# State Architects Licensure Board May 5, 2021

#### BOARD MEMBERS:

Philip M. Leinbach, RA, President

Theodore Stauffer, Executive Secretary, on behalf of K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs

Darryl R. Hamm, Vice President, Public Member

William J. Bates, RA

Adam Hough, Office of Attorney General, Bureau of Consumer Protection

Mary E. McClenaghan, RA Aram Piligian Jr., RA

Jerry K. Roller, RA, Secretary

20 21

BUREAU PERSONNEL:

C. William Fritz II, Esquire, Board Counsel
Dean F. Picarella, Esquire, Senior Counsel
Tiffany A. Raker, Esquire, Board Prosecution Liaison
Angela B. Lucci, Esquire, Board Prosecutor
Amanda Li, Board Administrator
Andrew LaFratte, MPA, Policy Fellow, Department of

## ALSO PRESENT:

State

Stephen Swarney, JD, American Institute of Architects Pennsylvania

Amal Mahrouki, Director of Legislative Affairs,

American Institute of Architects Pennsylvania
Harry M. Falconer, Jr., Vice President, Experience and
Education, NCARB

Michael J. Armstrong, Chief Executive Officer, NCARB Kate Wingert-Playdon, Associate Dean and Director of Architecture and Environmental Design, Temple University

Rachel Schade, Associate Teaching Professor/Associate Director for Student Placement, Drexel University Department of Architecture Design & Urbanism

Kai Gutschow, Associate Head of Design Ethics, Carnegie Mellon University

Rashida Ng, Associate Professor, Chair, Architecture and Environmental Design, Temple University

# State Architects Licensure Board (Continued) May 5, 2021

#### ALSO PRESENT:

David Kratzer, AIA, NCARB, Director, Architecture Programs, Thomas Jefferson University Alexis McCune Secosky, Director Recruitment and Enrollment, School of Architecture, Carnegie Mellon Winka Dubbeldam, Chair, Miller Professor of Architecture, Architecture Department, University of Pennsylvania

\* \* \* 1 2 State Architects Licensure Board 3 May 5, 2021 \* \* \* 4 5 The regularly scheduled meeting of the State Architects Licensure Board was held on Wednesday, May 6 5, 2021. Philip M. Leinbach, RA, President, called the meeting to order at 9:01 a.m. William J. Bates, RA, was not present at the 10 commencement of the meeting. \* \* \* 11 Roll Call 12 13 [Darryl R. Hamm, Public Member, Vice President, called 14 roll. A quorum was noted to be present.] 15 16 [Theodore Stauffer, Executive Secretary, Bureau of 17 Professional and Occupational Affairs, reminded 18 everyone that the meeting was being recorded, and 19 those who remained on the line were giving their 20 consent to be recorded.] 21 \* \* \* Introduction of Attendees 22 23 [President Leinbach asked Mr. Stauffer to identify 2.4 those in attendance.] 25 \* \* \*

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   Approval of Minutes of the March 10, 2021 meeting
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2
   PRESIDENT LEINBACH:
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                  Our first item of business is approval
 4
                  of the March 10, 2021 meeting Minutes.
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                       Do I hear a motion to approve those
                  Minutes?
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7
   MR. ROLLER:
                  Motion to approve.
9
   MS. MCCLENAGHAN:
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                  Second.
   PRESIDENT LEINBACH:
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12
                  Discussion?
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   [The Board discussed corrections to the Minutes.]
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15
   [William J. Bates, RA, entered the meeting at 9:06
16
   a.m.1
                               * * *
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   PRESIDENT LEINBACH:
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                  President Leinbach, yes; Mr. Stauffer,
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                  yes; Vice President Hamm, yes; Mr.
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                  Bates, yes; Mr. Hough, yes; Ms.
22
                  McClenaghan, yes; Mr. Piligian, yes;
2.3
                  Secretary Roller, yes.
24
    [The motion carried unanimously.]
                               * * *
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1 Report of Prosecutorial Division

- 2 | [Tiffany A. Raker, Esquire, Board Prosecution Liaison,
- 3 presented a Consent Agreement for File No. 19-41-
- 4 017567.1
- 5 \*\*\*
- 6 Report of Board Counsel
- 7 [C. William Fritz II, Esquire, Board Counsel, referred
- 8 | Board members to the Status of Cases for further
- 9 discussion of disciplinary and application cases and
- 10 regulations. He noted no hearings in the immediate
- 11 future. Mr. Fritz requested members to contact him
- 12 with any questions that may come up after the Board
- 13 meeting. A date correction was noted regarding one of
- 14 | the applications.]
- 15
- 16 Applications
- 17 | [President Leinbach noted the applications and a
- 18 | testing accommodations request would be discussed
- 19 during Executive Session.
- 20 \*\*\*
- 21 Report of Commissioner
- 22 | [Theodore Stauffer, Executive Secretary, on behalf of
- 23 K. Kalonji Johnson, Commissioner, Bureau of
- 24 Professional and Occupational Affairs, had no report
- 25 but would welcome questions from Board members.

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President Leinbach commented that Board members
1
2
   have not yet received per diems from the March
3
   meeting. Mr. Stauffer noted the next payment would be
 4
   Friday, May 14, 2021. There would be further
5
   discussion regarding the matter during Executive
6
   Session.
        President Leinbach noted that Mr. Roller's name
   is on the nomination schedule for May 10 but not Ms.
   McClenaghan's and requested an update regarding that
10
   matter. Mr. Stauffer will contact the Governor's
11
   Office regarding the matter.]
12
13
   Report of Board President
14
   NCARB Update
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   [Philip M. Leinbach, RA, President, noted that he made
16
   an executive decision to select Mr. Roller as the
17
   alternate to meet NCARB's deadline in a timely manner.
18
   President Leinbach requested that anyone opposed to
19
   that decision contact him.
20
        President Leinbach noted a special meeting will
21
   be held in May with NCARB concerning approval of a
22
   change to the bylaws so that hybrid business meetings
2.3
   can continue.
2.4
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[Mr. Stauffer was requested to identify additional

attendees who had joined the meeting.] 1 2 3 Appointment NAAB Schools/NCARB Discussion 4 5 [Michael J. Armstrong, Chief Executive Officer, NCARB, 6 started discussion regarding the status of the analysis of practice and reported the first phase of environmental standing of existing written materials and other commentary relative to the status of 10 practice from a variety of sources was completed and 11 is now moving into a focus group and interviewing 12 stage, followed by a surveying stage. He anticipated 13 work would be completed sometime early next year and 14 reports would be issued for review after that time. 15 Armstrong stated this process was done every 16 five to seven years with the intent to get a sense of 17 practice as a snapshot in time, what was happening in 18 practice today by way of tools that NCARB helps create 19 for state boards to use in regulating the path to 20 licensure. Whether the exam was the right to use as a 21 qualifier, the role of experience and education was 22 part of the puzzle. 2.3 Harry M. Falconer, Jr., Vice President, 24

Experience and Education, NCARB, and member of the steering committee for the analysis of practice

offered comments regarding different delivery methods
of today's architecture practice, including licensure,
what architects actually do on a daily basis,
education, code expectations.

2.2

Mr. Falconer commented on the continuum of practice as part of the analysis of practice by trying to reach architects who practice everyday, no matter what size the firm or location. Digital signatures were referred to going forward.

Winka Dubbeldam, Chair, Miller Professor of
Architecture, Architecture Department, University of
Pennsylvania, had discussion regarding the latest
technology available to students at that college and
working with them to be better researchers,
consultants and team members.

Rashida Ng, Associate Professor, Chair,

Architecture and Environmental Design was pleased that
the analysis is seeking to uncover the public's
perception of architecture. Mr. Falconer stated it
was still in the beginning phases as it was put on
hold due to the pandemic but currently being reevaluated.

David Kratzer, AIA, NCARB, Director, Architecture Programs, Thomas Jefferson University, commented on the challenges students are facing when entering the

educational pipeline. Mr. Falconer highlighted some
of the information in a joint publication of
everything you need to know about going to
architecture school which he noted is available on the
website.

2.3

2.4

Kai Gutschow, Associate Head of Design Ethics,
Carnegie Mellon University commented that he supports
many of the ideas presented and further commented that
he was asked to consider social justice as part of
Carnegie Mellon's educational program.

There was discussion with regard to the list of pass rates of Pennsylvania schools when compared nationally as noted on NCARB's website.

Alexis McCune Secosky, Director Recruitment and Enrollment, School of Architecture, Carnegie Mellon, commented that gender and geographic location is important to understand the potential licensure candidate. More money can be earned working in jobs outside of architecture. She suggested that adjusting policies would be key to retaining graduates entering the profession without losing them to technology and project management roles within a firm.

Rachel Schade, Associate Teaching

Professor/Associate Director for Student Placement,

Drexel University, Department of Architecture Design &

Urbanism, commented that enrollment was up at Drexel which was currently at year three of an eight-year accreditation.

2.3

2.4

Kate Wingert-Playdon, Associate Dean and Director of Architecture and Environmental Design, Temple University, believed there were many voices not heard and the link between educating well and finding those voices in practice was really important.

Mr. Hough commented that in this profession he felt that the educators emphasized design, which he said was good, but went on to explain how the technical skills aspect of the profession had been deemphasized.

Ms. McClenaghan commented that there is a drastic difference between the education level of the person who graduated with the five-year rather than any other degree and highly recommended going back to that.

Mr. Hamm commented that he was glad to hear that NCARB is kind of "re-energizing" the perspective or the concern of what the public expects of the profession. He further commented that the public sees the ARE as the main gate to licensure but is not so sure that NAAB accreditation nationwide shares the same success rate.

Mr. Roller commented that he views new graduates

much more positive than some of his colleagues. He stated the graduates are competent and well-educated and eager to learn. He opined that one thing that a school has to teach is design and offered further comment on that.

Ms. Winka Dubbeldam further opined that visualization and technology is really important.

Mr. Bates offered comment that the wide spectrum of talent coming through the high schools should be recognized and there should be a way to channel these students into the right program. He opined that hiring diverse students and elevating them in a practice is also important.

President Leinbach suggested that once pandemic restrictions are lifted, that the Board conduct its meetings in other parts of the Commonwealth along with NCARB representatives for further discourse.]

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19 [The Board recessed from 10:45 a.m. until 11:00 a.m.]

20 \*\*\*

21 AIA Presentation

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22 | [Stephen Swarney, JD, American Institute of Architects

23 Pennsylvania, opined that students should have a

24 better understanding of the cost of education, entry

25 | level salaries, and the issues surrounding the

- profession from a legislation and regulatory
  standpoint. He noted progress was being made on the
  Statute of repose and work was being done to reduce
  that down to a more reasonable six years. He stated
  the interior design bill did drop, but the
  encroachment committee had been reactivated and would
  act appropriately going forward. Mr. Swarney
  indicated that he appreciated the relationship with
  - Amal Mahrouki, Director of Legislative Affairs,
    American Institute of Architects Pennsylvania,
    commented that she enjoys participating in the Board
    meetings and takes much of the discussion back to be
    included in the newsletter.

the Board.

- Ms. Mahrouki stated three issues were brought up at the Architect Tele-Action Day which was recently held in March, including the statute of repose legislation which would reduce the statute of repose in Pennsylvania from 12 years to 6 years, the anti-indemnification bill currently in the House which would require everyone to be responsible for their own negligence and the importance of high-performance building.
- Ms. Mahrouki indicated the Review and Advisory Council under Labor and Industry did complete its

- 1 | review and finalized a report of the 2018 ICC Code.
- 2 | She noted it was anticipated the code would be adopted
- 3 | into the Uniform Construction Code around February of
- 4 2022. There were questions and comments regarding the
- 5 matter.
- 6 Ms. Mahrouki talked about HB 1258, the Interior
- 7 Design Licensure Bill that the practice encroachment
- 8 task force is reviewing and which was referred to the
- 9 House Consumer Affairs for assessment.
- 10 President Leinbach asked for AIA-PA's position on
- 11 the resolutions he had sent over that would be voted
- 12 on at the annual NCARB meeting. Ms. Mahrouki will
- 13 discuss the matter further internally before offering
- 14 | feedback but further commented that every bill
- 15 reviewed is focused first on health, safety and
- 16 | welfare by the government affairs committee and 11
- 17 | subcommittees.
- 18 There was discussion regarding why national chose
- 19 not to rejoin ARPL.]
- 20 \*\*\*
- 21 Report of Board President (Continued)
- 22 | [President Leinbach noted the following candidates for
- 23 the NCARB Board of Directors: Bayliss Ward, for First
- 24 | Vice President/President Elect; Jon Baker Second vice
- 25 | President; Ken Van Tine, Treasurer; and Ed Marley for

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15
   Secretary. The nominees for the Director position are
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2
   Janet Hansen, Region One; Philip Leinbach, Region Two;
3
   Richard McNeel, Region Three; John Rademacher, Region
4
   Four; David Hornbeek, Region Five; Sylvia Kwan, Region
5
   Six; Kathy Evans, from the MBE community, member board
6
   executive; Gary Ey from the public member community,
   public director.
   PRESIDENT LEINBACH:
                 If I could have a motion for a voting
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                 delegate and alternate to the Annual
11
                 Meeting.
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   MR. HAMM:
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                 I move that Phil Leinbach be our voting
14
                 delegate.
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   PRESIDENT LEINBACH:
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                 I'll accept that nomination. Is there a
17
                 second?
   MR. BATES:
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19
                 Second.
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   PRESIDENT LEINBACH:
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                 Bill Bates with a second. We'll just do
22
                 an acclamation vote with the raise of the
2.3
                 hand if in favor?
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   [ALL HANDS RAISED]
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                              * * *
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16 1 PRESIDENT LEINBACH: 2 I'd like a motion for a delegate to be 3 named as an alternate to the voting 4 delegate. 5 MR. HAMM: 6 I was going to suggest keeping with the earlier resolution on the electronic meeting, let's make Jerry Roller the 8 9 alternate for this purpose. 10 PRESIDENT LEINBACH: 11 Do I have a second? 12 MR. BATES: Second. 13 14 PRESIDENT LEINBACH: 15 Again, vote by acclamation with the raise 16 of hands to approve Jerry as the 17 alternate? [ALL HANDS RAISED] 18 19 PRESIDENT LEINBACH: 20 Anybody opposed? Mr. Roller is our 21 alternate. \* \* \* 22 23 NCARB Region 2 Activity Update 24 [President Leinbach noted "things have been quiet" but 25 will notify members when the regional summer meeting

1 is scheduled.]

2 \*\*\*

- 3 NCARB Discussion
- 4 Public Member Update
- 5 | [Darryl R. Hamm, Public Member, Vice President, had
- 6 nothing new to report.]
- 7
- 8 PA Board Initiatives
- 9 [Jerry K. Roller, RA, asked members to contact him
- 10 with any requests for the newsletter.
- 11 President Leinbach suggested a paragraph about
- 12 the expansion of the analysis of practice to take a
- 13 look at the public perception of the practice.]
- 14
- 15 | Proposed Resolutions
- 16 | [President Leinbach noted that Resolution 2021-01
- 17 | would be discussed at the meeting in May. He
- 18 commented that Resolution 2021-02 is a housekeeping
- 19 | item regarding international applicants.
- 20 President Leinbach stated Resolution 2021-03 is
- 21 | additional certification guidelines cleanup and also
- 22 | relates to international applicants. He noted that
- 23 Resolution 2021-04 is with regard to interior design
- 24 licensing, and the position of the Board of Directors
- 25 of NCARB is to strike this resolution from 2000. The

18 Board can take the position to oppose or support it or 1 2 amend it. President Leinbach was in favor of the 3 resolution as presented by NCARB. Board members offered comments.] 4 5 PRESIDENT LEINBACH: 6 Mr. Hamm, I'm going to ask you to call 7 the roll. And your vote is yes to support the resolution as presented in 8 9 the information from NCARB and no would 10 be in opposition to that. If that is the 11 prevalent choice of this Board, then as 12 your voting delegate I would be voting on 1.3 that resolution when it comes up for 14 vote. 15 16 Mr. Hamm called the roll as follows: 17 18 President Leinbach, yes; Mr. Stauffer, 19 abstain; Vice President Hamm, yes; Mr. 2.0 Bates, no; Mr. Hough, no; Ms. 21 McClenaghan, no; Mr. Piligian, yes; 22 Secretary Roller, no. 2.3 PRESIDENT LEINBACH: 2.4 Thank you, Mr. Hamm. The position of 25 this Board is to vote no on the

resolution by a vote of 4/3 with one abstention.

President Leinbach stated he would vote the will of the Board but asked members to trust his judgement in the event an amendment is presented.

\* \* \*

[President Leinbach stated Resolution 2021-05 is the model law regulation update and he is in support of moving it forward. Resolution 2021-06 is a vote to sunset the list of resolutions that have timed out and have no impact any more.

Resolution 2021-07 is a regulation regarding limiting time on the Board of Directors to two years for regional director positions. Members offered comments.]

\* \* \*

#### 18 PRESIDENT LEINBACH:

Since we have had some opposing opinion on this I think we should also do a roll call up and down on this. A yes would be to support the resolution, a no vote would be to oppose it.

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Mr. Hamm called the roll as follows:

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President Leinbach, no; Mr. Stauffer, abstain; Vice President Hamm, no; Mr. Bates, no; Mr. Hough, no; Ms. McClenaghan, yes; Mr. Piligian, no; Secretary Roller, no.

PRESIDENT LEINBACH:

Thank you, Mr. Hamm. Pennsylvania will be voting on this as presented. If there is an amendment, again I will use my best judgment. The vote was 6/1 to not support the resolution with one abstention.

2.3

\* \* \*

[President Leinbach stated Resolution 2021-08 relates to a reduction of national NCARB dues from \$6,500 to \$1,000 per year per jurisdiction, which he supported.

President Leinbach also referred to a resolution to restructure which was tabled. He explained this is focused around the thought that the governance of the board needs to be looked at by an independent third party that deals with board governance.

The restructuring proposed is the elimination of the second vice president position and combining the secretary and treasurer positions to create two at-

1 large positions. The creation of a nominating

2 committee would receive nominations for the at-large

3 positions which would then be reviewed by the board

4 and put forth from the nominating committee to the

5 membership to vote at the annual meeting.

President Leinbach opined that he is not opposed to board restructuring, but wants it done the right way. Members had comments regarding the matter.

President Leinbach noted he was appointed to be the NCARB Board of Directors representative on the lineup board. He explained that lineup is software that NCARB developed as a 501(c)(6) and for-profit arm of that board which allows it to have a business component.]

15

16 | NCARB Correspondence

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17 | [President Leinbach had discussion with regard to the

18 most recent correspondence received yesterday

19 regarding an announcement on the ARE update.]

2.0

21 Discussion Item

22 | Veteran's Licensure Report

23 [President Leinbach referred members to the Veteran's

24 Licensure Report in the packet for further discussion.

25 | Board members agreed not to have a presentation

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22
   regarding this study.]
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   Report of Board Administrator
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   [Amanda Li, Board Administrator, reported that
   approximately 2,000 licensees renewed since Friday
   evening.]
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                              * * *
   [Pursuant to Section 708(a)(5) of the Sunshine Act, at
   12:29 p.m. the Board entered into Executive Session
10
   with C. William Fritz II, Esquire, Board Counsel, for
11
   the purpose of quasi-judicial deliberations.
                                                    The
12
   Board returned to open session at 1:03 p.m.]
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                              * * *
14
   MOTIONS
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   MR. FRITZ:
16
                  The Board met in Executive Session to
17
                  conduct quasi-judicial deliberations in
18
                  the following matter.
19
                        The Board would entertain a motion
20
                  to approve a Consent Agreement at Case
21
                  No. 19-41-017567.
22
   PRESIDENT LEINBACH:
2.3
                  Is there a motion?
2.4
   MS. MCCLENAGHAN:
25
                  So moved.
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23 1 PRESIDENT LEINBACH: 2 Mary makes the motion. And Jerry, I'll 3 take you as a second? MR. ROLLER: 4 5 Second. 6 PRESIDENT LEINBACH: Any discussion? Hearing none, Mr. Hamm, 8 will you call the roll? 9 10 President Leinbach, yes; Mr. Stauffer, 11 yes; Vice President Hamm, yes; Mr. 12 Bates, yes; Mr. Hough, yes; Ms. 13 McClenaghan, yes; Mr. Piligian, yes; Mr. 14 Roller, yes. 15 [The motion carried unanimously. The Respondent's 16 name is Dale A. Appleby, RA.] \* \* \* 17 MR. FRITZ: 18 The Board would also entertain a motion 19 2.0 to provisionally deny the Reciprocal 21 Licensing Applications filed by 22 Christopher Cooke and John Neitzel. 2.3 PRESIDENT LEINBACH: 24 Is there a motion? MS. MCCLENAGHAN: 25

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24
                  I motion.
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   PRESIDENT LEINBACH:
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                  Mary makes a motion. Second?
   MR. BATES:
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5
                  Second.
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   PRESIDENT LEINBACH:
                  Bill Bates. Discussion? Hearing none,
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                  Mr. Hamm, would you please call the
9
                  roll?
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11
                  President Leinbach, yes; Mr. Stauffer,
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                  yes; Vice President Hamm, yes; Mr.
13
                  Bates, yes; Mr. Hough, yes; Ms.
14
                  McClenaghan, yes; Mr. Piligian, yes; Mr.
15
                  Roller, yes.
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   [The motion carried unanimously.]
                               * * *
17
   MR. FRITZ:
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19
                  The Board would entertain a motion to
20
                  approve the Reciprocal Licensing
21
                  Application of Jeffrey Howell.
22
   PRESIDENT LEINBACH:
23
                  Is there a motion?
2.4
   MR. BATES:
25
                  So moved.
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25 MR. ROLLER: 1 2 Second. 3 PRESIDENT LEINBACH: 4 And I think that was Jerry with the 5 second? 6 PRESIDENT LEINBACH: Any discussion? Hearing none, Mr. Hamm, 8 would you please call the roll? 9 10 President Leinbach, yes; Mr. Stauffer, 11 yes; Vice President Hamm, yes; Mr. 12 Bates, yes; Mr. Hough, yes; Ms. 13 McClenaghan, no; Mr. Piligian, yes; Mr. 14 Roller, yes. 15 [The motion carried.] \* \* \* 16 17 MR. FRITZ: 18 The ARE Testing Accommodation Request 19 filed by Ms. Foster. I believe the 2.0 Board is going to table this application 2.1 until we are able to get more complete 2.2 information filed by Ms. Foster 2.3 regarding questions that the Board had. 2.4 Ms. Li, the Board Administrator, 25 has already communicated to her. And

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26
                  when that information is forwarded to
1
2
                   the Board, we'll resubmit this
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                  application for approval at the
 4
                   subsequent Board meeting.
                               * * *
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   Adjournment
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   PRESIDENT LEINBACH:
                   Is there a motion to adjourn?
   MR. BATES:
10
                  Motion.
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   MR. PILIGIAN:
12
                   Second.
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   PRESIDENT LEINBACH:
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                  Bill Bates. And I think I saw Aram with
15
                  the second?
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   [The motion carried unanimously.]
                               * * *
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   [There being no further business, the State Architects
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   Licensure Board Meeting adjourned at 1:08 p.m.]
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### CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.

Derek Richmond,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

# STATE ARCHITECTS LICENSURE BOARD REFERENCE INDEX

#### May 5, 2021

6 7	TIME	AGENDA
8 9	9:01	Official Call to Order
10 11 12	9:02	Roll Call/Introduction of Attendees
13 14 15 16	9:07	Approval of Minutes
	9:08	Report of Prosecutorial Division
17 18	9:18	Report of Board Counsel
19 20	9:21	Report of Commissioner
21 22	9:25	Report of Board President
23 24	9:30	Introduction of Additional Attendees
25 26 27 28 29 30	9:35	Appointment -NAAB Schools/NCARB Discussion
	10:45 11:00	Recess Return to Open Session
31 32	11:00	AIA Presentation
33 34	11:40	Report of Board President (Continued)
35 36	11:55	PA Board Initiatives
37 38	12:10	Report of Board President (Continued)
39 40	12:25	Discussion Item
41 42	12:27	Report of Board Administrator
43 44 45	12:29 1:03	Executive Session Return to Open Session
46 47	1:03	Motions
48 49 50	1:08	Adjournment