



HYBRID (IN-PERSON/VIRTUAL)
ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,
AND REGISTERED INTERIOR DESIGNERS
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson (608) 266-2112
April 1, 2025

The following agenda describes the issues that the Section plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Section.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of October 8, 2024 (5-7)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters (8-30)**
 - 1) Department, Staff and Section Updates
 - 2) **2025 Meeting Dates (8)**
 - 3) **Annual Policy Review (9-11)**
 - 4) **Election of Officers, Appointments of Liaisons and Alternates, Delegation of Authorities (12-30)**
 - 5) Section Member – Term Expiration Dates
 - a. Douglas, Gregory A. – 7/1/2027
 - b. Gersich, A. James – 7/1/2015
 - c. Rohit Sant, Anuya – 7/1/2025
 - d. Wagner, Roy – 7/1/2027
- F. Administrative Rule Matters – Discussion and Consideration (31-33)**
 - 1) Proposed New Scope Statement on Certificates of Authorization
 - 2) Pending and Possible Rulemaking Projects
- G. Professional Conduct – Discussion (34-44)**
- H. Emerging Trends in Architecture – Discussion (45)**

- I. **National Council of Architectural Registration Boards (NCARB) Matters – Discussion and Consideration (46)**
 - 1) **NCARB Current Events**
 - 2) **Travel Requests and Reports:**
 - a. Travel Report: NCARB Regional Summit – February 28-March 1, 2025 – Philadelphia, PA
 - b. Consider Attendance: NCARB Annual Business Meeting – June 19-21, 2025 – Scottsdale, AZ

J. Legislative and Policy Matters – Discussion and Consideration

K. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Administrative Rule Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

L. **Public Comments**

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

M. **Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Administrative Warnings**
 - a. 23 ARC 013 – J.M.A. (47-48)
 - b. 23 ARC 019 – M.L.A. (49-50)

- c. 24 ARC 0004 – J.A.R. & M.A (51-52)
- 2) **Case Closings**
 - a. 23 ARC 010 – G.A., B.M. & C.R.T. (53-58)
 - b. 24 ARC 0015 – J.D.S., R.R.S. & W.P.L. (59-63)
- 3) **Proposed Stipulations, Final Decisions and Orders**
 - a. 23 ARC 019 – J.L.G. Architects (64-69)
 - b. 24 ARC 006 – Peter A. Weston (70-75)
 - c. 24 ARC 0009 – Sean Kane (76-81)

N. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: JUNE 24, 2025

 MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board’s agenda, please visit the Department website at <https://dps.wi.gov>. The board may also consider materials or items filed after the transmission

of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that the meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS
AND REGISTERED INTERIOR DESIGNERS
MEETING MINUTES
OCTOBER 8, 2024**

PRESENT: Gregory Douglas, James Gersich, Anuya Rohit Sant, Roy Wagner

STAFF: Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Jake Pelegrin, Administrative Rule Coordinator; Dialah Azam, Board Administrative Specialist; and other Department Staff

CALL TO ORDER

Gregory Douglas, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with four (4) members present.

ADOPTION OF AGENDA

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF APRIL 9, 2024

MOTION: James Gersich moved, seconded by Gregory Douglas, to approve the Minutes from April 9, 2024 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Delegation of Authorities

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Section any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Section ordered education and/or paid costs and forfeitures within the time specified by the Section order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder

ceases participation in the Approved Program without Section approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.

4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Section or Section designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Section ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Section ordered evaluation or exam.

Motion carried unanimously.

CLOSED SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Gregory Douglas, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Gregory Douglas-yes; James Gersich-yes; Anuya Rohit Sant-yes; and Roy Wagner - yes Motion carried unanimously.

The Section convened into Closed Session at 9:35 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Case Closings

MOTION: James Gersich moved, seconded by Gregory Douglas, to close the following DLSC Cases for the reasons outlined below:

1. 22 ARC 009 – R.A.L. – Lack of Jurisdiction (L2)
2. 23 ARC 001 – P.A. – Lack of Jurisdiction (L2)

Motion carried unanimously.

Proposed Stipulations, Final Decisions and Orders

22 ARC 003 – Jason D. Gnich

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jason D. Gnich, DLSC Case Number 22 ARC 003. Motion carried unanimously.

22 ARC 009 – Peter S. Renner & Jeffrey A. Natrop

MOTION: Gregory Douglas moved, seconded by Roy Wagner, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Peter S. Renner & Jeffrey A. Natrop, DLSC Case Number 22 ARC 009. Motion carried unanimously.

(James Gersich recused himself and left the room for deliberation and voting in the matter concerning Peter S. Renner & Jeffrey A. Natrop, DLSC Case Number 22 ARC 009.)

23 ARC 001 – Pat L. Schmitt

MOTION: James Gersich moved, seconded by Gregory Douglas, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Pat L. Schmitt, DLSC Case Number 23 ARC 001. Motion carried unanimously.

Monitoring

Ernest E. Tourville – Requesting Full Licensure

MOTION: James Gersich moved, seconded by Roy Wagner, to grant the request of Ernest E. Tourville for full licensure. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to reconvene into Open Session. Motion carried unanimously.

The Section reconvened into Open Session at 10:08 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED IN CLOSED SESSION

MOTION: James Gersich moved, seconded by Gregory Douglas, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: James Gersich moved, seconded by Gregory Douglas, to adjourn the meeting. Motion carried unanimously.


The meeting adjourned at 10:16 a.m.

**EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS,
AND REGISTERED INTERIOR DESIGNERS AND SECTIONS
2025 Meeting Dates**

Board/Section/Council	Meeting Date	Start time	Location	Agenda Item Deadline
AE Board	Wednesday, April 2, 2025	1:00 PM	Virtual	3/21/25
AE Board	Wednesday, October 1, 2025	1:00 PM	Virtual	9/19/25
AE Rules	Wednesday, April 2, 2025	10:00 AM	Virtual	3/21/25
AE Rules	Wednesday, October 1, 2025	10:00 AM	Virtual	9/19/25
AE: Architect Section	Tuesday, April 1, 2025	9:00 AM	Hybrid	3/20/25
AE: Architect Section	Tuesday, September 30, 2025	9:00 AM	Virtual	9/18/25
AE: Professional Engineer Section	Wednesday, March 19, 2025	9:00 AM	Virtual	3/7/25
AE: Professional Engineer Section	Wednesday, June 18, 2025	9:00 AM	Virtual	6/6/25
AE: Professional Engineer Section	Wednesday, September 17, 2025	9:00 AM	Virtual	9/5/25
AE: Professional Engineer Section	Wednesday, December 10, 2025	9:00 AM	Virtual	11/26/25
AE: Designer Section	Tuesday, March 18, 2025	9:00 AM	Virtual	3/6/25
AE: Designer Section	Wednesday, October 1, 2025	9:00 AM	Virtual	9/19/25
AE: Landscape Architect Section	Tuesday, March 11, 2025	9:00 AM	Virtual	2/27/25
AE: Landscape Architect Section	Tuesday, September 9, 2025	9:30 AM	Virtual	8/28/25
AE: Professional Land Surveyor Section	Wednesday, February 26, 2025	9:00 AM	Virtual	2/14/25
AE: Professional Land Surveyor Section	Wednesday, May 28, 2025	9:30 AM	Virtual	5/16/25
AE: Professional Land Surveyor Section	Wednesday, August 27, 2025	9:00 AM	Virtual	8/15/25
AE: Professional Land Surveyor Section	Wednesday, December 3, 2025	9:00 AM	Virtual	11/20/25
AE: Registered Interior Designer Section	Tuesday, March 18, 2025	9:00 AM	Virtual	3/6/25
AE: Registered Interior Designer Section	Tuesday, June 17, 2025	9:00 AM	Virtual	6/5/25
AE: Registered Interior Designer Section	Tuesday, September 16, 2025	9:00 AM	Virtual	9/4/25
AE: Registered Interior Designer Section	Tuesday, December 9, 2025	9:00 AM	Virtual	11/26/25

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/1/2024	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2025	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Administrative Matters: Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: Board SharePoint Site: https://dsps.boards.wisconsin.gov/			
<p>Please be advised of the following Policy Items:</p> <ol style="list-style-type: none"> 1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPTS may host one or more in-person meetings. Virtual connection options are available for all board meetings. 2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections. 3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law. 4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. Register to set up an account in the Cornerstone LearnCenter online portal or Log in to an existing account. 5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting) 6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPTS within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Form) Travel Vouchers are distributed on travel approval. 7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time. <ol style="list-style-type: none"> a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe. b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPTS staff will cancel or modify reservations as appropriate. 8. Inclement Weather Policy: In inclement weather, the DSPTS may change a meeting from an in-person venue to a virtual/teleconference only. 			
11) Authorization			
		12/02/2024	
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
 - Public Hearings (relating to Administrative Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

ARCHITECT SECTION
2024 OFFICERS AND LIAISONS

2024 Officers	
Chairperson	Gregory Douglas
Vice Chairperson	Roy Wagner
Secretary	James Gersich

LIAISON APPOINTMENTS	
Credentialing Liaison(s)	James Gersich <i>Alternate: Gregory Douglas</i>
Education and Examination Liaison(s)	Gregory Douglas <i>Alternate: James Gersich</i>
Monitoring Liaison(s)	James Gersich <i>Alternate: Gregory Douglas</i>
Professional Assistance Procedure Liaison(s)	James Gersich <i>Alternate: Gregory Douglas</i>
Legislative Liaison(s)	Gregory Douglas <i>Alternate: Roy Wagner</i>
Travel Authorization Liaison(s)	Gregory Douglas <i>Alternate: James Gersich</i>
Optional Renewal Notice Liaison(s)	James Gersich <i>Alternate: Gregory Douglas</i>
Website Liaison(s)	James Gersich <i>Alternate: Gregory Douglas</i>
A-E Rules Committee (Professional Member)	Gregory Douglas <i>Alternate: James Gersich</i>
Screening Panel	Gregory Douglas, James Gersich <i>Alternate: Roy Wagner</i>

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Joseph Ricker		2) Date when request submitted: 02/25/25 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Architect Section			
4) Meeting Date: 04/01/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Reaffirming 2024 delegations and new 2025 delegations	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: The Board members need to review and consider reaffirming 2024 delegations and new delegations for 2025.			
11) Authorization			
<i>Richanda Turner</i>		02/25/25	
Signature of person making this request		Date	
Supervisor (Only required for post agenda deadline items)		Date	
Executive Director signature (Indicates approval for post agenda deadline items)		Date	
Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



State of Wisconsin

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

CORRESPONDENCE / MEMORANDUM

DATE: January 1, 2025

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. Further information on your Board's authority can be found in Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations. In order to efficiently accomplish these tasks, Boards may appoint Liaisons. Liaisons assist with the operations of the Boards' purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

The Department asks that each year the Boards make Liaison appointments to assist the Board and Department to accomplish these tasks in an efficient manner. Your practical knowledge and experience, as an appointed member of a professional board, are essential in making determinations regularly. The Liaison positions listed below assist the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. However, these areas are determined through the delegation process. Please note, a Liaison may also decide to send the delegated matter to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison and other Board functions.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain credential applications. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or

whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. Questions will likely be sent by Department staff to the Credentialing Liaison via email and may include application materials. The Credentialing Liaison serves a very important role in the credentialing process.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is limited either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. These requests vary wildly. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. The Board has the authority to grant decision making latitude to their liaison to any degree. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is permitted to act and speak on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members as scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds to questions that arise on behalf of the Board. The Communication Liaison works with the Department to cultivate an appropriate response which will be sent by the Executive Director or Board Counsel. The Communication Liaison **can** be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest, the Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: Screening Panel Members review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your Board. As a member of the Screening Panel, you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

CREDENTIALING DELEGATIONS

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To allow a representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison who has assisted with the credentialing process be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application. This delegation greatly decreases workload on Board members and cuts down processing time on applications.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination.” Predetermination reviews must be completed within 30 days. This delegation allows Department Attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the relevant professional practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department Attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant’s Disciplinary History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant’s Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements meet Wisconsin license requirements. (specific legal standards are referenced in the motion depending on credential/profession type).

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department Attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military reciprocity. This delegation permits Department Attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's Attorney Supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department Attorney Supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing.

PURPOSE: In order to continue improving processing application legal reviews in a timely matter, this delegation gives Department Attorneys authority to approve prior professional discipline which meets all of the following criteria: (1) it is at least ten years old; (2) it resulted in a monetary penalty, remedial education, and/or reprimand; and (3) the previously disciplined credential is currently in good standing.

MONITORING DELEGATIONS

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the Monitoring Liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor:

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison, and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received by the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board.

Education and Examination Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to qualifying education, continuing education and examinations. Motion carried unanimously. (Differs by Board)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for an Education and Examination Liaison to make these determinations on behalf of the Board and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

MISCELLANEOUS DELEGATIONS

Document Signature

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel, or DPD Division Administrator the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: To take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of his/her signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel-Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons, but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Delegation to Chief Legal Counsel-Stipulated Resolutions

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel (CLC) the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department, and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows CLC to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to accept surrender of their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession, that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint, that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Delegation to Handle Administrative Rule Matters

MOTION EXAMPLE: to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

PURPOSE: In order to advance the administrative rules process, action may need to occur between meetings. This allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

**ARCHITECT SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS
PROFESSIONAL ENGINEERS, DESIGNERS, PROFESSIONAL LAND SURVEYORS
AND REGISTERED INTERIOR DESIGNERS
2024 DELEGATIONS
APRIL 9, 2024
OCTOBER 8, 2024**

All Combined Delegations for 2024

Review and Approval of 2023 Delegations

MOTION: James Gersich moved, seconded by Gregory Douglas, to reaffirm all delegation motions from 2023 as reflected in the April 9, 2024 agenda materials. Motion carried unanimously.

DLSC Screening Delegation

MOTION: Steven Wagner moved, seconded by James Gersich, to delegate authority to the DLSC attorney to screen complaints when Section members are conflicted out. Motion carried unanimously.

Document Signature Delegations

MOTION: Steven Wagner moved, seconded by James Gersich, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) to sign documents on behalf of the Section in order to carry out its duties. Motion carried unanimously.

MOTION: James Gersich moved, seconded by Gregory Douglas, in order to carry out duties of the Section, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Section hereby delegate to the Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a section member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Steven Wagner moved, seconded by James Gersich, that in order to facilitate the completion of urgent matters between meetings, the Section delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving section member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Gregory Douglas moved, seconded by James Gersich, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one meeting. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Section concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Section meetings. The Section further requests that CLC only act on such matters when the best interests of the Section, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Section meeting. Motion carried unanimously.

Monitoring Delegations

Delegation to Monitoring Liaison

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Section any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Section ordered education and/or paid costs and forfeitures within the time specified by the Section order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Section approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.

4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Section or Section designee approval.
 5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Section ordered continuing, disciplinary, or remedial education.
 6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
 7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Section ordered evaluation or exam.
- Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Section meetings on behalf of the Section Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Section and to act on behalf of the Section in regard to credentialing applications or questions presented to them, including the signing of documents related to applications, except that potential denial decisions shall be referred to the full Section for final determination. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Section or Section liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of architecture. Motion carried unanimously.

Delegation to DSPS When Applicant's Discipline History Has Been Previously Reviewed

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline. Motion carried unanimously.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity Reviews

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements are of a standard not lower than required by the Section. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department's Attorney Supervisors to serve as the Section's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already

addressed by the Section and there are no new legal issues. Motion carried unanimously.

Pre-Screening Delegation to Open Cases

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate pre-screening decision making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. No response from the respondent after intake requested a response (case would be opened for the failure to respond issue as well as the merits).

Motion carried unanimously.

Pre-Screening Delegation to Close Cases

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate pre-screening decision making authority to the Department screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a violation of law or rules.

Motion carried unanimously.

Pre-Screening Delegation for Architect Section

Delegation of Authority to Pre-Screening Attorney

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired architect registration issued by the Section, practice by an individual on behalf of a firm that has an expired certificate of authorization issued by the Section, and practice by a firm with an expired certificate of authorization. Motion carried unanimously.

Voluntary Surrenders

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education, continuing education, and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Section Member Contact Information to National Regulatory Related Bodies

MOTION: James Gersich moved, seconded by Steven Wagner, to authorize the Department staff to provide national regulatory related bodies and NCARB with all section member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Steven Wagner moved, seconded by Gregory Douglas, to designate James Gersich (or, in the absence of James Gersich, the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to Section-related business within the license renewal notice at the Section's or Section designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Legislative Liaisons to speak on behalf of the Section regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: James Gersich moved, seconded by Steven Wagner, to delegate authority to the Travel Authorization Liaison to approve any section member travel to and/or participation in events germane to the section, and to designate

representatives from the Section to speak and/or act on the Section's behalf at such events. Motion carried unanimously.

Website Liaison(s) Delegation

MOTION: James Gersich moved, seconded by Steven Wagner, to authorize to the Website Liaison(s) to act on behalf of the Section in working with Department staff to identify and execute website updates. Motion carried unanimously.

Pre-Screening Authority Delegations, Amended

MOTION: James Gersich moved, seconded by Gregory Douglas, to delegate to the screening attorney the authority to immediately open cases that consist solely of any one of the following, or combination of the following: practice by an individual holding an expired architect registration issued by the Section, practice by an individual on behalf of a firm that **does not have a valid certificate of authorization ~~has an expired certificate of authorization issued by the Section~~**, and practice by a firm with an expired certificate of authorization. Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: [Section member name] moved, seconded by [Section member name], to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried [].

Review and Approval of 2024 Delegations including new modifications

MOTION: [Section member name] moved, seconded by [Section member name], to reaffirm all delegation motions made in 2024, as reflected in the April 1, 2025 agenda materials, which were not otherwise modified or amended during the April 1, 2025 meeting. Motion carried [].

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 3/24/25 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting																	
3) Name of Board, Committee, Council, Sections: Architects Section																			
4) Meeting Date: 4/1/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Proposed New Scope Statement on Certificates of Authorization																	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A																	
10) Describe the issue and action that should be addressed: Attachments:																			
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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

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Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior Designers

Clearinghouse Rule Number	Scope #	Scope Expiration	Code Chapter	Relating clause/ Summary	Current Stage	Next Step
CR 24-028	112-21	6/20/2024	A-E 2, 7, and 8	Sealing and Signing of Documents. Clarification on definitions of seal and stamps, requirements for electronic signatures, and clean up redundant words or sentences.	Legislative review.	Board approval of rule adoption order.
CR 24-044	071-22	2/22/2025	A-E 8	Supervision. Clarification on definitions of supervision to ensure requirements are current with standards of practice.	Legislative review.	Board approval of rule adoption order.
	101-23	05/20/2026	A-E 6	Education. Clarification of Land Surveyor education requirements.	Preliminary rule drafting.	Board approval of preliminary rule draft.

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

1) Name and Title of Person Submitting the Request: Greg Douglas, Chair		2) Date When Request Submitted: 03/20/2025 Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before the meeting for all others 	
3) Name of Board, Committee, Council, Sections: Architect Section			
4) Meeting Date: 04/01/2025	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? Professional Conduct – Discussion	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:	
10) Describe the issue and action that should be addressed:			
11) Authorization			
Will Johnson		03/20/2025	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda) Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Board Admin Specialist prior to the start of a meeting.			

MISSISSIPPI STATE BOARD OF ARCHITECTURE
RULES AND REGULATIONS
Final Rules Proposed May 7, 2024; Effective November 9, 2024

CLEAN

Title 30, Part 201, Chapter 2: Registration Requirements

Rule 2.1 Registration by Examination.

- 2.1.1 Applicants for initial registration by examination must:
- A. submit to the jurisdiction of the Board; and
 - B. provide an official record from NCARB which documents that the applicant:
 - 1. has acquired a professional degree in architecture from a school or college of architecture on the list of accredited schools issued by the National Architectural Accrediting Board (NAAB); and
 - 2. met the experience requirements of AXP in accordance with Rule 1.2; and
 - 3. passed all sections of the ARE in accordance with NCARB guidelines; and
 - C. non-resident applicants shall pay the fee prescribed in Rule 2.4 (the application/registration fee is waived for applicants for registration by examination if the applicant is a resident of the State of Mississippi); and
 - D. complete the Mississippi Application for Initial Licensure; and
 - E. successfully pass the Mississippi Jurisprudence Examination; and
 - F. meet the requirements of *Miss. Code Ann.* §73-1-13 and §73-1-17.

Source: *Miss. Code Ann.* §73-1-13

Title 30, Part 201, Chapter 3: General Rules

Rule 3.2 Practice Procedures.

- 3.2.8 A non-resident architectural firm, with no members registered in this state, may form a joint venture or association with a resident architectural firm if:
- A. the non-resident firm complies with *Miss. Code Ann.* §73-1-19; and
 - B. the firm agrees to consent to the jurisdiction of the Board; and
 - C. the construction documents and specifications are prepared under the responsible control of the architect licensed in Mississippi; and
 - D. one member of the non-resident architectural firm holds a valid NCARB Certificate; and
 - E. one member of the non-resident architectural firm shall apply for licensure in Mississippi within ten (10) days of the date of formation of the joint venture or association.

3.2.8.1 A non-resident architect, not registered in this state but registered in another state, may serve as a consultant to an architect registered in this state if:

- A. the non-resident architect holds a valid NCARB Certificate; and
- B. all construction documents and specifications are prepared under the responsible control of the architect licensed in Mississippi and are signed and sealed by the architect licensed in Mississippi; and
- C. the non-resident architect shall not use the title "architect," or any prefix, suffix or other form thereof, or any title, sign, card or device to indicate that such person is practicing architecture, or is an architect, in this state, unless it is stated thereon that such architect is participating as a consultant; and
- D. the non-resident architect consents to the jurisdiction of the courts of this state.

3.2.16 In regard to construction administration, if, under Mississippi law, an architect must prepare, or supervise and control the preparation of the contract documents for a new building or the alteration of or an addition to an existing building, construction administration services of an architect on the architectural aspects of the project are deemed necessary to protect the life, health and property of the public. In such event, construction administration for the project shall be conducted by an architect or by a person working under the responsible control of an architect. Construction administration as defined herein constitutes the practice of architecture as defined by the Board.

- A. For purposes of this rule, "construction administration" means the administration of the portion of the construction contract described and documented in the contract documents, including, but not necessarily limited to, the following services:
 - 1. visiting the construction site at intervals appropriate to the contractor's operations to determine that the work is proceeding generally in accordance with the technical submissions submitted to the owner and/or the building official at the time the building permit was issued; and
 - 2. processing shop drawings, samples, and other submittals required of the contractor by the terms of construction contract documents; and
 - 3. notifying an owner and any building official of any code violations; changes that affect code compliance; the use of any materials, assemblies, components, or equipment prohibited by a code; major or substantial changes between such technical submissions and the work in progress; or any deviation from the technical submissions that the architect identifies as constituting a hazard to the public, which the architect observes in the course of performing the architect's duties.
- B. On a project where the architect of record has not been engaged, or is no longer engaged, to perform construction administration services, as defined above, the architect of record shall report in writing to each of the following parties that the architect has not been engaged or is no longer engaged to perform construction administration services, or is not providing construction administration services as defined above:
 - 1. the building official;
 - 2. the Board;
 - 3. the owner;

4. the client; and
5. the contractor.

Commentary - In order to assure a project that is required by law to be designed by an architect is constructed in accordance with the plans and specifications, the architect of record should provide construction administration services as part of the protection of the life, health and property of the individuals using the built environment. Where the architect of record was not originally contracted or is no longer engaged to perform construction administration as defined above, or is providing only limited construction administration services, the architect is required to give the notice outlined above to assure that all parties to the construction project are aware that construction administration is not being performed by the architect of record or is limited in scope. This specifically provides a building official with notice so that the building official may compel the owner to provide someone to perform those services if the building official so chooses.

Source: *Miss. Code Ann. §§ 73-1-1, 3, 13, 19, 29, & 35; 73-2-3; 73-13-45.*

Title 30, Part 201, Chapter 4: Professional Code of Conduct

Rule 4.3 Compliance with Laws.

4.3.5 Rule 4.3.4 shall not prevent a person who is not currently registered in this state, but who is currently registered in another United States or Canadian jurisdiction, from providing uncompensated (other than reimbursement of expenses) safety assessment services at the scene of an emergency at the request of a public official, public safety official, or building inspection official, acting in official capacity in accordance with *Miss. Code Ann. § 11-75-1*. Any person providing uncompensated safety assessment services under this provision shall notify the Board on the form provided for that purpose. This provision shall apply only to safety assessment services rendered within ninety (90) days following the end of the period for the emergency, unless extended by an executive order. "Safety assessment services" means inspection and evaluation of any structure, building, facility, project utility, equipment, machine, process, piping, or other system at the scene of an emergency related to structural integrity or nonstructural elements affecting life, safety and habitability. Architectural services beyond safety assessment services including, but not limited to, design of repairs, demolition plans, construction documents, or construction administration shall only be undertaken by an architect registered in Mississippi.

Source: *Miss. Code Ann. §§73-1-29(1) and 11-75-1.*

Rule 4.5 Professional Conduct.

4.5.2

A. "Responsible control" shall be control over all phases of the practice of architecture as is ordinarily exercised by architects applying the required professional standard of care,

including, but not limited to control over and detailed knowledge of the content of technical submissions throughout preparation by the architect and others over whom the architect exercises supervisory direction and authority.

B. An architect shall not sign or seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect; except that (i) the architect may sign or seal those portions of the professional work that were prepared by or under the responsible control of persons who are registered under the architectural registration laws of this jurisdiction if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into the architect's work, and (ii) the architect may sign or seal portions of the professional work that are not required by the architectural registration law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into the architect's work.

C. Plans, specifications, drawings, reports or other documents will be deemed to have been prepared under the responsible control of an architect only when:

1. the client requesting preparation of such plans, specifications, drawings, reports or other documents makes the request directly to the architect, or to a person under the supervisory direction and authority of the architect, so long as the architect has the right to control and direct the material details of how the work is to be performed; and
2. the architect supervises, directs and is involved in the preparation of the plans, specifications, drawings, reports or other documents and has input into and full knowledge of their preparation prior to their completion; and
3. the architect reviews the final plans, specifications, drawings, reports or other documents; and
4. the architect has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports or other documents; and
5. contributions of information or predrawn detail items or detail units that are incidental to and intended to be integrated into an architect's technical submissions are from trusted sources (including, but not limited to, manufacturers, installers, consultants, owners, or contractors), are subject to appropriate review, and are then coordinated and integrated into the design by the architect.

D. Review, or review and correction, of technical submissions after they have been prepared by individuals not under the supervisory direction and authority of the architect does not constitute the exercise of responsible control because the reviewer has neither

control over nor detailed professional knowledge of the content of such submissions throughout their preparation.

E. Use by an architect of third-party off-site drafting services is permissible only if there is responsible control as indicated by the following, in addition to the requirements of paragraph (C) above:

1. A written agreement exists between the architect and the drafting service showing that the architect assumes full professional responsibility for the work in relation to the client, spelling out in detail the services to be provided by the drafting service including necessary disciplines and types of services. This agreement may be a standing agreement pertaining to more than one project; and
2. The technical submissions prepared by the drafting service are taken from complete information provided by the architect whose seal will appear on the documents; and
3. The drafting service's preparation shall not consist of any original design work whatsoever produced by that drafting service, including decisions for use of previously drawn or stored work. The architect shall retain documented evidence for at least five (5) years to prove the source of such original design work is that of the architect and make such records available to the Board upon request. Such records include written project agreements, time records, site visit logs, records of meetings and communications among project participants, documentation of research or investigations conducted on behalf of the project, design calculations, design sketches at various stages of development indicating the progress of the project, and notations memorializing reviews, corrections or revisions of documents prepared for the project.

Source: *Miss. Code Ann. §§73-1-1, 13, 19, 29(1), 35*

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MARK-UP

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 - C. non-resident applicants shall pay the fee prescribed in Rule 2.4 (the application/registration fee is waived for applicants for registration by examination if the applicant is a resident of the State of Mississippi); and
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 - D. one member of the non-resident architectural firm holds a valid NCARB Certificate; and
 - E. one member of the non-resident architectural firm shall apply for licensure in Mississippi within ten (10) days of the date of formation of the joint venture or association.

3.2.8.1 A non-resident architect, not registered in this state but registered in another state, may serve as a consultant to an architect registered in this state if:

- A. the non-resident architect holds a valid NCARB Certificate; and
- B. all construction documents and specifications are prepared under the responsible control of the architect licensed in Mississippi and are signed and sealed by the architect licensed in Mississippi; and
- C. the non-resident architect shall not use the title "architect," or any prefix, suffix or other form thereof, or any title, sign, card or device to indicate that such person is practicing architecture, or is an architect, in this state, unless it is stated thereon that such architect is participating as a consultant; and
- D. the non-resident architect consents to the jurisdiction of the courts of this state.

3.2.16 In regard to construction administration, if, under Mississippi law, an architect must prepare, or supervise and control the preparation of the contract documents for a new building or the alteration of or an addition to an existing building, construction administration services of an architect on the architectural aspects of the project are deemed necessary to protect the life, health and property of the public. In such event, construction administration for the project shall be conducted by an architect or by a person working under the responsible control of an architect. Construction administration as defined herein constitutes the practice of architecture as defined by the Board.

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- B. ~~On~~ On a project where the architect of record has not been engaged, or is no longer engaged, to perform construction administration services, as defined above, the architect of record shall report in writing to each of the following parties that the architect has not been engaged or is no longer engaged to perform construction administration services, or is not providing construction administration services as defined above to the following parties:
 - 1. the building official; ~~and~~
 - 2. the Board;

- 23. the owner; and
- 34. the client; and
- 45. the contractor.

Commentary - In order to assure a project ~~which~~that is required by law to be designed by an architect is constructed in accordance with the plans and specifications, the architect of record should provide construction administration services as part of the protection of the life, health and property of the individuals using the built environment. Where the architect of record was not originally contracted or is no longer engaged to perform construction administration as defined above, or is providing only limited construction administration services, the architect is required to give the notice outlined above to assure that all parties to the construction project are aware that construction administration is not being performed by the architect of record or is limited in scope. This specifically provides ~~the~~a building official with notice so that the building official may compel the owner to provide someone to perform those services if the building official so chooses.

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**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

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3) Name of Board, Committee, Council, Sections: Architect Section			
4) Meeting Date: 04/01/2025	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? Emerging Trends in Architecture – Discussion	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both		8) Is an appearance before the Board being scheduled? <input type="checkbox"/> Yes (Fill out Board Appearance Request) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required:
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Will Johnson		03/20/2025	
Signature of person making this request		Date	
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