

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE ARCHITECTS LICENSURE BOARD

TIME: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

January 9, 2025

State Architects Licensure Board
January 9, 2025

BOARD MEMBERS:

William J. Bates, RA, Vice President
Matthew Eaton, Deputy Commissioner, Bureau of
Professional and Occupational Affairs, on behalf of
Arion R. Claggett, Acting Commissioner
Patrick Endler, RA
Michael Johns, RA, Secretary
Mary E. McClenaghan, RA, President
Seth Miller, Esquire, Deputy Attorney General,
Office of Attorney General
Jerry K. Roller, RA

BUREAU PERSONNEL:

Ashley Goshert, Esquire, Board Counsel
Ray J. Michalowski, Esquire, Senior Board Prosecutor
Angela L. Solomon, Esquire, Board Prosecution Liaison
Tyesha C. Miley, Esquire, Board Prosecutor
Jessica Harris, Board Administrator
Carolyn A. DeLaurentis, Esquire, Executive Deputy
Chief Counsel, Department of State
Marc Farrell, Esquire, Regulatory Counsel,
Office of Chief Counsel, Department of State
Deena Parmelee, Legal Office Administrator 1,
Department of State
Elle Thompson, Law Clerk, Department of State
Carlton Smith, Esquire, Deputy Chief Counsel,
Prosecution Division
Amanda Richards, Fiscal Supervisor, Bureau of Finance
and Procurement, Department of State
Marcedes Newby, Fiscal Management Specialist 1,
Bureau of Finance and Procurement, Department of
State
Jennifer Jumper, Fiscal Management Specialist 2,
Bureau of Finance and Procurement, Department of
State
Tamie Laudenslager, Fiscal Management Specialist,
Bureau of Finance and Procurement, Department of
State
Taylor Koch, Fiscal Chief, Bureau of Finance and
Procurement, Department of State

State Architects Licensure Board
January 9, 2025

ALSO PRESENT:

Jennifer Smeltz, Republican Executive Director,
Senate Consumer Protection & Professional Licensure
Committee
Amal Mahrouki, Director of Legislative Affairs,
American Institute of Architects of Pennsylvania
Amyra Weiss, Chief Communications Visionary
& Storyteller, American Institute of Architects of
Pennsylvania
Jennifer Gibian, JML Design
Carrie Goodyear Hillman, Director of Government
Relations, Schafer Government Affairs, Inc.
Andrew M. Goodman
Erin Badstuebner, Sargent's Court Reporting Service,
Inc.

State Architects Licensure Board

January 9, 2025

[Pursuant to Section 708(a)(5) of the Sunshine Act,
at 9:30 a.m. the Board entered into Executive Session
with Ashley B. Goshert, Esquire, Board Counsel, for
the purpose of conducting quasi-judicial
deliberations and to receive the advice of counsel.
The Board returned to open session at 10:30 a.m.]

The regularly scheduled meeting of the State
Architects Licensure Board was held on Thursday,
January 9, 2025. Mary E. McClenaghan, RA, President,
called the meeting to order at 10:30 a.m.

Introduction of Board Members/Attendees

[President McClenaghan requested an introduction of
Board members and attendees. A quorum of Board
members was present.]

[Ashley B. Goshert, Esquire, Board Counsel, reminded
everyone that the meeting was being recorded, and
voluntary participation constituted consent to be
recorded.]

1 Ms. Goshert also noted the Board entered into
2 Executive Session with counsel for the purpose of
3 conducting quasi-judicial deliberations and to
4 receive advice of counsel.]

5 ***

6 Approval of minutes of the November 12, 2024 meeting

7 PRESIDENT MCCLLENAGHAN:

8 The next item on the agenda is approval
9 of the minutes for the November 12,
10 2024 meeting minutes.

11 Is there a motion to approve?

12 MR. ROLLER:

13 So moved.

14 PRESIDENT MCCLLENAGHAN:

15 Is there a second?

16 MR. BATES:

17 Second.

18 [The Board discussed corrections to the minutes.]

19 PRESIDENT MCCLLENAGHAN:

20 Do you want to call roll?

21

22 William Bates, aye; Matthew Eaton,
23 abstain; Patrick Endler, aye; Michael
24 Johns, aye; Mary McClenaghan, aye; Seth
25 Miller, aye; Jerry Roller, aye.

1 [The motion carried. Matthew Eaton abstained from
2 voting on the motion.]

3 ***

4 Report of Acting Commissioner - No Report

5 ***

6 Report of Board President - Attendance at the NCARB
7 Regional Summit

8 [Mary E. McClenaghan, RA, President, referred to the
9 National Council of Architectural Registration Boards
10 (NCARB) Regional Summit.

11 Ms. Goshert noted the correct dates for the
12 summit are February 27 through March 1, 2025, in
13 Philadelphia, instead of February 27 through March
14 31, 2025.]

15 MS. GOSHERT:

16 Would the Board enter a motion to
17 approve travel for Board members
18 Roller, Bates, Johns, Endler, and
19 McClenaghan as well as the Board
20 administrator, Jessica Harris, and
21 Board Counsel, Ashley Goshert, so long
22 as funding is provided by NCARB and
23 said funding complies with the Gift Ban
24 Policy.

25 If NCARB funding is not obtained,

1 the Board would approve travel of up to
2 two individuals to the NCARB Regional
3 Summit in Philadelphia to be held
4 February 27 through March 1, 2025.

5 PRESIDENT MCCLLENAGHAN:

6 Do we have a motion?

7 MR. ROLLER:

8 So moved.

9 MR. BATES:

10 Second.

11 PRESIDENT MCCLLENAGHAN:

12 Mr. Bates, do you want to call roll?

13

14 William Bates, yes; Matthew Eaton, yes;
15 Patrick Endler, yes; Michael Johns,
16 aye; Mary McClenaghan, aye; Seth
17 Miller, aye; Jerry Roller, aye.

18 [The motion carried unanimously.]

19

20 Report of Board President - NCARB Correspondence

21 [Mary E. McClenaghan, RA, President, addressed NCARB
22 Fast Facts and Data by Jurisdiction for November
23 2024. She reported Pennsylvania has made the list.
24 She stated the Governor signed Bill 1319, which
25 regulates interior designers and passing the

1 continuing education requirement for interior
2 designers and architects.

3 President McClenaghan noted NCARB's position on
4 the use of artificial intelligence (AI) in the
5 profession, where regulators should not restrict
6 technological advancements that improve public safety
7 and the architect must retain responsibility for all
8 technical submissions. She also noted AI is a tool,
9 not a substitute for professional judgment.

10 President McClenaghan addressed the Tri-National
11 Mutual Recognition Agreement (MRA), which is
12 suspended for now between NCARB, Canada, and Mexico
13 until revisions can be made. She mentioned that
14 Canadians can still use the bilateral agreement to
15 become registered in Pennsylvania.

16 President McClenaghan reported NCARB has updated
17 the reciprocal transmittal.

18 President McClenaghan noted the call for
19 volunteers and highly recommended all become involved
20 in NCARB, because it is a great way to meet people
21 and know what is going on in the profession.

22 President McClenaghan noted the Member Board
23 Executives Workshop for the Regional Summit is in
24 Philadelphia on February 27, 2025, and then the
25 Regional Summit is February 28 through March 1, 2025.

1 She also noted the Annual Business Meeting is June
2 19-21, 2025, in Scottsdale, AZ, along with a
3 Licensing Advisors Summit in Minneapolis, MN, July
4 22-26, 2025. She also reviewed the 2026 events,
5 including a Member Boards Executive Workshop in
6 Oklahoma City, OK, on March 19; Regional Summit in
7 Oklahoma City, OK, March 20-21; and the Annual
8 Business Meeting in Minneapolis, MN, June 25-27.

9 President McClenaghan noted Data by Jurisdiction
10 concerning applications and certificates regarding
11 Pennsylvania for the Board's review.]

12 ***

13 Applications - Reciprocity Without NCARB
14 Certification

15 MS. GOSHERT:

16 Items 9 and 10. Would the Board enter
17 a motion to approve Applications of
18 Michael Hrabczuk and Michael Ryan Wing?

19 PRESIDENT MCCLLENAGHAN:

20 Do I have a motion?

21 MR. ROLLER:

22 So moved.

23 MR. BATES:

24 Second.

25 PRESIDENT MCCLLENAGHAN:

1 Mr. Bates, could you call the roll?

2

3 William Bates, yes; Matthew Eaton, yes;
4 Patrick Endler, aye; Michael Johns,
5 aye; Mary McClenaghan, aye; Seth
6 Miller, aye; Jerry Roller, aye.

7 [The motion carried unanimously.]

8

9 [Matthew Eaton, Deputy Commissioner, Bureau of
10 Professional and Occupational Affairs, exited the
11 meeting at 10:40 a.m.]

12

13 Report of Prosecutorial Division - No Report
14 [Angela L. Solomon, Esquire, Board Prosecution
15 Liaison, had no Consent Agreements to present.]

16

17 Miscellaneous - Appointment - AIA Pennsylvania Update
18 [Amal Mahrouki, Director of Legislative Affairs,
19 American Institute of Architects Pennsylvania,
20 reported AIA Pennsylvania will be having their new
21 board take their seats at the end of January 2025.
22 She introduced Amyra Weiss as the chief
23 communications visionary and storyteller for AIA
24 Pennsylvania.

25 Ms. Mahrouki provided a legislative update,

1 noting AIA sent out their Legislative Survey to AIA
2 Pennsylvania members, along with all registered
3 architects within the Commonwealth of Pennsylvania,
4 to gauge what architects care about and would like
5 AIA Pennsylvania to lobby on their behalf to the
6 General Assembly in Pennsylvania. She informed
7 everyone that the survey closes on January 15, 2025,
8 noting trending issues include encroachment on the
9 practice of architecture with many comments regarding
10 construction managers.

11 Ms. Mahrouki reported another issue is the
12 housing crisis in the Commonwealth of Pennsylvania
13 and how architects can help to create more housing
14 and more quality housing for the citizens of the
15 Commonwealth. She noted AIA Pennsylvania is very
16 involved.

17 Ms. Mahrouki addressed legal reform and liability
18 reform for architects. She mentioned working with
19 Senator Laughlin in the past to introduce a bill to
20 reduce the Statute of Repose in Pennsylvania from 12
21 years to 6 years to bring it more in line with the
22 other Statutes of Repose in the nation, along with
23 revisiting mechanics lien. She noted the Legislative
24 Survey is open to all architects in the Commonwealth
25 and AIA members till January 15, 2025.

1 Ms. Mahrouki will continue working with Carrie
2 Hillman, who is a lobbyist representing the Interior
3 Design Legislative Coalition of Pennsylvania
4 (IDLCPA), on the regulatory process for Act 144 of
5 2024.

6 Ms. Mahrouki announced her acceptance of a
7 position with AIA National to be their senior
8 director of state and local affairs but will remain a
9 registered lobbyist in the Commonwealth of
10 Pennsylvania. She stated it has been an absolute
11 honor and pleasure to serve as their director of
12 legislative affairs to advocate on behalf of the
13 profession and to help implement a lot of really
14 great policy and move the profession forward.

15 Ms. Mahrouki thanked Board members for opening up
16 the Board to AIA and being great partners. She noted
17 looking forward to continuing to advocate for
18 architects nationwide and to help build capacity and
19 strengthen government affairs departments across the
20 nation.

21 President McClenaghan thanked and congratulated
22 Ms. Mahrouki on her new appointment. She asked what
23 the chances are of the Statute of Repose actually
24 passing in this legislative session.

25 Ms. Mahrouki explained that getting Act 144 of

1 2024 done took much bandwidth and energy. She
2 believed that moving into the regulatory process
3 would allow more of an opportunity to spend time on
4 other issues like the Statute of Repose and
5 socializing that with the General Assembly, along
6 with educating legislators and the public on its
7 importance, especially for architects who own small
8 firms or are retiring and need to retain professional
9 liability insurance.

10 Ms. Mahrouki mentioned a court case AIA is
11 watching closely that will have an impact on the
12 legislation. She noted AIA will be utilizing all of
13 the resources available to make it a priority.

14 Mr. Roller commented that it may be worth looking
15 into why architects are the only folks in the state
16 who cannot be indemnified.

17 Ms. Mahrouki stated anti-indemnification has been
18 discussed at their legal reform task force level.
19 She noted bills have been introduced for the past two
20 or three sessions that AIA Pennsylvania provided
21 feedback on as a stakeholder. She mentioned that a
22 bill almost crossed the finish line in the prior
23 session but fell apart at the last minute. She noted
24 AIA has weighed in on it and will continue to
25 advocate for indemnification.

1 Ms. Mahrouki explained that the legal concepts of
2 indemnification and insurance was an issue, where
3 associating insuring with indemnifying became an
4 issue. She noted there was an amendment to the bill,
5 and AIA was no longer able to support it, which was
6 the case for a number of stakeholders. She has not
7 seen the bill introduced again this session but
8 informed everyone that the conversations are
9 happening.]

10 ***

11 Report of Board Counsel - Act 144 of 2024
12 [Ashley B. Goshert, Esquire, Board Counsel, stated
13 Act 144 of 2024 is technically now effective. She
14 noted working on filling Board member positions and
15 working on a number of questions received by the
16 Board Administrator, specifically as it relates to
17 continuing education (CE) and the next renewal. She
18 mentioned that an email will be distributed to all
19 licensees, along with placing a guide concerning the
20 next renewal on their website.

21 Ms. Goshert informed Board members of the work
22 commencing on the regulatory process and updating
23 their website to reflect the new laws.

24 Mr. Roller asked whether they should formalize
25 that the CE requirements will take effect with the

1 2027 renewal.

2 Ms. Goshert stated first they must inform
3 licensees that they will not be looking for it in the
4 next renewal and then develop a timeline to move
5 forward.]

6 ***

7 Report of Board Counsel - Act 144 of 2024

8 [Ashley B. Goshert, Esquire, Board Counsel, referred
9 to prior Board discussion concerning the request from
10 NCARB for the Board to give them unfettered power to
11 grant or deny accommodation requests. She stated the
12 Board was not interested and informed NCARB. She
13 provided the response from NCARB addressing some of
14 the Board's concerns for their review. She
15 recommended that the Board maintain the power to deny
16 and grant those accommodation requests.]

17 ***

18 Miscellaneous - Appointment - Bureau of Finance and

19 Procurement Annual Budget Presentation

20 [Marcedes Newby, Fiscal Management Specialist, Bureau
21 of Finance and Procurement, Department of State,
22 presented the Annual Financial Report. She referred
23 to the license count from FY18-19 to FY24-25 with a
24 current license count of 10,941. She referred to
25 licensee class, noting a previous biennial period

1 averaged 10,300 licensees with the current biennial
2 period averaging 10,800 licensees, leading to a 5.3%
3 increase or 363 licenses between the two periods.

4 Ms. Newby discussed licensure class and renewal
5 fees. She noted the renewal is due in June of odd
6 years with a renewal fee is \$100 for both classes.
7 She reported the last Board-approved fee increase was
8 in 2003.

9 Ms. Newby addressed revenue on a biennial basis,
10 noting 96.5% of revenue is from renewals and
11 applications. She reported on the revenue for FY22-
12 23 and FY23-24, noting the total biennial revenue.

13 Ms. Newby provided an overview of expenses,
14 noting expenses occur through direct charges,
15 timesheet-based charges, and licensee population.
16 She noted the expenses for the previous biennial
17 period and the current biennial period.

18 Ms. Newby explained that the increase in expenses
19 was due to the Pennsylvania Licensing System (PALS)
20 modification.

21 Ms. Newby referred to revenue and expenses and
22 reported on the starting balance of FY22-23 and FY23-
23 24, noting expenses were already exceeding the
24 revenue for this period. She stated expenses are
25 increasing and exceeding revenue on a consistent

1 basis, which is decreasing their restricted funds.

2 Ms. Newby recommended a fee increase and offered
3 to present a fee increase package in the spring to
4 discuss how they can increase the Board's revenue.

5 President McClenaghan asked whether the fee
6 increase would take effect in June 2025.

7 Ms. Newby explained that it takes time for Bureau
8 of Finance and Procurement (BFP) to consider all
9 factors to increase the renewal fees and would
10 normally take effect in FY26-27.

11 Mr. Bates asked whether BFP would anticipate
12 administrative costs that might increase the expenses
13 since adding continuing education requirements is
14 being considered.

15 Ms. Harris believed there was an anticipation
16 that this could affect staffing but also have more CE
17 violations that could add to the revenue, which might
18 offset the cost of having additional staff working.
19 She reported that nothing has been formalized at this
20 point but has been discussed, including the
21 possibility of adding more staff members to be sure
22 to review and cover the audits.

23 Ray J. Michalowski, Esquire, Senior Commission
24 Prosecutor, informed Board members that it will
25 increase legal costs. He explained that cases would

1 be handled more quickly and efficiently if they had a
2 schedule of civil penalties for the CE cases and
3 should be considered when developing the CE
4 regulations.

5 Mr. Bates assumed the Board would anticipate some
6 increased revenues from the interior designers as
7 they register at the beginning and then renew each
8 alternate year.]

9 ***

10 Report of Board Counsel - Probable Cause Screening
11 Committee Members

12 [Ashley B. Goshert, Esquire, Board Counsel, suggested
13 having one Probable Cause Screening Committee member
14 to review the immediate temporary suspension (ITS)
15 filed by prosecution, because an individual was
16 determined to be an immediate danger to the public.

17 Ms. Goshert explained that the committee member
18 would have to recuse themselves if any action is
19 brought and recommended a committee of one due to the
20 Board being light as far as Board members. She
21 further explained that the member would have to be
22 available when prosecution has the petition for
23 review.

24 Mr. Michalowski noted immediate temporary
25 suspensions and probation violations are the two

1 possible times prosecution would bring an issue to
2 the committee. He explained that prosecution could
3 also bring a file called a petition for appropriate
4 relief for someone who violated a term of probation.
5 He agreed with having a single Board member but
6 suggested having an alternate member, because they
7 need to be handled quickly.

8 Mr. Michalowski discussed the process, noting
9 prosecution sends the committee member the petition
10 and then sets up a Teams call to discuss any
11 questions.

12 Mr. Roller suggested President McClenaghan and
13 Vice President Bates be the committee members to
14 avoid having to keep appointing people, and Board
15 members agreed to have President McClenaghan as the
16 committee member and Vice President Bates as the
17 alternate. He mentioned that it would carry forward
18 to whoever is president and vice president and would
19 be included in their duties.

20 Mr. Michalowski mentioned that other boards use
21 their attorney general member, so industry members do
22 not have to recuse later, which is always a
23 continuing position as well.]

24 ***

25 Miscellaneous - Appointment - Annual Prosecution

1 Report

2 [Carlton Smith, Esquire, Deputy Chief Counsel,
3 Prosecution Division, presented the Annual
4 Prosecution Report for 2024. He noted the total
5 number of complaints received and processed by the
6 Bureau of Professional and Occupational Affairs
7 (BPOA) is up from around 19,000 in 2023 to 22,931 in
8 2024.

9 Mr. Smith reported over 11,609 active licensees.
10 He noted 102 cases were opened in 2024 with only 58
11 open cases. He noted 203 cases were closed with the
12 average time to close a case around 301 days. He
13 mentioned there may be a violation, where prosecution
14 is seeking to get the licensee in compliance and may
15 extend the average age of a case.

16 Mr. Smith referred to discipline types, noting a
17 couple of fines, 11 citations, and 1 suspension.

18 Mr. Smith addressed cases where there is no
19 discipline, noting 45 prosecution not warranted
20 cases. He stated prosecution considers the strength
21 of the evidence and testimony and would be closed if
22 prosecution cannot make their burden.

23 Mr. Smith reported 123 warning letters were
24 issued in 2024, noting prosecution also looks at the
25 strength of the evidence, testimony, and disciplinary

1 history.

2 President McClenaghan asked what the difference
3 is between fine and Act 48 fine.

4 Mr. Smith explained that Act 48 fines are
5 citations.

6 Mr. Michalowski commented that the Board has a
7 well-established citation schedule and hoped to add
8 the CEs.

9 Mr. Smith informed Board members that the numbers
10 for every board are given to the General Assembly in
11 an annual report next month. He mentioned that
12 deputy chief counsel prefers the report not be
13 disseminated till the reports are sent to the General
14 Assembly and offered to provide a copy at that time.

15 Mr. Johns requested an explanation of the admin
16 closing section.

17 Mr. Smith explained that admin closing is when a
18 case is opened in error or by mistake. He further
19 explained that prosecution may open a case from the
20 Pennsylvania Justice Network (JNET), where somebody
21 has been charged with a criminal offense and has a
22 common name, like Smith, but a case is opened against
23 the wrong individual named Smith.

24 Mr. Roller asked whether there is a number of
25 complaints for their specific Board.

1 Mr. Smith stated they do not have a number to
2 assign to the total number of complaints that apply
3 to their Board, because it is usually not reported
4 publicly in their numbers but offered to look into
5 their complaints.

6 Mr. Michalowski provided information from the
7 last two years of reports under Mr. Roller's guidance
8 as Chair. He referred to the cases where people were
9 not reporting their changes in ownership and then the
10 Board put one case that became public in a
11 newsletter. He explained that there are so many
12 warning letters over the last two years, because
13 everybody started reporting those things.

14 Mr. Michalowski reported a big jump over the last
15 two years in warning letters regarding renewal cycles
16 and bringing people into compliance.

17 Mr. Roller commented that it would be good to
18 know how many complaints are received against their
19 licensees, where 100 complaints and 100 cases is one
20 thing and 1,000 complaints and 100 cases tells them
21 something else.

22 Mr. Michalowski noted the majority of their
23 complaints are received from the Board, and consumer-
24 type complaints for architects are minimal. He
25 further explained that the complaints tend to do with

1 unlicensed practice or concern that the work was not
2 being completed in a timely manner.

3 Mr. Bates agreed with raising the question and
4 investigating it because of the initial numbers of
5 22,000 complaints across the board to make sure their
6 Pennsylvania licensees are only a small portion.

7 Mr. Michalowski noted that all three of the
8 design boards receive very few public complaints
9 other than surveyor-related ones because they are
10 very front facing to the public. He also noted that
11 landscape architects and the other two proportions of
12 the engineer board have mostly administrative
13 complaints. He mentioned that he cannot recall the
14 last time he had something that was no payment
15 related or a fight within a firm, where somebody left
16 the firm and took documents with them.

17 Mr. Michalowski stated the ones they received
18 related to poor architecture practice are ones they
19 found in newspapers or were reported to them by
20 another professional, which are fairly rare. He
21 reported Ms. Solomon established a relationship with
22 Philadelphia's Department of Licenses and Inspections
23 this year so cases are received quickly. He
24 mentioned that Mr. Roller started an initiative they
25 never finished before COVID of trying to reach out to

1 the Pennsylvania Department of Labor & Industry on
2 the same issue.

3 Ms. Harris reported that a large majority of
4 complaints come internally and would be mostly from
5 applications, where people would be reporting a
6 violation in another state or lapsed license. She
7 believed a large amount of the complaints would be
8 self-reporting complaints.]

9 ***

10 Report of Regulatory Counsel - Regulatory Status
11 Report

12 [Marc Farrell, Esquire, Regulatory Counsel, Office of
13 Chief Counsel, Department of State, informed Board
14 members that their primary focus continues to be on
15 advancing the general revisions package for
16 Regulation 16A-4112, which includes completing the
17 Regulatory Analysis Form required by the Independent
18 Regulation Regulatory Review Commission and revising
19 the annex to include changes discussed at the
20 previous Board meeting. He offered to have that
21 available for a vote at the March 19 meeting.

22 Mr. Farrell addressed the fee increase package
23 the Board will be entertaining from the Bureau of
24 Finance and Procurement. He explained that all fee
25 increases have to go through the regulatory process,

1 which would be at least at an 18- to 24-month time
2 frame to get those fees. He noted it would be a
3 couple of years before any fee increase would take
4 effect.

5 Mr. Johns requested information regarding the fee
6 increase process.

7 Mr. Farrell explained that the Board would be
8 presented with various fee options in the spring to
9 discuss, and informing licensees will happen through
10 their regular meeting process throughout the coming
11 years as well as numerous times during the formal
12 regulatory process.

13 President McClenaghan commented that they
14 probably would not see an increase till the 2029
15 renewal.

16 Mr. Farrell noted that it is still his intention
17 to have the regulation changes completed by the end
18 of this year.]

19 ***

20 Report of Board Counsel - Sunshine Act and Recusal
21 Guidelines Presentation

22 [Ashley B. Goshert, Esquire, Board Counsel, provided
23 a presentation on the Pennsylvania Sunshine Act and
24 Recusal Guidelines. She stated the purpose of the
25 Sunshine Act is transparency, noting the Board makes

1 important decisions that are relevant to its
2 stakeholders and the public and want to make sure
3 that they are privy to what the Board is discussing.

4 Ms. Goshert stated meetings must be open to the
5 public after public notice of the meeting anytime an
6 agency holds a meeting at which deliberations or
7 official action takes place. She provided a
8 definition of agency, deliberations, and official
9 action. She discussed public notice and special
10 meetings.

11 Ms. Goshert discussed Act 65 of 2021 additions to
12 the Sunshine Act and encouraged Board members to let
13 Ms. Harris know if there is a topic they wish to
14 discuss, so it could be placed on the agenda two
15 weeks before the date of the meeting.

16 Ms. Goshert addressed the recording of votes for
17 all open meetings and the requirement of minutes.
18 She mentioned that the only applicable exceptions to
19 open meeting requirements are executive sessions and
20 conferences, noting agency business may not occur at
21 a conference. She explained that executive session
22 is an exception and may be held to discuss personnel
23 issues, consulting with legal counsel, and to review
24 and discuss agency business that would violate a
25 lawful privilege or lead to disclosure of information

1 or confidentiality protected by law if held in
2 public.

3 Ms. Goshert addressed legal challenges for
4 violations, noting anyone can challenge a meeting
5 based on a violation of the Sunshine Act but must be
6 filed within 30 days of the date of the meeting or
7 discovery of any action in which the Sunshine Act was
8 violated. She also discussed penalties for violating
9 the Sunshine Act.

10 Ms. Goshert noted Board business should be
11 conducted in open meetings, and Board members should
12 not be discussing agency business outside of an
13 official Board meeting. She stated committee meeting
14 deliberations to formulate policy, regulations, etc.,
15 should take place at an open meeting with appropriate
16 public notice. She mentioned that any committee
17 performing administrative functions or prosecutorial
18 functions are not subject to open meeting
19 requirements.

20 Ms. Goshert addressed mandatory recusals, where a
21 Board member may have a prosecutorial role or direct
22 personal or financial interest in the outcome of the
23 matter.

24 Ms. Goshert addressed strongly suggested
25 recusals, where a Board member has a personal

1 affection or outside knowledge and cannot make a fair
2 and unbiased determination.

3 Ms. Goshert noted that discretionary recusals are
4 when a Board member cannot hear and dispose of the
5 case or participate in a decision on a subject fairly
6 and without prejudice. She encouraged Board members
7 who are uncertain whether to recuse themselves to
8 discuss the matter with counsel.

9 Ms. Goshert addressed abstention, noting
10 abstention means someone is withholding their vote
11 but does not affect quorum requirements. She noted
12 the Board member is unable to vote with recusal and
13 can affect the quorum requirement. She provided an
14 overview of the quorum process.

15 Ms. Goshert discussed conflicts of interests,
16 where no member of any professional examining or
17 licensing board shall at the same time be an officer
18 or an agent of any statewide association or
19 organization representing the profession or the
20 occupation subject to the Board's actions. She also
21 mentioned public members have an obligation under the
22 Sunshine Act concerning conflicts.]

23 ***

24 Report of Board Administrator

25 [Jessica Harris, Board Administrator, informed Board

1 members that she would be sending an email blast to
2 licensees regarding the CE changes to alleviate any
3 fear of those who think they need to have CE before
4 the renewal in 2025, along with basic reminders to
5 give people a couple months to submit those amendment
6 applications.]

7 ***

8 Next Meeting Dates

9 [Jessica Harris, Board Administrator, provided the
10 2025 meeting dates and agenda deadlines for the
11 Board's review. She encouraged Board members to
12 contact her if they have any topics they want to
13 discuss, so it could be placed on the agenda. She
14 noted the next scheduled Board meeting is March 19.]

15 ***

16 [Mary E. McClenaghan, RA, President, congratulated
17 Michael Johns, who has been selected as the 2024 John
18 Frederick Harbeson Award recipient with AIA
19 Philadelphia. She noted the award is presented
20 annually to a longstanding member of the
21 architectural community and is intended to recognize
22 their significant contributions to the profession.]

23 ***

24 Adjournment

25 MS. GOSHERT:

1 Do we have a motion to adjourn?

2 MR. ROLLER:

3 So moved.

4 MR. BATES:

5 Second.

6 PRESIDENT MCCLLENAGHAN:

7 Thanks everybody.

8 ***

9 [There being no further business, the State
10 Architects Licensure Board Meeting adjourned at
11 11:46 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Architects Licensure Board meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Architects Licensure Board meeting.



Erin Badstuebner,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE ARCHITECTS LICENSURE BOARD
REFERENCE INDEX

January 9, 2025

TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Introduction of Board Members
10:31	Introduction of Attendees
10:32	Approval of Minutes
10:34	Report of Board President
10:40	Applications
10:41	Miscellaneous - Appointment - AIA Pennsylvania Update
10:51	Report of Board Counsel
10:55	Miscellaneous - Annual Budget Presentation
11:08	Miscellaneous - Annual Prosecution Report
11:24	Report of Regulatory Counsel
11:25	Report of Board Counsel (cont.)
11:42	Report of Board Administrator
11:43	Next Meeting Dates
11:46	Adjournment