



ARCHITECTURAL INSTITUTE OF BRITISH COLUMBIA

The Self-Regulating Practice of Architecture in BC

A proposal for the expansion of AIBC membership and the creation of limited license practitioners.

The provincial legislation known as the Architect's Act is over 80 years old. In the intervening years technological advances, education and technical skills expansion, changes in design and construction processes, and changes in the relationship between the public, government and practitioners have been significant.

In 2002 the AIBC made a commitment to develop a new Draft Act that would better reflect the nature of the building design profession in British Columbia. A significant component of this process was the desire to include, as full members, design building professionals currently not recognized under the traditional AIBC definition of 'architect'.

The new Act, and the Bylaws it will govern, must continue to offer surety to the public regarding public health and safety, accountability, accessibility, as well as established qualitative and ethical standards. The AIBC is also committed to creating a new self-regulating model that is viable for future generations of building design practitioners. We believe the proposed expansion of membership in the AIBC and the proposed limited license scopes of practice for technician and technologists meet those requirements.

However, we are also aware of the immediate need to establish an acceptable protocol for the transfer of current ASTTBC and BDIBC members to the AIBC. We acknowledge that in the short term there must be mechanisms to assess comparable qualifications to those outlined in the proposal.

The following document present the AIBC case for new membership categories within the AIBC, as well as scopes of practice for Technicians and Technologists who wish to engage in independent professional building design practice under a limited license. It is also intended to more fully outline the AIBC argument against expanding the scope of practice beyond those currently proposed by the AIBC.

The submission includes:

1. A discussion of the Intrinsic Difference Between Architects and Technologists
2. Proposed AIBC membership categories and limited licenses
3. Rationale for the proposed Scope of Practice for the Technologist limited license
4. Proposed Transfer Protocol for ASSTBC and BDIBC members to the AIBC
5. Alternative Qualification for Registration as an Architect

Intrinsic Differences between Architects and Technologists

1. Introduction

When determining different scopes of practice for architectural technologists as compared with architects, it is necessary to consider the differing levels of academic education, training, and examination each professional entity brings to their respective vocations. By doing so, one can more fully appreciate and understand their differences and similarities, which in turn helps inform the definition of practice appropriate for each group.

While the discussions in the AIBC/ASTTBC Joint Task Force to date have focused largely on '*quantitative*' terms it is important to understand that, beyond basic public health and safety issues, there are also compelling reasons from a '*qualitative*' perspective that must be considered to ensure the needs of the greater public good are met.

In general terms, the differences between architects and technologists are categorized as follows:

1. The *educational* background required for architects is more diverse than it is for technologists;
2. The *experience* requirement is more wide-ranging and rigorous for architects and more specific for technologists;
3. The *examination* requirements for registered architects is considerably more extensive than for practicing technologists;
4. The architect is involved not only in the building design but also is concerned about, and prepared to consider the impact of a building, or buildings, on the character of a community. The *context of practice* is different for both professional groups.

It is worth considering each one of these key differences individually.

2. Education

Currently in Canada, the professional degree programs in architecture are Master Degree programs with five basic components in the curriculum; design, theory and history, technology, practice, and general education. The general education component focuses largely on liberal studies so architectural students can appreciate the accomplishments of civilizations, develop an awareness of societal needs, and stimulate their intellectual curiosity.

The central component is the design studio where students find themselves from the beginning to the end of the professional program. Students are challenged to identify key issues, synthesize relevant knowledge and experience, and consider how their proposed buildings and places will be shaped, constructed, and inhabited. The studio provides opportunities for exploration, questioning, testing, and criticism. In arriving at their design solutions, students learn to make decisions based on facts, rationale, and insight. The studio environment demands personal accountability for decisions and commitment to ideas and proposals that will be subject to public scrutiny.

The technology component is largely in alignment with the course descriptions and content in the two-year diploma program in architectural technology. However, while the two-year diploma program has a well-recognized and strong focus on technology, it exposes technology students to significantly less design studio experience, theory, history, and practice courses and virtually no exposure to liberal arts studies.

3. Experience

Completing the professional degree program in architecture leads to internship – a period of practical training to acquire and reinforce the discipline, integrity, judgment, skills, knowledge, and quest for learning that characterize responsible architectural practice. The Intern Architect Program consists of 5600 hours of diverse experience under a registered architect's direct supervision. The direct supervision is that of an employer. In addition, the architect "mentor" follows the progress of the Intern and guides them through all aspects of architectural practice.

There are 15 mandatory types of experience required, covering all aspects of design, construction documents, contract administration, management of projects and management of a professional office. In addition, Intern Architects are required to complete all six courses within the Mandatory Supplementary Education program.

Currently, no comparable internship program exists for architectural technologists.

4. Examination

Completing the internship qualifies the intern to take the Architect Registration Examination (ARE) developed by NCARB. The ARE is subdivided into nine divisions and in total comprises almost four days of examination. Interns are also required to pass an oral examination, which tests the ability to practice professionally in BC.

Currently in the AIBC, the only examination required for architectural technologists is the AIBC Ethics exam.

5. Context of Practice

As noted in the discussions above with respect to the differences in education, experience, and examination for architects and technologists, the architect must complete a comprehensive, time intensive, and diverse process prior to being entitled to practice architecture. In contrast, technologists complete a two-year period diploma program, substantially focused on the technological aspects of practice with no comparable internship requirement and considerably less examination requirements.

It is because of these widely disparate backgrounds leading up to professional practice that an architect is better prepared to provide services for larger scale, functionally complex, and challenging building and urban planning projects. In granting the privilege to practice as a self-governing profession, the public expects architects to provide services and solutions, not only with technical competence, but also to bring their breadth of skills to the design of the physical, social, cultural, and economic environment, thereby enhancing the community experience.

In summary, architects are not only obligated to respond to the needs of public 'health and safety' through their work with clients and the community, but they are also obligated to address their broader responsibilities for enhancing the greater public interest. For these reasons, the AIBC is of the opinion the proposed scope of practice being suggested for the Registered Technologists limited license is appropriate and responds to the broader interests of our extended community.

Proposed new membership categories to be covered under the self-regulating legislation of the Architects Act in BC.

1) Technician - Tech.AIBC

Qualifications:

- 1 year recognized education or equivalent
- 2 years acceptable industry experience
- Successful completion of the Ethics exam

1a) Registered Technician with *Limited License* Tech.AIBC(Cert.)

- Independent Practitioner
- AIBC issued limited license seal

Qualifications

- Technician Certification
- 3 years acceptable experience, 2 of which under the direct supervision of an Architect or Registered Technologist.
- Demonstrated code competency with the successful completion of a recognized Building Code course on residential portion of the BC Building Code
- Oral Review
- Continuing Education Standards (post registration)

Scope of Practice

Multiple residential building, on a single site, not to exceed 400 square meters footprint, limited to 2 storeys.

2) Technologist - AT.AIBC

Qualifications

- 2 year recognized diploma or equivalent
- 2 years demonstrated work experience, one of which was completed under the direct supervision of an Architect or Registered Technologist logged as per AIBC standards.
- Successful completion of the Ethics exam

2a) Registered Technologist with *Limited License* AT.AIBC(Cert)

- Independent Practitioner
- AIBC issued limited license seal

Qualifications

- Technologist Certification
- Demonstrated code competency with the successful completion of a recognized Building Code course on the Part 9 portion of the BC Building Code
- 4 years acceptable work experience, 2 of which to be completed under the direct supervision of an Architect or Registered Technologist in conjunction with an AIBC approved mentorship program, logged as per AIBC standards
- Oral Review
- Continuing Education Standards (post registration)

Scope of Practice

Single site, single occupancy, not to exceed 3 storeys, with a maximum 600 square meters building footprint, to a maximum gross floor area of 1800 square meters and limited to residential, business and/or personal services, mercantile and medium-to-low hazard industrial occupancies.

Representation

The following seats on Council will be offered for consideration:

- Permanent Vice President of Technology
- Additional Council seat

Technologists and Technicians will not be eligible to assume the role of President of the Architectural Institute of BC.

Rationale for Registered Technologist Scope of Practice

Scope of Practice

Single site, single occupancy, not to exceed 3 storeys, with a maximum 600 square meters building footprint, to a maximum gross floor area of 1800 square meters and limited to residential, business and/or personal services, mercantile and medium-to-low hazard industrial occupancies.

Single site

Defined as the natural and legal development boundary for a built project. This limitation helps differentiate for projects that require consideration of issues including sustainability, recreational use (active and passive) and access; the spaces between buildings; light and air penetration; limiting distances between buildings for fire safety; connecting structures and systems; transportation; common storage; maintenance; community values; and public safety. It is our opinion that multiple site projects require the skills and awareness of a registered architect.

Single occupancy

This notion addresses the idea that multiple occupancies are more demanding and critical with regard to the number, density, movement patterns and conditions of the people within them and their greater exposure to risk.

Multiple occupancies inherently generate complicated issues of fire separation in both vertical and horizontal planes; distinct and common means of egress; variable environmental structural, mechanical and electrical loadings and systems; differing functional needs and occupant loads; and materials interface that require the skills of a registered architect.

600 square meters “footprint”

The term footprint is a more readily understood term than the Building Code’s arbitrary and often confusing use of “building area.” The use of the term footprint is also familiar in the context of zoning bylaws throughout the province, which govern how much of a site must be left unbuilt.

Three storeys

This matches the current height limitation for the code’s Part 9 buildings.

1800 square meters maximum total gross floor area

This limitation is designed to provide the maximum design flexibility for the Registered Technologist practitioner in considering the best use of the site. It provides a formula that, for example, would allow for multiple buildings, of varying size.

It is important to note that this definition is 1330m² larger than what is now permitted under the Architects Act (470m²) for business and/or personal services; mercantile; and medium-to-low hazard industrial occupancies and would thereby provide a greatly enhanced and legislated scope of practice for Registered Technologists.

Proposed Transfer Protocol

ASTTBC members in good standing with the appropriate qualifications will be eligible to be automatically transferred to the AIBC.

Registration

The initial transfer will be to one of three classes, depending on the individual qualifications of each member:

1. Tech. AIBC
2. AT.AIBC
3. Intern Tech

On a mutually agreeable date, ASTTBC will mail to its members a package of information and forms, including a 'permission to transfer' form. The 'permission to transfer' form will include a statement agreeing to the transfer and authorizing ASTTBC to release all file information for the individual to the AIBC. Depending on the contents of a typical ASTTBC member file, the AIBC may also require further information.

All transferred members to the Tech.AIBC and AT.AIBC designations will be required to write and pass the AIBC's Ethics exam within a limited period of time (2 years maximum).

Individual files will be reviewed upon transfer. There may be associate members of ASTTBC who do not meet the education and experience requirements of either Tech. AIBC or AT.AIBC designations. Ideally, these individuals will be identified with ASTTBC and offered a transfer into the Intern Tech program, in order to gain more education or experience and have the opportunity to ladder into the Tech.AIBC or AT.AIBC designations at a later date. In addition, members who do not successfully pass the Ethics exam within the 2 year period will be required to transfer to Intern Tech status.

Licensing

This transfer will likely have to take place prior to the new legislation coming into effect. Licensing will therefore not be possible at initial transfer. In order to provide assurance to transferred members with respect to future licensing opportunities, an understanding of how individuals will be evaluated for licensing should be developed.

The requirements for licensing outlined below under "Post-Transfer Qualifications" should be rigorously and consistently applied in the interest of fairness, administrative efficiency and public assurance at a later date for brand new members. However, it is important to apply the standards in a more flexible manner for current AT.AIBC's and transferring ASTTBC members, while still maintaining standards and providing public assurance. Therefore, it is suggested that AT.AIBC's who transfer from the ASTTBC or who are currently AIBC members, are treated on a more individual basis if they apply for licensing within 2 years of licensing becoming available to them under new legislation. These applicants for license will still have to meet the standards but may do so on a more flexible basis. This will be a fair approach to existing members, although more resource-intensive in the short-term.

Specifically, using the "Post-Transfer Qualifications" for either a Tech.AIBC (Cert.) or AT.AIBC (Cert.) listed below, the following requirements should be either met or reviewed individually:

1. Registration: should obviously be required (in addition to successful completion of the Ethics exam, if not already completed at that time).
2. Experience: might be demonstrated in a more flexible and individual fashion. In the case of both ASTTBC and AIBC technologists and designers, there are currently rigorous review processes in place to evaluate experience. The file information for each candidate from those processes would be valuable to the AIBC in the licensing process. Neither programs currently involved mentorship or structured log books, so it would be unreasonable to expect current members to obtain mentored experience logged as per AIBC standards.
3. Code competency: might be demonstrated in a more flexible and individual fashion. Lack of formal education in the building code might be offset by demonstrated experience. Another option would be to ensure that code-related questions are included in the oral exam.
4. Oral exam: An oral examination structure based on ability to professionally practice the applicable scope of architecture should be developed for all potential licensees. Examining panels would be composed of both experienced technologists and architects. It is anticipated that licensing may be a very easy decision to make for many applicants based on their experience and education. Having said that, it should not be automatic, due to the reality that the license will confer the right to independently practice a scope of architecture that the applicants were not previously entitled to and may not have practiced. The oral exam provides the necessary public assurance for conveying this new right.

Post-Transfer Qualifications

Tech.AIBC and AT.AIBC applications received after the deadline set for transfer will be required to meet all registration and licensing requirements. The licensing requirements proposed so far are:

- A. Registered Technician with Limited License - Tech.AIBC (Cert.)
 1. Registration as Technician
 2. 3 years acceptable experience, 2 of which to be under the direct supervision of an Architect or Technologist
 3. Demonstrated code competency with the successful completion of a recognized Building Code course on residential portion of the BC Building Code
 4. Oral Exam
- B. Registered Technologist with Limited License - AT.AIBC (Cert)
 1. Registration as Technologist
 2. Demonstrated code competency with the successful completion of a recognized Building Code course on Part 9 of the BC Building Code
 3. 4 years acceptable work experience, 2 of which to be completed under the direct supervision of an Architect, or Registered Technologist in conjunction with an AIBC approved mentorship program, logged as per AIBC standards to be established
 4. Oral Exam

Qualifications for Registration as an Architect

Background and Current Process

Under the current *Architects Act*, section 37 provides the ability for the AIBC to register an individual as an architect who has ‘alternative qualifications’ different from the Intern Architect Program or reciprocal licensing arrangement covered by section 36 of the *Act*.

The threshold requirements for registration through alternative qualifications is for an individual to be nominated by five MAIBC’s and to have 15 years of experience working in the office of a registered architects in BC, or 15 years of experience working in the office of a registered architect outside BC, or 8 years practice as a registered architect in another jurisdiction.

Since December 2001, when the policy and procedures for administering section 37 changed, the AIBC has had an active and increasingly successful registration process for alternative qualification candidates. The components of the process include a rigorous review of candidates to ensure that they are qualified in all aspects of architectural practice normally tested through the Intern Architect Program and corresponding exams. Demonstrated experience in each required category of knowledge is often accepted as comparable to the traditional system of education, examinations, and experience. The oral review is the only required component for the candidate, although the candidate *may* be asked to take exams or seminars or obtain more experience prior to registration if deemed necessary by the Registration Board upon completion of the initial evaluation. It is worth noting that, to date, the Registration Board has not required any section 37 candidate to take an NCARB examination, although several have been asked to take particular AIBC Intern seminars. The process has been designed to embody as much flexibility and opportunity as possible without ending in a simple ‘yes’ or ‘no’ response.

The new process has been a learning experience for the AIBC. There is much in the process that has been useful and successful in being able to register competent architects through non-traditional means. The main source of frustration with the current process is the inflexibility of the “threshold requirements” spelled out in the *Architects Act*. For example, the drafting of the legislation does not permit a combination of experience from the three sections, which sometime results in unfair and irrational rejection of candidates before they have the opportunity to be reviewed. The wording of the legislation is also old and does not sufficiently address newer work arrangements, such as contracts (although the AIBC has chosen to interpret this part of the legislation liberally and in the favour of candidates).

New legislation: new opportunities

As part of the review of the *Architects Act*, the Registration Board conducted a thorough review of section 37 and suggested changes to address its concerns with the threshold requirements. The draft legislation does not include these specifics which would, presumably, be included in bylaws.

The AIBC is strongly in support of an alternative mechanism for registration which is flexible, fair, but rigorous. Although it is one of a handful of jurisdictions in North America

willing to register architects with alternative qualifications, the AIBC believes in recognizing competent individuals with diverse experiences and backgrounds. It has therefore chosen to apply section 37 of the legislation with a minimum of unnecessary bureaucracy in order to determine whether the candidate will be a professional and competent architect.

The intention is for the new legislation to provide an even greater rationalization of the process.

Available opportunities for technologists

Under the current legislation, a technologist with 15 years of experience working with registered architects, and upon the AIBC's receipt of five nomination letters, could participate in the alternative qualifications review process. If the candidate has the right breadth of experience and knowledge they would be eligible to sit the oral review and become registered.

The new legislation will likely include a similar provision in the bylaw which will be more inclusive at the threshold but continuing to be rigorous during the evaluation component, by necessity to provide public assurance.

Appropriately experienced technologists would be welcome and encouraged to apply for registration as an architects under the current or future legislation.