversight for the needs of the Board’s office operations as well as the day-to-day financial operations of the Board, and coordinates all Board purchases with the Department of Finance and Administration and vendors.

Ms. Quintana facilitates all communication with ARE candidates, provides administrative support for processing reciprocity applicants, prepares materials for quarterly Board meetings, records and disseminates Board meeting minutes and provides research assistance for the Director.

**NMBEA Legal Representation**

NMBEA does not hire legal representation from the private sector. The Office of the Attorney General assigns attorneys to represent and advise the Board. Currently the Assistant Attorney General acting as legal counsel for the Board is Andrea Buzzard. Also, the Office of the Attorney General assigns a civil prosecutor to represent the Board during disciplinary actions against registrants and unlicensed individuals. Prosecutor Gloria Lucero is currently assigned to the Board.

**NMBEA Calendar for FY 11**

August 6, 2010 – NMBEA Board Meeting, Santa Fe, NM
November 5, 2010 – NMBEA Board Meeting, Santa Fe, NM
February 11, 2011 – NMBEA Board Meeting, Santa Fe, NM
May 6, 2011 – NMBEA Board Meeting, Santa Fe, NM
June 28, 2011 – NMBEA Special Board Meeting, Santa Fe, NM

**NMBEA – NATIONAL INVOLVEMENT IN ARCHITECTURE**

While New Mexico’s culture, geography and climate are unique, the state maintains a national commitment and involvement in the regulation of architectural practice. Being involved regionally and nationally benefits New Mexico’s citizens by having someone represent their needs and concerns, as well as ensuring that NMBEA is informed of current trends and policies affecting the practice of architecture.

NMBEA is a member board of the National Council of Architectural Registration Boards (NCARB). The primary purpose of NCARB is to create, and update, the Architectural Registration Examination and to be a clearinghouse for reciprocal registration for all U.S. and Canadian jurisdictions. NCARB also sets the national standards for internship; and promulgates model law on a variety of regulatory issues. NMBEA participates in NCARB activities through its Board members and
staff volunteering for NCARB committees and by attending the annual NCARB meeting.

NMBEA is also a member of the Western Conference of Architectural Registration Boards (WCARB). WCARB, representing twelve western states, is one of the largest of the six U.S. regions comprising NCARB. WCARB was the first regional organization of architectural registration boards in the United States and developed the first standardized architect examination. Here, again, Board members and staff participate in regional activities voluntarily and at the annual regional meeting.

In Fiscal Year 2011, NMBEA members were involved in NCARB and WCARB activities in the following manner:

- Architect Member Jim Oschwald serves on the Committee on Education for NCARB (FY 11)
- Vice-Chair/Architect Member Robert Calvani serves on the NCARB’s Practice Analysis Steering Committee; as chair of the Architect Examination Multiple Choice Committee; as chair of the ARE Multiple Choices Subcommittee; and coordinator for the Practice Analysis Task Force. Mr. Calvani is also an elected member of the WCARB Board of Directors for FY 12.

NMBEA staff participates in other national organizations affiliated with the regulation of professions. For instance, whenever possible staff attends the annual meetings of the Federation of Association of Regulatory Board (FARB). Attending those meetings affords staff the opportunity to take part in seminars, training and networking with other regulator professionals.

**OPERATIONAL PLANNING FOR FISCAL YEAR 2011**

The following list contains an overview of the Board’s objectives for the past fiscal year. Some of the items listed are ongoing and will likely remain so in perpetuity. Other items are projects of a fixed attainability, and should be easily identifiable.

- Provide materials and a brief presentation on the Sunset provision of the New Mexico Architectural Act to lawmakers considering extending the Sunset of the Act for another five years.
- Updated written procedures were the subject of two meetings of staff in an effort to cross-train individuals in the aspects of other staff members’ day-to-day tasks.
- Continue staff training in state-wide computerized systems for all financial transactions and human resource input (SHARE) as well as other areas of knowledge, including risk loss prevention.
- Continue the development of the website and monitor its use.
• As necessary, meet with state and city building officials to discuss questions and concerns relating to the practice of architecture in New Mexico.
• Increase communication with the University of New Mexico School of Architecture and Planning and UNM graduate students and interns working in New Mexico.
• Continue to improve enforcement efforts for violations of the Architectural Act.
• Continue to improve communication with the public, architects, applicants, interns, students and other members of the design and construction community.

**NMBEA Statistics for Fiscal Year 2011**

**Registration (all numbers as of the end of FY 11)**

- Total Number of Active Registrants: 2,207
- In-State Registrants: 728
- Out-of-State Registrants: 1,479

**Total number of registrations since 1931**: 5,048

**New Registrations for the Year**: 119
- Resulting from Examination: 14
- Resulting from Reciprocity: 105

**Historical Perspective: Active Registrants by Year**

- FY 01 = 2,137
- FY 02 = 1,898
- FY 03 = 2,066
- FY 04 = 1,898
- FY 05 = 2,020
- FY 06 = 1,945
- FY 07 = 2,098
- FY 08 = 2,087
- FY 09 = 2,244
- FY 10 = 2,058
- FY 11 = 2,207

**Applicants in the Examination Process**

- Total Applicants in the Examination Process for FY 11: 153

**Historical Perspective: Applicants by Year in the Examination Process**

- FY 01 = 106
- FY 02 = 156
- FY 03 = 135
- FY 04 = 195
- FY 05 = 155
- FY 06 = 125
- FY 07 = 141
- FY 08 = 157
- FY 09 = 173
- FY 10 = 153
- FY 11 = 158
**Enforcement**

*New Cases Involving Registered Architects*  
4

*New Cases Involving Non-Registrants*  
4

*New Cases Involving Applicants*  
7

*Total cases for the year*  
15

**Enforcement – Historical Perspective of Cases**

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**Financial Report**

- **Beginning Fund Balance for FY 11 (July 1, 2010)** $653,975.04
- **Total Revenues for FY 11** $58,380.62
- **Total Expenditures for FY 11** $266,524.46
- **Projected Revenues for FY 12** $650,000.00

The primary source for revenues for NMBEA is license fees. The renewal cycle is on a two-year basis, with renewals occurring by December 31st of every odd-numbered calendar year. The next renewal will be due by December 31, 2011.