

STRIKETHROUGH/UNDERSCORED VERSION
Chapter 13. Administration

§1301. Renewal Procedure

A. A license for an individual architect shall expire and become invalid on December 31 of each year. An individual architect who desires to continue his or her license in force shall be required annually to renew same.

B. It is the responsibility of the individual architect to timely renew his or her license.

C. Prior to December 31 of each year, architects shall renew their licenses in accordance with the instructions set forth on the board website, www.lsbae.com. Effective November 1, 2019, the renewal fees shall be as follows: for an individual architect domiciled in Louisiana - \$90; for an individual architect domiciled outside Louisiana - \$175. Upon renewal, the architect may download from the board website a copy of his or her renewal license.

D. The failure to renew a license timely shall not deprive the architect of the right to renew thereafter. Effective November 1, 2019, the delinquent fees shall be as follows: an individual architect domiciled in Louisiana who transmits his renewal form and fee to the board subsequent to December 31 in the year when such renewal fee first became due shall be required to pay a delinquent fee of \$110. An individual architect domiciled outside Louisiana who transmits his renewal form and fee to the board subsequent to December 31 in the year when such renewal fee first became due shall be required to pay a delinquent fee of \$200. The delinquent fee shall be in addition to the renewal fee set forth in §1301.C.

E. The rules for renewing certificates of authority of professional architectural corporations, architectural-engineering corporations, and architectural firms are set forth in Chapter 17 *infra*

§1303. Architect's Seal ~~or Stamp~~

A. The seal ~~or stamp~~ of the architect shall contain the name of the architect, the architect's license number, and the words "Registered Architect, State of Louisiana."

B. The architect's seal ~~or stamp~~ shall be circular in shape and measure approximately 1 3/4" in diameter. In addition to the words set forth in the preceding paragraph, it shall contain the state emblem. For purposes of this rule, the state emblem is the pelican.

C. Rubber seals and ~~computer~~ electronically generated seals are acceptable.

D. Indicated below is a sample of the seal design authorized by the board.



§1305. Placing of Seal ~~or Stamp~~

A. An architect shall affix his or her seal ~~or stamp~~ to all contract drawings and specifications requiring the services of an architect which were prepared by the architect or under the architect's responsible ~~supervision~~ control. Contract drawings and specifications prepared by a consulting electrical, mechanical, structural, or other engineer shall be sealed ~~or stamped~~ only by the consulting engineer. Contract drawings and specifications within the meaning of this rule include construction documents prepared for bidding or for receipt of proposals, as well as such documents submitted for permitting.

B. An architect shall clearly identify the specification sections prepared by that architect or under that architect's responsible ~~supervision~~ control and distinguish such sections from those prepared by consulting engineers. An architect shall affix his or her seal ~~or stamp~~ either to:

1. each specification section, page, or sheet prepared by or under the responsible ~~supervision~~ control of the architect; or

2. the appropriate portion of any seals/~~stamp~~ page in the specification document which identifies the specification sections prepared by the architect or under his or her responsible ~~supervision~~ control and those sections prepared by consulting engineers. Consulting engineers shall affix their seal ~~or stamp~~ either to each specification section, page, or sheet prepared by that consultant, or to that portion of any seals/~~stamp~~ page which identifies the specification sections prepared by that consultant.

C. If a public or governmental agency requires further certification by the architect (such as that the title or index page of the specifications be certified by the architect), the architect's further certification shall include a description of exactly what drawings and what portions or sections of the specifications were prepared by or under the architect's responsible ~~supervision~~ control, and what drawings and what portions or sections of the specifications were prepared by others. In addition, the architect shall include a certification from any consulting engineers as to what drawings and what portions or sections of the specifications were prepared by or under the responsible ~~supervision~~ charge of the consulting engineers.

§1307. Architect or Professional Engineer

A. It is recognized that in certain fields of practice there is a broad overlap between the work of architects and engineers. This is particularly true in the field of buildings and similar structures. It is recognized that an architect, who has complied with all of the current laws of Louisiana relating to the practice of architecture has a right to engage in activities properly classifiable as professional engineering insofar as it is necessarily incidental to his work as an architect. Likewise, it is recognized that the professional engineer, who has complied with all of the current laws of Louisiana, and is properly registered in that branch of engineering for which he may be qualified, has a right to engage in activities classifiable as architectural insofar as is necessarily incidental to his work as an engineer. Furthermore, the architect or the professional engineer, as the case may be, shall assume all responsibility for compliance with all laws or ordinances relating to the designs of projects with which he may be engaged.

§1309. Calculating Gross Floor Area under R.S. 37:155(A)(4) Where Building Contains Mixed Occupancy Classifications

A. When a building contains more than one of the occupancy classifications set forth in R.S. 37:155(A)(4)(f), the gross floor area shall be calculated by performing the following calculations.

1. Divide the gross floor area of each of the occupancy classifications by the corresponding threshold of each, as established in R.S. 37:155(A)(4)(f). Round off the resultants to four decimal points.
2. Add the results of each of the above calculations.
3. If the total exceeds 1.0000, the building shall be determined to exceed the gross floor areas established in R.S. 37:155(4)(f).

a. For example, calculating the gross floor area of a building containing 3,126 square feet of storage occupancy and 2,000 square feet of business occupancy shall be performed as follows:

3,126 actual storage sq. ft. divided by 6,250 threshold	=	0.5002
2,000 actual storage sq. ft. divided by 4,000 threshold	=	0.5000
Total	=	1.0002

b. In this example, the threshold square footage of this mixed occupancy building would be exceeded and, therefore, would not be exempt under R.S. 37:155(A)(4).

§1311. Interpretation of R.S. 37:155(A)(4)(c)

A. As set forth in R.S. 37:155(A)(4)(c), renovations or alterations of any size building that exceeds the gross floor area of Subsection (f) of 37:155(A)(4) which do not affect the structural integrity or life safety, exclusive of building finishes and furnishings, are exempted from the Licensing Law, R.S.37:141 et seq. ~~Renovations or alterations~~ Alterations – Level 1, as defined by the International Building Code, which exceed \$125,000 are exempted from the Licensing Law only if the applicant documents to the satisfaction of the state fire marshal that the project does not affect structural integrity or life safety.

§1313. Interpretation of R.S. 37:152(B)

A.1. Specifications, drawings, or other related documents will be deemed to have been prepared either by the architect or under the architect's responsible ~~supervision~~ control only when:

a. the client requesting preparation of such plans, specifications, drawings, reports or other documents makes the request directly to the architect, or the architect's employee as long as the employee works in the architect's office;

b. the architect personally controls the preparation of the plans, specifications, drawings, reports or other documents and has input into their preparation prior to their completion;

c. ~~if the plans, specifications, drawings, reports, or other such documents are prepared outside the architect's office~~, the architect shall maintain evidence for a minimum of five years of the architect's responsible control including correspondence, time records, check prints, telephone logs, site visit logs, research done for the project, calculations, changes, and written agreements with any persons preparing the documents outside of the architect's offices accepting professional responsibility for such work;

d. the architect reviews the final plans, specifications, drawings, reports or other documents; and

e. the architect has the authority to, and does, make necessary and appropriate changes to the final plans, specifications, drawings, reports or other documents.

2. If an architect fails to maintain written documentation of the items set forth above, ~~when such are applicable~~, then the architect shall be considered to be in violation of R.S. 37:152, and the architect shall be subject to the disciplinary penalties provided in R.S. 37:153. ~~This written documentation should be maintained for the prescriptive period applicable to claims against the architect which may arise from his or her involvement in the project.~~

B.1. Nothing precludes the use of prototypical documents provided the architect:

a. has written permission to revise and adapt the prototypical documents from the person who either sealed the prototypical documents or is the legal owner of the prototypical documents;

b. reviewed the prototypical documents and made necessary revisions to bring the design documents into compliance with applicable codes, regulations, and job specific requirements;

c. independently performed and maintains on file necessary calculations;

d. after reviewing, analyzing, and making revisions and/or additions, issued the documents with his/her title block and seal (by applying his/her seal, the architect assumes professional responsibility as the architect of record); and

e. maintained design control over the use of site adapted documents just as if they were his/her original design.

2. The term *prototypical documents* shall mean model documents of buildings that are intended to be built in several locations with substantially few changes and/or additions except those required to adapt the documents to each particular site; that are generic in nature, that are not designed or premised upon the laws, rules or regulations of any particular state, parish, or municipal building code; that do not account for localized weather, topography, soil, subsistence, local building codes, or other such conditions or requirements; and that are not intended to be used as the actual documents to be employed in the construction of a building, but rather as a sample or a model to provide instruction or guidance. The term *legal owner* shall mean the person who provides the architect with a letter that he or she is the owner of the documents and has the written permission to allow the use thereof.

§1315. Continuing Education

A. Purpose and Scope. These rules provide for a continuing education program to ~~insure~~ ensure that all architects remain informed of those technical and professional subjects necessary to safeguard life, health, and promote the public welfare. These rules shall apply to all architects practicing architecture in this state.

B. Exemptions. An architect shall not be subject to these requirements if:

1. the architect is a newly registered architect during his or her their initial year of registration;

2. the architect has been granted emeritus ~~or other similar honorific but inactive~~ status by the board ~~or is an emeritus status architect as defined by board rule §1105.E;~~ or

3. the architect otherwise meets all renewal requirements and is called to active military service, has a serious medical condition, or can demonstrate to the board other like non-military hardship, then upon the board's so finding, the architect may be excused from some or all of these requirements.

C. Definitions

AIA—the American Institute of Architects.

AIA/CES—the continuing education system developed by AIA to record professional learning as a mandatory requirement for membership in the AIA.

ARE—the Architect Registration Examination prepared by the National Council of Architectural Registration Boards.

Board—the Louisiana State Board of Architectural Examiners, 9625 Fenway Avenue, Suite B, Baton Rouge, LA 70809, telephone: (225) 925-4802, ~~telecopier: 225-925-4804,~~ website: ~~http://www.lasbdarchs.com.~~ http://www.lsbae.com.

Continuing Education (CE)—continuing education is a post-licensure learning that

enables a registered architect to increase or update knowledge of and competence in technical and professional subjects related to the practice of architecture to safeguard the public's health, safety, and welfare.

Continuing Education Hour (CEH)—one continuous instructional hour (50 to 60 minutes of contact) spent in structured educational activities intended to increase or update the architect's knowledge and competence in health, safety, and welfare subjects. If the provider of the structured educational activities prescribes a customary time for completion of such an activity, then such prescribed time shall, unless the board finds the prescribed time to be unreasonable, be accepted as the architect's time for continuing education hour purposes irrespective of actual time spent on the activity.

Health, Safety, and Welfare (HSW) Subjects—technical and professional subjects related to the practice of architecture that the board deems appropriate to safeguard the public and that are within the following continuing education subject areas necessary for the proper evaluation, design, construction, and utilization of buildings and the built environment.

- a. Practice Management. This category focuses on areas related to the management of architectural practice and the details of running a business.
- b. Project Management. This category focuses on areas related to the management of architectural projects through execution.
- c. Programming and Analysis. This category focuses on areas related to the evaluation of project requirements, constraints, and opportunities.
- d. Project Planning and Design. This category focuses on areas related to the preliminary design of sites and buildings.
- e. Project Development and Documentation. This category focuses on areas related to the integration and documentation of building systems, material selection, and material assemblies into a project.
- f. Construction and Evaluation. This category focuses on areas related to construction contract administration and post-occupancy evaluation of projects.
- g. pre-design - land use analysis, programming, site selection, site and soils analysis, surveying;
- h. design - urban planning, master planning, building design, site design, interiors, safety and security measures;
- i. construction documents - drawings, specifications, delivery methods;
- j. construction contract administration: contracts, bidding, contract negotiations.

NCARB—the National Council of Architectural Registration Boards.

Non-Resident Architect – an architect registered by the board and residing outside Louisiana.

Resident Architect – an architect residing in this state.

Sponsor – an individual, organization, association, institution or other entity which offers an educational activity for the purpose of fulfilling the continuing education requirements of these rules.

Structured Educational Activities - educational activities in which at least 75 percent of an activity's content and instructional time must be devoted to ~~health, safety, and welfare~~ HSW subjects related to the practice of architecture, including courses of study or other activities under the areas identified as ~~health, safety and welfare~~ HSW subjects and provided by qualified individuals or organizations whether delivered by direct contact or distance learning methods.

D. Continuing Education Requirements

~~1. Beginning with license renewals effective January 1, 1999, all architects must show compliance with the educational requirements of these rules as a condition for renewing registration.~~

~~2.1.~~ In addition to all other requirements for ~~registration~~ license renewal, an architect must complete a minimum of 12 continuing education hours each calendar year or be exempt from these continuing education requirements as provided above. Failure to comply with these requirements may result in non-renewal of the architect's ~~registration~~ license or other discipline as set forth below.

~~3.2.~~ Continuing Education Hours. Continuing education hours must be completed in ~~health, safety, and welfare~~ HSW subjects acquired in structured educational activities. ~~Continuing education hours may be acquired at any location.~~ Excess continuing education hours may not be credited to a future calendar year.

E. Acceptable Educational Activities

1. Credit will be allowed only for continuing education activities in areas which:
 - a. directly safeguard the public's health, safety, and welfare; and
 - b. provide individual participant documentation from a person other than the participant for record keeping and reporting.
2. Acceptable continuing educational activities in ~~health, safety, and welfare~~ HSW subjects include the following:
 - a. attending professional or technical health, safety, and welfare subject seminars, lectures, presentations, courses, or workshops offered by a professional or technical organization (AIA, National Fire Protection Association, Concrete Standards Institute, NCARB, etc.), insurer, or manufacturer;
 - b. successfully completing health, safety, and welfare subject tutorials, short courses, correspondence courses, televised courses, ~~or~~ video-taped courses, online programs, on-demand e-learning programs, on-demand print/other programs for which summative assessments are completed, or blended learning programs offered by a provider mentioned in the preceding Subparagraph;
 - c. successfully completing health, safety, and welfare subject monographs or other self-study courses such as those sponsored by NCARB or a similar organization which tests the architect's performance;
 - d. making professional or technical health, safety, and welfare subject presentations at meetings, conventions or conferences;
 - e. teaching or instructing health, safety, and welfare subject courses;

- f. authoring a published paper, article or book;
 - g. successfully completing college or university sponsored courses; and
 - h. service upon NCARB committees dealing with health, safety, and welfare subjects.
3. Continuing educational activities ~~need not take place in Louisiana, but~~ may be acquired at any location, within Louisiana or elsewhere.
4. All continuing education activities shall:
- a. have a clear purpose and objective;
 - b. be well organized and provide evidence of pre-planning;
 - c. be presented by persons who are well qualified by education or experience in the field being taught;
 - d. provide individual participant documentation from a person other than the participant for record keeping and reporting; and
 - e. shall not focus upon the sale of any specific product or service offered by a particular manufacturer or provider.

F. Number of Continuing Education Hours Earned

1. Continuing education credits shall be measured in continuing education hours and shall be computed as follows.

a. Attending seminars, lectures, presentations, workshops, or courses shall constitute one continuing education hour for each contact hour of attendance.

b. Successfully completing tutorials, short courses, correspondence courses, televised or video-taped courses, monographs, ~~and other self-study courses~~ online programs, on demand e-learning programs, on-demand print/other programs for which summative assessments are completed, blended learning programs, and other self-study courses shall constitute the continuing education hours recommended by the program sponsor.

c. Teaching or instructing a qualified seminar, lecture, presentation, or workshop shall constitute two continuing education hours for each contact hour spent in the actual presentation. Teaching credit shall be valid for teaching a seminar or course in its initial presentation only. Teaching credit shall not apply to full-time faculty at a college, university or other educational institution.

d. Authoring a published paper, article or book shall be equivalent of ~~eight~~ twelve continuing education hours.

e. Successfully completing one or more college or university semester or quarter hours shall satisfy the continuing education hours for the year in which the course was completed.

2. Any health, safety, and welfare subject contained in the record of an approved professional registry will be accepted by the board as fulfilling the continuing education requirements of these rules. The board approves the AIA as a professional registry, and contact

hours listed in health, safety, and welfare subjects in the AIA/CES transcript of continuing education activities will be accepted by the board for both resident and non-resident architects.

3. No credit may be earned for activities of less than one CEH in duration. For activities lasting longer than one CEH, fractional CEH may be earned. As examples, where appropriate, 1½ CEH, 2¼ CEH, etc. may be earned.

G. Reporting, Record Keeping and Auditing

1. An architect shall complete and submit forms as required by the board certifying that the architect has completed the required continuing education hours. The board requires that each architect ~~shall~~ complete the language on the renewal application pertaining to that architect's continuing education activities during the calendar year immediately preceding the license renewal period. Any untrue or false statement or the use thereof with respect to course attendance or any other aspect of continuing educational activity is fraud or misrepresentation and will subject the architect ~~and/or program sponsor~~ to license revocation or other disciplinary action.

2. To verify attendance each attendee shall obtain an attendance certificate from the program sponsor. Additional evidence may include but is not limited to attendance receipts, canceled checks, and sponsor's list of attendees (signed by a responsible person in charge of the activity). A log showing the activity claimed, sponsoring organization, location, duration, etc., ~~should~~ shall be supported by other evidence. Evidence of compliance shall be retained by the architect for ~~two years~~ six years after the end of the period for which renewal was requested.

3. The renewal applications or forms may be audited by the board for verification of compliance with these requirements. Upon request by the board, evidence of compliance shall be submitted to substantiate compliance of the requirements of these rules. The board may request further information concerning the evidence submitted or the claimed educational activity. The board has final authority with respect to accepting or rejecting continuing education activities for credit.

4. The board may disallow claimed credit. If the board disallows any continuing education hours, the architect shall have 60 days from notice of such disallowance either to provide further evidence of having completed the continuing education hours disallowed or to remedy the disallowance by completing the required number of continuing education hours (~~but~~ such continuing education hours shall not ~~again~~ be used again for the next calendar year). If the board finds, after proper notice and hearing, that the architect willfully disregarded these requirements or falsified documentation of required continuing education hours, the architect may be subject to disciplinary action in accordance with the board regulations.

5. Documentation of reported continuing education hours shall be maintained by the architect for six years ~~from the date of award~~ after the end of the period for which renewal was requested.

H. Pre-Approval of Programs

1. Upon written request, the board will review a continuing education program prior to its presentation provided all of the necessary information to do so is submitted in accordance with these rules. If the program satisfies the requirements of these rules, the board will pre-approve same.

2. A person seeking to obtain pre-approval of a continuing education program shall

submit the following information:

- a. program sponsor(s): name(s), address(es), and phone number(s);
 - b. program description: name, detailed description, length of instructional periods, and total hours for which credit is sought;
 - c. approved seminar topic: division(s) and topic(s) from the current list of approved seminar topics;
 - d. program instructor(s)/leader(s): name(s) of instructor(s)/ leader(s) and credential(s);
 - e. time and place: date and location of program; and
 - f. certification of attendance: sponsor's method for providing evidence of attendance to attendees.
3. Such information shall be submitted at least 30 calendar days in advance of the program so that the board may analyze and respond.

4. The sponsor of a pre-approved program may announce or indicate as follows:

"This course has been approved by the Louisiana State Board of Architectural Examiners for a maximum of _____ Continuing Education Hours in health, safety, and welfare subjects acquired in structured educational activities."

I. Continuing Education Disciplinary Guidelines

1. The board sets forth below the normal discipline which will be imposed upon an architect who fails to fulfill the continuing education requirements required by the licensing law and these rules. The purpose of these guidelines is to give notice to architects of the discipline which will normally be imposed. In a particular case, the discipline imposed may be increased or decreased depending upon aggravating or mitigating factors.

2. Absent aggravating or mitigating circumstances, the following discipline shall be imposed for the following violations:

Violation	Discipline
1. Architect has <u>enough</u> hours but lacks in accepted setting or subject matter	Architect will be allowed 60 days to obtain needed hours. Architect will be audited <u>the</u> next year.
2. Architect signs renewal, has obtained some, but not all, hours needed as of December 31.	Fine of \$750, and architect must obtain required hours before renewing. Architect will be audited annually <u>the</u> next three years.
For a second offense within 5 years	Fine of \$1,500, architect's license suspended for six months, and architect must obtain required hours before renewing. Architect will be audited annually <u>the</u> next three years.

3. Architect signs renewal; architect has not obtained any continuing education hours and fails to do so within sixty (60) days.	Fine up to \$5,000, and architect's license suspended until architect obtains necessary hours. Architect will be audited annually the next five years.
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J. Reinstatement

1. A former registrant may only apply for reinstatement if he has earned all delinquent continuing education hours in the year preceding the application, or the current year. However, if the total number of delinquent continuing education hours exceeds 24, then 24 shall be the maximum number of hours required.

2. An architect who has been granted emeritus or other similar honorific but inactive status by the board may only return to the active practice of architecture if he has earned the continuing education requirements for each exempted year in the year preceding the application, or the current year. However, if the total number of delinquent continuing education hours exceeds 24, then 24 shall be the maximum number of hours required.

§1317. Interpretation of R.S. 37:155(A)(3)

A. Registered architects of other states will be deemed to be associated with a registered architect of this state on a specific project within the meaning of R.S. 37:155(A)(3) only when:

1. a written agreement is signed by both the out-of- state and the in-state architects describing the association prior to executing the work;
2. the in-state architect reviews all documents prepared by the out-of-state architect and makes necessary revisions to bring the design documents into compliance with applicable codes, regulations, and requirements;
3. the in-state architect independently performs ~~or contracts with an engineer or engineers licensed in Louisiana to perform~~ necessary calculations, and maintains such calculations on file for work under his/her responsible control;
4. after reviewing, analyzing and making revisions and/or additions, the in-state architect issues the documents with his/her title block and seal (by applying his/her seal the architect assumes professional responsibility as the architect of record); and
5. the in-state architect maintains control over the use of the design documents just as if they were his/her original ~~design~~ documents.

§1319. Interpretation of R.S. 37:141(B)(3); Design/Build

A. A partnership or corporation offering a combination of architectural services together with construction services may offer to render architectural services only if:

1. an architect registered in this state or otherwise permitted to offer architectural services participates substantially in all material aspects of the offering;
2. there is written disclosure at the time of the offering that such architect is engaged by

and contractually responsible to such partnership or corporation;

3. such partnership or corporation agrees that such architect will have responsible control of the architectural work and that such architect's services will not be terminated prior to the completion of the project without the consent of the person engaging the partnership or corporation; and

4. the rendering of architectural services by such architect will conform to the provisions of the architectural registration law and the rules adopted thereunder.

§1321. Interpretation of R.S. 37:145; Architectural Engineers

A. A registered professional engineer who has a degree entitled "Architectural Engineering" from a public or private college or university accredited by the accreditation board for engineering and technology to offer such a degree may use the title "Architectural Engineer." A corporation, partnership, limited liability company, or group may include the title "Architectural Engineer" in its firm name, provided an owner, partner, or principal of that firm is a registered professional engineer who has such a degree from a public or private college or university so accredited.

B. This interpretation limits the use of the words "Architectural Engineer" to the descriptive title only. Nothing contained herein shall be construed to authorize or allow such an individual or firm to practice architecture in this state.