

CSI - Ohio

The Common Sense Initiative

Business Impact Analysis

Agency Name: Ohio Architects Board

Regulation/Package Title: Applications/Exam Admission Requirements

Rule Number(s): 4703-1-02 and 4703-2-02

Date: 2/26/2016

Rule Type:

- New 5-Year Review
 Amended Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

The purpose of these changes is to make the application process simpler and to make possible a pilot program allowing students in selected schools of architecture take the exam prior to graduation.

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OAC 4703-1-02, Applications, would be changed to eliminate the requirement that an original transcript from the applicant's university be submitted. Instead, the Board will accept the transcript that is part of the National Council of Architectural Registration Boards (NCARB) Council Record. The cost of transcripts from Ohio schools of architecture ranges from a low of \$3 to a high of \$40 for rush service. The average cost is \$6.75. This change will save applicants time and money. In addition, the elimination of the transcript requirement will also facilitate the implementation of the new licensing database, which is currently being developed. Applications will be accepted online rather than mail. Removing the transcript requirement will also allow for faster approval of online applications.

OAC 4703-2-02, Exam Admissions, proposes to allow students in a pilot program sponsored by the National Council of Architectural Registration Boards ("Integrated Path to Architectural Licensure") to take the Architect Registration Examination prior to graduation. The University of Cincinnati is one of the pilot programs. This change will shorten the time to licensure, without compromising any of the current requirements for licensure. A National Architectural Registration Board (NAAB) accredited professional degree will still be required for initial licensure, as well as completion of the experience requirement ("Intern Development Program"). Participants will take the same exam.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

Revised Code 4703.02 is the authorizing statute for both rules.

3. Does the regulation implement a federal requirement? No.

Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program? N/A

If yes, please briefly explain the source and substance of the federal requirement.

4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement. N/A

5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?

Minimum requirements for licensure have been established by statute. These rules comply with the statute.

6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes? N/A

Development of the Regulation

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7. **Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.** *Stakeholders included in the initial review of the current rules included the Ohio Society, American Institute of Architects, the University of Cincinnati, exam candidates and licensed architects.*
8. **What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?** *See attached spreadsheet and letter from the University of Cincinnati.*
9. **What scientific data was used to develop the rule or the measurable outcomes of the rule?** *N/A* **How does this data support the regulation being proposed?** *N/A*
10. **What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate?** *None.* **If none, why didn't the Agency consider regulatory alternatives?** *N/A*
11. **Did the Agency specifically consider a performance-based regulation? Please explain.** *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.*
N/A
12. **What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?** *The Board is the only entity regulating the practice of architecture.*
13. **Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.**
Stakeholders will be notified via email of the change, which will also be posted on the Board's website.

Adverse Impact to Business

14. **Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:**
 - a. **Identify the scope of the impacted business community;**
Applicants for initial registration by examination.
 - b. **Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and**
There is a one-time \$50 initial fee to apply to take the examination. It takes less than 15 minutes to complete the application.

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c. Quantify the expected adverse impact from the regulation.

The adverse impact can be quantified in terms of dollars, hours to comply, or other factors; and may be estimated for the entire regulated population or for a “representative business.” Please include the source for your information/estimated impact.

The application fee is \$50. It takes less than 15 minutes to complete the application.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

It is the Board’s belief that these changes are essential and will contribute greatly to the future of the profession. The application process will be more customer friendly because it will be online. No fees are being increased. Less paperwork will be required. The fees charged by the Board have not increased in over a decade and are used to support the Board’s operations. The Board is self-supporting; no General Revenue Funds are used.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain. N/A

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation? N/A

18. What resources are available to assist small businesses with compliance of the regulation?

The Board staff is available via phone or email to provide assistance with completing the application and answering applicant questions. In addition, comprehensive information is available 24/7 on the Board’s website.



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TO: Ohio Architects Board

FROM: Alexander Christoforidis, AIA, AICP, LEEDap
Associate Professor, Division of Professional Practice & Experiential Learning

DATE: February 25, 2016

RE: Support for Rule Change - 4703-2-02 – Ohio Administrative Code regarding Architecture Examination admission requirements.

Dear Board Members,

I have reviewed the proposed change to the Ohio Administrative Code section 4703-2-02, regarding eligibility for examination and am in full support of the concept as well as the way in which it is written.

As the faculty member who has directed the cooperative education component of the Master of Architecture program over the last ten years, I am quite familiar with the implications of this rule change, not only on our program here at the University of Cincinnati, but on the architecture profession as a whole.

It is well known within the profession that there is a need to continue to streamline the path to professional licensure without compromising standards. The proposed change of allowing examination to happen within the structure of an academic program is regarded as a key step in the process

Over 95% of students seeking a Master's degree in architecture are intent on becoming licensed architects. The University of Cincinnati has a well established cooperative education program which allows students the opportunity to complete the internship requirement (Intern Development Program) alongside the educational requirement for professional licensure in architecture. The only licensure requirement missing is the Architectural Licensing Exam (A.R.E.). The proposed rule change would allow students to take the A.R.E. in a structured environment, thus eliminating the need to pursue licensure by scheduling study time and examination times around busy work schedules.

The University of Cincinnati is regarded among the top two or three schools of architecture in the nation that is best positioned to offer an integrated path to architectural licensure, and the many contest we are in the best position to do so because we have merged architectural education and practice since the time the school was first established ninety four years ago. The University of Cincinnati is well known for being the birthplace of cooperative education which was first established in 1906 by Dean of the College of Engineering Herman Schneider, who worked in an architecture office during the time he was a student in architectural engineering. Allowing the proposed rule change will help us keep a tradition of proven progressive leadership in architectural education right here in Ohio.

Furthermore, it would make the study of architecture a much more realistic career choice in Ohio because it allows prospective students the opportunity to become licensed architects by age 25 as opposed to the



current average age of over 33. In a time that the number of licensed architects is decreasing, the ability to streamline the licensure process without compromising its integrity will ensure that the profession of architecture will continue to remain strong and to ensure that our built environment will be shaped by those who are best qualified to do so.

I also want to express that we have been very fortunate to have the support of the Ohio Architects Board in all our endeavors. Our students have benefitted over the years through the energetic support of your executive director, and her efforts to ensure that our students are well informed regarding their pursuit of architectural licensure.

Sincerely yours,



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Comments on 2016 Rule 4703-1-02 Review (Current Rule) Names and emails have been redacted.			
Date	Rule Number/Name	Comment	Board Response
11/25/2015	4703-1-02 Applications	Will it increase renewal fees?	No, there will not be any increase in renewal fees.
11/6/2015	4703-1-02 Applications	The process should be streamlined as much as possible; it is currently very unwieldy. This seems to have more to do with fragmentation and lack of a comprehensive outline of the steps involved, but if this can be improved by digitizing,	Thank you.
11/6/2015	4703-1-02 Applications	I like preparing the forms on line. Can the revision keep payment options open so we do not have to trust the security of the web page?	Though I can't say with 100% certainty, I would think that would always be an option. We are a year or more away from online applications. This doesn't apply to renewals; obviously, we are still able to offer paper renewal forms, along with online renewal.
11/6/2015	4703-1-02 Applications	So, the new rule simply makes it possible for the Board to receive applications on-line as well as in writing? If so, bravo!	That is correct.
11/6/2015	4703-1-02 Applications	<i>Thank you for sharing this OAC proposal. I wonder if there's a document which contrasts the proposed changes upon the existing code which could be circulated?</i>	Thank you.
11/6/2015	4703-1-02 Applications	In general the change seems like a good idea, but would we not need to see the new language to fully understand the change?	We will send the actual proposed changes to you after the board has reviewed this round of comments and finalized the changes. We will send the actual proposed changes to you after the board has reviewed this round of comments and finalized the changes.
11/6/2015	4703-1-02 Applications	I think the proposed changes to the Administrative Code Rule 4703-1-02 is long over due.	Thanks.
11/6/2015	4703-1-02 Applications	I have no objection to the online process being considered. Assuring accurate supporting authorized documentation of credentials would be the only issue I see arising from the online process. Sometimes it's easier to falsify an online document than an original.	Thanks.
11/6/2015	4703-1-02 Applications	I would support the modification to allow for online applications for examination and reciprocity. This move would reduce the cost and delay incurred with preparing written applications.	Thanks.

11/6/2015	4703-1-02 Applications	I'm in favor of on-line reciprocity as well as the other functions (renewal, etc) already in place. There must be arguments against but I don't know what they'd be.	Thanks.
11/6/2015	4703-1-02 Applications	How does this affect NCARB files? Most other states I have gotten licensed in accept the NCARB files. This is much easier and does not require updating the rules the state again and again if you accept their files and standards.	Actually, it really has nothing to do with NCARB. We do accept the NCARB Record and Certificate. This is our internal application.
11/6/2015	4703-1-02 Applications	I am in support of changing the existing Ohio Administrative Code Rule 4703-1-02 to allow for on line application for examination and reciprocity. This will simplify to application process and allow for more timely receipt and likely more accurate processing of applications. As a non-resident licensee, I appreciate all efforts to streamline and automate the licensing process	Thanks.
11/6/2015	4703-1-02 Applications	Thank you for the email. Could you describe in depth the statement "(C) The board may require the personal appearance of the applicant at the time and place it designates." I have a 2.5 hour drive to Columbus and wondered when this requirement would be required. For example, is it just for initial licensure or is it at any given time once licensed? Also, for what reasoning would an architect need to make the special trip?	This is the current language. It allows the board to request someone come in for an interview. I have been with the board for 12 years, and the board has <i>never</i> asked anyone to come in for an interview in order to be licensed. This is the type of item that could be eliminated when the rule is revised.
11/6/2015	4703-1-02 Applications	Can you send me the proposed language for the change?	It will not be developed until the board reviews the feedback from the comment period. We will send the proposed revision after the meeting.
11/6/2015	4703-1-02 Applications	This seems like a good modification to implement.	Thanks.
11/9/2015	4703-1-02 Applications	The ability to use an on line application for examination and reciprocity will in my opinion make the process more up to date and user friendly, while not sacrificing any requirements. I would be in favor of new language that will allow that to happen.	Thank you.
1/26/2016	4703-2-02 Exam Admission Requirements	I will study this and see how I could benefit from it. Please advise further if there are specific steps I may take right away.	These changes will not affect you. You have already been admitted to sit for the exam.

4703-1-02 Applications.

(A) ~~All applications for registration must be made on forms furnished by the board.~~ Applications for registration by examination or by reciprocity will be received at all times ~~at the office of~~ by the board.

The application fee must accompany the application.

(B) ~~Each applicant shall submit, or cause to be submitted with the application, authentic proof of the statements made therein, by attaching such documentary evidence, affidavits, registrar's statements, diplomas, employment verification forms, internship records, transcripts issued by the degree-granting authorities, published data, photographs, photocopies or other sworn or proven evidence as, in the discretion of the board, may be sufficient for the board to determine the applicant's eligibility to be admitted to the examination or for consideration of registration by reciprocity pursuant to section 4703.07 or 4703.08 of the Revised Code and rules 4703-2-05 and 4703-2-06 of the Administrative Code.~~

Each applicant shall submit, or cause to be submitted, authentic proof of the statements made within the application. Such proof shall be demonstrated through the submission of an NCARB record containing official transcripts issued by the degree-granting authorities, employment certification forms demonstrating completion of the experience requirement for licensure, and, if applicable, verified status of registration in another jurisdiction.

The board, in its discretion, may require additional published data, photographs, or proven evidence that may be necessary for the board to determine the applicant's eligibility to be admitted to the examination or for consideration of registration by reciprocity.

The board reserves the right to retain, as a permanent part of the application, any or all documents submitted, which shall be properly marked for identification and ownership. Original documents may be replaced by photocopies of such documents at the request and expense of the applicant.

(C) The board may require the personal appearance of the applicant at the time and place it designates.

(D) Failure to comply with the board's request for additional information within sixty days of such request or to appear before the board at the date and time established may be considered as just and sufficient cause for disapproval of the application.

(E) All applications shall be considered and accepted or rejected individually with the action taken on each application recorded in the minutes and an indication of the action taken placed with the application.

The board reserves the right to establish or change the classification under which the applicant is claiming eligibility. A certificate of qualification shall be issued under only one classification.

4703-2-02 Examination admission requirements.

(A) Each applicant shall be at least eighteen years of age and be of good moral character.

~~(B) — All applicants for the examination shall have completed all education requirements at the time the examination is administered and shall have an active NCARB Council Record.~~

An applicant may take the “Architect Registration Exam” following completion of a “National Architectural Accrediting Board” accredited professional degree program, or, prior to graduation if the applicant is enrolled in a “National Council of Architectural Registration Boards” accepted integrated path program within a “National Architectural Accrediting Board” accredited professional degree program and submits verification of such enrollment to the Board.

~~(C) — Other education and experience may be substituted only insofar as the board may require substantiation of the quality and character of the applicant's experience, notwithstanding the fact that the applicant has complied with the technical educational and experience requirements set forth herein.~~