

The Architectural Institute of BC Regulatory Supplement

Commentary from the Consensual Resolution Review Panel: AIBC Mandatory Continuing Education System Bylaw Breaches

The Consensual Resolution Review Panel (the "Panel") does not comment on specific cases it has reviewed for approval under the AIBC's consensual resolution process. However, throughout the Panel's review and deliberations, certain issues arise with enough frequency or are otherwise notable enough to merit comment.

The Panel takes this opportunity through the publication process of consensual resolution agreements to address some of these issues. The comments are intended solely as a reminder to the profession and are not specific to any consensual resolution agreement nor any specific conduct matter before the AIBC.

The Panel reminds members that AIBC Bylaw 30.2 relating to Continuing Education System ("CES") requirements is mandatory and that non-compliance can carry serious professional conduct consequences.

The AIBC's resources and ability to address other professional conduct matters are also affected by members' non-compliance, particularly persistent non-compliance. The Panel is of the view that substantially higher penalties for repeat non-compliance with CES requirements should be considered.

The Panel wishes to ensure that it retains full discretion to consider all relevant factors in determining whether to approve a consensual resolution agreement relating to CES non-compliance. However, MAIBCs should be aware of the following general guidelines that the Panel will consider for CES consensual resolution agreements that arise out of the most recent reporting period (ending June 30, 2006) and future reporting periods:

- Reprimand and publication;
- A reasonable fine for 'first-time offenders' of the Bylaw (in addition to the Council-mandated \$750 fine), as a deterrent, to help defray the considerable institutional costs involved in dealing with each matter, and to reflect the reality that CES is now a well-established system with compliance numbers above 95 percent;
- Considerably higher fines for 'second-time' offenders;
- For first and second-time breaches of the Bylaw, shorter time periods during which to obtain any outstanding Learning Units and/or pay the Council-mandated \$750 fine for non-compliance as of June 30 of each reporting period, failing which compliance members will be automatically suspended until such time as compliance with Learning Unit and fines has been achieved;
- Substantial fines and/or automatic suspension, where appropriate, for members who are non-compliant for a third reporting period;
- Where it has been necessary to serve a Notice of Inquiry upon a member prior to entering into consensual resolution, a suitable fine should be imposed (in addition to any other penalties that may apply) to cover part of the Institute's costs.

The Panel will consider these guidelines on a case-by-case basis and in the interest of the public, the member and the AIBC.

CES Compliance Update

The fourth reporting period, which ran from July 1, 2005 to June 30, 2006, was a tremendous success. The compliance rate is 99.8 percent, an increase from the third reporting period, in which the compliance rate was 98.5 percent.

We congratulate the membership on both its commitment to professional development and on fulfilling its CES obligations. The publication of disciplinary sanctions against non-compliant members no doubt had a cautionary effect in this reporting period, however the large number of members who exceed the minimum requirement for 18 Learning Units demonstrates the enthusiasm and professionalism of AIBC members. Interim transcripts will be sent out in the spring of 2007, but at any time members can check their current status online, or by contacting the AIBC.

Consultation Service for Members

The newly established Practice Standards Consultation Service (PSCS) Committee is actively developing a support service designed to help BC architects build, operate and evaluate successful architectural practices that meet or exceed the standards we set as a self-regulating profession. At the 2006 AIBC/RAIC conference, the Peer Review Task Force (PRTF) presented its findings, which included:

- The concept of peer review is becoming standard practice in all professions.
- The Provincial Government's Modernization Strategy conceptually expects a form of review, as does the public, and as do clients working with ISO certification.
- The purpose of peer review is to help the practitioner and the profession to provide and maintain good practices.

Given the above, the PRTF recommended that such a service should be available to holders of Certificates of Practice, and suggested it be called the Practice Standard Consultation Service. The AIBC Council, in October 2006, concurred and converted its task force to a Committee under the Practice Board. The PSCS Committee's primary mandate is to establish a consultation service available to all holders of a Certificate of Practice on a voluntary basis.

The next Annual Conference will feature a workshop on this service. The target for first service delivery is before the end of 2007. After a year or two of experience, feedback and members' support, the PSCS Committee and Practice Board may recommend to Council that the service become mandatory. All consultations will be private and confidential, constructive not punitive, with no cost to the Certificate of Practice holders and will earn Learning Units for participating architects.

Members interested in joining the committee, becoming practice advisors or volunteering their firms for an initial consultation should contact PSCS Coordinator Jackie Buchan at jbuchan@aicb.ca.

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AIBC Annual Conference April 26 - 28, 2007

Planning is underway for the AIBC Annual Conference. This year's Conference is themed *Making a Difference: Architecture in the Pacific Northwest* and will take place at the Four Seasons Hotel and Conference Centre in Vancouver. Last year, more than half the membership attended all or part of the conference. As in previous years, members will be able to easily obtain 18 Learning Units over the two and a half days of the conference. There will be a wide variety of speakers on various aspects of the profession. Their aim is to educate, stimulate and inspire. Mark your calendars and watch for the brochure arriving in your mailbox in the new year.

Foreign Trained Architects

In acknowledging the necessity to recognize the professional experience and credentials of Foreign Trained Architects (FTAs), and to expedite their path to registration and licensure with the Institute, a more expansive interpretation of Section 36 of the *Architects Act* has been adopted at the AIBC which, at its core, allows for the registration of FTAs who are presently registered in jurisdictions other than those covered in reciprocity agreements across Canada, the United States and Mexico. This newly adopted process is intended for broadly experienced candidates (with foreign and/or a combination of foreign and local experience), and who do not fall into the established Alternative Qualifications parameters of Section 37 of the *Architects Act*. We anticipate registering the first FTA under Section 36, imminently. The AIBC is pleased to be able to offer another alternative path for registering FTAs.

Further in our efforts to provide a welcoming atmosphere for FTAs at the AIBC, we would like to invite FTAs to consider the option of becoming "Associate Members" of the Institute under a newly-created Associate Membership category, "Foreign Trained Architect (unregistered)". With an associate membership, an FTA is permitted to attend all general meetings of the Institute, is eligible to sit on committees of the Institute and will receive AIBC publications and bulletins. It is also a viable way for FTAs to maintain a connection to the Institute.

Speaking of committees, the AIBC is interested in forming a new committee comprised of FTAs, as well as MAIBCs wishing to provide guidance and/or mentorship to FTAs. The intent of an FTA Committee would be to provide a venue of support for FTAs at the AIBC, as well as an informal and much-needed forum for discussing registration-related and other issues pertaining specifically to FTAs. If you're interested in being a charter member of this committee, please contact Sharna Searle, the Director of the Registration and Licensing Department, at ssearle@aibc.ca.

The next AIBC Continuing Education reporting period ends June 30, 2007.

Members require 18 Learning Units, of which 8 are to be Core LUs.

Recognition of Longstanding Registration

Recognizing those members who have retained a longstanding, active membership and practice with the Institute, has long been a Council objective. The AIBC is now in the process of implementing a policy that will see that objective come to fruition.

Members who have maintained full membership in the AIBC for a period of not less than thirty (30) consecutive years will be eligible to be awarded the special title "Life Member of the AIBC." Members having such recognition conferred will receive a special certificate that identifies them as a Life Member of the AIBC and they will then be entitled to use that designation after their name. The title may continue to be used once the member ceases to be currently registered with the AIBC. Qualifying members electing to continue in active practice would receive the recognition and title but will be required to continue to meet all existing requirements for active practice in BC, including mandatory CES.

Certain criteria will have to be met in order to be eligible for recognition of longstanding registration, including ensuring that the member is in good standing at the time of qualification and that there are no outstanding discipline issues at the time of recognition. Membership will also need to be active in January of the 30th year of recognition. As well, it must be noted that granting the title "Life Member of the AIBC" will confer no right to practice.

Diversity on Oral Review Panels: A Necessity

The AIBC continues its call for a fresh infusion of Oral Review panelists. We are looking for a multi-cultural and diverse group of volunteers to expand the roster. And, frankly, we want (and need) more women involved in the process. This is important and critical work; involvement in the Oral Review process puts you at the forefront in helping to ensure the maintenance of the highest standards of the practice of architecture, as Interns and Foreign Trained Architects enter the profession in British Columbia. If you are interested in exploring this opportunity to participate at the AIBC in a meaningful way, you are invited to contact AIBC Registration Coordinator Roisin O'Neill at roneill@aibc.ca.

Reinstatement of Voluntarily Resigned Members – A Bulletin 01 Revision

After an internal review of Bulletin 01, in particular the fee requirements for reinstating a member who has voluntarily resigned, it was decided that charging such a member an application fee in addition to a reinstatement fee was redundant and unfair. Effective immediately, in such cases where a member has voluntarily resigned within seven years prior to her or his request for reinstatement, the member will be required to pay only a reinstatement fee and not an additional and separate application fee.