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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE ARCHITECTS LICENSURE BOARD
VIA VIDEOCONFERENCE**

TIME: 8:31 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

November 12, 2020

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State Architects Licensure Board
November 12, 2020

BOARD MEMBERS:

- Philip M. Leinbach, RA, President
- Theodore Stauffer, Executive Secretary, Bureau of Professional and Occupational Affairs, 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

BUREAU PERSONNEL:

- C. William Fritz II, Esquire, Board Counsel
- Tiffany A. Raker, Esquire, Board Prosecution Liaison
- Ray Michalowski, Esquire, Senior Board Prosecution Liaison
- Amanda Li, Board Administrator
- Cynthia K. Montgomery, Esquire, Deputy Chief Counsel/Regulatory Counsel, Department of State
- Andrew LaFratte, MPA, Policy Fellow, Department of State

ALSO PRESENT:

- Amal Mahrouki, Director of Legislative Affairs, American Institute of Architects Pennsylvania
- Anthony S. Potter, Esquire, American Institute of Architects Pennsylvania
- Daniel Hogan, RA, American Institute of Architects
- Michael J. Armstrong, CEO, National Council of Architectural Registration Boards
- Joshua C. Batkin, Vice President of Council Relations, National Council of Architectural Registration Boards
- Rachel Schade, Associate Teaching Professor/Associate Director for Student Placement, Drexel University Department of Architecture Design & Urbanism
- Stephen M. Swarney, Executive Director, American Institute of Architects Pennsylvania

State Architects Licensure Board
November 12, 2020

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ALSO PRESENT: (Continued)
Bruce R. Johnson, RA, American Institute of Architects
Pennsylvania
Alexis McCune Secosky, Architect Licensing Advisor,
Carnegie Mellon University
Fauzia Sadiq Garcia, RA, LEED AP, Assistant Professor
of Instruction, Temple University
Kate Wingert-Playdon, Associate Dean and Director of
Architecture and Environmental Design, Temple
University

1 State Architects Licensure Board

2 November 12, 2020

3 ***

4 The regularly scheduled meeting of the State
5 Architects Licensure Board was held on Thursday,
6 November 12, 2020. Philip M. Leinbach, RA, President,
7 called the meeting to order at 8:31 a.m.

8 ***

9 [President Leinbach recognized Veterans Day and
10 thanked all those who served and currently actively
11 serving our country.]

12 ***

13 Roll Call

14 [A roll call be taken. A quorum was noted to be
15 present.]

16 ***

17 Introduction of Audience Members

18 [President Leinbach requested visitors identify
19 themselves.]

20 ***

21 [Theodore Stauffer, Executive Secretary, Bureau of
22 Professional and Occupational Affairs, reminded
23 everyone that the meeting was being recorded, and
24 those who remained on the line were giving their
25 consent to being recorded.]

1 ***

2 Approval of minutes of the September 10, 2020 meeting

3 PRESIDENT LEINBACH:

4 We have the minutes attached to our
5 agenda for our September 10, 2020 Board
6 meeting.

7 Are there any questions or comments
8 on those or a motion to accept those as
9 submitted?

10 MR. PILIGIAN:

11 I motion to accept.

12 MR. BATES:

13 Second.

14 PRESIDENT LEINBACH:

15 We have an approval from Aram and a
16 second from Bill Bates. Are there any
17 questions or any discussion? Hearing
18 none. Mr. Hamm, could you call the
19 roll?

20
21 Mr. Leinbach, yes; Mr. Stauffer, yes;
22 Mr. Hamm, yes; Mr. Bates, yes; Mr.
23 Hough, yes; Ms. McClenaghan, yes; Mr.
24 Piligian, yes; Mr. Roller, yes.

25 [The motion carried unanimously.]

1 ***

2 Report of Prosecutorial Division

3 [Tiffany A. Raker, Esquire, Board Prosecution Liaison,
4 had nothing to report but offered to answer questions
5 from Board members. She noted two hearings later in
6 the meeting.]

7 ***

8 Report of Board Counsel

9 [C. William Fritz II, Esquire, Board Counsel, provided
10 a status of cases report for the Board's review. He
11 stated items 1 and 7 had been closed and item 6 would
12 be scheduled. He noted no current disciplinary files.
13 He also noted the legislative initiative for
14 continuing education (CE) was at the North Office
15 Building (NOB) to be reviewed. He continues to work
16 on general revisions, electronic seals and signatures
17 regulation, and Act 41.

18 Mr. Fritz mentioned receiving comments from the
19 Independent Regulatory Review Commission (IRRC)
20 concerning the electronic seals regulation and the
21 need for further Board discussion. He stated the
22 Board of Professional Engineers, Land Surveyors, and
23 Geologists, and the Board of Landscape Architects had
24 the same regulation.

25 Mr. Fritz addressed the security of signatures

1 and seals, where licensees are required to use a
2 secure program that allows for secure signing and
3 sealing of plans.

4 President Leinbach mentioned Acrobat Pro from
5 Adobe, where a digital encryption signature function
6 locks a document from being opened or edited once the
7 document is signed. He noted the current regulations
8 would stand for prosecuting the improper use of a
9 seal, a rubberstamp, or the embossing seal. He also
10 noted the architect's responsibility to ensure their
11 seal and signature are secure by using the appropriate
12 software.

13 Mr. Bates referred to the letter from IRRC in
14 Section 3 inquiring as to the responsibilities and
15 obligations of an architect whose digital seal had
16 been compromised or stolen and requested further
17 information.

18 Mr. Fritz recommended the licensee inform the
19 Board of a stolen stamp or seal, which he had
20 explained to IRRC and would have in writing.

21 President Leinbach addressed § 9.146, where it
22 references theft of seals and the protocol that takes
23 place regarding emboss, wet seal, or an electronic
24 seal.

25 Mr. Fritz will reference back to § 9.146

1 regarding IRRC's comments.

2 President Leinbach requested the Board review the
3 IRRC letter and forward any questions or comments to
4 Mr. Fritz by Thanksgiving to allow adequate time to
5 get a response back to IRRC before the next Board
6 meeting.]

7 ***

8 Applications

9 [Philip M. Leinbach, RA, President, noted no
10 applications on the agenda this month.]

11 ***

12 Report of Commissioner - No Report

13 ***

14 Report of Board President

15 [Philip M. Leinbach, RA, President, addressed the
16 National Council of Architectural Registration Boards
17 Architect Registration Examination correspondence
18 regarding online proctoring use of scratch paper.

19 President Leinbach informed the Board that online
20 proctoring had been pushed back to December 14, 2020,
21 with the plan to use an electronic whiteboard in lieu
22 of physical scratch paper for consistency between exam
23 locations via a remote-proctored environment or the
24 test center environment.

25 President Leinbach noted additional

1 correspondence, including the National Council of
2 Architectural Registration Boards (NCARB) Fast Facts
3 for the Board's review.]

4 ***

5 Report of Board President - Miscellaneous

6 PRESIDENT LEINBACH:

7 Nominations are open for the calendar
8 year 2021. I will first ask for
9 nominations for Board president.

10 MR. HAMM:

11 Mr. President, I nominate Philip
12 Leinbach.

13 PRESIDENT LEINBACH:

14 So everybody is aware, my term expires
15 on May 8 of the coming year. There is a
16 6-month service time until the successor
17 qualifies. I gladly accept the
18 nomination with the understanding that
19 the Board is fully aware that beyond
20 that date should another member be
21 appointed, then we would fall back to
22 the statute, which would require that
23 vacancy then be filled by election of
24 the current Board members.

25 If the Board is amenable to that,

1 the 6 months would take us up to the
2 beginning of November, and considering
3 how quickly tongue-in-cheek things have
4 moved in the past with nominations, I
5 would imagine I would be on for at least
6 a meeting or two beyond that May 8 date.
7 That is my long answer for an acceptance
8 of the nomination.

9 Are there any other nominations for
10 president? Hearing none.

11 Nominations for vice president. I
12 would move to nominate Darryl Hamm to
13 continue as Board vice president.

14 Are there any other nominations?
15 Nominations are closed for vice
16 president.

17 Nominations for Board secretary. I
18 would move to nominate Mr. Roller to
19 continue as Board secretary for next
20 year.

21 Any other nominations for Board
22 secretary? Nominations are closed for
23 president, vice president, and
24 secretary. Since there are no contested
25 races, Mr. Hamm would you please call

1 the roll?

2

3 Mr. Leinbach, yes; Mr. Stauffer, yes;
4 Mr. Hamm, yes; Mr. Bates, yes; Mr.
5 Hough, yes; Ms. McClenaghan, yes; Mr.
6 Piligian, yes; Mr. Roller, yes.

7 [The motion carried unanimously.]

8

9 Report of Board Administrator

10 [Amanda Li, Board Administrator, noted the
11 Pennsylvania State Architects Licensure Board 2020
12 Newsletter had been sent to all registered architects
13 a few weeks ago.

14 President Leinbach questioned whether there was
15 any open training for Board members so nobody falls
16 delinquent. Ms. Li was not aware of any outstanding
17 training but would provide information to Board
18 members regarding any training to be completed.

19 Mr. Hamm complimented and thanked Mr. Roller on
20 an outstanding job on the newsletter, noting the
21 newsletter was easy to read and informative. He
22 offered to write an article to strike up some interest
23 in the community to get public members for all of the
24 licensing boards.

25 Mr. Roller noted individuals from the American

1 Institute of Architects Pennsylvania (AIA PA) are
2 present and questioned whether AIAPA could generate
3 interest in people willing to serve as public members,
4 most likely from the central Pennsylvania area, so
5 when in-person meetings resume it was not an
6 inconvenience. He also questioned whether Board
7 members knew somebody who would be willing to serve as
8 a public member and suggested having them apply.

9 President Leinbach stated the Board had been
10 pressing to get that other public member's seat filled
11 for several years. He mentioned that Mr. Hamm's time
12 would end in 2022 and perhaps could be filled by
13 someone already interested and lined up. He noted any
14 mechanism via a newsletter, AIA PA, and NCARB would be
15 appreciated as well.]

16 ***

17 American Institute of Architects Update
18 [Amal Mahrouki, Director of Legislative Affairs,
19 American Institute of Architects Pennsylvania,
20 addressed the comments regarding Board appointments.
21 She stated it is AIA's intention to come up with a
22 roster for potential public and professional members
23 for appointment. She noted it to be a priority of the
24 Government Affairs Committee as well as their Board to
25 find that roster and would be examining professional

1 and public members through some of their other
2 committees.

3 Ms. Mahrouki addressed Senate Bill 30, which was
4 introduced by Senator Killion and signed by the
5 Governor on November 4, 2020, and became Act 107 of
6 2020 establishing the Pennsylvania Housing Tax Credit.
7 She noted AIA did advocate for this all session,
8 noting it to be a step in the right direction and
9 another tool for architects to use with clients to
10 find incentives for affordable housing.

11 Ms. Mahrouki addressed House Bill 1887, which is
12 an anti-indemnification act bill introduced by
13 Representative Driscoll requiring all parties to be
14 responsible for their own negligence. She stated it
15 protects against the unjust indemnification clause and
16 the design professional contract, where an architect
17 or engineer is forced to indemnify another party. She
18 mentioned that the bill did make it out of committee
19 and was in the House on first consideration.

20 Ms. Mahrouki noted AIA's Legislative Survey would
21 soon be published and encouraged all members to take
22 part in that survey. She emphasized the importance of
23 setting the stage for legislative priorities for the
24 next 2 years.

25 Ms. Mahrouki welcomed the Board to tune into the

1 virtual awards presentation on Thursday, November 19,
2 2020, at 8 p.m. We hope you all tune in.

3 Stephen M. Swarney, JD, Executive Director,
4 American Institute of Architects Pennsylvania, noted a
5 good conversation with Michael Armstrong and Josh
6 Batkin from NCARB, who was willing to hear questions
7 and concerns regarding changes for the NCARB test.

8 Mr. Swarney mentioned that the AIA Large States
9 Conference was upcoming, where the president,
10 president-elect, and emerging professional leaders get
11 together with their large state counterparts to talk
12 about issues of interest to all of us.

13 President Leinbach requested an update concerning
14 continuing education.

15 Mr. Swarney stated continuing education is always
16 a priority, noting it is a matter of time and aligning
17 for AIA, which is out of their hands as far as
18 committee appointments and those issues. He noted AIA
19 is always ready to move the issue of continuing
20 education forward if the opportunity presents itself.

21 President Leinbach emphasized the importance of
22 Pennsylvania catching up with the rest of the country
23 by requiring continuing education to protect public
24 health, safety, and welfare.]

25

1 [President Leinbach requested school attendees
2 introduce themselves. He noted several National
3 Architectural Accrediting Board (NAAB) schools in
4 Pennsylvania. He requested an update from NCARB on
5 some of the points he provided ahead of the meeting.]

6 ***

7 Miscellaneous - National Council of Architectural
8 Registration Boards/National Architectural
9 Accrediting Board Schools Presentation

10 [Michael J. Armstrong, CEO, National Council of
11 Architectural Registration Boards, welcomed Mr. Bates
12 and thanked Ms. McClenaghan for volunteering on one of
13 NCARB's committees.

14 Mr. Armstrong praised the Board for being one of
15 the most informed state boards in the country with Mr.
16 Hamm just finishing a tour of duty for 3 years on
17 AIA's National Board and now with President Leinbach
18 as the regional director for NCARB Region 2.

19 Mr. Armstrong announced that President Calvani
20 had set up several new initiatives this year with a
21 new task force on incidental practice and a new task
22 force on responsible charge or responsible control.
23 He mentioned their diversity collaborative would be
24 providing a report in the coming months regarding
25 NCARB governance culture as it relates to impediments

1 due to versifying their national board.

2 Mr. Armstrong announced NCARB is launching the
3 demonstration, including the whiteboard tool, of the
4 practice exam today. He noted it became clear that
5 NCARB needed to prioritize moving to online proctoring
6 given the lack of test availability after March. He
7 stated a number of candidates were still complaining
8 that Prometric was not enforcing social distancing in
9 its test centers.

10 Mr. Armstrong noted the importance of
11 enfranchising a greater pool of candidates offering
12 online proctoring. He noted tracking the tracing of
13 COVID exposure was occurring in the test centers.

14 Mr. Armstrong announced launching the online
15 option on December 14, 2020, and test center venue.
16 He stated security protocol would be the same in both
17 situations and validated by psychometric consultants.
18 He noted the Council of Landscape Architectural
19 Registration Boards (CLARB) also launched online
20 proctoring and also prohibited the use of scratch
21 paper.

22 Mr. Armstrong stated NCARB understands that
23 change to the exam can be stressful and traumatic but
24 suggested focusing more broadly on the adjustments,
25 including a reduced number of questions and extended

1 opportunity for breaks. He was hopeful individuals
2 would become more comfortable with the changes as they
3 engaged with the demonstration exam tool by getting
4 the candidate closer to simulating an actual
5 examination experience.

6 Mr. Armstrong noted the test prep community had
7 not really pivoted effectively from the Architect
8 Registration Examination (ARE) 4.0 to 5.0 with
9 candidates frequently underprepared when going into
10 the exam. He noted stepping up and making their
11 practice exam portfolio more robust. He was hopeful
12 as NCARB transitions to PSI Services LLC (PSI) at the
13 end of the spring to offer more information in terms
14 of areas of emphasis when people fail.

15 Mr. Armstrong noted NCARB held a webinar a month
16 ago regarding the changes and answered questions via
17 video postings. He reminded everyone that this was
18 not a transition to a new exam and was the same
19 content, same six divisions, and same item bank. He
20 stated the only adjustment to candidate preparation
21 was understanding the rhythm of the break periods and
22 how to use the whiteboard tool. He noted NCARB was
23 optimistic that, once people become more familiarized
24 with the tools, business would get back to normal and
25 people would be back on track to licensure.

1 Mr. Hamm questioned whether NCARB would be
2 tracking the success rates to pass rates of the two
3 options to see if one is more preferential or deemed
4 to be easier. He also questioned whether 5.0 getting
5 a better pass rate.

6 Mr. Armstrong explained that NCARB would be
7 tracking the performance of the online candidates as
8 well as test center candidates. He noted one-third of
9 CLARB candidates were choosing the online option
10 because of being uncomfortable at test centers because
11 of COVID. He also noted added costs to people who do
12 not live near a test center venue.

13 Mr. Armstrong noted NCARB would be reestablishing
14 a new pass score and delaying delivery of exam results
15 for 4 weeks after people take the exam for the first
16 month or so. He stated NCARB wanted to reset the cut
17 score, which is the minimum threshold by which an
18 individual is determined to be competent to practice.

19 Mr. Armstrong stated the pass rates were lower
20 than previous, under 4.0. He stated NCARB wanted to
21 step up the quality of the practice exams to help
22 individuals from taking the exams unprepared and is
23 why NCARB wanted to reassess what it means to be
24 competent to practice independently. He noted this
25 may influence a recalibration of the Architectural

1 Experience Program (AXP).

2 Mr. Armstrong noted NCARB also wanted a broader
3 demographic response based on age, gender, race, and
4 geography, and would develop methods in terms of
5 collecting data and redesigning tools moving forward.

6 Ms. McClenaghan noted people currently seemed to
7 be taking one section and then taking another section
8 6 months to a year later. She questioned whether
9 there was a discount that could be offered to people
10 to take batch tests.

11 Mr. Armstrong stated he had been pushing for a
12 get-it-done incentive for several years but software
13 programs and information technology (IT) support would
14 be needed to engineer a solution. He hoped that
15 sometime in the latter half of next year after the
16 transition to PSI or maybe early in 2022 to offer a
17 bundling incentive offering an overall discount.

18 Mr. Armstrong stated it also requires an ongoing
19 conversation with colleagues at AIA regarding firm
20 culture and the ability of supervisors to
21 appropriately mentor and coach their employees. He
22 noted bumping up their portfolio to weed into
23 continuing education online through their certificate
24 holders a health, safety, and welfare (HSW) credit for
25 supervisor training, which would also start including

1 issues like ethics.

2 Alexis McCune Secosky, Architect Licensing
3 Advisor, Carnegie Mellon University, noted being
4 encouraged by NCARB exploring the possibility of a 4-
5 year professional degree program. She stated Carnegie
6 Mellon University is looking at those pathways as a
7 school and examining those, not just as a school but
8 in the profession in working with Bill Bates as well
9 and Erica Cochran Hameen in the School of
10 Architecture. She informed Mr. Armstrong of being
11 interested in serving on a task force.

12 Ms. McCune Secosky noted Carnegie Mellon
13 University is not an integrated path to licensure
14 (IPAL) school. She stated the School of Architecture
15 at Carnegie Mellon has a lot of international students
16 but addressed barriers to licensure in the state of
17 Pennsylvania.

18 Ms. McCune Secosky addressed Urban Design
19 Regional Employment Action for Minorities (UDream) and
20 attracting diverse licensure candidates to
21 Pennsylvania.

22 Ms. McCune Secosky questioned whether online
23 opportunities are available to licensure candidates
24 who are not currently residing in the United States.

25 Mr. Armstrong commented Prometric test centers

1 are worldwide as long as individuals comply with setup
2 requirements and declare eligibility with a particular
3 jurisdiction to qualify for the exam.

4 Mr. Armstrong mentioned a change moving through
5 the system in Pennsylvania that would acknowledge IPAL
6 participants as qualifying for initial licensure in
7 Pennsylvania for those taking the exam while still in
8 school.

9 President Leinbach explained that as it currently
10 stands, it is not an official position of the Board,
11 but noted Board member discussion to recognize IPAL
12 graduates from Pennsylvania, which is Drexel right
13 now, and throughout the country as long as the
14 graduates are in an NCARB-approved IPAL program and
15 meeting requirements of education and experience.

16 President Leinbach stated the Board recognizes
17 the rigor of the program but current requirements do
18 not name that as a specific path. He noted the goal
19 is the NCARB certificate for initial licensure to make
20 the reciprocal process easier.

21 Rachel Schade, Associate Teaching
22 Professor/Associate Director for Student Placement,
23 Drexel University Department of Architecture Design,
24 noted about 20 active students pursuing the IPAL
25 program. It was noted Casey Sheetz, who works at

1 Kramer + Marks Architecture in Ambler, Pennsylvania,
2 passed the last of her exams and graduated in June.

3 President Leinbach stated he congratulated her on
4 being the pioneer through the IPAL process and now the
5 pioneer through the PA Boards in hopefully being
6 successfully approved. He requested she go through
7 the Pennsylvania Licensing System (PALS) and complete
8 the application. He noted being excited to have
9 somebody be the first one in and perhaps give a bit of
10 a precedent for those who come behind to know the
11 Board is favorable for that path.

12 Fauzia Sadiq Garcia, RA, LEED AP, Assistant
13 Professor of Instruction, Temple University, addressed
14 the 4-year professional degree, noting Temple
15 University is apprehensive. She agreed that
16 Pennsylvania should have continuing education.

17 President Leinbach commented that the intent of
18 the 4-year degree discussion was not necessarily to
19 say this is a must but opens the question of whether
20 it is time to consider this again for another path.

21 President Leinbach referred to the recent
22 National Organization of Minority Architects (NOMA)
23 Survey, noting an identified wealth gap. He mentioned
24 keeping students at Temple University an extra year in
25 school and extra year of expensive college tuition.

1 He noted the 4-year degree would be less expensive
2 from the financial hardship, stating it is not going
3 to work everywhere but provides an opportunity.

4 Mr. Piligian stated the 5-year program had
5 emphasis on design and the 4-year program on building
6 science and the technical aspects, which he believed
7 was worth it as another path.

8 Mr. Roller suggested schools that had the 5-year
9 bachelor's program like Temple consider going back to
10 that.

11 Ms. McClenaghan stated Temple's move from a 4+2
12 was really not advantageous and agreed with bringing
13 back the 5-year degree.

14 Ms. McCune Secosky noted looking at the 4-year
15 degree as a barrier to entry for under-resourced
16 students and emerging professionals. She agreed that
17 Bachelor of Architecture is a very robust option, a
18 student considering engineering versus architecture is
19 going to look at 4 years plus the ability to take the
20 Principles and Practice of Engineering (PE) and then
21 go through and receive their license after practical
22 experience versus architecture.

23 Ms. McCune Secosky stated the 4-year degree
24 option is not cheapening the experience. She
25 commented that she is looking at it from a standpoint

1 of attracting more individuals into the profession at
2 a time when the demographics of the country are
3 changing and believed some students were choosing
4 other professions because their return on investment
5 and barriers to entry were fewer compared to
6 architecture.

7 President Leinbach stated individuals do have a
8 5-year path even though B.Arch. disappeared. He
9 mentioned that not every school has to offer every
10 degree but noted an opportunity to consider all
11 possible avenues. He noted that IPAL probably seemed
12 pretty foreign at first to some individuals and was
13 currently in approximately 20 schools.

14 Mr. Armstrong addressed equity, diversity, and
15 inclusion in the profession. He noted student debt
16 causing people to drop out of the path of licensure
17 because the individuals need to be gainfully employed.
18 He stated NCARB felt obliged to seek a wider audience
19 to keep the conversation going, not in lieu of a 5-
20 year B.Arch. and not in lieu of a 4+2 M.Arch., but
21 offering alternatives. He believed it was possible to
22 be regulators and facilitators at the same time.

23 Mr. Armstrong stated the contribution of
24 education to the licensure path seems to be
25 diminishing and maybe there was a way to blend a

1 shorter education path with a longer experience path,
2 which was being done for people pursuing an NCARB
3 certificate. He noted the difficulty with 5.0 was the
4 practice analysis saying the exam needed to lead more
5 to the practical pieces of managing a firm, working
6 with clients, so the exam is bias toward experience.

7 Mr. Armstrong stated some of the ideas recently
8 heard from the academy of getting rid of the
9 experience program entirely reflected a lack of
10 awareness of the minimal requirements to competently
11 practice, which could only happen if a school chose to
12 experiment and if NAAB changed its conditions to
13 eliminate the credit-hour requirement.

14 Kate Wingert-Playdon, Associate Dean and Director
15 of Architecture and Environmental Design, Temple
16 University, addressed diversity and diversity of
17 paths, noting Temple has 11 program areas that include
18 landscape architecture and planning with three
19 programs leading to licensure and two leading to
20 certification. She stated Temple was concerned about
21 creating hierarchy in a class system and is one of the
22 reasons for their 4+1, 4+2, and 4+3 programs. She
23 noted the importance of looking at diversity from
24 different points of view to ensure not creating a
25 system where certain kinds of students do a 4-year

1 program and end up in one type of job in architecture
2 versus those who do not.

3 President Leinbach commented that the
4 Pennsylvania Board had never asked anybody necessarily
5 when applying for initial licensure to take the ARE or
6 for a reciprocal license whether the applicant has a
7 4-year degree or 5-year degree. He stated the Board
8 looks at licensure from a standpoint of whether the
9 applicant met the education and experience
10 requirements and, if the applicant did not have the
11 NAAB degree, would consider alternatives provided by
12 the regulations.

13 President Leinbach noted the need for greater
14 clarity with respect to a NAAB degree and a non-NAAB
15 degree and how that is weighted for guidance of
16 candidates who come to Pennsylvania and to recognize
17 that somebody is not more or less qualified or more or
18 less competent because of their chosen degree path.

19 President Leinbach suggested keeping the dialogue
20 open between the Board and the NAAB schools and
21 extending that out to other pathways.

22 Ms. Schade mentioned a proposal was submitted to
23 the Drexel University Senate Committee to open a new
24 program of Bachelor of Science in Architecture, which
25 is a 4-year full-time program as an alternative to the

1 part-time 2+4 program. She noted the program to be
2 offered as a non-accredited degree to encourage and
3 attract a more diverse crowd to the practice of
4 architecture.

5 Ms. McCune Secosky noted it would be nice to
6 engage at the state level to be able to understand
7 what is happening and have a voice as well. She
8 mentioned the importance of transparency for students
9 to be able to make an educated decision.

10 Ms. McCune Secosky noted having discussions with
11 transfer students from a financial perspective, where
12 it would be better if the student finished where their
13 with a Bachelor of Arts (B.A.) or Bachelor of Science
14 (B.S.) and then apply to the Master of Architecture
15 program, which would be cheaper than beginning in a 5-
16 year program in the first of 5 years.

17 Ms. McCune Secosky emphasized the importance of
18 having those conversations with the collateral
19 organizations, not just the Association of Collegiate
20 Schools of Architecture (ACSA), NAAB, and NCARB but
21 also AIAS, NOMA, and the National Organization of
22 Minority Architecture Students (NOMAS).

23 Ms. McCune Secosky stated she sits on the ACE
24 Mentor Program Board of Directors in western
25 Pennsylvania and understood why students are choosing

1 to pursue engineering versus architecture. She noted
2 students coming into universities do not have that to
3 be able to understand architecture, so the students
4 are funneled into an engineering path instead of an
5 architecture path.

6 President Leinbach stated the Board would be
7 willing to engage more frequently and even outside of
8 the Board meeting for more conversational dialogue
9 with a group or association in Pennsylvania. He asked
10 Ms. Li to put a note out ahead of the main meeting for
11 a half an hour or 45 minutes on the hot topics from
12 schools. He requested an updated list from Mr. Batkin
13 of schools that have engaged with NCARB to reach a
14 wider circle because that is the typical path for
15 candidates.

16 President Leinbach thanked the schools and NCARB,
17 noting the Board would be happy to engage and
18 strengthen their relationship to make things better
19 for all of the candidates and current licensees.]

20 ***

21 [The Board recessed from 10:12 a.m. until 10:47 a.m.]

22 ***

23 [A Formal Hearing was held from 10:48 a.m. until
24 11:50 a.m. in the matter of the appeal of the
25 provisional denial of the Application for Licensure of

1 Glenn James Mancini, Case No. 20-41-000691.]

2 ***

3 [The Board recessed from 11:50 a.m. until 11:54 a.m.]

4 ***

5 [A Formal Hearing was held from 11:54 a.m. until
6 12:19 p.m. in the matter of the appeal of the
7 provisional denial of the Application for Licensure of
8 Jessica Mangin, Case No. 20-41-010837.]

9 ***

10 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
11 12:19 p.m. the Board entered into executive session
12 with C. William Fritz II, Esquire, Board Counsel, for
13 the purpose of quasi-judicial deliberations. The
14 Board returned to open session at 12:47 p.m.]

15 ***

16 MOTIONS

17 MR. FRITZ:

18 This morning the Board was scheduled for
19 executive session at 8:30 a.m., but due
20 to technical issues, we were not able to
21 really have an executive session and
22 went right into open session.

23 The Board just now conducted
24 executive session, and we conducted
25 quasi-judicial deliberations in the

1 following matters:

2 The Board would entertain a motion
3 approving the Application submitted by
4 Jessica Mangin, Case No. 20-41-010837.

5 MR. BATES:

6 So moved.

7 MR. HAMM:

8 Second.

9 PRESIDENT LEINBACH:

10 Mr. Bates makes the motion. Mr. Hamm
11 seconds. Any discussion? Hearing none.
12 Mr. Hamm, would you call the roll,
13 please?

14
15 Mr. Leinbach, yes; Mr. Stauffer, yes;
16 Mr. Hamm, yes; Mr. Bates, yes; Mr.
17 Hough, yes; Ms. McClenaghan, yes; Mr.
18 Piligian, yes; Mr. Roller, yes.

19 [The motion carried unanimously.]

20 ***

21 Report of Board Counsel - Matters for Discussion

22 MR. FRITZ:

23 The Board would entertain a motion
24 approving the General Delegation Order
25 as written in the agenda at Item No. 5.

1 MR. BATES:

2 So moved.

3 MS. MCCLENAGHAN:

4 I'll second.

5 PRESIDENT LEINBACH:

6 Mr. Bates makes the motion. Mary has
7 seconded. Is there any discussion?
8 Hearing none. Mr. Hamm, would you call
9 the roll?

10

11 Mr. Leinbach, yes; Mr. Stauffer, yes;
12 Mr. Hamm, yes; Mr. Bates, yes; Mr.
13 Hough, yes; Ms. McClenaghan, yes; Mr.
14 Piligian, yes; Mr. Roller, yes.

15 [The motion carried unanimously.]

16

17 [C. William Fritz II, Esquire, Board Counsel, noted
18 volunteers for the Probable Cause Screening Committee.
19 Mr. Fritz will inform prosecutors of the Board Members
20 on the Probable Cause Screening Committee.

21 Mr. Fritz anticipated very few cases per year but
22 suggested committee members be responsive to emails
23 because of their time-sensitive nature.]

24

25 Report of Board Counsel - Draft Regulation Changes

1 [Philip M. Leinbach, RA, President, addressed the
2 draft changes to the general provision regulations.
3 He referred to comments received from the PDF he sent
4 to Board members. He suggested adding the phrase "as
5 approved by NCARB" because other bodies allege some
6 architectural importance. He noted Mr. Piligian
7 recommended adding "its successor program," which was
8 also a suggestion under the mutual recognition.

9 Mr. Fritz commented that the Board may have to
10 explain successor program. He noted it could be
11 added, but the Board may be asked later to delete.

12 Mr. Fritz confirmed the Board wanted IPAL to
13 read, "Integrated path to architectural licensure as
14 approved by NCARB."

15 President Leinbach referred to § 9.41(a)(1) and
16 suggested adding the word "approved" before MRA.

17 President Leinbach referred to § 9.41(b)(1) and
18 suggested striking "or equivalent degree from another
19 country."

20 President Leinbach referred to § 9.41(b)(3),
21 noting Ms. McClenaghan suggested practical experience
22 years and AXP time may not overlap," which had been
23 recommended in § 9.41(c)(3) as well.

24 President Leinbach referred to 9.41(c)(1),
25 requesting to strike "or an equivalent degree from

1 another country.”

2 President Leinbach referred to 9.41(d) and
3 suggested striking “as a broadly experienced
4 architect.”

5 Discussion was tabled till after the Act 53 of
6 2020 presentation.]

7

8 Act 53 of 2020 List of Relevant Crimes Presentation
9 [Cynthia K. Montgomery, Esquire, Deputy Chief
10 Counsel/Regulatory Counsel, Department of State,
11 announced Commissioner Johnson was unable to attend
12 the meeting, and she would be presenting the list of
13 relevant crimes under Act 53 of 2020 that may
14 constitute grounds to issue, suspend, or revoke a
15 license.

16 Ms. Montgomery noted Act 53 of 2020 was passed
17 over the summer by the General Assembly, which is
18 criminal history reform regarding how licensing boards
19 use criminal history record information. She
20 addressed the duties of Commissioner Johnson to
21 publish the list and identify crimes on the list
22 directly related to the profession. She provided a
23 definition of “directly relates.”

24 Ms. Montgomery noted Commissioner Johnson must
25 publish the list by the end of the year for all 29

1 boards, which becomes part of a best practices guide
2 providing the process of how boards are to consider
3 criminal history record information when making
4 licensure decisions.

5 Ms. Montgomery addressed preliminary
6 determination, where individuals considering a
7 particular profession or occupation may apply to the
8 Board for a preliminary determination in § 3115 of Act
9 53. She noted the preliminary determination section
10 notes preliminary determination is limited to whether
11 the crime is on the list. She stated the list is to
12 be used by the Board when making determinations of
13 whether to grant a license and determining
14 disciplinary action.

15 Ms. Montgomery stated each Board counsel was
16 asked to curate the list and work with the prosecution
17 division by looking at Act 53, the practice act, and
18 prior cases that came before the Board to identify
19 crimes directly related to the profession.

20 Ms. Montgomery referred to § 3113(e) regarding
21 acts of violence, where an individual could receive a
22 license if 3 years has elapsed from incarceration or 3
23 years from imposition of the sentence, the individual
24 has remained conviction-free, and demonstrates
25 significant rehabilitation. She also noted the Board

1 must be satisfied that the licensure of the individual
2 did not pose a substantial risk to the health and
3 safety of the individual clients or the public or a
4 substantial risk of further criminal convictions.

5 Ms. Montgomery addressed rebuttable presumption,
6 where individuals convicted of crimes on the list of
7 offenses directly related to the profession would pose
8 a substantial risk to the health and safety of their
9 clients or the public or a substantial risk of further
10 criminal convictions. She mentioned the applicant or
11 licensee would have to demonstrate that the licensee
12 did not pose such a risk by showing evidence of
13 rehabilitation with criteria under the statute for the
14 Board to consider.

15 Ms. Montgomery explained a two-stage process for
16 looking at criminal convictions, where crimes on the
17 list have a rebuttable presumption and the burden is
18 on the applicant or licensee to demonstrate that the
19 licensee did not pose a risk. She stated the Board
20 would perform an individualized assessment if the
21 crime was not on the list.

22 Ms. Montgomery discussed the purpose of the act,
23 which is to be more transparent and allow applicants
24 and licensees understand crimes that implicate the
25 profession of architecture. She noted Commissioner

1 Johnson must consult with the Board before publishing
2 the list, promulgate the list as a rulemaking package
3 for all 29 boards within 120 days of the effective
4 date of December 27 for public comment, and codify it
5 as final rulemaking within 2 years.

6 Ms. Montgomery stated Commissioner Johnson is
7 requesting the Board review the list and give
8 authorization to publish the list and move it through
9 the proposed rulemaking process. She noted the list
10 was sent to interested parties and stakeholders but
11 did not receive any written comments.

12 Ms. Montgomery addressed individualized
13 assessment, noting the Board would prepare the
14 assessment and have the ultimate decision. She stated
15 the best practices guide would provide criteria to be
16 considered and referred to § 3113(c), where the
17 individual would need to bring evidence of their
18 progress and rehabilitation.

19 Ms. Montgomery noted the discretion of the Board
20 is preserved and is their duty to perform an
21 assessment and determine whether the license or
22 continued licensure of the individual poses a
23 substantial risk to the health or safety of clients or
24 the public or a substantial risk of further criminal
25 convictions.

1 Ms. Montgomery stated an individual with a
2 pattern or large number of crimes would be analyzed
3 differently than someone with one minor crime or
4 something happened once but the individual showed
5 progress and rehabilitation. She stated the act would
6 not curtail the Board's discretion except for those
7 convicted of a violent crime, where the Board would
8 not be able to grant them a license unless at least 3
9 years have elapsed as set forth in § 3113(e).

10 President Leinbach expressed his concern with the
11 act implying it is the Board's duty to reinstate the
12 license, where somebody could potentially make an
13 argument that the licensee was completely
14 rehabilitated after the 3 years.

15 Ms. Montgomery emphasized that the burden is on
16 the individual to demonstrate significant
17 rehabilitation since the criminal conviction and then
18 the Board uses those factors for the individualized
19 assessment. She stated the Board still determines
20 whether or not licensure or continued licensure of the
21 individual would pose a substantial risk to the health
22 or safety of the individual's clients or the public or
23 a substantial risk of further criminal conviction.

24 Ms. Montgomery explained that the Board is not
25 obligated to grant anyone a license under this act if

1 the Board finds the individual poses a risk. She
2 stated the Board still has the discretion for violent
3 crimes after considering all of the criteria in §
4 3113(c) to make that evaluation.]

5 ***

6 MS. MONTGOMERY:

7 It would be appropriate at this time if
8 the Board does not have any more
9 questions or comments for there to be a
10 motion to approve the list and authorize
11 the commissioner to publish it at the
12 end of the year and promulgate it
13 through proposed rulemaking.

14 MR. ROLLER:

15 So moved.

16 MR. BATES:

17 Second.

18 PRESIDENT LEINBACH:

19 We have a motion from Mr. Roller and a
20 second from Mr. Bates. Discussion?

21 [The Board discussed the motion.]

22 Any other discussion? We have a motion
23 and a second. Seeing none. Mr. Hamm,
24 would you call the roll?

25

1 Changes

2 [Philip M. Leinbach, RA, President, noted Mr. Batkin's
3 comment through chat, stating it is the Foreign
4 Architect Path to certification if the foreign country
5 keeps disciplinary records and the individual
6 completes AXP and ARE as far as NCARB to get a
7 certificate.

8 Joshua C. Batkin, Vice President of Council
9 Regulations, National Council of Architectural
10 Registration Boards, noted Foreign Architect Path is
11 for foreign-licensed architects in a country that have
12 a disciplinary process for their credentialed
13 architects and their schooling has have been on the
14 path in that country for that license. He noted the
15 individual would still need to complete AXP and ARE
16 and would qualify for a certificate.

17 President Leinbach mentioned the Broadly
18 Experience Architect (BEA) Program was replaced. He
19 addressed § 9.41(d), but the Board was undecided on
20 the language.

21 President Leinbach noted § 9.46(a) and (b) would
22 be moved to the previous section. He referred to the
23 new section at § 9.46(a), where Ms. McClenaghan
24 suggested referencing NCARB training, along with his
25 suggestion of deleting IDP because it is taken care of

1 elsewhere.

2 President Leinbach referred to § 9.2 under
3 definitions regarding AXP and recommended that to
4 read, "Architectural Experience Program, the
5 diversified training experience program administered
6 by NCARB is a prerequisite to licensure."

7 President Leinbach referred to § 9.46(b), where
8 Mr. Piligian suggested the addition of "increased AXP
9 requirements" and § 9.46(b)(1), where Mr. Roller
10 suggested deletions and inserting "professional
11 experience" after "applicant's." He referred to Mr.
12 Roller's suggestion to insert "submit a portfolio
13 and/or" after the words "required to" in § 9.46(b)(2).

14 The Board discussed the suggestions. President
15 Leinbach noted to perhaps look at the way the
16 information is requested on the application and
17 cleaning up language for clarity.

18 President Leinbach referred to § 9.46(c) and
19 suggested removing Integrated Path to Architectural
20 Licensure because of it being redundant.

21 President Leinbach referred to § 9.46(c)(1), where
22 he suggested replacing "university" with "school" or
23 "college."

24 Mr. Fritz suggested it to read, "university,"
25 "school," or "college."

1 President Leinbach referred to § 9.46(c)(2),
2 suggested replacing "continued" with "continuous."

3 President Leinbach referred to Mr. Roller's
4 suggestion of adding § 9.46(c)(4) to read, "Candidate
5 who completes an IPAL Program and graduates shall be
6 permitted to continue to completion of the ARE."
7 President Leinbach suggested the addition of, "Any
8 candidate who fails to complete an IPAP Program shall
9 be prevented from continuing completion of the ARE
10 until all requirements for either § 9.46(a) or
11 § 9.46(b) have been met."

12 President Leinbach referred to § 9.61(a)(1) and
13 suggested the removal of (c) for it to read, "9.41(a)
14 or (b)."

15 President Leinbach referred to § 9.62(a)(1)
16 regarding reciprocal licensure and suggested replacing
17 "state" or "country" with "jurisdiction."

18 President Leinbach referred to § 9.62(a)(2) where
19 Mr. Roller suggested inserting "an informal conference
20 or" before "formal hearing."

21 President Leinbach referred to § 9.62(a)(2)(c)
22 and suggested adding "and continuously" after
23 "lawfully" practiced architecture and replacing "the"
24 with "any" inactive period.

25 President Leinbach referred to § 9.62(a)(2)(d)

1 and suggested deleting "or" and replacing it with
2 "and" for it to read, education, experience, and
3 examination. He noted Ms. McClenaghan also suggested
4 inserting "exclusive of education time" after the word
5 "architecture."

6 President Leinbach referred to § 9.62(a)(2)(e)
7 and suggested changing "personal interview" with
8 "informal conference." He noted Ms. McClenaghan's
9 suggestion to replace "may be requested" with the word
10 "shall."

11 President Leinbach referred to § 9.84, where Ms.
12 McClenaghan and Mr. Roller note residing in
13 Pennsylvania and having a permanent commonwealth
14 address are important requirements and should remain.

15 Mr. Fritz referred to § 9.84, where he suggested
16 removing "good moral character" and leaving
17 "experience" in the title because Act 53 notes
18 removing good moral character as a requirement for
19 licensure. Wording from "candidate or applicant's
20 moral character" to "candidate or applicant" would
21 also be changed. He noted the changes falls in line
22 with Act 53, where the term "good moral character" may
23 not be used.

24 President Leinbach noted the critical importance
25 in the profession not to handcuff the Board's

1 discretion to consider ethics or moral character.

2 Mr. Fritz commented that he would be talking to
3 Board members regarding applicants who fall under Act
4 53 and seeking their guidance.

5 President Leinbach referred to § 9.101(a)
6 regarding reactivation, where he and Mr. Roller
7 suggest adding "a sworn, notarized affidavit" for
8 reactivation.

9 Mr. Fritz suggesting keeping the word
10 "application" with the addition of "a sworn, notarized
11 affidavit."

12 President Leinbach referred to § 9.163(2), where
13 he and Mr. Roller suggested moving the last two
14 sentences to become the end of 9.163(2).]

15 ***

16 Miscellaneous - 2021 Board Meeting Dates

17 [Philip M. Leinbach, RA, President, addressed 2021
18 Board meeting dates and suggested moving the November
19 date up because it falls after his 6 months expire.

20 Ms. Li will check the calendar and get back with
21 everyone concerning the November date.

22 President Leinbach informed everyone that per
23 diems should be coming to all Board members for the
24 July meeting, the September hearing, and today's
25 meeting.

1 President Leinbach also noted looking into per
2 diem for the pre-Board meeting, annual business
3 meeting, and region 2 meeting and would press
4 forward.]

5

6 [Daniel Hogan, RA, American Institute of Architects,
7 presented to the Board stating he is scheduled for a
8 hearing in January and a prehearing conference in
9 December relative to application for a reciprocal
10 license.

11 Mr. Hogan referred to § 9.61(b), where those who
12 have practiced architecture in another state for more
13 than 10 years can be licensed in Pennsylvania. He
14 requested information from the Board as to why his
15 application left some question about whether he had
16 been practicing architecture for more than 10 years.

17 President Leinbach noted the difficulty in
18 answering questions without the application and
19 encouraged Mr. Hogan to read and become familiar with
20 § 9.62(c) and (d).

21 Mr. Hogan complimented the Board and noted having
22 a whole new respect for the work they do as a Board.

23 Mr. Fritz informed Mr. Hogan that the Board
24 cannot make predeterminations on a case that is going
25 to be presented. He offered his assistance with

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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.



Evan Bingaman,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

November 12, 2020

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	8:31	Official Call to Order
10		
11	8:32	Roll Call/Introduction of Audience
12		Members
13		
14	8:38	Approval of Minutes
15		
16	8:43	Report of Prosecutorial Division
17		
18	8:43	Report of Board Counsel
19		
20	8:56	Applications
21		
22	8:57	Report of Board President
23		
24	9:02	Report of Board Administrator
25		
26	9:08	American Institute of Architects Update
27		
28	9:15	Miscellaneous - NCARB/NAAB Schools
29		
30	10:12	Recess
31	10:47	Return to Open Session
32		
33	10:48	Formal Hearing - Glenn Mancini
34	11:49	
35		
36	11:50	Recess
37	11:54	Return to Open Session
38		
39	11:54	Formal Hearing - Jessica Mangin
40	12:19	
41		
42	12:19	Executive Session
43	12:47	Return to Open Session
44		
45	12:47	Motions
46		
47	12:49	Report of Board Counsel (Continued)
48		
49		
50		

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

November 12, 2020
(Continued)

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TIME	AGENDA
1:00	Miscellaneous - Act 53 of 2020 List of Relevant Crimes Presentation
1:33	Report of Board Counsel (Continued)
2:17	Miscellaneous (Continued)
2:22	Adjournment