

**MINUTES**  
**SC Board of Architectural Examiners**  
**Conference Call**  
**10:00 a.m., November 18, 2011**  
**Synergy Business Park, Kingstree Building**  
**110 Centerview Drive, Room 204**  
**Columbia, SC**

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**Call to Order and Introduction of Board Members and All Other Persons Attending**

Vice-Chairman W. Barry Jenkins called the meeting to order at 10:00 a.m. Board members participating in the conference call included Anthony Lawrence, Stephen Russell, Katherine Schwennsen, C. Tyson Nettles. Brad Smith, Chair, joined the meeting at approximately 10:30 a.m.

Other persons attending included: Jan B. Simpson, Administrator; Alice DeBorde, Administrative Assistant; James Saxon, Advice Counsel; Jennifer Cooper, Assistant to Advice Counsel; and Carla Dominick, Creel Court Reporting, Inc. Keith Sanders and Luke McCary of AIA/SC also attended the meeting.

**Statement of Public Notice**

Mr. Jenkins stated that public notice of this meeting was properly posted at the S.C. Board of Architectural Examiners office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

**New Business**

1. Review Chapter 11 of the SC Code of Regulations.

**MOTION:** To approve proposed revisions to ensure conformity with Title 40, Chapter 3, and revised. See attached revised Regulations. Russell/Lawrence/approved.

2. Review of proposed changes to SC Code of Laws, Title 40, Chapter 1.

The Board briefly discussed the proposed changes to Title 40, Chapter 1. Discussion ensued about the Director having sole authority to hire the Board Administrator. The Board accepted the proposed changes as information.

**Notice of Next Meeting**

The next meeting of the SC Board of Architectural Examiners will be held on Tuesday, January 17, 2012, at 9:30 a.m.; Synergy Business Park, Kingstree Building, 110 Centerview Drive, Room 204, Columbia, SC.

**Adjourn**

**MOTION:** To adjourn the conference call. Jenkins/Schwennsen/approved.

The conference call adjourned at 11:05 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Alice DeBorde". The signature is written in a cursive style with a horizontal line underneath the name.

Alice M. DeBorde, Administrative Assistant

# STATE BOARD OF ARCHITECTURAL EXAMINERS

## CHAPTER 11

Statutory Authority: 1976 Code Sections 40-3-60 and 40-1-70

### **Preamble:**

To satisfy the requirements of licensure in the field of architecture, Regulations 11-2 through 11-3, 11-5, and 11-8 through 11-8.1 must be updated in conformance with the current Board of Architectural Examiners Practice Act.

### Section-by-Section Discussion:

#### 11-2. Officers.

Adds comma where needed and updates language for clarity.

#### 11-3. Meetings.

Updates language for clarity.

#### 11-5. Applications and Fees.

A. Adds credit card for application fee payment options.

B. Deletes references to annual licensure; changes “In-state renewal fee” amount to “Renewal Fees – Individuals; deletes “Out-of-state Renewal Fee (annual)” and “Duplicate Wall Certificate” fees in their entirety.

#### 11-8. Renewals.

A.-B. No changes.

C. Changes reinstated and reinstate to renewed and renew; amends time period to comply with statute.

#### 11-8.1. Continuing Education.

A.-B. No changes.

C.(1) Changes language to “health, safety and welfare” to agree with NCARB language.

C.(2)-(4) No changes.

D. No change.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(b) of the 1976 Code, as amended, such a hearing will be conducted at the Board at 8:30 a.m. on January 25, 2012. Written comments may be directed to Jan Simpson, Administrator, South Carolina Board of Architectural Examiners, Department of Labor, Licensing, and Regulation, Post Office Box 11419, Columbia, South Carolina 29211-1419, or by email to [ARCHELP@llr.sc.gov](mailto:ARCHELP@llr.sc.gov), no later than 5:00 p.m., January 23, 2012. If a qualifying request pursuant to Section 1-23-110(b) is not timely received, the hearing will be canceled.

**Preliminary Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Need and Reasonableness:**

These regulations are amended in conformance with the Architects Practice Act.

**DESCRIPTION OF REGULATION:**

Purpose: The board is updating the regulations to conform to the practice act.

Legal Authority: 1976 Code, Sections 40-1-70 and 40-3-60.

Plan for Implementation: The revised regulations will take effect upon approval by the General Assembly and upon publication in the State Register. LLR will notify licensees of the revised regulations and post the revised regulations on the agency's web site.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION  
BASED ON ALL FACTORS THEREIN AND EXPECTED BENEFITS:**

The proposed regulations will prevent conflict between existing regulations and the practice act.

**DETERMINATION OF COSTS AND BENEFITS:**

There is no cost incurred by the state.

**UNCERTAINTIES OF ESTIMATES:**

There are no uncertainties of estimates concerning the regulations.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

These regulations will have no effect on the environment. These regulations contribute to the board's function of protecting public health in the state of South Carolina.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE  
REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect on the environment and public health of this State if these regulations are not implemented.

**Statement of Rationale:**

These regulations are updated in conformance with the current Board of Architectural Examiners Practice Act.

**Text:**

11-2. Officers.

A. Officers of this Board shall be chairman, vice-chairman, and secretary<sub>1</sub> and shall be elected annually. The chairman shall exercise general supervision of the Board's affairs, except such as are

placed under the Director of the Department of Labor, Licensing and Regulation, and shall preside at all meetings of the Board when present. The vice-chairman shall possess all the powers and perform all the duties of the chairman in the event of the absence, disability, refusal or failure to act of the chairman. The secretary shall act as its recording secretary; cause written minutes of every meeting of this Board to be kept in the Book of Minutes; affix the Board's Seal to such instruments as require it; and sign all instruments and matters that require attestation or approval of this Board.

B. No members may serve more than two (2) consecutive one-year terms in the office of chairman or vice-chairman, but election to fill an unexpired term shall not bar the serving of two (2) succeeding terms. A member must have served one (1) calendar year on the Board to be eligible for the office of chairman and vice-chairman.

11-3. Meetings.

Notice of all meetings shall be distributed to each member at least five (5) days in advance of such meeting, giving the time, place, and general purpose of the meeting. The Annual meeting shall be held within ninety (90) days of the end of the fiscal year. Public notice of the meetings shall be made in accordance with the Freedom of Information Act.

11-5. Applications and Fees.

A. All applications must be accompanied by an application fee in the form of a credit card or check or money order made payable to South Carolina Board of Architectural Examiners. Applications will be reviewed by the Board within ninety (90) days of receipt. If after review by the Board an application is approved, the applicant shall be advised in writing.

B. The Board may charge the following fees:

Application Fee	
Individuals	Not to exceed \$150
Firms	Not to exceed \$150
Examination	Not to exceed \$150
Annual fee	Not to exceed \$150
Renewal Fees - Individuals	Not to exceed \$150
<del>In-state Renewal Fee (annual)</del>	<del>Not to exceed \$150</del>
<del>Out-of-state Renewal Fee (annual)</del>	<del>Not to exceed \$200</del>
Late Renewal Penalty Fees	Not to exceed \$200
Renewal Fees - Firms	Not to exceed \$150
Late Renewal Penalty Fees	Not to exceed \$200
Miscellaneous	
File Transfer	Not to exceed \$50
<del>Duplicate Wall Certificate</del>	<del>Not to exceed \$50</del>
Roster	Not to exceed \$50

11-8. Renewals.

A. Certificates of Registration issued to individuals expire biennially. They must be renewed for the following licensure period by payment of the renewal fee and by reporting completion of the required continuing education hours. Certificates shall become invalid unless renewed.

B. Certificates of Authorization issued to firms expire biennially. They must be renewed for the following licensure period by payment of the renewal fee and shall become invalid unless renewed.

C. Lapsed Certificates may be ~~reinstated~~ renewed by the Board ~~at any time during the remainder of the licensure period at any time within one year from the date of expiration~~ on demonstration of qualification and payment of the renewal fee plus late penalties. In case of failure to ~~reinstate-renew~~ renew by the end of the

~~licensure period~~ within one year from the date of expiration, the Certificate cannot be reissued except by a new application accompanied by the application fee and approval by the Board.

#### 11-8.1. Continuing Education.

A. These requirements shall apply to every South Carolina registered architect as a condition for renewal of registration.

B. Exemptions: A registrant may be exempt from the continuing education requirements for one of the following reasons:

(1) A first-time new registrant by examination or reciprocity will be exempt for the first renewal.

(2) A registrant is exempt from completing continuing education requirements for his profession while serving on active military duty.

(3) Hardship cases may be considered on an individual basis.

(4) Emeritus architects will be exempt from the continuing education requirements.

#### C. Requirements.

(1) Each South Carolina Registered architect shall complete a minimum of twenty-four (24) continuing education hours each biennial licensure period in topics related to ~~safeguarding life, health, property safety and promoting public welfare.~~

(2) Each registrant shall submit, on a form provided by the board, a signed affidavit attesting to the fulfillment of continuing education requirements during the preceding period. Carry-over of a maximum of twenty-four (24) continuing education hours per renewal period is permitted.

(3) Each affidavit may be subject to audit for verification of compliance with requirements. Registrants shall retain proof of fulfillment of requirements for a period of two (2) years after submission in the event the affidavit is selected for audit. Registrants must comply with audit deadlines and requirements.

(4) The Board may disallow claimed credit for continuing education hours. The registrant shall have one hundred eighty (180) calendar days after notification of disallowance of credit to substantiate the original claim or earn other continuing education credit which fulfills minimum requirements.

D. Noncompliance and Sanctions. Failure to fulfill the continuing education requirements, to file the required report, properly completed and signed, or to comply with audit and verification requests shall be considered a violation of the Architectural Registration Law.