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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.

The Board 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, rulemaking and the enforcement of the N.M. Architectural Act and the Board regulations are the means by which this responsibility is achieved.

The Board 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. The Board is an autonomous regulatory agency, it is not part of the state’s Regulation and Licensing Department. NM Board of Examiners for Architects operates entirely on the revenues it generates from application and registration fees. The Board 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 are overseen by a Board consisting of seven members appointed by the Governor. Six of the Board members must be registered architects having ten or more years of experience in the profession, five years of which shall have been in responsible charge of architectural projects and shall have been registered as architects in New Mexico for at least five years. One of the six architects shall be in architectural education in an accredited college of architecture, and one of the six architects shall be from the public sector and not in private practice. The seventh member shall be a public member who is a voting member. The public member of the board shall not have been licensed as an architect, nor shall the public member have any significant financial interest, whether direct or indirect, in the occupation regulated.

Education is 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 the Board uses to
educate this wide spectrum of architecture 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 the
  Board.
- 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 Board, being a member board of the National Council of Architectural Registration Boards, follows the standards as set out in NCARB’s Education Guidelines.

After obtaining a professional degree from a program accredited by the National Architectural Accrediting Board, the individual must then satisfy National Council of Architectural Registration Boards (NCARB) standards of training. The Architectural Experience Program (AXP) is developed and administered by NCARB. Completion of the AXP is a requirement for initial registration. The AXP identifies the tasks that are essential for competent practice. The program is structured to prepare the individual to practice architecture independently upon initial registration.

Each jurisdiction, such as New Mexico, determines the requirements for taking the ARE. In New Mexico the requirements are:
- Obtain an accredited professional degree as specified in the NCARB
  Education Guidelines;
- Apply for the NCARB Architectural Experience Program;
- Apply for eligibility via NCARB to the New Mexico Board.

The ARE consists of six 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 via 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. NCARB then sends out the individual’s certification documentation and any other required information to the Board. Applications for reciprocal registration are reviewed monthly by the Board’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 recommends approval of that applicant to the full Board at the next regularly scheduled Board meeting.

During the fiscal year the Board offered a Broadly Experienced Pathway to licensure. This pathway offers an individual who does not hold an NCARB certificate and is seeking registration through reciprocity as a broadly experienced architect; must hold a current and valid registration issued by the licensing authority of another jurisdiction and have held such registration with no disciplinary action for at least five years. The broadly experienced category applicant shall return to the board a completed application, on a form prescribed by the board, along with other pertinent documents and the application fee. The board shall have the right to institute procedures for the broadly experienced architect process as it deems necessary. Each broadly experienced category applicant shall provide the board evidence of academic training and work experience directly related to architecture and demonstrating minimum competencies as described in 16.30.6 NMAC including, but not limited to, evidence of training or experience.

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 NMBEA are subject to preliminary investigation by the NMBEA’s investigator. The Rules and Regulations Committee, through its Enforcement Subcommittee,
then determines if further action is required. If necessary, the Board requests a Notice of Contemplated Action (NCA) to be issued against the respondent – a task done by the Assistant Attorney General designated as prosecutor for 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 in 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.

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 with most professions, the field of architecture has undergone vast technological changes 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 New Mexico Open Meetings Act.

**Education**

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

The main outlet of information is the NMBEA web site. This is located at [www.bea.state.nm.us](http://www.bea.state.nm.us). This website offers information and includes a complete copy of the N.M. Architectural Act/Rules and Regulations, as well as a handbook for consumers, a handbook for permitting officials, 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. The website provides greater ease of access to the registrants, applicants, and most importantly, the
public. The site offers educational opportunities for the general public and registrants through 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. This fiscal year the position was vacant.

**Registrants**

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

Registrants are required to complete 12 credits of health, safety and welfare continuing education each year of the two-year renewal cycle, for a total of 24 hours. This requirement must be met for registrants to renew their license. The purpose of continuing education is to ensure that practitioners are aware of current technological advances and changes in the practice of architecture.

Registrants are informed of changes to the N.M. Architectural Act/Rules via communication through mail and the website.

Another service available to registrants is the option of the continuing education courses offered free of charge on the NMBEA web site.

The Board is working on the convenience of an online payment gateway system for registrants to apply for and renewal their license electronically.

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 six 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 the Architectural Experience Program (AXP).

**Interns**

Interns represent an often-overlooked population within the architectural community. As individuals working for practicing architects, they must concentrate on acquiring all the necessary credit units to fulfilling their Architectural Experience Program requirements also known as AXP. In addition, with the ability to take the ARE upon completion of the professional degree and signing up for the intern program, they may also be studying for the ARE and taking it while working.

NMBEA seeks to provide current information to interns. NMBEA staff will follow up on any concerns or questions that interns may have regarding AXP status and the rolling clock established by NCARB for the ARE. Basically, the rolling clock allows five years to complete all divisions of the ARE and begins once an exam candidate has taken their first exam.

**NMBEA INFRASTRUCTURE**

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**Board Members**

Working under the direction of Governor Lujan Grisham 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, one of which must be in the public sector and one architect/educator member who must be a full-time faculty member of the University of New Mexico School of Architecture and Planning.

**FY19 Board Members:**

Ms. Tara Rothwell - Board Chair  
Mr. Michael Bodelson- Vice Chair  
Mr. Mark Glenn- Secretary/ Treasurer/ Public Member  
Mr. Geoffrey Adams-Architect Member/ Educator  
Mr. Bob Calvani- Architect Member  
Mr. Jim Oschwald- Architect Member  
Mr. Ray Vigil- Architect Member
NMSEA Committees

The following are the standing committees for NMSEA, whose members are appointed by the Chair. All committee activities are reported and discussed during regular Board meetings, except for the necessity of certain committee activities being addressed at special meetings of the Board called for extraordinary circumstances. The committee memberships for FY 19 were:

RULES AND REGULATIONS COMMITTEE

Chair: Mark Glenn
Bob Calvani
Ray Vigil

ENFORCEMENT SUBCOMMITTEE

Chair: Ray Vigil
Bob Calvani
Mark Glenn

LEGISLATIVE SUBCOMMITTEE

Chair: Bob Calvani
Mark Glenn
Ray Vigil

The Rules and Regulations Committee and Subcommittee 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: Jim Oschwald
Geoffrey Adams
Tara Rothwell

Responsibilities of the Examination and Reciprocity Committee include review ARE applicants to determine if they meet the education and training requirements. If they do, they are approved for licensure following passage of all the exams. The committee also reviews and recommends Board action on applications for reciprocity including the Broadly Experienced Architectural (BEA) applicants. This committee usually meets monthly.
FINANCE AND OPERATIONS COMMITTEE

Chair: Mark Glenn
  Michael Bodelson
  Jim Oschwald

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

PLANNING AND DEVELOPMENT COMMITTEE

Chair: Michael Bodelson
  Geoffrey Adams
  Jim Oschwald

For the past years, this committee has helped provide direction for the Board regarding its future information technology needs. It developed a new strategic plan that ultimately resulted in new internal performance measures for advancement toward greater online accessibility and online license verification for the public, registrants and applicants.

JOINT PRACTICE COMMITTEE

Chair: Ray Vigil
  Michael Bodelson
  Bob Calvani

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 published a Handbook for New Mexico Building Officials and updates this handbook when necessary.

Board Staff

The NMBEA staff as of June 30, 2019:

Melarie Gonzales Executive Director/Chief Financial Officer
Vacant Compliance Officer/Investigator
Kelley Dickerson Business Operations Specialist
Doris Roybal Board Administrator

Ms. Gonzales oversees all aspects of the Board’s operations and finances. She serves as the Board’s liaison with the Joint Practices Committee, Finance and
Operations Committee, and the Planning Committee. She is also on the National Professional Conduct Committee.

Unfortunately, the Board’s compliance officer/investigator, Ms. Holmes, passed away January 2019. During her time with the Board she was the compliance officer/investigator for all complaints reported to the Board and worked as a staff liaison with several Board committees, including the Rules and Regulations Committee, the Enforcement Subcommittee, and the Exam and Reciprocity Committee. Ms. Holmes also oversaw all reciprocity applicant activities.

Ms. Dickerson is the business operations specialist and 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. Roybal is the Board administrator. She prepares materials for quarterly Board meetings, records and disseminates Board meeting minutes and provided research and assistance to the executive director.

All staff members provide service to the public.

**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 was Joseph Dworak. Also, the Office of the Attorney General assigns a civil prosecutor to represent the Board during disciplinary actions against registrants and unlicensed individuals. The Board’s Prosecuting Attorney was Rebecca Parish.

**NMBEA Calendar for FY 19:**
August 24, 2018– NMBEA Board Meeting, Santa Fe, NM
October 19, 2018– NMBEA Board Meeting, Albuquerque, NM
December 14, 2018– NMBEA Board Meeting, Santa Fe, NM
February 01, 2019 – NMBEA Board Meeting, Santa Fe, NM
April 26, 2019 – NMBEA Board Meeting, Las Cruces, 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. jurisdictions. NCARB also sets the national standards for internship and disseminates 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 business meeting.

During Fiscal Year 2019, Board members and staff were involved in NCARB activities in the following manner:

- Board Member, Robert Calvani, is Chair of the Regional Leadership Committee and Chair of the Program Continuum Advisory Committee and has served as a past Director of the Western Council of Architectural Registration Boards (WCARB). Mr. Calvani is also the First Vice President/President-elect. He will become NCARB’s president in July 2020.
- Board Member, Tara Rothwell, is the Secretary/Treasurer of Region 6, WCARB. She is also a member of WCARB’s Region 6, Finance Committee, Education/Program Committee and Resolutions & Laudatories Committee, and the ARE 5.0 Item Development Subcommittee-Programming & Analysis Group.
- Board Secretary/Treasurer, Mark Glenn, is a member of WCARB’s Region 6, Bylaws and Rules Committee.
- Board Member, Jim Oschwald, is a member of the Examination Committee and WCARB’s Region 6, Strategic Plan Task Force Committee. Mr. Oschwald was presented with President’s Gold Medal as the 2019 NCARB Annual Business Meeting.
- Board Member, Ray Vigil, is a member of WCARB’s Region 6, Finance Committee and the Business Continuity Exam Project Planning and Design Workgroup.
- Executive Director, Melarie Gonzales, served on NCARB’s Professional Conduct Committee and became a member of the Certified Government Financial Manager (CGFM) profession.
NMBEA staff participates in other national organizations affiliated with the regulation of professions. For instance, whenever possible the compliance officer/investigator attends trainings sponsored by the Federation of Association of Regulatory Board (FARB). Attending the trainings affords staff the opportunity to network with other regulatory professionals.

**Operational Planning for Fiscal Year 2019**

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

- The Board continues to work towards providing an online payment option to its registrants. Meetings have been held with the Department of Information Technology, the State Treasurer’s Office and Wells Fargo Bank.
- The Board held a Public Rule Hearing on December 14, 2018 in Santa Fe, NM.
  - 16.30.7 NMAC was added expediting licensure for military service members, their spouses and recent veterans including reducing all fees by fifty percent.
- The Board continues to increase communication with the University of New Mexico School of Architecture and Planning and UNM graduate students and interns working in New Mexico.
- The Board continues to increase communication with the National Council of Architectural Registration Boards (NCARB) by attending NCARB meetings and functions to ensure that New Mexico is visible nationally.
- Board members and the Executive Director meet with representatives from the American Institute of Architects New Mexico to address any concerns regarding the profession.
- Continues to improve communication with its registrants, applicants, interns, students, members of the design and construction community, as well as the public.
- Continues to improve enforcement efforts for violations of the Architectural Act.
- Meet with State and City building officials to discuss questions and concerns relating to the practice of architecture in New Mexico.
- The Board continues to provide notifications/ updates to the Public and registrants via the Board’s website.
NMBEA Statistics for Fiscal Year 2019

Registration (all numbers as of 06/30/2019)

| Total Number of Active Registrants | 2,274 |
| In-State Registrants               | 760   |
| Out-of-State Registrants           | 1,514 |

New Registrations for the Year 125

- Resulting from Examination 14
- Resulting from Reciprocity 111
- Resulting from Broadly Experienced Pathway 0

Historical Perspective: Active Registrants by Fiscal Year

| FY 03 = 2,066 | FY 07 = 2,098 | FY 11 = 2,207 |
| FY 04 = 1,898 | FY 08 = 2,087 | FY 12 = 2,065 |
| FY 05 = 2,020 | FY 09 = 2,244 | FY 13 = 2,205 |
| FY 06 = 1,945 | FY 10 = 2,058 | FY 14 = 2,080 |
| FY15 = 2,238   | FY 16 = 2,089 | FY 17 = 2,228 |
| FY 18 = 2,111  | |

Enforcement

- New Cases Involving Registered Architects 13
- New Cases Involving Non-Registrants 8
- New Cases Involving Applicants 14
- Total cases for the year 35*

*This figure represents the number of incidences investigated and referred to the Board’s Enforcement Subcommittee. Seventeen (one complaint involved two licensed architects) incidences resulted in formal complaints. The Enforcement Subcommittee determined that 17 of the incidences reported did not violate the New Mexico Architectural Act.

*Thirty-Five potential disciplinary actions were investigated by the board.
  - Seven cases of practice without a license.
- One case of use of a title without a license.
- One case of false information on an application.
- Two cases of plan-stamping.
- Two case of misconduct.
- 18 Cases were formal complaints with six resulting in disciplinary action; three cases are pending; and nine cases were closed with no disciplinary action.
- 17 potential disciplinary actions were determined to be in compliance with the New Mexico Architectural Act.

**Financial Report**

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<tbody>
<tr>
<td>Beginning Fund Balance for FY 19 (July 1, 2018)</td>
<td>$620,303.59</td>
</tr>
<tr>
<td>Total Revenues for FY 19</td>
<td>$374,465.00</td>
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<tr>
<td>Total Expenditures for FY 19</td>
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<tr>
<td>Projected Revenues for FY 20</td>
<td>$322,100.00</td>
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The Board has evolved and accomplished many of the goals that were formulated in prior fiscal years. Since moving the physical location of the Board into a state-owned building, saves thousands of dollars on rental fees. The Board held a public rule hearing creating a new part seven to the rules for expediting licensure for military service members, their spouses and recent veterans including reducing all fees by fifty percent.

The Board's Executive Director has been working due diligently with Department of Information Technology, the State Treasurer's State Cash Manager, Advanced Network Management (ANM) Consultants and attending monthly PCI meetings to verify the Board will be in full compliance with the State of New Mexico to offer online payments. After the implementation of an SSL certificate the Board's website is now fully secure. As a result, the Executive Director is currently moving in the direction to update the website, the internal architectural database and, after approval from the appropriate entities, start offering the acceptance of on-line payments. End results being that the Board will be updated with all appropriate IT security requirements, offer an updated internal architectural database to assist staff with administrative needs and offer all registrants the opportunity to find the necessary form to complete and pay on-line.

Budget and public awareness remain priorities. “Public awareness” must be keyed to the Board’s primary mission, which is to protect the health, safety and welfare of the public. At least one of the aspects of protection must be built on a greater public awareness that architectural services are only provided by those who are licensed as architects in New Mexico.