



CALIFORNIA COUNCIL FOR INTERIOR DESIGN CERTIFICATION

SUNSET REVIEW
DECEMBER 2016

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2016 Sunset Review Report

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California Council for Interior Design Certification

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of December 2016

Section 1 – Background and Description of the CCIDC and Regulated Profession

- Title “Certified Interior Designer” created by passage of SB 153 (Craven) in 1990.
- SB 153 created Section 5800 of the Business & Professions Code.
- CCIDC created in 1991 to oversee the administration of Section 5800.
 - First CA non-profit Board, five more created since 1991.
- CCIDC has an 11-member Board.
 - 7 professional members.
 - 4 public members.
- The statute sets the education and experience standards for certification.
- The board sets the standard for the examination based upon:
 - California building codes and regulations.
 - Ethics and business practices.
 - Design standards applicable to California.
- Board history of working with:
 - Interior design colleges and universities.
 - Students.
 - Associations.
 - Building officials.
 - Architects.
 - Related professions (i.e. contractors).
 - General public.
- Board commitment to general public education
 - Benefits of working with certified interior designers.
- Board commitment to protecting the health, safety, and welfare of the public.
 - Certified interior designers are knowledgeable, tested, and educated:
 - ✓ California building codes & Title 24.
 - ✓ California specific interior design legal requirements.
 - ✓ Adherence to strict code of ethics and conduct.
- Certified interior designers are not “Laypersons”.

BACKGROUND – On January 1st 1991, Chapter 3.9, Section 5800 of the California Business and Professions Code was created by Senate Bill 153 (Craven) codifying a Title Act for “Certified Interior Designers”. The statute laid out the education and work experience requirements along with a yet to be determined examination for individuals to become certified interior designers, and the definition of an interior design organization to carry out the administration of the Title Act.

Based upon this statute the interior design profession in California developed and created a “private” non-profit board, “*The California Council for Interior Design Certification*” (CCIDC), modeled after state boards, to oversee the administration of this title act as required by the legislature.

The board is charged with verifying education and experience requirements for those who apply to become Certified Interior Designers, determining and approving a suitable and appropriate California examination, and maintaining a database of those who become certified. As of September 2016 CCIDC has certified 5,154 individuals since 1991, of which 2,455 are still active, mostly in the State of California.

Over the past 25 years many CIDs have left the interior design profession due to economic issues, retirement, moving out of California, or other reasons. Since the last Sunset Review in 2012, CCIDC has approved and certified 321 Certified Interior Designers. It should be noted for the record that the previous sunset review report of 2012 had numbers that were being reported over a 10 year period, whereas this report is over a 4 year period. The average number of “new” CIDs reported from 2002 to 2012 was 76 per year versus 80 per year over the current period from 2012 to 2016.

MISSION STATEMENT

“To establish and implement professional standards and educational requirements, educate the public, and facilitate interior design professional's compliance with our standards and code of ethics in order to provide for the protection, health, safety and welfare of the public by administering the Certified Interior Designers Title Act.”

As part of the board’s mission are the following:

1. Ensure that those who become certified interior designers meet the statutory standards of competency by way of education, experience, and examination.
2. Establish the measurement standards of competency for experience and examination for those who become certified interior designers.
3. Empower consumers by providing information and educational materials to help them make informed decisions when hiring an interior designer, certified or otherwise.
4. Empower interior designers by providing information on how to become a certified interior designer in California in accordance with the requirements of the Title Act.
5. Providing forums and presentations to interior design school programs, students, and interior designers in general on the requirements and benefits of becoming a certified interior designer.

A BRIEF HISTORY OF INTERIOR DESIGN:

Prior to WWII interior design was primarily relegated to residential services for those who could afford an interior designer or decorator. Often the architect who provided the shell or exterior design services for the residence also carried through with the design of the interior. A renowned example of this would be Frank Lloyd Wright, who not only designed every aspect of the building exterior, but also every aspect of the interior down to the furniture, finishes, china, and even the cutlery in some cases. Only relatively wealthy people used interior designers or decorators.

Commercial interior design did not exist like it does today and often the layout of commercial spaces were performed by the business owner, the building shell architect, or with assistance from the contractor laying out offices and desks in the same manner that factories or production facilities were laid out, in a linear production line fashion. Early examples of pure office buildings were buildings like the Empire State building and the Chrysler Building in New York City. Where offices were attached to a production or factory facility they were often designed by the same factory engineers that laid out the assembly lines, again in a linear production line configuration. Color, comfort, ergonomics, acoustics, lighting, air quality, fire life safety, productivity, among the many other considerations used in interior design today, were not part of commercial environment back then.

After WWII the world of business changed dramatically, which in turn changed the office. The dedicated office building became far more prevalent as the economy changed from a manufacturing base to a service and financial base. This accelerated a boom in office and commercial environments. In the post war reconstruction of Germany new concepts for interior environments were developed such as Burolandschaft, or open landscape design built upon flexibility within the office environment using moveable partitions to meet the changing needs of corporations as they in turn adapted to the changing markets. This became prevalent in the 60's as it spread across Europe and into North America.

This created a new role for the interior designer who became familiar with and experienced in designing these new environments, especially in existing buildings where architects were no longer involved.

Interior design in the commercial markets came into its own. Architects were busy grinding out new buildings for the burgeoning post war economy, interior designers were busy converting the interiors of existing buildings and working with architects and corporations on adapting new technologies within the office environment. The office went from typewriters, paper and pencils to computers, fax machines, scanners, the Internet, laptops, smart phones, and the "cloud" within a matter of a few decades.

Residential interior design in the meantime also grew exponentially as more people demanded these services thanks to the growing prosperity of American workers and new technologies in the home. People wanted more modern kitchens with modern appliances. They wanted all of the similar technological advances that were gaining ground in the office in the home and the home office was born along with satellite dishes and wifi, printers and smart TV's. Add to all of this the comforts and design of a coordinated and customized interior built to suit the specific tastes required by that

particular homeowner, including outdoor living areas. As the American worker became more affluent the services of an interior designer was no longer just the domain of the rich and famous.

Not to be dismissed and an important point is that as all of this has evolved, so have the requirements for code based knowledge to make sure not only that all work complies with the California Building Code, but that these new environments are safe for the general public and the consumer. As the demand for design services of all kinds has grown exponentially, so have the regulations and building codes.

Both Commercial and Residential interior designers are heavily involved in the code-impacted environment with the work they perform. The California Building Code requires a building permit for all work that exceeds \$500.00 in value that is of a construction nature including electrical, mechanical and plumbing work. This is the law.

Before a permit can be obtained a building official will require a drawing or diagram of the planned work so that it may be pre-approved prior to the commencement of any construction to ensure its conformance with local and state codes. This requires the services of an engineer, architect, or designer, or lay-person, depending upon the scope of the particular project. This applies to a 50 story building down to moving a door or a simple interior non-load bearing wall or partition.

The California architect's practice act specifically exempts all persons from work that is non-structural and non-seismic and that is of conventional and standard construction. These exemptions allow persons to design and perform services where an architect or engineer is not necessary or required. These exemptions were first implemented in 1939, and still exist today. It is recognized today as it was back then, that a licensed person is not required nor necessary to prepare plans or diagrams to do non-structural, non-seismic, projects such as moving an interior door and frame, a window, a non-load bearing wall, as long as the work meets the current building codes, is performed by a licensed contractor or sub-contractor, and is properly permitted by the local authority having jurisdiction over the project.

As the knowledge and education requirements of licensed design professionals, architects and engineers, has grown over the past half century along with the regulations and codes, so it has grown also for all those design professionals operating under the exemptions of the licensed professions. The building codes do not discriminate, not even for a do-it-yourself homeowner.

People who want to become licensed architects do not go to an accredited university, probably incurring a significant amount of debt, graduating with a major degree, subordinating themselves to an internship for several years and then going through the lengthy and somewhat costly process of obtaining a state license just to design interiors or to do minor work under the exemptions of the architect's practice act. They become licensed architects because they have the vision that someday they will create and design structures and environments that will be a legacy to their profession and themselves. Like most professions not all of them make it, and even those that do choose other paths within the built environment. This is why there are exemptions in the architect's practice act, so that others may do the work that does not require the level of expertise of a licensed architect. If that were not the case then there wouldn't be any exemptions.

How does one identify a properly trained “unlicensed” design professional who is competent and who can do the work exempted by the architect’s practice act, and who knows the California codes and regulations? All of this leads to certification.

HISTORY of CERTIFICATION:

In 1986 due to changes in the architect’s practice act, specifically the exemptions, it became increasingly difficult for interior designers to prepare and submit plans to local authorities for building permits. This created a burden on the design community in general, and also on small businesses and homeowners who did not want to incur the added costs of hiring licensed professionals when an unlicensed professional with the knowledge and ability could do the work legally just as well, and sometimes even better because they were specialists.

The interior design profession in California rallied and with the help of Senator William Craven introduced a bill to license interior designers in California with a practice act. This was the result of a study conducted by the California Contractors State License Board that affirmed that interior designers should be licensed in order to practice.

Due to lack of proof of consumer harm, the Governor was adamantly opposed to creating another state licensing board. A compromise was made to change the proposed practice act statute to a title act statute to be administered by a private non-profit organization to be empowered by the interior design profession in California.

The primary goal or purpose of the statute was to codify a minimum standard of education and experience for the title “Certified Interior Designer” so that persons who met these standards and passed the board’s examination can hold themselves out as such. This was intended to give both the general public and the local building authorities, in circumstances where building permits were required, confidence in knowing that a certified interior designer should be competent to provide interior design services in accordance with the state building codes for the work they are allowed to perform under the exemptions contained within the architect’s practice act. **See Attachment H, Senator Craven’s Letter to Building Officials.**

Who is the interior design profession today? Most people’s perception of interior designers are the age old stereotypical one of a decorator as portrayed in movies, or those currently shown in a plethora of TV shows like those on HGTV. Nearly always missing in these shows is the work necessary to produce proper and oftentimes complex drawings in order to secure legally required building permits and to allow the work to be constructed accordingly. Oftentimes even the construction process is shown to be completed in unrealistic time frames that do not take into consideration building inspections by local authorities, all of which leads to false perceptions on the part of the general public on what interior designers really do. And this just relates to residential interior designers.

Gensler is one of the largest architectural and interior design firms in the world headquartered in California, and employ over 700 interior designers, many of whom are CIDs. Most large architectural firms have long recognized that qualified and professional interior designers are an important component of the services they offer to their corporate and institutional clients who possess an expertise separate from that of most architects. Without interior designers they cannot compete.

These are highly specialized and talented people. Other prominent architectural firms in California with large interior design departments employing CIDs are Perkins & Will, HOK, LPA, Lionakis, and many others. Architectural firms who do not have interior design departments often work and consult with pure interior design firms when competing for projects that involve both architecture and interiors.

Prominent corporations who employ CIDs directly within their own organizations are Disney Imagineering, Google, Home Depot, Starbucks, Fox Studios and Kaiser Permanente to name a few. Even the State of California (GSA and Dept. of Real Estate) and the Army Corp of Engineers employ their own staff interior designers who are CIDs.

Most people when they walk into a restaurant, a department store, a medical office, a dental office, a shopping mall, or office space, do not realize that in all probability it was designed by an interior designer, often without the oversight of an architect or engineer as this is nonstructural, nonseismic work exempted by the architect's practice act.

1. Describe the make-up and functions of each of the CCIDC's committees.

COMMITTEES

CCIDC does not have public committees per se, only six internal committees. These are the Executive, Compensation, CALBO, Marketing & Outreach, Education & Examination, and Compliance Committees.

EXECUTIVE COMMITTEE - The Executive Committee is made up with the duly elected officers of the corporation, the Chair, the Vice-Chair, the Treasurer, and the Secretary. The Executive Committee may act on behalf of the board on day to day issues governing the operation of CCIDC and its staff. If an emergency arises that cannot wait until the full board can be convened the Executive Committee can make determinations on behalf of the board in order to maintain the integrity and operational stability of the corporation in accordance with its Bylaws.

COMPENSATION COMMITTEE – Made up of the executive officers of the board, Chair, Treasurer, and Secretary. They prepare and survey anonymously the entire board on the performance of the Executive Director on an annual basis and determine compensation and benefits.

CALBO COMMITTEE – Made up of one or two active board members, including ex-officio and past board members and the CCIDC Executive Director to interact, attend, and liaise with CALBO (California Local Building Officials) especially at the CALBO Annual Business Meeting, which is held at various locations around the state. This gives CCIDC the opportunity to explain and discuss certification to hundreds of building officials from all over the state where Certified Interior Designers submit their plans for permitting purposes.

Reports by this committee are made three times per year at every board meeting.

MARKETING & OUTREACH COMMITTEE – Again, made up of one or two active board members, including ex-officio and past board members and the Executive Director as well as outside paid consultants as needed. The purpose of the committee is to assist in the development of strategies for CCIDC to reach out to various its constituencies through Internet web based programs, print media and personal contact. The main communication to and from CCIDC is

through its web site at www.ccidc.org where four distinct portals on the web site reach out to consumers, CIDs, students and non-Certified Interior Designers, and building officials.

There are also 3 printed brochures available, one for consumers (Answers and Basics for Consumers, “ABC”), one for building officials (Q&A for Building Officials) and one for students and non-Certified Interior Designers (Interior Design Certification for Students). All brochures are provided at no cost to certified interior designers, interior design programs and building officials who wish to use or distribute them. **See Attachment I – CCIDC brochures.**

CCIDC also has a program where direct contact is made to all the interior design programs and colleges in California where various board members, or the Executive Director, go out to give in-person presentations on certification at the various locations for students. This has been extremely successful and CCIDC presentations are now an integral part of the interior design program at nearly all interior design colleges and universities in California every year.

Reports by this committee are made three times per year at every board meeting.

EDUCATION & EXAMINATION COMMITTEE – This committee is typically made up of board members who are not only Certified Interior Designers, but interior design school educators as well as staff. The purpose of this committee is to review the examination process CCIDC uses to qualify candidates for certification, and to ensure such examination(s) conform to California standards as codified in BPC § 139 and the policy promulgated by said statute by the Office of Examination Resources (OER) under the Department of Consumer Affairs. The CCIDC board has also determined that in order to protect California consumers, any examination used to qualify Certified Interior Designers in this state must be relevant to the California Building Codes, Title 24, and all other regulations and codes applicable to the practice of interior design in California.

Reports by this committee are made three times per year at every board meeting.

COMPLIANCE COMMITTEE – This is a standing committee and has been in existence since the inception of CCIDC. It has not been reported before as it has been overlooked as a committee per se because it is an administrative function within CCIDC, and not necessarily viewed as a normal committee would be. We feel it is important to highlight this committee from now on.

The purpose of the compliance committee is to ensure the integrity of the CID approval process, which is moving a candidate for certification to being an actual certified interior designer. A candidate for certification has to comply with specific education and work experience conditions as well as passing an approved examination by the CCIDC board.

In order to satisfy the education requirements sealed transcripts are often required directly from the educational facility, or in the case of foreign students or students from colleges or universities that have closed some other form of verification like a degree certificate or unsealed transcripts, that sometimes need translating.

For work experience the board requires verifiable resumes showing a history of where and for whom the candidate has worked, tax returns showing the occupation of the candidate if self employed, an affidavit from an attorney who may have set up a corporation or LLC for the candidate if self employed, or an affidavit from a CPA who is preparing tax returns or providing accounting services for the individual, again if self employed.

Lastly, CCIDC has proof of passage of the IDEX California examination as it administers this test through Castle Worldwide in North Carolina. CCIDC is the entity that notifies candidates for the examination as to whether they have passed or failed based upon results from the testing company. CCIDC also confers a certificate of completion and passage upon those candidates that do pass the examination. Those using a national examination in lieu of providing a transcript or other suitable proof of education and a resume are required to provide proof of passage for their particular test.

All of this data is assembled by CCIDC staff as soon as the candidate has met all of the eligibility requirements to become a CID and they are transmitted electronically that day to the Compliance Committee member for verification and approval. All candidates for CID go through this process without exception. This process takes no more than a day or two once a candidate has satisfied all requirements.

The volunteer CCIDC board member who verifies that all parts of the application have been satisfied is a standing member of this committee and that is only one person who takes this position at any one time and often serves for several years or more in this capacity. Once the candidate is approved after verifying all of the material and requirements have been met they are notified by mail.

This process allows for a board member to ensure the integrity of the certification process at all times and that staff or other outside agencies do not unduly influence the certification of any one individual.

BOARD DESCRIPTION & COMPOSITION

BPC § 5800 (b) provides for an *“interior design organization” to administer voluntary certification (such organization is defined in the code as a “nonprofit organization, exempt from taxation under Section 501(c) (3) of Title 26 of the United States Code, of Certified Interior Designers whose governing board shall include representatives of the public”*).

Under the current bylaws of CCIDC, the board shall be composed of not more than eleven (11) members, five of whom will occupy a seat for each of the designated national professional interior design associations, namely the American Society of Interior Designers (ASID); the Interior Design Society (IDS); the International Interior Design Association (IIDA); the International Furnishing and Design Associates (IFDA); and the National Kitchen and Bath Association (NKBA). There is also a professional member of the board who is not affiliated with any of these organizations who represents the “independent” or non-affiliated interior designers. Representing educators on the board is a seat designated for the Interior Design Education Council (IDEC). Both ASID and IDEC have chosen not to participate on the appointment of their respective designated seat holder, so the full CCIDC board makes the choice from suitable volunteer candidates possessing the appropriate designations and qualifications.

Lastly, there are four (4) public member positions on the board, none of whom are associated, or ever have been, with the interior design profession in any way whatsoever.

All “professional” (i.e. non-public) members of the CCIDC board are, and must be, Certified Interior Designers in accordance with the CCIDC bylaws. All board members must be residents of California.

Each director serves a 3 year term with a 2 term maximum. The board has occasionally granted a one year grace period to certain termed out directors in order to stagger terms and avoid too many leaving the board at one time, or in other instances to allow for continuity for a special project of program.

Table 1a. Attendance – Board Meetings (January 1, 2013 – September 30, 2016)

Member Name	JAN 2013	MAY 2013	SEP 2013	JAN 2014	MAY 2014	SEP 2014	JAN 2015	MAY 2015	SEP 2015	JAN 2016	MAY 2016	SEP 2016
James Ogden, CPA	-	P	P	P	P	P	P	P	P	P	P	P
Judith Clark, CID	-	P	P	A	P	P	P	A	A	P	P	P
Denise Turner, CID	-	-	P	P	P	A	P	A	A	V	-	-
Cheri Lemons	-	-	-	-	P	P	P	P	P	P	A	P
Eduardo Melgar, CID	-	-	-	-	P	P	P	A	P	P	A	P
Frank Colonna	-	-	-	-	-	-	-	P	P	A	P	P
Rebecca Soechtig, CID	-	-	-	-	-	-	-	-	-	P	P	P
Kathleen Galipeau, CID	-	-	-	-	-	-	-	-	-	-	P	P
Deborah Ogden, CID	P	T	-	-	-	-	-	-	-	-	-	-
Robert E. Wright	P	P	T	-	-	-	-	-	-	-	-	-
Richard Galitz, MD	P	A	P	P	T	-	-	-	-	-	-	-
John Searles	P	P	P	P	P	P	P	P	A	P	T	-
Susan Hauser, CPA	P	A	T	-	-	-	-	-	-	-	-	-
Marie Cooley, CID	P	P	A	P	P	P	P	A	P	A	T	-
JoEllen McChesney	-	P	P	P	P	P	V	-	-	-	-	-
Michelle Eaton, CID	P	P	T	-	-	-	-	-	-	-	-	-
Millie Kwong, CID	P	A	A	A	V	-	-	-	-	-	-	-
Brian Kaneko, CID	P	P	P	P	A	P	A	P	P	P	P	P
Kimberly Alonzo, CID	P	P	P	P	A	P	A	P	P	P	P	P
Patsy Zakian-Greenough, CID	P	P	P	P	P	P	P	P	P	P	P	P

P = Present, **A** = Absent, **T** = Termed Out, **V** = Voluntarily left the board. Blank spaces indicated with a dash (-) mean that person was not on the board at that time, either prior to being appointed, or after leaving the board.

Table 1b. Meeting Locations

Meeting Date	Location
January 26, 2013	Courtyard Oakland Airport, Oakland
May 4, 2013	Sheraton San Diego Hotel & Marina, San Diego
September 21, 2013	Renaissance Los Angeles Airport Hotel, Los Angeles
January 25, 2014	Sheraton San Diego Hotel & Marina, San Diego
May 10, 2014	Courtyard Oakland Airport, Oakland
September 27, 2014	Los Angeles Airport Marriott, Los Angeles
January 31, 2015	Courtyard Oakland Airport, Oakland
May 16, 2015	Los Angeles Airport Marriott, Los Angeles

September 26, 2015	Sheraton San Diego Hotel & Marina, San Diego
January 30, 2016	Sheraton Gateway Los Angeles Hotel, Los Angeles
May 14, 2016	Sheraton San Diego Hotel & Marina, San Diego
September 24, 2016	Four Points by Sheraton San Jose Airport, San Jose

Table 1c. CCIDC/Committee Member Roster

Member Name	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
James Ogden, CPA	5/2013	5/2016	5/2019	Board	Public
Judith Clark, CID	5/2013	5/2016	5/2019	IFDA	Professional
Denise Turner, CID	9/2013	-	9/2015 (Res.)	Board	Professional
Cheri Lemons	5/2014	5/2017	5/2020	Board	Public
Eduardo Melgar, CID	5/2014	5/2017	5/2020	IIDA	Professional
Frank Colonna	5/2015	5/2018	5/2021	Board	Public
Rebecca Soechtig, CID	1/2016	5/2019	5/2022	Board	Professional
Kathleen Galipeau, CID	5/2016	5/2019	5/2022	Board	Professional
Deborah Ogden, CID	5/2006	5/2009	5/2012	IFDA	Professional
Robert E. Wright	5/2006	5/2009	5/2013	Board	Public
Richard Galitz, MD	10/2007	5/2011	5/2014	Board	Public
John Searles	9/2008	5/2011	5/2015	Board	Public
Susan Hauser, CPA	9/2008	-	5/2013 (Res.)	Board	Public
Marie Cooley, CID	5/2009	5/2012	5/2015	IDEC	Professional
JoEllen McChesney	5/2013	-	1/2015 (Res.)	Board	Public
Michelle Eaton, CID	9/2010	-	9/2013 (Res.)	ASID	Professional
Millie Kwong, CID	1/2011	-	5/2014 (Res.)	IIDA	Professional
Brian Kaneko, CID	5/2011	5/2014	5/2017	Board	Professional
Kimberly Alonzo, CID	5/2011	5/2014	5/2017	IDS	Professional
Patsy Zakian-Greenough, CID	5/2011	5/2014	5/2017	NKBA	Professional

2. In the past four years, was the CCIDC unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

CCIDC has not had a problem making a quorum for any of its meetings in the past four years. CCIDC board meetings are very well attended by all board members all of the time with very few exceptions. See attendance table 1a above.

3. Describe any major changes to the CCIDC since the last Sunset Review, including:

a. Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

There have been no reorganizations or relocations since the last Sunset Review. Leadership at the board level does change from time to time as board members are termed out under the CCIDC Bylaws, or leave voluntarily. There have been no staff changes at the administrative level since the last Sunset Review, and the staff leadership has remained the same.

Since the last Sunset Review the board leadership has changed at least one time with the executive officers. The current board make-up is as follows:

Patsy Zakian Greenough, CID, NKBA	CHAIR
Brian Kaneko, CID, Independent Designer	VICE CHAIR
Cheri Lemons, Public Member	SECRETARY
James Ogden, Public Member	TREASURER
Kimberly Alonzo, CID, IDS	
Frank Colonna, Public Member	
Judith Clark, CID, IFDA	
Kathleen Galipeau, CID, Educator	
Eduardo Melgar, CID, IIDA	
Rebecca Soechtig, CID, ASID	

There is currently one vacancy for a public board member, which has been posted publicly since May 2016 on the CCIDC web site and in CCIDC newsletters. A suitable and qualified candidate has come forward for this position and the board hopes to confirm this person at the next board meeting in January 2017. All public members are nominated, approved, and confirmed through a motion by the full board at board meetings.

b. All legislation affecting the CCIDC since the last sunset review.

The only legislation enacted since the last sunset review was the committee bill SB 308 (Price) that extended the sunset date and made minor changes and updated the existing statute covering BPC § 5800.

c. All rules and regulation changes and all bylaw changes approved by the CCIDC the last sunset review. Include the status of each change approved by the CCIDC.

There have been no Bylaw or Rules and Regulation changes since the last Sunset Review.

4. Describe any major studies conducted by the CCIDC.

CCIDC has not conducted any major studies in order to support its mission of certifying interior designers.

5. List the status of all national associations to which the CCIDC belongs.

CCIDC has been and continues to be a member of the following organizations:

CALBO (California Local Building Officials)

USGBC (United States Green Building Council) LEED (Leadership in Energy and Environmental Design program)

a. Does the CCIDC's membership include voting privileges?

CCIDC does not have voting privileges in either CALBO or LEED.

b. List committees, workshops, working groups, task forces, etc., on which CCIDC participates.

CCIDC does not participate in any of these items.

c. How many meetings did CCIDC representative(s) attend? When and where?

CCIDC representatives attend the CALBO Annual Business Meeting held once a year in various locations throughout the state of California, and has been doing so for approximately 20 years. CCIDC representatives also attend both in San Diego and Los Angeles various local International Building code chapter meetings held monthly.

d. If the CCIDC is using a national exam, how is the CCIDC involved in its development, scoring, analysis, and administration?

CCIDC does not require national examinations, and has not done so since 2008. CCIDC has never been involved in any development, scoring, analysis or administration of any national examinations prior to that date or since its inception.

The primary reason that CCIDC changed its requirements in 2008 was because none of the national examinations tested candidates on California Codes and Regulations, and therefore candidates for certification were required to complete two examinations, which was burdensome and costly. In order to ease the burden of becoming a certified interior designer in California, and to ensure that all candidates were tested on California building codes, the CCIDC board decided to require one all encompassing examination in 2009, the IDEX California Examination.

CCIDC continues to accept national examinations for certification qualification. Since the 2012 Sunset review, The Board recognized the need to ease the burden of becoming a certified interior designer in California for those designers who have passed a National Examination and created a path for those candidates.

Anyone possessing any of these examinations receives a \$100.00 discount towards the CID application fee. The proof of exam passage provided directly from the examination company replaces the proof of education and work experience requirements, as the candidate provided proof of these qualifications in order to sit for the national examination.

All candidates, regardless of whether they possess a national examination or not, are still required to demonstrate their knowledge of California codes and regulations by taking the IDEX California examination. Much in the same manner that an architect candidate in California still has to take and pass the California Supplemental Examination (CSE), which is not dissimilar in purpose than the IDEX California examination, even though they possess the national architectural examination. Another example would be attorneys in California, all of whom have to take and pass the California Bar Exam. There is a modified California bar exam, again not to dissimilar in purpose than the IDEX California examination, for those that have been engaged in the active practice of law in another state for at least four years immediately preceding the application for admission to the California Bar.

To date there are 5 National Examinations accepted for interior design certification:

- ARE (Architects Registration Examination by National Council for Architectural Registration Boards - NCARB)
- CQRID (Council for Qualification of Residential Interior Designers by Interior Design Society - IDS)

- NCBDC (National Council of Building Designer Certification by the American Institute of Building Designers - AIBD)
- NCIDQ (National Council for Interior Design Certification by Council for Interior Design Qualification)
- CKBD (Certified Kitchen and Bath Designer by National Kitchen and Bath Association - NKBA)

e. (Please explain the movement away from the national examination and the reasons why.)

The following is a further but brief list of reasons CCIDC does not use any national examinations. For a more detailed explanation a complete analysis has been provided in **Section 11, Attachment A, “Examination Fact Sheet”**.

1. Do not test on California codes.
2. Do not test on California Title 24 accessibility and energy codes.
3. Do not allow for experience only candidates as required by California law.
4. Limit prior work experience even with education.
5. Do not meet Section 139 of the California Business & Professions Code.
6. Some are still using subjective jury judged sections.
7. Cannot take the examination right after graduation, excludes many Community College graduates in California.
8. Require work experience to be under supervision of specific supervisors.
9. Unregulated without any government or regulatory oversight.
10. Difficult to access because examination is not totally online.
11. Very expensive compared to other licensing and regulatory examinations.
12. Exams are promoted for reasons other than public interest and safety.

Section 2 – Performance Measures and Customer Satisfaction Surveys

6. Provide results for each question in the customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys. Does CCIDC have a customer satisfaction survey? How does CCIDC assess the whether or not its consumers are satisfied with its operations?

There are two categories of CCIDC “customers”. Firstly are the CIDs that CCIDC certifies on a regular basis including renewals, and secondly the general public. CCIDC developed two surveys aimed at each constituency, one for certified interior designers titled “The CID Satisfaction Survey”, and one for consumers titled “The Consumer Satisfaction Survey”.

Unfortunately, most people are not well disposed to filling out online surveys, no matter how brief, unless there is a reward of some kind at the end of the survey, because as a society we are inundated with them on a daily basis.

The “Consumer Satisfaction Survey (general public) survey was put online in 2004 and as of this date has only received **9** responses. The last survey response for this particular survey was

March, 2010. Our consumer survey has 8 simple questions with 6 multiple choice answers applicable to the first 5 questions, so it is very brief and easy to complete. All of this is spelled out on the CCIDC web site.

The 6 possible quality rating answers are:

- 1.) Superior
- 2.) Very Satisfactory
- 3.) About Average
- 4.) Somewhat Unsatisfactory
- 5.) Unsatisfactory
- 6.) Not Applicable

These only apply to the first 5 questions. The remaining 3 questions are requests for determining suggestions from the consumer and how we can serve them better.

None of the 9 responses fell below answer 3, other than “Not Applicable”, “About Average”, and most (%) were in the “Superior” and “Very Satisfactory” range. It should be noted that CCIDC has very little direct consumer contact other than complaints, which are few, or questions regarding hiring an interior designer. Most contact with the general public is indirect through the CCIDC web site and the information it provides.

The survey aimed at CIDs, “The CID Satisfaction Survey” was put online in January of 2005. So far it has only received a total of 23 responses. This survey has 13 questions with the same 6 potential multiple choice answers as the other survey. The multiple choice answers only apply to the first 5 questions. The remaining questions seek feedback and contact information.

Most of the 23 answers with the higher percentage (40% to 60%) fall into the “Very Satisfactory” and “About Average” range. There were two responses in 2014 and two in 2016.

Section 3 – Fiscal and Staff

Fiscal Issues

7. Describe the CCIDC’s current reserve level and spending. Describe CCIDC’s budget year: When does it begin? When does it end?

CCIDC’s fiscal year runs from January 1st to December 31st each year. The economy over the past several years continues to struggle for the interior design profession in California. It has been especially more difficult in the residential field due to the slowdown in the housing market for new and resale homes. CCIDC has experienced a large number of Certified Interior Designers retiring as the baby boom generation reaches maturation, or moving to other states or into other professions. This continues to be a significant loss of revenue.

Since CCIDC started administering the California based examination (IDEX California) it has helped offset some of these losses due to shrinking certificate holders. The current reserve level is lower than desired. CCIDC’s renewals run high and low over a two year cycle with odd years

having more renewals than even years. This has resulted in uneven income year to year since the inception of CCIDC in 1992.

8. Describe if/when a deficit is projected to occur and if/when fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the CCIDC.

Because CCIDC is a non-profit and a privately funded organization a deficit cannot be accepted unless the corporation borrows money from the private sector. Unless the U.S. economy picks up considerably in 2017, along with the California housing market, we anticipate more losses of Certified Interior Designers in California that will outpace the number of new candidates.

CCIDC is not planning to raise certification or renewal fees at this point in time as it may result in more losses of current CIDs unwilling to absorb an increase. Examination fees have held steady since the introduction of the IDEX California examination, however the examination administrator, Castle Worldwide has increased the individual proctor fee in the past 4 years from \$75.00 per candidate to \$82.50 per candidate, a 10% increase. So far CCIDC has absorbed that cost increase and has not passed it on to candidates. The contractual agreement with the examination administrator will expire in May 2017. We anticipate another proctor fee increase within the new agreement and CCIDC may have to pass this through to the candidates. This will be determined by the CCIDC board at the appropriate time at a regularly scheduled board meeting in 2017.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Beginning Balance	231	217	231	329	249
Revenues	3130	3396	3037	2974	
Total Revenue	\$3361	\$3613	\$3268	\$3303	
Budget	3252	3283	3115	3145	3027
Expenditures	3211	3088	2986	3140	
Loans	11.8	0.00	0.00	0.00	0.00
Accrued Interest	1.4	0.6	0.00	0.00	0.00
Fund Balance	\$ 217	\$231	\$329	\$ 249	
Months in Reserve	1.00	1.25	2.0	1.25	

9. Describe the amounts and percentages of expenditures by program component. Use Table 3. Expenditures by Program Component to provide a breakdown of the expenditures by the CCIDC in each program area. Expenditures by each component should be broken out by personnel expenditures and other expenditures (OE&E). Please explain if OE&E is not tracked separately, or if it is included in administration.

CCIDC does not track expenditures by program component or track OE&E. We have compiled the numbers using our financial records and assigning the appropriate OE&E to each component. The Personnel Services are not tracked by component so they are inclusive.

Because CCIDC is a private non-profit board it does not have "Enforcement" rights or privileges so this item has been removed from Table 3. CCIDC also does not deal with "Diversion" for the same reasons, although if a CID is disciplined by the board for any reason, the goal of the board is to

rehabilitate that person through education requiring attendance at appropriate classes for things such as ethics and business practices.

The numbers are relatively small so we have listed them in whole numbers instead of “thousands” as requested.

Table 3. Expenditures by Program Component (listed dollars in whole numbers)								
	FY 2012		FY 2013		FY 2014		FY 2015	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Examination	INCL.	13,900	INCL.	12,325	INCL.	13,105	INCL.	22,292
Certification	INCL.	50,197	INCL.	41,186	INCL.	34,787	INCL.	40,102
Administration *	206,764	50,239	203,816	51,473	207,688	43,020	207,039	44,567
TOTALS	\$206,764	\$114,336	\$203,816	\$104,984	\$207,688	\$90,912	\$207,039	\$106,961

*Administration includes costs for executive staff, CCIDC, administrative support, and fiscal services.

10. Describe certification renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code or CCIDC Bylaws and regulation citation) for each fee charged by the CCIDC.

The certification renewal fee for Certified Interior Designers is bi-annual. The original fee for the initial two years and subsequent two year renewal fees at the inception of CCIDC in 1992 was \$200.00. That remained for 16 years and was raised to \$250.00 for both the two year initial and the two year renewal fee in 2008. All other fees have remained the same other than the IDEX California fee, which was introduced in 2008. The IDEX fee is \$375.00, which is far less than any of the national examination fees, most of which exceed \$1,000.00.

The original one time only application fee of \$150.00 from 1992 remains unchanged to this day.

The authority under which CCIDC charges fees is contained within the CCIDC Bylaws, Article V, Section 5.01.n. **See attachment D.**

It should be noted that the “Inactive Status” was eliminated by the board at the end of 2007, with a one year grace period through to the end of 2008. It was determined by the board that a number (278) of Certified Interior Designers were paying the inactive status fee of \$25.00 per year, but still using the full “current” title in violation of the CCIDC Rules and Regulations. After a review of policies on inactive status of comparable state boards, it was determined by the CCIDC board to allow those on inactive status one year to return to “current” status, or go to a retired or delinquent status, and eliminate the inactive status category altogether.

The CCRE (California Codes and Regulations Examination) fees were eliminated along with the CCRE examination in 2012. This examination was replaced by the IDEX California examination developed in 2008 and first administered in 2009. There was a grace period from 2008 to 2012 allowing candidates who had previously taken and passed the CCRE to become certified without having to take the IDEX California examination.

In May of 2014 the CCIDC board by a unanimous motion created an additional entry path to becoming certified. The board created Path 3, which provides an application discount of \$100.00 and recognition to those individuals who have taken any one of 5 national examinations relative to

interior design or architecture by waiving some the application documentation that was already proven by their examination passage.

The CCIDC board has also created a new Emeritus category for CIDs who were over 62 years of age and contemplating retirement from the profession, but who wanted to keep their certification credential without having to comply with continuing education requirements or the need for a CID stamp. The fee was established at a lower rate of \$150.00 for every two years.

Table 4. Fee Schedule and Revenue (listed revenue dollars in whole numbers)							
Fee	Current Fee Amount	Statutory Limit	FY 2012 Revenue	FY 2013 Revenue	FY 2014 Revenue	FY 2015 Revenue	% of Total Revenue
Application Fee – One time only fee	\$150.00	N/A	17,350.00	14,400.00	14,400.00	13,350.00	4.4%
Certification/Renewal Fee Bi-Annual	\$250.00	N/A	249,136.00	280,899.00	245,841.00	243,145.00	75.3%
Penalty Late Fee – Per occurrence	\$100.00	N/A	800.00	800.00	700.00	1,900.00	0.31%
Emeritus Status Fee Bi-Annual	\$150.00	N/A	0.00	0.00	0.00	3,680.00	0.27%
IDEX Examination Fee per registration	\$375.00	N/A	41,250.00	42,385.00	41,850.00	35,150.00	11.85%
Other Income CEU/CID Pages		N/A	4,465.00	1,150.00	1,008.00	200.00	0.05%

Staffing Issues

11. Describe any staffing issues/challenges, i.e., vacancy rates, staff turnover, recruitment and retention efforts, succession planning.

The CCIDC staff is comprised of two people, namely the Executive Director and the Administrative Director. There have been no issues regarding staffing.

The Executive Director is a Certified Interior Designer by training and vocation for almost 40 years before taking on the role at CCIDC, and is also experienced and trained in financial administration, which allows all of the financial recording responsibilities to be administered by the same person, thus alleviating the need for extra staff.

The Administrative Director is very experienced and highly trained in all aspects of the programs and software used by the organization covering the day-to-day operations.

Using state of the art software programs and equipment, all or most of the organizations need's can be met with these two people.

As a private organization CCIDC also has the ability to hire outside consultants as needed to deal with workload spikes and currently uses a consultant web designer for its Internet presence and other consultants or volunteers to reach out to consumers and students at interior design educational programs.

It should also be noted that CCIDC does not have “cite and fine” authority and therefore does not need investigators, a staff attorney, or liaison staff with the DCA.

Succession planning was implemented in 2015 due to the impending retirement of the current Executive Director in August 2017. An interim transition committee was created from existing board members who were tasked with developing a transition plan for the organization. It was determined by the transition committee that the most qualified person to succeed the Executive Director was the Administrative Director with over 5 years of hands on knowledge of the CCIDC operations. An employment agreement was reached and signed with this person in January 2016 and will go into effect at the time of transition in 2017. A new person to replace the Administrative Director will also be recruited during the transition phase in 2017 and trained prior to the actual transition. The outgoing Executive Director may be placed on an as yet to be determined retainer for a period also to be determined by the board to help ease the transition after the implementation date.

12. Describe the CCIDC's staff development efforts and how much is spent annually on staff development.

Currently there are no scheduled staff development efforts, other than self learning by staff on the latest trends in certification on a national level through associations, social media, web advances and innovations. This is accomplished through online reading, learning courses and webinars.

Section 4 – Certification Program

13. What are the CCIDC's performance targets/expectations for its certification program? Is the CCIDC meeting those expectations? If not, what is the CCIDC doing to improve performance?

Because the CCIDC board is a private non-profit 501(c) 3 corporation and cannot rely on funding from the state, cash flow and income are of primary importance to the organization. Delays in processing applications or issuing certifications impact cash flow and the financial viability of the organization.

There are 3 paths to becoming a certified interior designer and 2 examination windows each year. Path 1 candidates are persons who have enough education or experience to take the IDEX California examination but lack the necessary work experience. An applicant under Path 1 may take up to 2 years to gain the minimum work experience in order to become a certified interior designer. As soon as that work experience requirement is met they become a certified interior designer within one week or less. Path 1 applications are candidate driven in terms of process timeliness. The good news for Path 1 applicants is that they can take the IDEX California examination upon graduating from school, or if they are work experience candidates only with a minimum of 5 years work experience.

Path 2 candidates already have the requisite education and/or work experience and only need to take the IDEX California examination. The examination is given for the entire month of May and the entire month of October each year and computerized results are typically available within one or two weeks after the examination window is over. Once a Path 2 candidate has been notified of their examination results, which is within one day of CCIDC being notified and presuming they have passed the examination, their data files are reviewed and approved by the Compliance Committee in order to verify that each candidate has met the statutory requirements to use the title certified interior designer. Upon approval all that remains is for the candidate to pay their first two year fee to start using the title.

Path 3 candidates go through the exact same process as Path 2 except their education and work experience documentation is not required because they hold one of the accepted national examinations and the documentation is the same or exceeds the certification requirement. All they need to provide is proof of their national examination. They also receive a \$100.00 application fee discount as an incentive to becoming certified and because of the shortened documentation process.

As soon as an applicant has met all of the statutory and examination requirements the goal of the board is turn the approval process around within one or two days at the most. It is then up to the candidate to complete the process by making a payment. As soon as they have paid for their first two years of certification fees they can start using the certified interior designer title and unique number assigned to them. The board also orders their stamp and I.D. card and prepares a CID binder that covers all of the information and requirements for being a CID.

14. Describe any increase or decrease in average time to process applications, administer exams and/or issue certifications that has been done to address them? What are the performance barriers and what improvement plans are in place? What has the CCIDC done and what is the CCIDC going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

The process time for applications has been decreased over many years through the use of online electronic application forms and the ability for candidates to use scanning and electronic transmissions directly to CCIDC. All application forms are available and fill-able online on the CCIDC web site. The only requirements for original documentation are certified school transcripts preferably mailed in sealed envelopes directly by the institution to CCIDC, and an original signed copy of the CCIDC code of Ethics and Conduct.

Again, cutting process time for the entire certification process is in the best interest of the CCIDC board as it relies upon the cash flow and income for its financial viability. The board and staff are always evaluating ways to streamline and create efficiencies wherever possible for all candidates.

15. How many certifications or registrations does the CCIDC issue each year? How many renewals does the CCIDC issue each year?

CCIDC issues an average of 85 “new” certifications per year based upon the four years of 2012 to 2015. It receives an average of 100 “new” applications per year based upon the same four years. Certification renewals are bi-annual issued every two years and the average per year is 991, again based upon the same four year cycle.

A 10% reduction in renewals is factored into the numbers because from experience not everyone will renew, especially with the aging of those who were certified 25 years ago or so, the economy pushing people into other related or unrelated professions, and those who have moved out of state and no longer see a need to be certified in California. For the most part these reductions are offset by the number of “new” certifications per year, although there has been an acceleration in the number of retirees and a reduction in the number of “new” certifications as unemployment in this particular profession lags behind that of other professions.

Table 6. Certification Population					
Certified Interior Designer		FY 2012	FY 2013	FY 2014	FY 2015
	Active	1786	1912	2099	2310
	Out-of-State	515	521	529	534
	Out-of-Country	14	15	15	15
	Expired	987	1066	1161	1227
	Retired	1168	1297	1315	1346
	Deceased	50	54	58	61
	Revoked	2	2	2	2
Table 7. Total Certification Data					
			FY 2013	FY 2014	FY 2015
Initial Certification Data:					
Initial Certification/Initial Examination Applications Received			113	103	94
Initial Certification/Initial Examination Applications Approved			113	103	94
Initial Certification/Initial Examination Applications Closed			85	100	81
Certifications Issued			85	100	81
Initial Certification/Initial Exam Pending Application Data:					
Pending Applications (total at close of FY)			54	73	67
Pending Applications (outside of CCIDC control)*			54	73	67
Pending Applications (within the CCIDC control)*			0	0	0
Initial Certification/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):					
Average Days to Application Approval (All - Complete/Incomplete)			N/A	N/A	N/A
Average Days to Application Approval (incomplete applications)*			N/A	N/A	N/A
Average Days to Application Approval (complete applications)*			N/A	N/A	N/A
Certification Renewal Data:					
Certifications Renewed			1028	921	903
* Optional. List if tracked by the CCIDC.					

16. How does the CCIDC verify information provided by the applicant?

CCIDC uses several methods to verify information provided by candidates on an application. One example is that all education must be verified by original sealed transcripts provided by the institution in question mailed directly to the CCIDC office. There are exceptions to this process for foreign student applicants or applicants who graduated from a program that no longer exists or has gone out of business. In those cases CCIDC will accept whatever documentation the applicant can provide, such as unsealed copies of transcripts or a copy of the certificate or degree in interior design or architecture.

For work experience verification CCIDC requires a complete resume of the period the applicant is applying to their application that states when, where and for whom they worked for and in what capacity. Resumes must include the name, address, and telephone numbers of their employers so that they can be contacted for verification.

For self employment verification CCIDC will accept copies of tax returns for the periods in question that denote the applicant's occupation, financial numbers can be redacted, or an affidavit

from an attorney or accountant (CPA) that handles business affairs for the applicant attesting to the application requirements.

a. *What process is used to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant?*

Because CCIDC is a private non-profit board it does not have access to criminal history information of databases. All applications do however ask each applicant whether they have ever been convicted of a felony in any jurisdiction, and if the answer is “yes” to provide further information and detail as to the nature of the conviction for the board’s consideration. CCIDC has never received such an application. Candidates are also asked if they are currently certified, licensed, or registered as an interior designer in any other jurisdiction so that CCIDC can refer to that entity for further information.

All applications are signed by applicants under penalty of perjury under the laws of the State of California that the application and all writings and exhibits that are attached are true and correct. The potential for violation is a rejection of the application or a revocation of the certification after the fact if an applicant has falsified the same.

b. *Does the CCIDC fingerprint applicants?*

CCIDC is not authorized to fingerprint applicants, nor could it verify fingerprints as it does not have access to fingerprint databases. Because certification is voluntary for interior designers in California we would expect someone with any kind of criminal record, or who had extensive disciplinary actions, to avoid applying as they would have no reason to do so.

c. *Have all current certificate holders been fingerprinted? If not, explain. Should applicants be fingerprinted?*

See answer 16b above.

d. *Is there a national databank relating to disciplinary actions? Does the CCIDC check the national databank prior to issuing a Certification? Renewing a Certification?*

No, there is not a national databank relating to disciplinary actions for interior designers. In fact even the professional interior design organizations like ASID or IIDA, nor any of the interior design related examinations like NCIDQ, except for the ARE administered by NCARB, have any source for determining if an applicant has been disciplined or has a criminal record.

e. *Does the CCIDC require primary source documentation?*

Yes, when education transcripts are being submitted for verification CCIDC requires them to come directly from the school to the CCIDC office in an official sealed envelope.

17. *Describe the CCIDC’s legal requirement and process for out-of-state and out-of-country applicants to obtain certification.*

Out-of-state and out-of-country applicants follow the same process as in-state applicants. International school accreditation must be recognized by the Council for Higher Education Accreditation (CHEA). International transcripts must come directly from a translation and evaluation services provider. This is to ensure minimum standards are met based on the same criteria for all candidates.

There are no separate legal requirements and all applicants are accepted no matter where their domicile is. It should also be noted that candidates can take the IDEX California examination

online practically anywhere in the world where Castle Worldwide has contracted testing facilities. We have had candidates take the IDEX California examination out-of-country as far away as Dubai and closer as in Mexico and the Caribbean. For out-of-state candidates the test has been administered in Pennsylvania, New York, Texas and Virginia to name a few.

Other national interior design examinations cannot be taken out-of-country beyond the United States and Canada.

Castle Worldwide offers close to 1,000 test center locations in over 700 cities in over 70 countries that allow them to provide Internet-based and paper and pencil testing in a proctored environment. Of the top 100 U.S. cities by population, 99% of candidates are within 15 miles of a Castle Worldwide testing center.

Examinations

Table 8. Examination Data				
California Examination (include multiple language) if any:				
FY	2012	2013	2014	2015
Certification Type	Certification	Certification	Certification	Certification
Exam Title	IDEX	IDEX	IDEX	IDEX
# of 1 st Time Candidates	110	92	101	106
Pass %	89.43%	89.13%	90.09%	87.74%
Date of Last OA	N/A	N/A	N/A	N/A
Name of OA Developer	Castle Worldwide	Castle Worldwide	Castle Worldwide	Castle Worldwide
Target OA Date	N/A	N/A	N/A	N/A
High Score (Out of 150)	137	136	136	138
Low Score (Out of 150)	77	77	82	66

18. Describe the examinations required for certification. Is a national examination used? Is a California specific examination required?

See Section 1, Items 5e and 5d. Also refer to Attachment “A” Examination Fact Sheet under Section 11 for a complete description on the entire history and examination process for CCIDC.

National examinations are not used as they do not test for specific California codes or Title 24.

If CCIDC is to hold out to the general public that CIDs have been properly vetted in accordance with Section 5800 of the California Business and Professions Code with respect to education, work experience and examination in order to protect the health, safety and welfare of said general public then all candidates must be tested on building codes and Title 24, which are specific to California and no other state.

For this reason CCIDC utilizes a California specific examination, namely the IDEX California.

19. What are pass rates for first time vs. retakes in the past 4 fiscal years? (Refer to Table 8: Examination Data)

Refer to table 8. It should be noted for the record that because the IDEX California is an examination used exclusively in California, the number of candidates registering for each examination window is relatively small compared to national examinations for similar purposes.

Because the candidate pool is relatively small the candidates are extremely well prepared and therefore the pass rate tends to be higher than it would be for a national examination with a much larger pool. This has been confirmed as a typical anomaly for smaller test pools by the psychometricians at Castle Worldwide who administer the IDEX California examination.

In analyzing those who fail the IDEX California over the past 5 years, most indications point to a lack of preparation for the failure. There are several third party examination preparation companies who provide study prep services for those wishing to take the IDEX California so CCIDC knows who has taken a class and who hasn't. This doesn't take into account those who self study.

The IDEX California examination is broken into 3 distinct domains, namely: Domain 1: California Code and Regulations; Domain 2: Business Practices and Ethics; and Domain 3: Design Standards. Domain 1 and Domain 2 are very specific to California. Domain 1 covers both residential and commercial building codes used in this state, and the split between the two is approximately 50/50. A designer who works primarily in the commercial field is not necessarily going to be conversant with the residential code and can easily fail this examination unless they study those codes they are not familiar with. The same applies to a designer who works primarily in the residential field. The reason for covering both codes extensively is because most interior designers crossover and work in both fields, just like architects.

There has been a fairly even split amongst those who have failed the IDEX California over the past 5 years between commercial and residential designers including many who have previously taken and passed a national examination, including the NCIDQ.

We added the high score and low score columns in order to give a sense of the range of scores so that one doesn't get the impression that this examination is easy based upon the pass rates. The reason for the high pass rates is because candidates are well prepared prior to taking the examination. This is reflected in the low pass rates where these candidates are not well prepared or perhaps haven't even prepared at all.

With respect to examination retakes in the four years listed above in Table 8 only four (4) people have failed on the second try, approximately 1%. For those who fail again after two tries they are monitored by CCIDC and contacted in order to see why they are failing. CCIDC can access their examination scores by Domain to determine where they are weak in terms of knowledge and which Domain they are failing. The most common Domain where candidates exhibit low scores is typically the "Codes" section of the examination, or Domain 1.

Candidates who fail are encouraged to retake the examination and to attend a class on their weakest subject determined by their Domain scores. If they did take a class prior to taking the examination and failed, all of the third party class providers will provide a remedial class often at a reduced or no charge rate.

20. Is the CCIDC using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

See Item 17 above.

21. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

The only existing statute affecting the IDEX California examination is contained within Section 5801.1 of the CID statute and that is BPC § 139 referencing the state's examination validation policy. This was the policy issued by the Department of Consumer Affairs (DCA), the Office of Examination Resources (OER), promulgated by AB 1105, Chapter 67, Statutes of 1999. For a copy please see **Section 11, Attachment C**.

CCIDC views the OER policy as an asset to examination development, and not a hindrance.

CCIDC followed this policy along with Castle Worldwide in preparing and developing the IDEX California examination. The policy sets out the state required development, validation and occupational analyses pertaining to all boards, programs, bureaus, and divisions under the jurisdiction of the DCA. Although CCIDC is not under the jurisdiction of the DCA, the CCIDC board set out to use the policy in developing the IDEX California. In the case of occupational analyses, because the examination was state specific, and for a relative small constituency, the test developers decided to use Subject Matter Experts (SMEs) as allowed for in the policy.

The IDEX California passing standard is based upon minimum competency criteria at entry level to the profession of interior design as set forth by the policy of the OER.

In accordance with the requirements of the OER policy the entire IDEX California examination was reviewed in 2014 by a task force of SME's after the adoption of the new 2013 California Building Code. Necessary changes were made to the examination subsequent to the review in order to ensure its validity as a certification examination.

There are no statutes that hinder the efficient processing of applications or examinations. Because the examination is computerized the results are often available within week or so after the close of the examination window.

Special Note:

- ***B&P Code § 5811 was placed into the Interior Design Law in 2003 to address the multitude of examinations allowed in order to become a CID. This should be addressed in detail perhaps in Table 8, Item 22, 23 and 24.***

5811. An interior design organization issuing stamps under Section 5801 shall provide to the Joint Committee on Boards, Commissions, and Consumer Protection by September 1, 2008, a report that reviews and assesses the costs and benefits associated with the California Code and Regulations Examination and explores feasible alternatives to that examination.

- ***Please address this issue in the examination section related to table 8, items 22-24. Please cite this section and include the text.***
- ***This is also where CCIDC would also indicate its compliance with BPC § 5801.1.***

This item was previously addressed in the 2012 Sunset Review report provided by CCIDC at that time, specifically in Section 10 – CCIDC Action and Response to Prior Sunset Issues. A copy of this response from 2012 has been included in this report in **Section 11, Attachment B**.

It is also discussed further in Section 9 of this report – CCIDC Action and Response to Prior Sunset Issues, under **ISSUE #4**.

School approvals

22. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? Does the CCIDC work with BPPE in the school approval process?

CCIDC is not statutorily authorized to approve educational facilities for any purpose regarding interior design. The CCIDC does not work with the BPPE in any role whatsoever.

23. How many schools are approved by the CCIDC? How often are schools reviewed?

CCIDC does not approve, or even recommend interior design educational facilities, however all those that currently offer interior design education programs in California are listed in detail on the CCIDC web site in a separate section for the ease of interior design students, those thinking of becoming an interior designer, or for existing designers looking for further education. The listing is reviewed continuously for changes and updates.

There are currently 59 California based interior design programs, more than any other state in the country. There are also 3 online accredited programs.

All the programs listed are accredited by an accrediting agency recognized by the U.S. Department of Education. This is the main criteria for a program to be listed on the CCIDC web site.

24. What are the CCIDC's legal requirements regarding approval of international schools?

The CCIDC board is not authorized to approve any educational facilities. The legally authorized accrediting entity (if one exists) within each country would be responsible for such approvals of interior design programs or the professional or post-professional programs available at those facilities.

Continuing Education/Competency Requirements

25. Describe the CCIDC's continuing education/competency requirements, if any. Describe any changes made by the CCIDC since the last review.

There is no statutory requirement for continuing education for certified interior designers, however the CCIDC has a board motioned Policy 3.1: CEU Requirements for Certified Interior Designers. It requires every CID to obtain a 1.0 CEU (10 hours) every 2 years between renewal dates on subjects relative to the practice and business of interior design, but of their own choosing. There are no longer any mandatory specific courses.

The CCIDC accepts all approved courses by the Interior Design Continuing Education Council, or any other interior design or architectural organization such as AIA, ASID, IDS, IFDA, IIDA, NKBA, etc. CCIDC also accepts from related organizations such as CALBO (building officials), CSI (construction specifiers) and many other construction/design industry organizations. CCIDC also provides a page on its web site for CIDs that offer relevant CEU courses, many of which are free.

There have been no changes to this policy since its inception from the beginning of CCIDC.

a. How does the CCIDC verify CE or other competency requirements?

All CIDs are required to report their CEUs directly to CCIDC. For this purpose CCIDC has set up a “free” CEU registry online where a CID can log in on a 24/7 basis with their own log in I.D. and password. This registry allows them to update their personal information such as email address, home or work address, telephone numbers, etc. They can also add and store all of their CEU information. Whenever a CID accesses this database and makes a new entry or a change CCIDC is notified with a copy. CCIDC then tracks all CEU entries in a separate offline database for each CID where all of their information is kept and tracked. When a CIDs renewal comes up CCIDC is able to verify whether that CID has logged the required amount of CEUs.

b. Does the CCIDC conduct CE audits on its certificate holders? Describe the CCIDC’s policy on CE audits.

CCIDC continuously monitors CEU accounts through the online registry described above.

The CCIDC policy on CE audits is that a CID must obtain a 1.0 CEU (10 hours) every two years prior to their renewal anniversary date.

c. What are consequences for failing a CE audit?

If a CID fails to complete the required amount of CEUs on their two year anniversary they are notified by CCIDC of their deficiency. They are then given a suitable grace period in order to complete the CEU requirements based upon their individual circumstances.

The consequences can be a delay in renewing their certification, however CCIDC carries a large amount of approved and recommended CEU courses on its web site for CIDs to choose from. This was implemented as a resource for CIDs as it was difficult for many individuals to find suitable courses without expending a lot of time and effort. For those who may be experiencing some form of financial hardship there are many courses that are free of charge.

d. How many CE audits were conducted in the past four fiscal years? How many fails?

It is a continuous process as noted above. CCIDC works with CIDs who are behind in their CEUs to ensure they do not fail.

e. What is the CCIDC’s course approval policy?

CCIDC accepts all courses that are approved by all of the professional interior design organizations, plus other organizations relevant to interior designers. See item 25 above.

Many professional organizations that CIDs belong to, also require CEUs and CCIDC will accept those same CEUs for their renewal purposes.

f. Who approves CE providers? Who approves CE courses? If the CCIDC approves them, what is the CCIDC application review process?

CCIDC does not approve CE providers, only their courses relevant to interior design or related applications like book-keeping, marketing, photography, etc., all subjects that can help and improve the business aspects of a CID or interior design business. There is no one formal application review process. Each CE course is evaluated by staff or individual board members based upon the courses individual merits. Again, most if not all courses are already approved by a professional design organization.

g. How many applications for CE providers and CE courses were received? How many were approved?

Not applicable.

h. Does the CCIDC audit CE providers? If so, describe the CCIDC's policy and process.

CCIDC has no statutory authority to audit CE providers.

i. Describe the CCIDC's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the certificate holders' continuing competence.

Performance based assessments are applicable to learning facilities such as colleges and universities as alternative methods for standardized testing. CEUs for CIDs are intended to keep CIDs updated on new and different approaches to their design businesses. It encourages them to learn new disciplines that they might otherwise not learn and thereby fall behind in offering up-to-date services to their clients. Certification is voluntary and CCIDC does not get involved in educating CIDs, only verifying their education when they apply to become certified.

Section 5 – Enforcement Program

CCIDC does not have an enforcement program because it does not have any statutory cite and fine authority. This is because certification for interior designers is a voluntary program and nothing prevents anyone from practicing interior design or calling themselves an interior designer. Other than certification and those who submit to the title act for certified interior designers, the practice of interior design in every other form is unregulated.

It should be noted that just about all complaints against interior designers are related to financial or contractual obligations and none have been documented with respect to public health or safety, although there have been several complaints against persons practicing architecture or engineering outside of their training and expertise and without a suitable state license for such work. The same has also applied to designers operating as contractors without a license. CCIDC directs the complainant to refer these types of complaints to the appropriate state board under the jurisdiction of DCA.

Table 9a. Enforcement Statistics (Complaints)

Year	Number of Complaints overall	Number of Complaints Against CIDs	Number of Complaints Against NON-CID
1993	1	0	1
1994	0	0	0
1995	4	2	2
1996	5	2	3
1997	8	4	4
1998	7	4	3
1999	4	2	2
2000	9	4	5
2001	10	5	5
2002	18	1	17
2003	10	4	6
2004	12	3	9
2005	14	8	6
2006	19	9	10

2007	25	13	12
2008	10	6	4
2009	3	0	3
2010	7	2	5
2011	9	3	6
2012	3	0	3
2013	8	6	2
2014	6	0	6
2015	4	1	3
2016	1	1	0
Total	197	80	117

26. What do overall statistics show as to increases or decreases in disciplinary action since last review.

Since the last review CCIDC has experienced a relatively flat if not decreasing number of consumer complaints against interior designers.

CCIDC has 197 documented “official” complaints since it was founded in 1992. “Official” complaints are where a person has filled out a formal complaint form citing specific violations relative to the CCIDC Code of Ethics and Standards. These are broken down by year in the foregoing chart.

Out of the 197 complaints received since 1992, 80 were against Certified Interior Designers. Since 2012, the last sunset review, one CID was permanently revoked after a court action was successfully brought against that person for committing fraud in excess of \$64,000.00. The 117 complaints against non-certified interior designers are recorded as a matter of record because the person filing the complaint chose to fill out a formal complaint form even though CCIDC has no jurisdiction in those complaints.

Unofficial complaints are not recorded because some people choose not to pursue a complaint with CCIDC and prefer to seek alternative remedies such as the courts. Basically they call for advice, especially when they find out the person in question is not a CID and that CCIDC has no jurisdiction over them.

In some cases CCIDC has mediated formal complaints and obtained satisfactory results for both parties. In others CCIDC has provided expert witness information for a deposition, or in Small Claims court, or helped obtain an expert witness for plaintiffs for an impending legal action.

CCIDC often requires CID’s who have been disciplined or suspended by the board, in order to remediate them, to take approved classes on Ethics and Business Practices. All disciplinary actions are noted on the CCIDC web site for public consumption.

27. How are cases prioritized? What is the CCIDC’s complaint prioritization policy? Is it different from DCA’s Complaint Prioritization Guidelines for Health Care Agencies (August 31, 2009)? If so, explain why.

All complaints are dealt with as they are received by CCIDC. The volume is minimal as one can see from the chart above, so prioritization is not an issue. Because CCIDC is not a part of the DCA we are not aware of their guidelines.

28. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report actions taken against a certificate holder. Are there problems with receiving the required reports? If so, what could be done to correct the problems?

CCIDC is a non-profit corporation and not a state agency so there are no mandatory or legislative requirements for any person or agency to report violations, civil or criminal actions taken against a CID, or any other interior designer. All complaints received by CCIDC are filed voluntarily by the general public.

29. Does the CCIDC operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases were lost due to statute of limitations? If not, what is the CCIDC's policy on statute of limitations?

The CCIDC statute of limitations is one year when filing a complaint that requires the complainant follow up with any requested documentation or evidence. Failure to do so indicates a lack of interest and the case is closed. There is a low volume of complaints so they are dealt with very quickly. CCIDC does not have cite and fine authority so there is little CCIDC can do other than revoke or suspend a CIDs certification.

30. Describe the CCIDC's efforts to address uncertified activity and the underground economy. Is there any level of uncertified activity by interior designers? Is an uncertified person who prohibited from doing anything that they would be permitted to do if they had a certificate? If so, what does CCIDC do when they become aware of such activity?

Certification is a voluntary program so there is no such thing as "unlicensed" activity. Anyone can call themselves an interior designer, or practice interior design. There is nothing an uncertified person cannot do because they are not certified, other than use the title Certified Interior Designer, or the appellation CID, which is prohibited by BPC § 5812 as an unfair business practice. Occasionally we do become aware of certain individuals who are using this title but have never been certified by CCIDC, or anyone else. CCIDC will issue a "cease and desist" letter to the individual citing Section 5812 of the BPC, in order to resolve the matter.

Section 6 – Public Information Policies

31. How does the CCIDC use the internet to keep the public informed of CCIDC activities? Does the CCIDC post CCIDC meeting materials online? When are they posted? How long do they remain on the website? When are draft meeting minutes posted online? When does the CCIDC post final meeting minutes? How long do meeting minutes remain available online?

CCIDC maintains a web site (www.ccidc.org) and utilizes a number of in-house online applications, web pages and outside social media (Face Book - LinkedIn) to keep the public informed of its activities. CCIDC also issues a monthly electronic online newsletter (CCIDC e-News) to over 7,000 subscribers, accessible to the general public as well as providing access to past newsletters in an online archive.

All meetings, locations, dates and times as well as agendas for meetings are posted online and announced several months in advance via the CCIDC monthly electronic newsletter. This information remains on the CCIDC web site until the actual meeting date has passed and then removed, making way for the next scheduled meeting date.

Draft meeting minutes are not posted online until approved by motion of the board at a regularly scheduled board meeting. As soon as the previous board meeting minutes are approved they are posted online within a few days. All meeting minutes are archived and available online to the general public for the past 10 years.

For the record CCIDC has had this web site for the past 20 years and it has grown during this time from a few pages to over four hundred pages. The platform it was built on back in 1996 no longer is state of the art and no longer supports some of the more modern attributes of newer web sites.

In order to address this CCIDC is in the process of designing, developing and implementing a completely new web site based upon current platforms. It is anticipated to have this new web site up and running by the beginning of 2017.

This will allow CCIDC to incorporate the very latest features in web design and allow for easier access to online information for CIDs and the general public. It will allow for the use of video, webinars and access to CCIDC's very own YouTube channel. It will provide flexibility to CCIDC staff enabling updates and posting of new information not only much easier, but much quicker as well. The new web site will also allow online integration of the CCIDC database so that as CIDs make renewal payments, examination payments, examination scheduling, register CEUs, etc., all of this information will be available in one place as opposed to several different and separate databases now.

32. Does the CCIDC webcast its meetings? What is the CCIDC's plan to webcast future CCIDC and committee meetings?

CCIDC does not web cast its meetings as the meetings are moved around the state and setting up web cast equipment is still somewhat difficult and expensive on a temporary basis. Web casting is better suited to fixed locations where the equipment can be permanently installed similar to the legislature with an all access channel like CalChannel or C-Span open to the general public. In the past the CCIDC board did look into a webcast feature similar to "Go to Meetings.com" but the regular program was limited to six participants with video capability and the rest up to 25 by teleconference using Skype. To do this with video capability for up to 25 people was cost prohibitive and almost as much as an on-site meeting.

It should be noted for the record, because CCIDC is exclusive to California, most meeting locations are within driving distance of at least 50% of the board and most CIDs at any given time. This saves on transportation costs versus that of a national organization that would require members to travel long distances incurring significant travel costs. The board continues, in the name of saving money, to keep its meeting format to one day utilizing conference centers near large airports. This has cut the individual meeting costs since 2009 by 50%.

33. Does the CCIDC establish an annual meeting calendar, and post it on the CCIDC's web site?

Yes, every January a new meeting calendar is established for the three regularly scheduled meetings throughout the year, namely end of January, May and September. As other board activities become known they too are added to the calendar including special events. These dates are also posted on the web site under "News" and included in the monthly electronic newsletter.

34. What information does the CCIDC provide to the public regarding its certificate holders (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

CCIDC has an online database ("Verify a Designer") where the public can search for a CID by entering the designer's certification number, or any of the following key words: first name, surname, city, or state (we do have a number of CIDs who live outside of California). After an inquiry online is made the information provided is the designer's full name; certification number; certification status, i.e. current, delinquent, expired, retired, suspended, or revoked, etc. For

example, in cases where the “city” or “state” is put in as the search parameter, all of the CIDs located in that city or state will come up.

CCIDC had a special section where CIDs could post their own web page link on the CCIDC web site under the heading “Find a Designer”. This feature will be integrated into the new web site as an included service for all CIDs. They will be able to input all of their personal or business contact information, including a link to their own web site if they have one. This will allow them to provide their personal contact information, their areas of specialty and other attributes as value added information to the general public from the CCIDC web site.

If a consumer wants a contact list within their specific area of CIDs they can contact CCIDC via E-mail or phone and we will provide a list from our database and send it to them. With this list they will be able to contact individual CIDs by name and telephone number in order to set up consultations or interviews for selection.

For privacy reasons we do not divulge home addresses, or E-mail addresses, of CIDs to the general public.

All disciplinary actions are posted on the CCIDC web site.

35. What methods are used by the CCIDC to provide consumer outreach and education?

Over the past four years since the last sunset review CCIDC has employed various means to reach the public and to educate them on the importance of hiring Certified Interior Designers. The most successful tool for reaching the general public, potential CIDs, students, continues to be the CCIDC web site. The web site continues to receive a continuous growth of visitors each year and has a vast source of information geared to consumers, CIDs, students and building officials alike. Some of the particular web pages aimed at consumers to name a few are as follows:

- “Consumers Guide to Hiring a Certified Interior Designer”
- “The Difference Between a Decorator and a Designer”
- “Common Mistakes When Hiring an Interior Designer”

There are also pages for consumers to see consumer alerts, how to file a complaint against a designer, including an online complaint form, complaint statistics, disciplinary actions against CIDs, and a consumer feedback and satisfaction survey. Consumers can also sign up to get the monthly CCIDC electronic newsletter for free.

One of the most visited areas on our web site, other than that for consumers, is the interior design program college, university, school page listing. We have listed all of the interior design programs in California including web sites and contact information along with faculty contact names where available.

Section 7 – Online Practice Issues

36. Discuss the prevalence of online practice and whether there are issues with uncertified activity. How does the CCIDC regulate online practice? Does the CCIDC have any plans to regulate Internet business practices or believe there is a need to do so? Are there any online practices by CIDs that should be addressed?

This does not apply to CCIDC as it is a voluntary certification program, and not a mandatory state licensing program. We do occasionally come across unlawful use of certified interior designer or the appellation CID, but this is normally taken care of with a cease and desist letter.

Section 8 – Workforce Development and Job Creation

37. Describe the CCIDC's efforts to work with schools to inform potential certificate holders of the certification requirements and certification process.

CCIDC implemented an aggressive interior design program outreach program back in 2008 in order to reach potential candidates for certification. All interior design programs were contacted and a representative of CCIDC was offered to come and give their interior design students a free one hour presentation on the certification program in the state of California along with extensive information on the new IDEX California examination, and multiple handouts and brochures.

This program coincided with the introduction of a single California certification examination in 2008, namely the IDEX California. CCIDC also provides a two hour presentation on “Ethics and Business Practices for Interior Designers”. Many programs have participated in these multiple presentations over the past five years and include these presentations as part of their regular curriculum.

Other presentations have included professional association gatherings of interior designers, student career forums, large private interior design firms, and industry sponsored product and services showcases.

Section 9 – CCIDC Action and Response to Prior Sunset Issues

Include the following:

- 1. Background information concerning the issue as it pertains to the CCIDC.***
- 2. Short discussion of recommendations made by the Legislature during prior sunset review.***
- 3. What action the CCIDC took in response to the recommendation or findings made under prior sunset review.***
- 4. Any recommendations the CCIDC has for dealing with the issue, if appropriate.***

ISSUE #1: Written Contract

2013 Background: *In its Sunset Report, CCIDC recommends amending the law to require CIDs to use a written contract when providing interior design services to a client. CCIDC points out that there are not current requirements in the law of interior designers to provide a contract or written agreement. In fact in a number of the complaints that are made against designers by clients, there is no written contract. CCIDC feels that requiring CIDs to use a written contract would provide clarity and structure to the transaction between the CID and the consumer.*

2013 Staff Recommendation: *Recommend amending the interior designer law to require a certified interior designer to use a written contract when entering into an agreement with a client for interior design services.*

2016 CCIDC Response:

Section 5807 was added to the Business and Professions Code with the passage of Senate Bill 308 (Lieu) in 2013. This section enumerated the requirements for a written contract for interior design services to be executed by the certified interior designer before commencing any work. CCIDC has published this requirement to the entire certified interior designer community through multiple electronic newsletters as well as being published on the CCIDC web site. All new CIDs are given a copy of the entire Section 5800 – 5812 upon becoming certified in a special binder outlining their obligations and duties as such.

CCIDC has no statutory authority to compel CIDs to use written contracts or letters of agreement.

ISSUE #2: Use of the term “CID”

2013 Background: *The interior designer law, defines the term “certified interior designer” (BPC § 5800) and makes it an unfair business practice for a person to represent them self as a certified interior designer unless they comply with the requirements of the certified interior designer law (BPC § 5812). This is the provision in the law which restricts the use of the title “certified interior designer” to those who meet specified requirements of the law. This is a practice known as “title protection.”*

2013 Staff Recommendation: *Recommend amendments to include the term “CID” in connection with interior design in the title protection provisions of BPC § 5812.*

2016 CCIDC Response:

Section 5812 was amended to include the appellation “CID” with the passage of Senate Bill 308.

There have so far been no further issues with the unlawful use of this appellation.

ISSUE #3: Acceptance of Stamp

2013 Background: *CCIDC has raised this issue in various ways, including the previous Sunset Report, for over 20 years. Over the last 8 years two separate bills were introduced to license or register interior designers under a practice act within the Business and Professions Code by private professional association groups, none of which have any association with CCIDC. Both of these bills, namely SB 1312, (Yee in 2008) and AB 2428 (Ma in 2012) were the focus of a good deal of controversy, and ultimately died in the legislative process due to lack of support and overwhelming opposition.*

One of the biggest concerns raised by the proponents of these bills was the issue of interior designers being able to submit non-structural, non-seismic interior design plans to local building departments for permit approval and acquisition purposes, because they were being denied access to the permit process without an architect or an engineer’s stamp. The proponents felt that a state mandated program creating “licensed” or “registered” interior designers in a statute would provide greater acceptance in building departments across the state.

A significant issue in this discussion is the use of the title “registered design professional” in the International Building Code, and concern that local building departments in California might refuse to accept designs from an interior designer who was “certified” as provided in the interior designer law (BPC § 5800 ff.), rather than “registered.”

*CCIDC’s contention is that use of the term “registered design professional” in the building code is a general term used to refer to registered architects and licensed engineers, and is for the benefit of building officials so that they know who can stamp and sign **structural** and **seismic** drawings used for permitting and construction purposes. This view has also been upheld by the Legislative Counsel of California in a letter dated September 21, 2000 to Senator Bruce McPherson. **See Attachment J – Legislative Counsel Letter to Senator McPherson 2000.***

*CCIDC states that the issue of “certified” or exempt persons who are allowed by both the building code and state law to do **non-structural** and **non-seismic** work is not properly addressed in the building code.*

*A certified interior designer under the BPC is defined in part as “**a person who prepares and submits nonstructural or nonseismic plans consistent with Sections 5805 and 5538 to local building departments...**”*

The BPC § 5538 provides that the Architects Practice Act does not prohibit the submission of plans or drawings for nonstructural or nonseismic work provided the work does not change or affect the structural system or safety of the building. This is regarded as exempting certified interior designers, all other interior designers, building designers, contractors, owner builders, and the general public from the Architects Practice Act for these purposes.

BPC § 5805 provides that nothing in the interior design law precludes certified interior designers or any other person from submitting interior design plans to local building officials, except as provided in the BPC § 5538. This section further provides that in exercising discretion with respect to the acceptance of interior design plans, the local building official shall reference the California Building Standards Code.

Taken as a whole, these provisions of law allow certified interior designers to prepare and submit plans to local building departments for permitting purposes. However, it remains true that the law does not require a local building official to accept plans or drawings from a certified interior designer or from any other person regardless of whether the person has a license, registration or certification in the design profession. A building department must use its discretion, including looking at the character of the plans, and the project involved. However the law relating to interior designers is still a source of contention and controversy.

CCIDC states the following:

Simply put; in the very large jurisdictions like Los Angeles, San Francisco, and San Jose, CIDs literally have to “beg” to be able to submit their nonstructural, non-seismic drawings, and continuously try to explain a complicated exemption in another profession’s practice act. All the interior design profession is looking for is a level playing field. Perhaps there is a way of tying the “certification” aspect to the “registration” aspect. As stated at the bottom of page 12 under Section 4, Certification Program, “The term license in this document includes license, certificate, or registration.”

If building officials would view “certification” as it would pertain to the building code and viewed it in a similar manner as the term registered design professional it would go a long way to alleviating this problem, and possibly avoid a future barrage of “registration” practice acts from the profession.

CCIDC further indicates that it has worked closely with the California Association of Local Building Officials (CALBO) for 15 years or more to educate and inform the more than 450 building departments in the state of the existence and competency of certified interior designers. CCIDC further states: In our many discussions with building officials one theme has stood out, and that is that they would like to see a clearer description in our statute of what Certified Interior Designers are allowed to do under state law and specifically with regard to the exemptions contained within the architect's practice act. They have said if they can see it in a statute or regulation they will be more inclined to allow it, providing they still maintain their authority over the permitting process.

To address this concern CCIDC had recommended amendments to clarify the law as it relates to the acceptance of plans from a certified interior designer by local building officials. The Sponsor of SB 1312 and AB 2428, the Interior Design Coalition of California (IDCC) has also submitted its concerns to Committee staff on the lack of uniformity in stamp acceptance across the state by building departments. IDCC has proposed amendments to the BPC and the Health and Safety Code to expressly use "registered design professional" for purposes of the building codes by local building departments to include certified interior designers.

Committee staff believes that it may be appropriate to clarify the law relating to the acceptance of certified interior designer plans and designs by local building departments. However, more input is needed from all stakeholders before acceptable amendments are drafted. Stakeholders should include not only CCIDC and IDCC, but also other trade or professional associations for interior design, architecture, building officials, and other state regulators. Any legislative proposal must allow building officials to retain the authority to accept submittals from architects, engineers, interior designers, building designers, and owners, as appropriate to protect the public health, safety, and welfare.

2013 Staff Recommendation: Recommend that CCIDC and other stakeholders should seek to find a consensus on this issue and if appropriate, submit a specific legislative proposal to the Committee.

2016 CCIDC Response:

Since 2012 CCIDC has engaged with many of the stakeholders involved in this process and specifically with the California Association of Local Building Officials (CALBO). CCIDC has prepared a specific legislative proposal which it hopes will garner the support of all or most of the stakeholders and has been addressed below under Section 10 - New Issues, Item 1: Issues that were raised under prior Sunset Review that have not been addressed.

ISSUE #4: NCIDQ examination. Should the NCIDQ examination be accepted by CCIDC in order to meet the qualifications to become a certified interior designer in California?

2013 Background: BPC § 5801 authorizes the CCIDC to approve an interior design examination which a certified interior designer must pass in order to receive a certification stamp from CCIDC.

When certification was first introduced in 1992, only one portion of a six part national examination, the National Council for Interior Design Qualification (NCIDQ) examination, was used through the initial grand-parenting period, which expired in 1994. After that time, the full six part NCIDQ examination was required by CCIDC in order to become a CID. The CCIDC developed a supplemental examination on California Codes and Regulations (CCRE) in order to address concerns of California building officials who felt the national examination was inadequate in California by itself.

Eventually, the National Kitchen & Bath Association (NKBA) and the Council for Qualification of Residential Interior Designers (CQRID) examinations were determined to be “valid” under BPC § 139, and were adopted as pathways to becoming a certified interior designer by CCIDC.

After the 2003 Sunset Review the Legislature amended BPC § 5811 to require CCIDC to assess the costs and benefits associated with the California Code and Regulations Examination and explores feasible alternatives to that examination. The JLSRC felt there were too many obstacles and costs associated with becoming a Certified Interior Designer in California which posed barriers to entry into the profession. Ultimately the CCIDC agreed.

After a new building code was adopted in California in 2008, CCIDC determined that the CCRE was obsolete and developed an entirely new examination for California certified interior designer candidates and replaced all of the national exams and the CCRE with the Interior Design Examination (IDEX California) as the only examination required in order to test candidates for certification.

CCIDC cites the following benefits of the examination change:

- Barriers were removed by requiring only one examination for certification that actually tested candidates on codes, regulations, ethics, business practices and design standards relevant to California. CCIDC went to a single online 3-hour examination, the IDEX California in 2009, instead of several days of a mostly pencil and paper examination in the case of the national examinations that did not test on California knowledge.*
- The examination cost has been reduced to \$375 as opposed to as much as up to \$1,200 or more for a national examination. In addition candidates that were taking national examinations were required to learn codes that were not applicable to the California Building Code and Title 24.*

CCIDC further states that the NCIDQ does not accept candidates who qualify through “experience only” without formal class work as provided in paragraph (d) of BCP § 5801.

Regarding the current consideration of extending the certified interior designer law, IDCC writes that California interior designers who wish to bid on federal projects or to work in any of the 28 other state who have some type of state certification for interior designers must pass the NCIDQ Examination, and no reciprocity exists for the California CID credential or the IDEX California. IDCC indicates that all other states that regulate interior designers require passage of the NCIDQ exam, or equivalent exam.

IDCC further argues that NCIDQ is an independent, nonprofit organization of state and provincial credentialing bodies and has issued professional certificates to competent interior design professionals since 1974. The IDEX consists of 150 multiple choice questions, closed book examination written specifically for California building codes, ethics, business practices and design as it relates to health, safety and welfare in California, and has a practice analysis completed in 2009, according to NCIDQ.

IDCC also argues that most federal RFPs expressly require that those interior designers included in a bid for a project be an NCIDQ certificate holder. Ultimately, IDCC proposes adding the NCIDQ as an alternative exam, to the IDEX California which would be accepted by CCIDC to meet the examination requirement for the certification of interior designers in California. IDCC does not argue to eliminate the IDEX for those interior designers who feel the IDEX/CID alone meets their practice needs.

Arguing against this idea, some have suggested that using a national examination allows the standards for certification to be dictated by the national examination vendor, and that California would

lose control. However, Committee staff observes a number of professions in California use a national examination to meet the exam requirements without being deemed that California has lost control of the requirements to enter the profession or trade.

2013 Staff Recommendation: *The CCIDC should discuss with the Committee the acceptance of the NCIDQ examination as an alternative to the IDEX California for certification of interior designers by CCIDC. Consideration should be given to accepting passage of the NCIDQ as an alternative to the IDEX California to qualify for interior design certification in California.*

2016 CCIDC response:

Please refer to **Section 11, Attachment A, “Examination Fact Sheet”** for a complete analysis as to why the CCIDC no longer requires the NCIDQ examination or any other national examination for “certification” purposes.

Response to issues raised in ISSUE #4 above:

- The NCIDQ is not a valid examination in California and does not conform to California legal requirements, BPC § 139.
- Does not allow for “experience only” candidates as required by BPC § 5801(d).
- Going to one California examination addressed the legislatures concerns at that time by removing barriers to entry to the profession and reducing costs and time, which CCIDC was asked to address by BPC § 5811.
- Going to a California specific examination ensures CIDs are conversant with California codes and Title 24 in order to protect the health, safety, and welfare of the general public.
- As argued by IDCC above “the NCIDQ is an independent, non-profit organization”, and as such can do anything it pleases without oversight from any state or government body. Also, the same is argued by IDCC and its affiliates with respect to CCIDC, however CCIDC reports to the state of California through the Sunset Review process, like all state governed boards and commissions, and is held accountable as such, which NCIDQ or any other private examination vendor is not.
- If CCIDC were to accept any one of the three national examinations for interior designers it would be petitioned to accept the other two as it was before the 2003 sunset review. The situation would then revert back to the same situation before the requirement of BPC § 5811 with 3 national examinations, none of which test on California codes. Therefore CCIDC would once again require a California specific examination like the now defunct CCRE in order to do so. CCIDC would be back to having 2 examinations in order to become a certified interior designer, recreating a barrier to entry to the profession.
- Federal RFP’s do not require the NCIDQ examination as the only requirement in order for an interior designer to bid as there is no Federal law requiring such. It is part of several applicable qualifications, including “Certification” and as noted in the example below the Federal interior designer reserves the right to approve or disapprove the qualifications of the interior designer chosen by the “contractor”. The Federal interior designer could approve an interior designer without any qualifications whatsoever. In just about all cases where an interior designer is required on a Federal contract, and which also applies to a State contract, the “prime” professional, or “contractor”, bidding on the contract is nearly always a licensed architect. The interior designer is one of many sub-contractors, including mechanical, electrical, civil, and structural engineers as examples, under the auspices of the “prime” professional and therefore is chosen as part of the prime professional’s team.

The following excerpt is taken directly from a Naval Facilities Command RFP and is standard verbiage used on Federal RFP's. The "contractor" referred to in the first line would be the "prime" professional who would be awarded the actual Federal contract.

The contractor shall have an Interior Designer, certified by the National Council for Interior Design Qualification (NCIDQ), or state and/or jurisdiction Certified, Registered, or Licensed Interior Designer, prepare both the SID and the FF&E Package and participate in any design charrettes to develop the building floor plan. As required, the contractor shall obtain services of equipment specialists to specify the shop or specialty equipment. The Interior Designer and any Specialists shall not have any affiliation with the products specified. The NAVFAC Interior Designer reserves the right to approve/disapprove the qualifications of the Contractor's Interior Designer.

- The last issue refers to control of outside or private examinations. CCIDC has control over the IDEX California examination, both in terms of content and eligibility. The California legislature has control over CCIDC through the Sunset Review process and the reporting of CCIDC's activities. Contained within the certified interior designer statute under BPC § 5801.1 are the examination validation requirements in California as defined under BPC § 139 and the DCA policy promulgated by that statute. None of this exists for any other examination under discussion in this report.

In 2004 NCIDQ proposed significant changes to their eligibility requirements for examination application. They required at that time that all exam candidates with work experience after January 1, 2008 be required to complete that experience under the direct supervision of an NCIDQ certificate holder or a registered architect who offers interior design services. If a state had mandatory licensing for interior designers in order for a graduate to practice interior design it would have created a possible scenario of indentured servitude as graduates would be scrambling to find a suitably qualified person to work for in order to gain said work experience.

This caused a lot of industry outcry, and one example is the Interior Design Educators Council (IDEC), a national organization of interior design educators, took up this issue at their March 2004 annual conference in Pittsburgh. Because of the push-back from a variety of industry groups changes were made to try to ameliorate the situation, and certain planned eligibility restrictions or changes were either modified or lifted.

At that time NCIDQ had several paths for eligibility made up of combinations of education and work experience, most of which add up to 6 years or more. This is just to sit for their examination.

One of the paths, route 5 was specifically for those applicants who had an Associate's Degree of no less than 40 semester units (2 years) of interior design coursework and 7,040 hours (4 years) of "qualified" interior design work experience. This encompassed all or most community college students, especially in California.

In 2008 NCIDQ decided to eliminate this path altogether by December 1, 2018, which means this will disqualify all students who graduated from a community college after 2014 with 40 units or more, but less than 60 units who wish to take the NCIDQ examination. Anyone who graduated after 2014 in this situation will have to go back to college and acquire the necessary extra semester units. The NCIDQ examination eligibility

requirements do not meet the basic community college interior design program graduation certificate standard in California.

For these graduates this means another year of schooling, which is a barrier to students of limited means, or a burden to those who are taking out school loans in order to further their education. These are ongoing barriers of entry to the profession, and CCIDC believes, based upon past actions of NCIDQ, that it is only a matter of time before those requirements are changed unilaterally by NCIDQ to a full Bachelor's degree, or 4 years of education and two years of work experience.

As a comparison CCIDC accepts candidates for the IDEX California Examination with 40 semester units or more and no work experience so that graduates from community colleges can take this examination upon graduation. Under Path 1 these graduates possessing the IDEX California examination can become CIDs automatically after completing the necessary work experience. The CCIDC IDEX California examination is the only examination that meets the basic community college interior design program graduation certificate standard in California. It also leads to the title of certified interior designer as codified into statute.

This further allows graduates to demonstrate to prospective employers or clients that they are already on the path to becoming a professional designer. As BPC § 139 advocates for all California examinations, "minimum competency criteria at an entry level to the profession".

As a further example of private examinations being uncontrolled by California boards, in July of 1987 the California Architects board (CBAE) went away from the national Architects Registration Examination (ARE) due to scoring and other issues with NCARB, the private national purveyor of that examination. The CBAE introduced the California Architectural Licensing Examination (CALE). It was administered for 3 years until 1989 when concerns with the NCARB examination were resolved and the CBAE went back to the national examination. It should be noted however that California architects are still required to take a California specific supplemental examination in addition to the national examination.

ISSUE #5: Transparency of operations of CCIDC. Should CCIDC be subject to the rules of the Bagley-Keene Act?

2013 Background: *The Committee points out that a major public protection among regulatory programs is the transparency of their operations. Under state law, the Bagley-Keene Open Meeting Act (Bagley-Keene) (Government Code (GC) § 11120) generally requires all state boards and commissions to publicly notice their meetings, prepare agendas, accept public testimony and conduct their meetings in public unless specifically authorized under by the Act to meet in closed session. The public meeting requirement applies, not only to board meetings but to all committee meetings as well. A meeting is "gathering" of a majority of the board or a majority of a committee of 3 or more persons where board business will be discussed. This includes telephone and email communications.*

In its Sunset Report, in responding to the Committee's questions about any committees formed under the CCIDC board, the CCIDC indicates that it does not have any public committees per se, only four internal committees as previously noted above in this paper. In addition in its response to

the question about strategic planning, CCIDC responds in part: "The board regularly conducts strategic planning meetings as an ongoing process the day prior to each scheduled board meeting."

Committee staff is concerned that these committees and planning meetings may fall short of the open meeting standard that is the standard in California.

In considering this issue, it is important to point out that CCIDC is not a state board or commission, and is not a public agency, and CIDs are not certified by the state. Indeed, the BPC § 5804 makes it an unfair business practice for any certified interior designer to represent that he or she is "state certified" to practice interior design. However CCIDC is the entity that meets the criteria of an interior design organization under the interior design law and thus certifies certified interior designers in California. As such it is appropriate that CCIDC's functions, operations and deliberations be open and transparent.

Requiring private certification organizations that authorized by state law to issue specific certifications to comply with open meeting laws is consistent with what the Legislature has recently done regarding the massage therapy law. California law provides for a private certifying organization the California Massage Therapy Council to certify massage therapists and practitioners in California. Relating to the California Massage Therapy Council, BPC § 4600.5 (d) provides:

The meetings of the council shall be subject to the rules of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

This same requirement should be placed upon the interior design organization authorized which certifies interior designers in California. Committee staff recommends the following amendment:

Section 5811.1 is added to the Business and Professions Code to read.

5811.1 The meetings of an interior design organization issuing stamps under Section 5801 shall be subject to the rules of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

2013 Staff Recommendation: *The interior designer law should be amended to require that the meetings of an interior design organization issuing stamps under Section 5801 shall be subject to the rules of the Bagley-Keene Open Meeting Act.*

2016 CCIDC Response:

CCIDC complied with this statute prior to it being enacted and as soon as it was recommended. All CCIDC board meetings were, and continue to be open to the general public and are advertised as such on both the CCIDC web site and in CCIDC electronic newsletters sent out several months in advance of each board meeting.

CCIDC, after discussion with regular board meeting attendees and the board itself changed the meeting format to start the open portion of the meeting first so as not to inconvenience attendees and to allow them to participate before the board goes into a closed session for disciplinary actions when and if necessary.

CCIDC board meetings are rotated up and down the state in order to allow maximum access to its constituency and certificate holders, and are always held on a Saturday morning in a public place so as not to interfere with regular work hours during the week.

Section 10 – New Issues

This is the opportunity for the CCIDC to inform the Legislature of solutions to issues identified by the CCIDC and through the prior review of CCIDC. Provide a short discussion of each of the outstanding issues, and the CCIDC’s recommendation for action that could be taken by the CCIDC or by the Legislature to resolve these issues (i.e., legislative changes, policy direction, etc) for each of the following:

- 1. Issues that were raised under prior Sunset Review that have not been addressed.***
- 2. New issues that are identified by the CCIDC in this report.***
- 3. New issues not previously discussed in this report.***
- 4. New issues raised by the Legislature.***

NEW ISSUES:

NEW ISSUE #1:

Although this is under the heading “New Issues” it is an ongoing issue for certified interior designers that was not addressed under the prior Sunset Review noted above under Section 9 – Issue #3: Acceptance of Stamp.

Under BPC § 5537 and 5538 of the Architect’s Practice Act are exemptions for “laypersons” to do non-structural and non-seismic work where a licensed/registered architect or engineer is not required to stamp and or sign drawings that may be needed for a building permit issued by a local jurisdiction. “Laypersons” are literally anyone who is not a licensed/registered design professional, i.e. architect or engineer. Persons who fit into this definition are licensed contractors or sub-contractors, building designers, owner builders, developers, interior designers, interior decorators, and members of the general public that possess the skills necessary to prepare drawings that require the skills of a licensed contractor to implement them and the need to procure a building permit, and of course certified interior designers.

Certified interior designers are the only group within the above definition, who practice under the exemptions of BPC § 5537 and 5538, that have been specifically tested on California Codes and Title 24, along with California laws and statutes that are relevant to interior designers, and that must have a specified amount of education and/or experience. This is codified in BPC § 5800 – 5812. CCIDC contends that because of the requirements of BPC § 5800 – 5812 certified interior designers should not be considered “laypersons”.

This sets certified interior designers apart from all others as they are recognized for their skills as they have met the state standard for interior designers, that of being certified. This is not to demean any other group or the general public as they may also possess these skills and knowledge; however these other groups and the general public have not met the state standard by submitting to the vetting and examination required in order to use this title.

Each certified interior designer is issued a unique number that identifies them as such and is issued a special stamp containing that number and their name, similar to architects and engineers, along with an I.D card. The purpose of the stamp is to identify to clients, contractors, and most importantly to building officials, that the person who prepared the plans and stamped them has met this higher standard for certified interior designers.

Also as previously discussed in this report certified interior designers as part of their consumer protection responsibilities are required to prepare and provide a contract as delineated under BPC § 5807, something no other interior designers or interior decorators are bound by.

What is the issue with respect to acceptance of the CID stamp?

The issue relates to a lack of uniform consistency of accepting plans stamped by CIDs for permitting purposes across all 450 plus building official and permitting jurisdictions in California. There is a disconnect amongst building officials when they interpret not only the certified interior designer law, but also the exemptions within the architect's practice act and the reference to those exemptions within the certified interior designers law. Section 5538 of the architect's practice act, along with the California Building Standards Code (CBC) is referenced in BPC § 5805 of the certified interior designers statute.

Where does this disconnect emanate from? A sense of history of these exemptions is important in order to understand how we got to where we are today. It emanates from the current vague language contained within BPC § 5538 of the architects practice act. It is clear that these exemptions were first introduced for the benefit of contractors and subcontractors as it constantly references "labor and materials" and the "work necessary to provide for their installation".

There is also a significant reference to "storefronts", being the first prominent item for exemption. It should be noted that in 1939 the interior design profession as we know it today did not exist. Storefronts for the most part back in those days were made of wood and subject to the elements and therefore needed replacing from time to time, unlike the materials we use today. The exemption specifically speaks to builders and contractors being able to replace and install storefronts without the need to employ the services of an architect or engineer. Also included were exemptions for interior alterations or additions, often necessary for minor renovations, again where the services of an architect, or engineer for that matter were not needed. Section 5538 was first added to Chapter 33 in 1939 specifically noted as an "Exemption" and reads as follows:

(Note: Highlights in yellow are by the author of this report)

5538. This chapter does not apply to any person in so far as such person furnishes plans, drawings, specifications, instruments of service or other data for labor and materials to be furnished by such person, either alone or with subcontractors, for **store fronts**, **interior alterations or additions**, fixtures, cabinet work, furniture, or other appliances or equipment, or for any work necessary to provide for their installation, or for any alterations or additions to any building necessary to or attendant upon the installation of such **store**

fronts, interior alterations or additions, fixtures, cabinet work, furniture, appliances or equipment, nor does this chapter prevent any such person from advertising or putting out any sign or card or other device which might indicate to the public that such person is qualified to furnish such plans, drawings, specifications, instruments of service or data.

Section 5538 was first amended in 1963 with an enumerated breakdown added and the first reference to the “structural system and safety of the building”. It is clear this amendment was concerned with “unlicensed laypersons”, those who were not architects or engineers, doing work that affected the structural safety of the building without possessing the requisite knowledge, education or expertise. Seismic was not mentioned. These amendments were still primarily aimed at building contractors as the word “subcontractors” was still included along with “storefronts” and “labor and materials” as prominent parts of the exemption. Again, the interior design profession as we know it today did not exist. The amended 1963 version of Section 5538 reads as follows:

5538. This chapter does not prohibit any person from furnishing, either alone or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data covering such labor and materials to be used for any of the following:

- (a) For store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.
- (b) For any work necessary to provide for their installation.
- (c) For any alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment, provided such alterations do not change or alter the structural system or safety of the building.

The next amendment to Section 5538 occurred in 1985. The words “nonstructural” and “seismic” are introduced for the first time. The word “unlicensed” is also introduced in order to broaden the reach of the exemptions beyond that of contractors and subcontractors as they are now “licensed” professions under California law, and interior designers are now a strong emerging profession to compliment that of architecture. As mentioned in the first part of this report giving a historical perspective of interior design and its emergence in the built environment, especially for office employees has changed dramatically by 1985.

The amendment language in item “c” from the word “However” until the end was (underlined by this author) clearly an attempt at deliberately curbing anyone from providing any design services outside that of a licensed architect. The words “structural system”, heretofore referencing the actual “shell” of the building has been replaced with “any components”. There is no definition of what structural or seismic components are, and that has been left to speculation and interpretation. This paragraph created a serious conflict between what a building official will accept as nonstructural, nonseismic interior design work versus what constitutes practicing architecture without a license as defined by the California Architects Board.

The amended 1985 version of Section 5538 is as follows:

5538. This chapter does not prohibit any person from furnishing either alone or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data covering such labor and materials to be used for any of the following:

- (a) For nonstructural store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.
- (b) For any nonstructural work necessary to provide for their installation.

(c) For any **nonstructural** alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment. However, an **unlicensed** person may not render or offer to render services to another person in connection with the planning, design, preparation of instruments of service, such as drawings and specifications, or administration of construction or alteration, of any component affecting the safety of any building or its occupants, including, but not limited to, structural or seismic components, except as exempted from this chapter by Section 5537.

Because of the amendments noted above and the confusion created not only within the interior design profession, but also with building officials and licensed contractors Section 5538 was amended again in 1990. It also caused the interior design profession in California to pursue practice act legislation (SB 153) that was eventually compromised into a title act resulting in BPC § 5800 for certified interior designers. SB 153 incorporated the amendments to 5538 at that time and no further amendments have been made since. Please note that specific changes were made to reference licensed contractors and their statute, and the word “subcontractors” was removed (see amended 5538 below). The word “nonseismic” was also added to complement the word “nonstructural”. The word “those” was also substituted for “any” in item “c”.

Even though these 1990 amendments cleaned up a lot of the ambiguity and deliberate restrictions imposed on interior designers and many others by the amendments from 1985, this section still remains subject to interpretation with regards to what constitutes “safety” of the building. Building officials do not know how to interpret this word with respect to accepting interior design plans for permit purposes and this has resulted in a complete lack of consistency across the state when it comes to interior designers being able to submit their interior design plans.

The amended 1990 version of Section 5538 is as follows:

5538. This chapter does not prohibit any person from furnishing, either alone or with **contractors**, if required by Chapter 9 (commencing with Section 7000) of Division 3, labor and materials, with or without plans, drawings, specifications, instruments of service, or other data covering such labor and materials to be used for any of the following:

- (a) For nonstructural or **nonseismic** store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, or other appliances or equipment.
- (b) For any nonstructural or **nonseismic** work necessary to provide for their installation.
- (c) For any nonstructural or **nonseismic** alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinetwork, furniture, appliances, or equipment, provided **those** alterations do not change or alter the structural system or safety of the building.

As noted above the word “safety” has become the bone of contention for building officials when trying to reconcile the certified interior designer statute with BPC § 5538 as contained within said statute BPC § 5800(a). Because BPC § 5538 is mentioned in BPC 5800(a) building officials refer back to that statute when making a determination on the acceptability of the interior design plans for building permit purposes.

There is no definition in either statute for the word “safety” in this regard so the building official makes this determination often before even reviewing the interior design plans and sometimes rejecting them out of hand because they do not contain a licensed architect or engineer’s stamp.

Where does this happen? The most common jurisdictions where interior design plans are rejected out of hand are in Los Angeles, San Francisco, and more often than not in San Jose, even though the plans meet the requirements of the exemptions contained within the architect's practice act. Needless to say these are the 3 largest building department jurisdictions in the state of California. Typically the plans rejected are for commercial work, unless it is residential work beyond the scope of an interior designer or building designer that perhaps crosses over into structural and seismic territory, in which case they should be.

In other large jurisdictions, like San Diego nearly all commercial work that is nonstructural, nonseismic, is acceptable to the building department including horizontal exiting, one hour fire corridors and reflected ceiling plans delineating lighting types and locations, Title 24 energy calculations, and a host of other related drawings and calculations that form the entirety of a commercial interior design project in a hi-rise office building.

Because this work is nonstructural and nonseismic it does not legally cross the boundary of the architect's practice act, which would require the California Architects Board to intervene and issue a citation for practicing as an architect without a license. This is simply not the case and has been thoroughly discussed with the staff of CAB. By this simple fact commercial or residential interior design is not architecture according to state law as long as it meets the exemption standards of BPC § 5537 and 5538.

If the terms "nonstructural" and "nonseismic" as they relate to the structural system of the building, and as originally contained within the exemptions of 1939 until 1963 had been maintained, this would not be an issue. The issue goes back to the ambiguous word in this case, that of "safety", which can be interpreted to mean anything when it was introduced in 1963.

In the 2014 California Architects Board sunset review report on page 64 they cite the following:

"An adequate supply of architects is crucial, because in robust economies, firms report that they are simply unable to find enough architects to hire. It is quite possible that a more integrated approach to licensing will produce more architects. The (CAB) Board is beginning to hear anecdotal evidence that firms are having difficulties finding architects to hire as the economy expands."

Notwithstanding a potential shortage of architects, there is work clearly exempted by the architect's practice act that allows consumers to seek the services of others with the potential of not only saving money but time as well. It is a well documented fact that a shortage in supply will create a much higher price for demand. This nonstructural, nonseismic work can be done by others, not least of all by qualified interior designers.

How does the public know who is qualified and who to hire? In California only certified interior designers are vetted and documented in accordance with state law to have the proper education, work experience and examination, which thoroughly tests them on California building codes and Title 24. This is not intended to diminish or demean any organizations or private associations that also require similar requirements for membership or any other attribute. The general public in California have a lot of options, and it is up to them to do their homework before embarking upon their respective projects. In some cases they may choose to hire a licensed architect even though one may not be required by statute or circumstances.

Relative to commercial work there are many factors as to why an owner would want to hire an interior designer over an architect. There are many subspecialties in interior design, even more so than architecture and the practitioner who often operates solely in a specific area of expertise becomes an authority as opposed to a generalist.

For example a designer who specializes in dental operatories tends to come from the profession of interior design more often than not, as opposed to architecture. This is not an area of expertise taught in architectural educational programs and not one that architects with their extensive training towards the exterior of buildings want to specialize in. There may be exceptions, but those will be rare.

Take this example and transfer it to the interiors of restaurants, grocery stores, department stores, medical offices, shoe stores, coffee shops, schools, hotels, hospitals, casinos, car dealerships, even police and fire facilities, not to mention ships, yachts, and aircraft. As you can see the specializations are limitless and many times an interior designer will work hand in glove with an architect when a building shell is involved or the work requires a licensed architect or engineer because it has structural or seismic elements.

Yet many times interior designers will have difficulty submitting their plans, even though they are nonstructural and nonseismic in scope to building departments for permitting purposes because those plans lack an architect or engineer's stamp. The perception amongst some building officials is that because it is a commercial project it must require an architect's signature and stamp, even though that may not be the case according to the law and the building code.

When it comes to commercial office space the architect who designs the building will also produce some of the interiors, especially the common areas, often utilizing their own interior design staff or department. If the building has some large tenants moving in at the time of completion then again the architect may utilize their interior design staff to do that work also. Being an architectural firm submitting their interior design plans for permitting is not a problem.

In instances when the leasing market is slow the architect for the building will move on to their next project leaving the building owner to seek other suitable services for space planning, which is vital to the conclusion of a successful lease agreement. This is a highly competitive and initially low paying service as the building owner may have to pay a space planner multiple times planning the same space before a suitable tenant signs a lease. Typically these are non-built out floors, completely empty and devoid of any construction including the one hour fire corridors connecting the two stairwells as required by building and fire codes. Why don't they build them out when the building is constructed? Because no one knows if the floor is going to be leased to multiple tenants or a single tenant, all of which determines the configuration of that corridor, or whether one is even needed at all.

When a prospective tenant or tenants look at a building the space planner (typically an interior designer) will determine along with the landlord and the leasing broker how the floor they are considering leasing will be broken up and that will also determine the configuration of the one hour corridor, which must conform to state building and fire codes. Only the space planner on this team has that knowledge at this point.

A typical scenario from experience is that the leasing broker will call the space planner (interior designer) at 4:00 p.m. to announce a prospective tenant representative is arriving that evening and would like to meet at 9:00 a.m. the next morning. By the way says the broker, they are looking at three other buildings so your space plan is competing. When you meet the next morning you are

informed that your plan needs to be ready and in the hands of the tenant by 4:00 p.m. that same day as the representative is heading back to their corporate office on the East coast. Architects do not do this kind of work. They are not trained to do this kind of work. There is no money in this kind of work for an architect. Space planning is often done for a low fee because there are no guarantees the tenant will rent the space being planned. The landlord or building owner wants to keep their costs for space planning low for this very reason that the same space can get planned over and over again for different prospective tenants. The pay off for the space planner is that when a space does eventually get leased they get paid a higher fee for the interior design and construction drawings leading to a building permit and eventual construction.

Once a lease has been consummated the space planner now puts on their interior designer hat and produces the final plans along with the necessary construction documents not only for the leased space, but also for the one hour corridor unless it already exists, in order to obtain a building permit. In the case of an existing corridor work will have to be included on the interior design plans for access and exit doors that will only be placed upon the successful completion of a space plan. This is determined by the layout of the new space or reconfiguration of existing space being designed by the space planner. An architect is not required for this work and it is nonstructural and nonseismic.

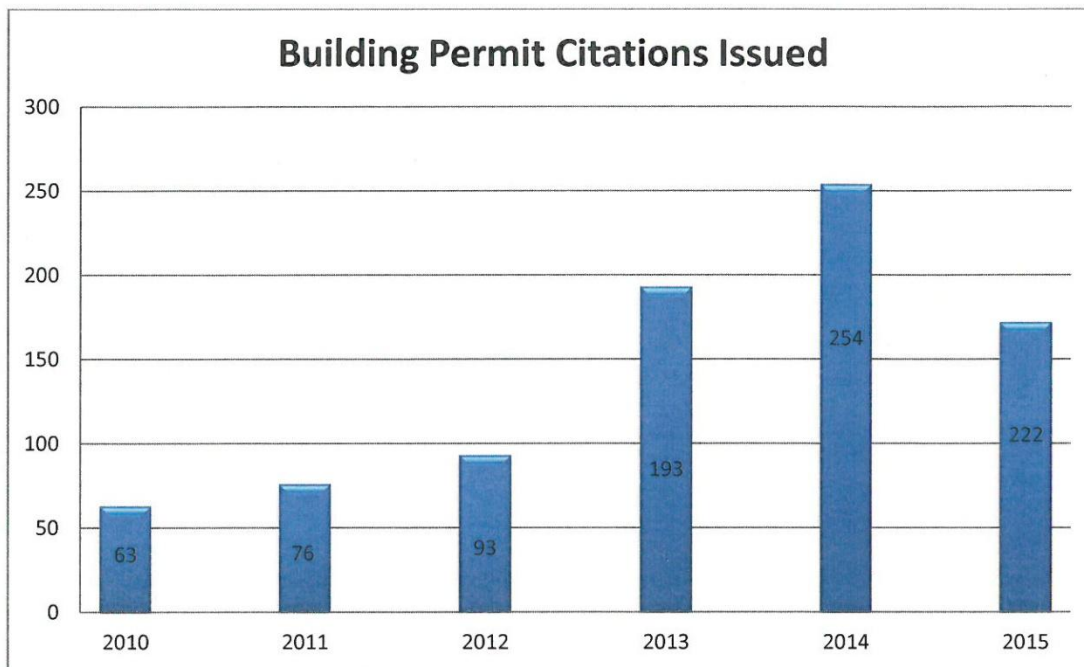
As noted earlier the building shell architect is typically long gone and now because of the ambiguity of the word “safety” in the exemptions, some building officials demand an architect’s stamp on the interior designer’s plans because they interpret this to apply to what are clearly nonstructural, nonseismic elements with the building. The building was empty and stood perfectly in that condition. Adding corridors or interior improvements does not add any structural or seismic integrity to the building shell, nor does it take any away. Trying to bring an architect into the equation at this point serves no purpose other than to delay and increase the costs of doing business for the building owner, the tenant and the interior designer.

Another relevant issue to bring up at this point is that of permit avoidance. In jurisdictions with restrictive plan check submission policies there is a higher level of “permit avoidance”. Permit avoidance is most common where existing spaces are being renovated or reconfigured to suit a new tenant. In the commercial leasing market once a lease has been signed there is a small window of “free rent” (2–3 months) before the lease begins. This is provided for the purposes of preparing the space for the new tenant. Because of this time pressure to get the space ready in jurisdictions that are overly restrictive and require architects stamps and signatures on relatively simple nonstructural, nonseismic drawings the permit process is just simply avoided altogether.

The upside for the landlord or building owner is the permit fees and time constraints are avoided and the tenant moves in before the rent begins to accrue. This of course takes a complicit licensed contractor willing to circumvent the permit process as well. The downside for the jurisdiction is the loss of the revenue stream generated by permit fees; and they do not get to inspect the construction thereby not ensuring public safety.

The following chart was obtained from the Los Angeles Basin Chapter of the International Code Council. These are statistics for Los Angeles County only. The purpose of including this chart is to demonstrate the rise in permit avoidance in one jurisdiction alone over the past 6 years.

There has been a 336 percent increase in building permit citations issued from calendar year 2010 to 2014. This chart only includes single-violation building permit citations.



PROPOSED SOLUTION

CCIDC realizes that changing the word “safety” or eliminating it altogether would be an impossible task given that it is in another professions statute. Changing the architect’s statute should be the business of the architects and not CCIDC. However, part of that statute does reside within the certified interior designer’s statute and this should be addressed.

CCIDC accepts that the word “safety” should be of concern to building officials and should remain in BPC § 5538. It should however be removed from BPC § 5800 and addressed in a different manner.

CCIDC proposes that amendments be made to BPC § 5800 that clarify exactly what certified interior designers can and cannot do. Certified interior designers are held to a higher standard than “laypersons” vis-à-vis a codified standard of education, work experience, and a California specific examination that thoroughly tests on California building codes, Title 24, California regulations and laws, ethics and conduct, and design standards. These are not laypersons that BPC § 5537 and 5538 was originally intended for and enacted to exempt although they do fall under those exemptions.

The following are our proposed amendments:

The words below in “black” are the existing statute language, and the words in “red”, including strikeouts, are the proposed changes.

Business and Professions Code
Chapter 3.9 Interior Designers
Sections: 5800 and 5805.

5800. As used in this chapter:

"Certified interior designer" ~~or the initials "CID" as used in this context shall mean~~ an Occupations Title Standard for a person who ~~meets all of the following requirements:~~

(1) ~~p~~Prepares and submits non-structural ~~or and~~ non-seismic plans ~~and documents~~ consistent with Sections 5805 ~~and 5538~~ to local building departments that are of sufficient complexity so as to require the skills of a licensed contractor to implement them, ~~and that require a building permit.~~

(2) ~~and who e~~ Engages in programming, planning, designing, and documenting the construction and installation of non-structural ~~or and~~ non-seismic ~~conventional and standard construction~~ elements, finishes, ~~veneers, and~~ furnishings ~~and the administration of construction observance and installation thereof.~~

(3) Provides plans and documents that illustrate non-structural and non-seismic ~~conventional and standard~~ partition layouts, horizontal exiting, rated corridors, reflected ceiling plans and lighting orientation, locate power and communications outlets, materials and finishes and furniture, including storefronts, interior alterations, fixtures, millwork, appliances and equipment for all buildings as described in 5537 and 5538, including but not limited to high-rise office and high-rise residential buildings.

(4) Engages in coordination and collaboration with other allied design professionals who may be retained to provide consulting services, including but not limited to architects, structural, mechanical, and electrical engineers, and various specialty consultants.

(5) ~~within the interior spaces of a building, and has e~~Demonstrateds, by means of education, experience and examination, the competency to protect and enhance the health, safety, and welfare of the public.

(6) The certification of Interior Designers does not prohibit Interior Designer or Interior Decorator services by any person or retail activity.

(7) Nothing in this statute shall preclude local building officials who have jurisdiction over any project as required by the California Building Standards Code from determining the requirements or qualifications of who can submit such documents in order to procure a building permit.

5805. Nothing in this chapter shall preclude ~~e~~Certified ~~i~~Interior ~~d~~Designers ~~or any other person~~ from submitting ~~non-structural, non-seismic conventional and standard construction~~ interior design plans ~~for commercial or residential buildings~~ to local building officials, ~~except~~ as provided ~~for~~ in Sections 5537 and 5538. In exercising discretion with respect to the acceptance of interior design plans, the local building official shall reference the California Building Standards Code ~~and the Occupational Title Standard set forth in Section 5800(a).~~

NEW ISSUE #2

During the 2012 sunset review a report was provided in accordance with BPC § 5811. After that review CCIDC believes that BPC § 5811 should either have been removed or amended in committee bill SB 308 implementing the extension of the current statute until January 1, 2018. Unfortunately this was overlooked. CCIDC also believes that at that time the concerns of the legislature expounded in BPC § 5811 had been significantly addressed as there were no follow up questions or discussions. There is also a deadline date of September 1, 2008 in BPC § 5811 that is no longer valid, nor was it in 2012. Also mentioned in BPC § 5811 is the "California Code and Regulation Examination" no longer exists. A new examination was introduced in 2008 named the "IDEX California" examination.

CCIDC would like to request that either BPC § 5811 be removed in its entirety, or that it be amended as follows:

5811. An interior design organization issuing stamps under Section 5801 shall provide ~~as and when required~~ to the Joint Committee on Boards, Commissions, and Consumer Protection ~~by September 1, 2008,~~ a report that reviews and assesses the costs and benefits associated with the ~~California Code and Regulations Examination~~ IDEX California examination. ~~and explores feasible alternatives to that examination.~~

NEW ISSUE #3

LITTLE HOOVER COMMISSION REPORT

Jobs for Californians: Strategies to Ease Occupational Licensing Barriers

CCIDC was asked to take into consideration the recent report issued by the Little Hoover Commission (LHC) as titled above and to respond to some of the issues raised in that report as they relate to certified interior designers and how CCIDC was, or would, address them.

CCIDC would like to respond those concerns and issues under this separate heading as the issues can be complex and somewhat difficult, in not awkward, to formulate into the general questions of the sunset review questionnaire.

LHC Executive Summary: The general premise of the report is that licensing is not always the best option in order to protect the general public, because it creates barriers to employment and raises consumer prices, and that there are “***alternative regulatory approaches that might be adequate to protect public health and safety, including, but not limited to, professional certification***”. (LHC Report #234 – Page 7)

CCIDC has offered that alternative in California for the past 25 years, and there are now at least 4 other “private non-profit” certification boards modeled after CCIDC.

“Certification or registration allows practitioners to demonstrate they meet certain standards of quality or allows the state to know certain types of businesses are operating without barring people from the occupation”. (LHC Report #234 – Page 5)

The certified interior designer title as codified into statute is purely voluntary and does not prevent anyone from calling themselves an interior designer or practicing as one. Interior designers in general or those who use this title are an unknown quantity with respect to education, work experience, or having been tested on their knowledge of the building codes and laws of California, which are different from any other state. Becoming “certified” as an interior designer allows the individual to prove that they have met the state standard necessary to use that title which is protected by law. This confirms to the general public that the person using this title can be trusted to have the proper qualifications necessary to undertake their interior design project that can often run into considerable sums of money and investment in their home or office.

LHC Reciprocity: “***License transferability across state lines is important to people who need immediately to begin working following a move to California***”. (LHC Report #234 – Page 7)

Interior design is not a state mandated licensed profession in California; therefore any one can call themselves an interior designer and start practicing interior design whenever they want to. They can become a certified interior designer if they choose at their own pace.

“...the licensing authority should justify why reciprocity or partial reciprocity is not feasible.”
(LHC Report #234 – Page 7)

With respect to interior design, and even architecture and engineering, the building codes and regulations used in California are unique to this state and require knowledge and education beyond that of other states; otherwise the practitioner would be preparing drawings insufficient to meet the standards for acquiring proper building permits.

LHC Arguments for Licensing: *“Commercial interior designers, for example often do building code-impacted design work – moving walls that entail electrical, lighting, HVAC and other changes.”* (LHC Report #234 – Page 6)

Residential interior designers also do code-impacted design work; therefore all interior designers do code-impacted design work. All code-impacted design work done by interior designers is exempted by BPC § 5537 and 5538 of the Architect’s practice act and must be non-structural and non-seismic in order to comply with the building code and state law. These exemptions allow any lay-person to do code-impacted design work as long as it conforms to the California Building Code and does not exceed the parameters contained within these exemptions.

LHC Arguments for Licensing: *“They (interior designers) design the layout of prisons, where the safety of correctional officers and inmates is on the line.”* (LHC Report #234 – Page 6)

Interior designers do not and cannot design the interiors of prisons, unless under the direct supervision of a licensed architect or engineer. This is highly regulated and specialized work controlled by the Board of State and Community Corrections in California, and also under the National Institute of Corrections controlled by the U.S. Department of justice. Planning and design standards dictated by Title 24 and Title 15 and issued by these agencies are followed and typically performed by firms who are specialists in this type of work. All “Institutional” occupancy design work in California has to be performed by a registered or licensed design professional as required by the building code.

LHC What is occupational Licensing?: *“The government may set its own standards or adopt those of a national body, but regardless of which qualifications it requires, practitioners may not legally practice without meeting them. This differs from certification in that individuals who do not meet the requirements for certification may continue to practice, but cannot present themselves as certified.”* (LHC Report #234 – Page 15)

As this statement concludes, certification does not put people out of business, whereas occupational licensing does.

“Some licensing opponents argue that certification offers a viable alternative to licensing. Dr. Morris Kleiner, the national expert on occupational licensing, advocates for certification because it allows more flexibility for workers: They can still practice their occupation without a license. He also told the commission that certification benefits consumers. This is because it signals that someone has met the government’s requirements to work in the occupation, yet

uncertified individuals are still able to work so long as they do not call themselves certified. Consequently, certification identifies stands without lowering the supply of practitioners.”
(LHC Report #234 – Page 19)

The certification of interior designers in California allows uncertified people to practice their occupation without a license, thereby not lowering the supply of practitioners which in turn benefits the consumer. The consumer can choose freely whether to work with a certified interior designer who has met the government’s standard for interior design or not.

“Licensing advocates argue that, in practice, governments often turn their authority over to a private certification authority, and the private certification authority then sets the standards instead of the state.” (LHC Report #234 – Page 19)

This is not the case with CCIDC. The standards for education and work experience are written into BPC § 5801, a, b, c, & d. These cannot be changed by CCIDC or any other entity without amending the statute which is under the control of the legislature.

The standard for the examination to be used by CCIDC as required by BPC § 5801 is codified into BPC § 5801.1 and requires the examination to be validated by BPC § 139 and the DCA examination validation policy promulgated by that statute issued by the Office of Examination Resources. Unless an examination meets these California standards it is not a valid examination. Only California valid examinations may be used for the certification of interior designers.

“Commercial interior designers, for example, push for occupational regulation because they are disadvantaged by other industries’ occupational regulations, according to industry advocates. Because commercial interior designers work in code-impacted environments, their plans must be approved by a licensed architect.” (LHC Report #234 – Page 19)

There is no such thing as a “commercial interior designer”, as there is no such thing as a “commercial architect” or a “commercial engineer”. All disciplines work across a broad spectrum of projects determined by their abilities, talents, expertise, and desire to specialize. Do some interior designers specialize in commercial work only? Yes, just like some architects specialize in commercial work only, or hospital work only, or school work only. All architects must meet the same burden for education, experience and examination in order to obtain the requisite state license regardless of whether they choose to do residential work or commercial work. The same applies to certified interior designers.

The term “commercial interior designer” is free speech, as in what do you do? I’m a “commercial interior designer”. The same would apply to “residential interior designer”. The term “interior designer” has been held as free speech by the Federal courts and is protected by the First Amendment. Please refer to the “Examination Fact Sheet” under Section 11 – Attachments.

As stated before in this report, residential designers do as much code-impacted work as those doing commercial work. All interior designers, regardless of whether they practice in commercial or residential interior design cannot exceed the exemptions contained within BPC § 5537 or 5538 of the architect’s practice act. If they do then the law requires them to either obtain an architect’s license, or work with or hire an architect or engineer to oversee the project. Any work that falls under these exemptions and requires a local building permit does not require the approval of anyone except the local jurisdiction that issues the necessary permits. It is the local building official and the policies of that local jurisdiction that determines whether a project requires an architect or engineer to stamp and

sign drawings or not, even though the project itself may well fall within the parameters of the exemptions for such work.

“By asking to be licensed, commercial interior designers are asking to drop the requirement that architects sign off on their plans, establish qualifications so that the public can trust their work without architectural oversight.” (LHC Report #234 –Page 20)

There is no legal “requirement” for architects to sign off interior designers plans as long as those plans fall under the aforementioned exemptions contained within the architects practice act. If they do not meet those exemptions then the interior designer is practicing “architecture” without a license and could be subject to a citation and fine from the California Architects Board.

The only established qualification for work without “architectural oversight” is to become a licensed architect or civil or structural engineer, in compliance with state law.

The only requirement for “architectural oversight” on interior design plans that meet the exemptions is determined by the local building official issuing a permit for the work. The local building official has the authority to reject plans from any lay person or design professional, including architects and engineers, if they deem the plans to be deficient in any way and unacceptable for the purposes of issuing a permit. Building officials are the last line of defense for public protection with respect to the built environment, not interior designers, not architects, not engineers, and not contractors.

If “commercial interior designers”, or even “residential interior designers” for that matter, became licensed by the state under an agency overseen by the Department of Consumer Affairs, building officials can still reject any plans they deem inappropriate, deficient, unsafe, or for any other reason they deem valid, for permitting purposes and demand an architect or engineers stamp and signature. This is their prerogative under local jurisdiction authority for assuming the risk of the built environment in their local area and as granted to them under the California Building Code. Licensing, certifying, or registering any design profession will not change this fact.

LHC Recommendations: “As part of this process, the state should consider whether there are alternative regulatory approaches that might be adequate to protect public health and safety, including, but not limited to, professional certification.” (LHC Report #234 – Page 25)

The State of California is already doing this with the implementation of the certified interior designer’s statute since 1991, and has implemented this approach further by certifying other professions such as Tax Preparers, Industrial Hygienists, Massage Therapists and Common Interest Development Managers.

CCIDC SUMMARY FOR LHC REPORT #234

CCIDC has already met the spirit and intent of the Little Hoover Commission report #234 by providing access to the certification process for interior designers in this state without creating barriers to those who choose not to become certified. This allows anyone in California who wishes or chooses to pursue a career in interior design to do so at their own pace without any hindrance whatsoever. There are many different levels of interior design as there are specialties that one can practice in. For those who seek and obtain a level of interior design education, and eventually acquire the necessary work experience, achieving the only legally recognized title for interior designers in this state can be accomplished.

CCIDC places no limits on anyone applying for interior design certification, whether they come from another country, whether they are seeking a second career, have moved from another state, whether they are in the military, or are a veteran. As for former offenders CCIDC has no formal process for making a determination and can only rely upon the honesty of the applicant filling out the application.

As a private corporation that relies upon the private sector for its funding, like any business CCIDC is open to all who apply.

Section 11 – Attachments

- A. CCIDC Examination Fact Sheet
- B. CCIDC 2012 Sunset Review Response on Examinations for BPC § 5811
- C. DCA Examination Validation Policy
- D. CCIDC Bylaws
- E. CCIDC Rules and Regulations
- F. CCIDC Board Policies
- G. Current organizational chart showing relationship of committees to the CCIDC and membership of each committee (cf., Section 1, Question 1).
- H. Senator Craven's Letter
- I. CCIDC Brochures
- J. Legislative Counsel Letter to Senator McPherson 2000

APPENDIX

Attachment A

Examination Fact Sheet

Attachment B

CCIDC 2012 Sunset Review Response on Examinations

Attachment C

DCA Examination Validation Policy

Attachment D

CCIDC Bylaws

Attachment E

CCIDC Rules and Regulations

Attachment F

CCIDC Board Policies

Attachment G

Committee Organizational Chart

Attachment H

Senator Craven's Letter

Attachment I

CCIDC Brochures

Attachment J

Legislative Counsel Letter to Senator McPherson 2000

EXAMINATION FACT SHEET

EXAMINATION FACT SHEET

The following is in response to the question, "Why doesn't CCIDC require national interior design examinations, such as the NCIDQ examination, for the certification of interior designers in California?"

CCIDC MISSION STATEMENT

To establish and implement professional standards and educational requirements, educate the public, and facilitate interior design professional's compliance with our standards and code of ethics in order to provide for the protection, health, safety and welfare of the public.

STATUTORY STATEMENT

Statutory requirement for all certified interior designers: BPC § 5800 (a) ***...and has demonstrated by means of education, experience, and examination, the competency to protect and enhance the health, safety, and welfare of the public.***

In conjunction with the two statements above, the CCIDC board is charged with the responsibility to ensure that all designers who become Certified Interior Designers (CID) in California have been thoroughly tested on all of the requirements necessary to ensure for the protection of the California public. To test candidates for certification on elements not relevant or germane to practicing interior design in California is to fail in that responsibility. The only way to ensure the competency of CIDs for the California consumer is to test candidates on the California codes and Title 24.

BRIEF LIST OF REASONS CCIDC DOES NOT USE NATIONAL EXAMINATIONS

For a more detailed and thorough explanation of each item listed here please go down to the corresponding item number below.

1. Do not test on California codes.
2. Do not test on California Title 24 accessibility and energy codes.
3. Do not allow for experience only candidates as required by California law.
4. Limit prior work experience even with education.
5. Do not meet Section 139 of the California Business & Professions Code.
6. Some are still using subjective jury judged sections.
7. Cannot take the examination right after graduation.
8. Require work experience to be under supervision of specific supervisors.
9. Unregulated without any government or regulatory oversight.
10. Difficult to access because examination is not totally online.
11. Very expensive compared to other licensing and regulatory examinations.
12. Exams are promoted for reasons other than public interest and safety.

MYTH vs. FACT

Myth: CCIDC does not recognize or accept other examinations.

Fact: CCIDC does accept the national interior design examinations in California, such as the NCIDQ examination along with all other interior design and architectural examinations, namely the NKBA (both parts CKD and CBD), CQRID, ARE (Architects examination), and NCBDC (Building designers examination).

Whether a candidate possess a national examination or not, because none of the national examinations test candidates on the California Building Codes (CBC) or Title 24 as they relate to interior design in California, the CCIDC board of directors requires all candidates to take a California specific examination.

For candidates who have already taken and passed a national examination CCIDC has created a special path for them that allows them to reciprocate the California application process by providing proof of passage of such an examination and in return receive a \$100.00 discount from the CCIDC application fees.

It should be noted that none of the national interior design examinations, other than NCIDQ, object to their members having to take a California specific examination if they want to become certified in this state.

HISTORY

CCIDC created and required a California specific supplemental examination known as the “California Codes and Regulations Examination” (CCRE) in 1994. This examination was required in addition to a national examination (NCIDQ). In 1999 CCIDC accepted two additional national interior design examinations, namely NKBA and CQRID, as well as the California specific supplemental examination, the CCRE. At that time the CCRE was updated and expanded from 25 multiple choice questions to 75.

In 2001 CCIDC was directed by the Joint Legislative Sunset Review Committee (JLSRC) through statute that all examinations utilized by CCIDC were to be required to conform to BPC § 139 of the Business and Professions Code (BPC § 5801.1). Both NKBA and CQRID complied with CCIDC’s requests for psychometric evaluation data, but NCIDQ refused. CCIDC was required by statute to report on the examination process and evaluation by September 1, 2008 (the date was extended by statute from the original date of 2002 to accommodate data collection and analysis).

In 2007 the CCIDC board could not justify the expense, time and effort of two examinations for certification candidates in California. The board resolved to go to one examination that would test, specifically, on California codes and Title 24, as well as ethics and business practices, California civil law that affects interior designers, and common design standards, specific to the practice of interior design in this state.

An offer for producing this “California” version of the examination was made to the NCIDQ by way of modifying their existing national examination to meet California standards, but again they refused. This resulted in the culmination of the IDEX California examination, developed independently by CCIDC as a single test for certification candidates, an expanded and updated version of the CCRE.

DETAILED FACTS REGARDING THE NCIDQ EXAMINATION

1. Does not test on California Codes, which are different than any other state.

Section 5805 of the certified interior designer statute states as follows: Nothing in this chapter shall preclude certified interior designers or any other person from submitting interior design plans to local building officials, except as provided in Section 5538. In exercising discretion with respect to the acceptance of interior design

plans, the local building official shall reference the California Building Standards Code.

The California Building Code is clearly defined in this statute and this is the code that all certified interior designers must be tested on in order to ensure that the interior design plans they are submitting to local building officials conform to the laws and codes of this state.

2. Does not test on Title 24 accessibility and energy conservation requirements, which are exclusive to California, and far exceed the requirements of the ADA.

Title 24 is an integral part of the CBC and therefore the same applies as noted in item 1 above.

3. Does not allow for applicants with “experience only” as required by the certified interior designers statute.

Section 5801 (d) of the certified interior designer states as follows: He or she has at least eight years of interior design education, or at least eight years of diversified interior design experience, or a combination of interior design education and diversified interior design experience that together total at least eight years.

None of the national “interior design” examinations allow candidates to apply for registration without an education requirement.

4. Has a limitation on allowing for prior work experience as a designer to be used for qualification to register for the examination. Prior work experience prior to 2007 is allowed, however work experience after 2008 must be “qualified work experience” in order to “earn” an NCIDQ certification.

Qualified work experience is determined by having to work under the “direct supervision of an NCIDQ certification holder, a licensed/registered interior designer, or an architect who offers interior design services”. For many states this is simply not attainable as there are not enough qualified “direct supervisors” available, especially in states that do not have a regulatory program for interior designers (most states).

For a large state like California there are many outlying areas where finding employment under a “qualified direct supervisor” acceptable to NCIDQ would be near impossible. The limitations imposed by this examination on the process of even being eligible to complete an application form are exclusive and not inclusive, which is the opposite of the IDEX California examination.

5. Does not meet BPC § 139 as contained within BPC § 5801.1 of the certified interior designer’s statute.

BPC § 139 through the OER Examination Validation Policy it promulgated requires all examinations under the jurisdiction of the DCA to ensure that passing standards are based upon “minimum competency criteria at an entry level to the profession”.

NCIDQ was asked on numerous occasions prior to 2008 to provide psychometric data for analysis in accordance with BPC § 139, but repeatedly refused to do so. Their examination is given in 3 separate sections (it was 6 separate sections at the time of the 1996 Sunset Review), which allows candidates to take each section either as a group all at once, or individually on separate test dates. Failing one section allows the candidate to take it over

again, multiple times if necessary, until they pass it without having to retake the sections they may have already passed. This skews the overall pass rates, which result in a much higher rate than if the pass rates were based upon a candidate taking all three sections only once. No one knows, other than NCIDQ, how many times a candidate takes any one section over and over again as they no longer provide or publish this information.

The pass rates based upon what CCIDC knew in 2007 using the scores of those who took each section only once fell below 40%. The section most failed on a consistent basis was Section 3, the Practicum, which alone costs \$450.00 and is more than the cost of the entire IDEX California examination at \$375.00. Each time a candidate fails a section of the NCIDQ examination they have to pay the full amount of each section in order to retake it.

As an aside this particular section is a “hand drawing” section that dates back 16 years or more. Since this time most graduates of interior design programs no longer hand draw but instead produce drawings using CAD (Computer Aided Drafting) programs and other user friendly tablet or laptop based sketching programs. Although one can argue for the ability to be able to render one’s thoughts in the form of a sketch or diagram this ability is still taught in all interior design programs.

CCIDC maintains that in order to become a certified interior designer with a minimum of 2 years of education and 4 years of work experience one ought to know how to draw by hand or with a computer aided program. It is not something that CCIDC feels a candidate needs to be tested on in order to practice interior design. If a designer cannot convey their thoughts and ideas on paper, they will possibly have trouble surviving in this particular business. This is a given for the profession.

6. One complete section of the NCIDQ examination is still “juried”, which allows for possible subjective and biased results depending upon the personal circumstances of the juror at that time. Jurors are often from different educational and experience backgrounds from those they are grading, often practicing or teaching interior design in completely different fields.

To CCIDC’s knowledge there is no standard that is applied to a juror to assure consistency, which would be extremely hard to implement because of the diversity and nature of jurors. Everyone is an individual. Juror’s are required to have taken and passed the NCIDQ examination, however as an example an interior design educator who teaches design theory might not have the practical experience of actually working in the field and is judging the work of a candidate that does and who may be applying real world solutions that the juror may not be familiar with, and therefore issues a fail.

There are those who will argue that multiple jurors will judge the work of each candidate thus eliminating some of the subjectivity, but it still does not take away from the possibility of conflicting “opinions” over the candidates work, or one juror influencing another by their notes or comments. This method of scoring still lacks the consistency of right or wrong answers and has difficulty reaching the standard of an impartial non-opinionated objective conclusion.

Juried examinations have been phased out by nearly all certification or licensing agencies or entities in the United States due to the inconsistency and impartiality issue and have been replaced with straightforward right or wrong answer online computer graded examinations. Juried examinations do not readily lend themselves to online systems, which is another reason

they have been abandoned along with even more humanly subjective and potentially discriminatory oral examinations. This is yesterday's technology.

7. Candidates cannot take the NCIDQ examination right after graduating from a college or university interior design program, unlike the IDEX California, and other certification and licensing examinations used in California such as the Architects Registration Examination (ARE) and the Bar examination.
8. NCIDQ candidates are required to have a minimum work experience* between 2 and 3-1/2 years of working experience under a specified eligible supervisor before applying. The education and supervised work experience matrix for the NCIDQ is too complex and convoluted to explain in this document.
* www.ncidqexam.org/exam/eligibility-requirements/
9. The NCIDQ examination is administered by a private non-profit 501(c) 6 corporation and has no government or regulatory oversight whatsoever. The IDEX California administered by CCIDC is regulated by the statutory reporting requirements of BPC § 5811 and the overall sunset review process of the certified interior designer's law.

Whenever a private examination is written into statute without legislative oversight the application and qualification requirements can be changed at any time by the private entity that owns that examination, therefore creating a de facto change in the statute without public or legislative input.

10. This examination is not an online examination, only one section of it is now online and this occurred recently within the last year or so. This examination is given over a two day period at multiple locations across the entire country on the exact same date because it cannot be given securely in order to retain integrity of the examination over multiple dates.

This requires candidates in outlying areas to travel to the specified examination location on a specific day, and if they are taking all sections at once they will need an overnight place to stay. This further entails travel costs, lodging costs, meals and other expenses, even possibly airfare and a rental car. If they fail a portion of the examination then these costs are repeated when they come back for a retake.

The IDEX California is a single online examination in its entirety and can be taken anywhere in the world. Candidates have taken the IDEX California in places across the entire U.S. and outside of the country as far away as Dubai and Hong Kong. The IDEX California has two, one-month long testing windows in the months of May and October every year so a candidate can choose any day and time within those months, plus their closest accessible location.

11. The NCIDQ examination is more than double the cost of the IDEX California examination, which is \$525.00 (\$375.00 registration plus \$150.00 application), at over \$1,300.00 in application and scheduling fees* and it still does not test on California codes or Title 24. Add to this the cost of preparation classes, reference books, etc., the costs climb to over \$2,000.00. This places a burden and undue hardship on a person trying to enter the profession and obtain a professional title or appellation to denote their academic and work experience accomplishment.

*<http://www.ncidqexam.org/exam/fees/>

12. Why is the NCIDQ examination pushed so hard by the professional interior design organizations (ASID and IIDA) despite their claim they have no financial interest in this examination?

It is in the interest of their legislative goals to push this examination on a national and international (Canada) level because it is also a requirement in both organizations to reach the level of a professional member. The examination serves two purposes for these organizations, one to enhance their membership categories, and two as a required examination whenever they promote a regulatory program with a state legislature.

It is interesting to note that two thirds of ASID's membership have never taken any examination whatsoever and are referred to as "Allied" members as opposed to "Professional" members.

CCIDC takes no issue with this arrangement as an examination should be required in order to test a candidate for a state regulatory program for competency. Even though there are other national examinations, the NCIDQ examination is not exclusive to this process; however it does not test on California specific areas of practice relevant to interior design and the competency to protect the health, safety, and welfare of California consumers.

It should also be noted that in particular ASID Chapters derive income from providing preparation classes to individuals wishing to take the NCIDQ examination, so there is a financial incentive to some within the ASID community who benefit from this practice. In contrast, CCIDC provides a free-of-charge IDEX California basic study guide, while all other study materials and preparatory classes are given by third parties with no affiliation to CCIDC and where no financial benefit is derived by CCIDC, thus eliminating any conflict of interest.

SUMMATION:

Using a national interior design examination, such as the NCIDQ examination, that does not test on the relevant codes and laws for California for certifying interior designers would be like using the Bar exam from another state to license attorneys in California, as an example. The civil and criminal laws in California are different than in other states, so logically California should and does have its own Bar exam. The building, accessibility, and energy codes in California are also different than in other states, so logically California should and does have its own interior design certification examination, the IDEX California.

CCIDC also believes that a two day expensive examination with convoluted application eligibility requirements is unnecessary to certify an interior designer in this state. All CIDs are required to have a minimum of 2 years of education plus 4 years of work experience as delineated by statute (BPC § 5801), or at least 8 years of work experience, plus an examination approved by the CCIDC board before they can become a certified interior designer.

CCIDC views the NCIDQ examination, as well as other similar national examinations (NKBA, CQRID, etc.), as "interior design" examinations, and not "certification" examinations. CCIDC feels the IDEX California examination is more than adequate to serve the board's requirement to determine if a candidate for becoming a CID in this state is competent or not.

The bottom line is that interior designers do not cause any significant health or safety issues with the general public, at least none that have been documented to date, anywhere in the United

States or Canada. Had they done so CCIDC would be aware of them, as would every other regulatory agency overseeing interior designers, plus the legislature would have been informed as this would be the prime impetus for licensing this profession.

Interior designers do not kill or harm people. If they do then they are no longer practicing interior design, rather something else like architecture, engineering or construction for which there are separate licenses in every state. Given this statement of fact, the proponents of interior design licensing, and the national exam associated with such, impose a greater burden to become an interior designer than for example an Emergency Medical Technician (EMT) who is actually charged and specifically trained with saving lives.

**CCIDC 2012 SUNSET REVIEW
RESPONSE ON EXAMINATIONS
BPC § 5811**

Section 10 – CCIDC Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the CCIDC.

After the last Sunset Review, Section 5811 of the BPC was amended to address the multitude of examinations required in order to become a Certified Interior Designer. When certification was first introduced in 1992, only one portion of a six part national examination, the NCIDQ, was used prior to, and through, the grand-parenting period, which expired on December 31, 1994.

After the grand-parenting period expired by statute in 1994, the full six part NCIDQ examination was required by CCIDC in order to become a CID. Because the NCIDQ examination did not test on California codes and regulations, CCIDC developed and introduced its own 25 question supplemental examination on “California Codes and Regulations”, the CCRE, in order to assuage the concerns of California building officials who felt the national examination was inadequate in California by itself. After the first Sunset Review hearings in 1996 the NCIDQ examination was heavily criticized by the JLSRC committee for very low passing rates for those candidates taking that particular test. Along with CCIDC, the NCIDQ was taken to task in the Sunset Review report and was accused of deliberately failing candidates in order to make more revenue by having them take certain sections over and over again. CCIDC had no part in the scoring process.

In 1999 CCIDC was approached by both the National Kitchen & Bath Association (NKBA) and the Council for Qualification of Residential Interior Designers (CQRID) and asked if the CCIDC board could adopt their specific examinations in addition to the NCIDQ examination for the requirements for becoming a CID. They cited the 1996 Sunset Review, in particular the poor performance of the NCIDQ examination, and felt it was detrimental and unfair to their constituents who had already taken either the NKBA or the CQRID examinations in having to take an examination with such a low rating from the California legislature.

After a review by a renowned psychometrician from the Rand Institute of both the NKBA and CQRID examinations, they were both determined to be “valid” as defined by Section 139 and the DCA policy promulgated by that statute. NCIDQ refused to participate in this process, however it should be noted for the record that after the first Sunset Review report NCIDQ completed a new occupational analysis and went from a six part examination to a three part examination, which is still in use today. Both examinations (NKBA & CQRID) were adopted as pathways to becoming a Certified Interior Designer by CCIDC that same year in addition to the revamped NCIDQ examination. At the same time CCIDC’s testing vendor Castle Worldwide determined that the CCRE, in order to become a “valid” examination, needed to be expanded from 25 multiple choice questions to 75.

These were the examination requirements used by CCIDC until after the third Sunset Review in 2003 until the end of 2008.

2. Short discussion of recommendations made by the Committee/Joint Committee during prior sunset review.

After the last Sunset Review for CCIDC in 2003, the legislature amended Section 5811 of the BPC to read as follows:

5811. An interior design organization issuing stamps under Section 5801 shall provide to the Joint Committee on Boards, Commissions, and Consumer Protection by September 1, 2008, a report that reviews and assesses the costs and benefits associated with the California Code and Regulations Examination and explores feasible alternatives to that examination.

It is our understanding that the committee felt there were too many obstacles and costs associated with becoming a Certified Interior Designer in California. They felt there were barriers to entry to the profession, and the public members, as well as others, of the CCIDC board agreed.

3. What action the CCIDC took in response to the recommendation or findings made under prior sunset review.

In 2008 the opportunity presented itself to address this issue because the state of California adopted a whole new building code which rendered the CCRE obsolete. Faced with the prospect of having to rewrite the entire codes and regulations portion of the CCRE the CCIDC board decided to address the concerns voiced in Section 5811.

It was determined unanimously by the CCIDC board to develop an entirely new examination for California Certified Interior Designer candidates and replace the national exams and the CCRE, thus removing significant costs and barriers to entry to the profession. In 2008 the CCIDC developed the "IDEX California" examination as the only examination required in order to test candidates for certification.

First, barriers were removed by requiring only one examination for certification that actually tested candidates on codes, regulations, ethics, business practices and design standards relevant to California, which correlates with their education in California and the practice of interior design in California. CCIDC went to a single online 3 hour examination, the IDEX California in 2009, instead of several days of a mostly pencil and paper examination in the case of the national examinations that did not test on California knowledge.

Second, the cost for this examination has been reduced to \$375.00 as opposed to as much as up to \$1,200.00 or more for a national examination. In addition candidates that were taking national examinations were required to learn codes that were not applicable to the California Building Code and Title 24.

Of further note, the NCIDQ examination no longer accepted "Experience Only" candidates as required by California statute 5801.(d).

The CCIDC board believes by doing this it has responded to the JLSRC committee's concerns codified into Section 5811.

4. Any recommendations the CCIDC has for dealing with the issue, if appropriate.

See above.

DCA EXAMINATION POLICY

CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS

EXAMINATION VALIDATION POLICY

EFFECTIVE: 09/30/99

1ST REVISION: 01/31/00, 2ND REVISION: 09/07/04



PREAMBLE

The intent of this policy is to establish guidelines that define psychometrically sound and valid examination development and administration procedures for the Department of Consumer Affairs (DCA). These guidelines, which serve as an examination validation policy, have been developed to meet the mandates of Government Code Section 12944 (a), which requires that all licensing boards, programs, bureaus, and divisions establish job-relatedness of licensing examinations.¹ This document serves to implement the standards promulgated herein, as mandated by Assembly Bill 1105, Chapter 67 (Statutes of 1999), Business and Professions Code Section 139, under the guidance of the Office of Examination Resources (OER)²

The guidelines for examination validation must provide for the variety of practices and professions under the jurisdiction of the DCA numbering approximately 230 in such dissimilar professions as psychology and architecture. Another issue that relates to this variety of professions is the diversity of structure and number of occupations regulated by the various boards, programs, bureaus, and divisions. For example, one board regulates forty-two separate license practices, each requiring an individual examination; in contrast, another board regulates just one type of license practice but requires both a state and a national examination. While some boards license as many as 280,000 practitioners others license as few as 20 practitioners.

For some boards, programs, bureaus, and divisions, the best choice for examination programs is the use of national examinations that are provided by testing vendors. While it is recognized that the boards, programs, bureaus, and divisions have the final responsibility for its examination programs, the testing vendor should apply the standards identified within this policy to ensure that the examination programs comply with California requirements.

It should be noted that California's DCA maintains a designated unit specifically dedicated to ensuring valid and psychometrically sound licensing examinations, unlike most other state government entities that license practitioners. As such, OER is a valuable resource for all parties affected by this legislative mandate. The OER possesses the requisite psychometric expertise to serve as a provider of services for examination development, occupational analysis, standard setting, program review, and evaluation. Therefore, it must be able to acquire resources as needed to provide the level of service requested by the boards, programs, bureaus, and divisions.

¹ See Addendum A.

² See Addendum A.

POLICY

In response to the Legislature's request, pursuant to AB 1105, Chapter 67 (statutes of 1999), this policy shall address examination development and validation and occupational analyses pertaining to the boards, programs, bureaus, and divisions under the jurisdiction of the California Department of Consumer Affairs (DCA).

The following numbered paragraphs describe the activities required to meet testing standards and implement this policy:

1. AN APPROPRIATE SCHEDULE FOR EXAMINATION VALIDATION AND OCCUPATIONAL ANALYSIS AND CIRCUMSTANCES UNDER WHICH MORE FREQUENT REVIEWS ARE APPROPRIATE

Examination Development and Validation:

Each board, program, bureau, and division under the jurisdiction of the DCA should ensure that the content of its licensing examination is validated by basing the content of its examinations upon the results of a current occupational analysis specific to its licensees. Therefore, the distribution of questions should be proportional to the relative importance of subject matter areas of the occupational analysis.

Occupational Analysis:

Each board, program, bureau, and division under the jurisdiction of the DCA should ensure that occupational analyses are conducted and that the practice for its licensees is defined. Occupational analyses and/or validations should be conducted every three to seven years, with a recommended standard of five years, unless the board, program, bureau, or division can provide verifiable evidence through subject matter experts or a similar procedure that the existing occupational analysis continues to represent current practice standards, tasks, and technology.

It is recommended that the report resulting from the occupational analysis contain the following content areas:

INTRODUCTION

- Purpose of the occupational analysis
- Content validation strategy
- Participation of licensed practitioners
- Adherence to legal standards and guidelines

EXAMINATION OUTLINES

- Summaries of examination outlines
- Examination outlines
- Description of content areas

DEVELOPMENT OF EXAMINATION OUTLINES

- Critical values for task statements
- Critical values for knowledge/skill statements
- Assignment of job tasks to examination format
- Content area weights
- Linkage of the knowledge/skill statements to tasks

SURVEY QUESTIONNAIRE PROCEDURE AND ANALYSIS

- Interviews
- Task and knowledge/skill statements
- Sampling strategy
- Distribution and return of questionnaires
- Respondent demographics

CONCLUSION

- Application of occupational analysis results

2. MINIMUM REQUIREMENTS FOR PSYCHOMETRICALLY SOUND EXAMINATION VALIDATION, EXAMINATION DEVELOPMENT, AND OCCUPATIONAL ANALYSES, INCLUDING STANDARDS FOR SUFFICIENT NUMBER OF TEST ITEMS

Examination development and occupational analysis should adhere to accepted technical and professional standards to ensure that all items on the examination are psychometrically sound, job-related, and legally defensible. These standards include those found in *Standards for Educational and Psychological Testing and the Principles for Validation and Use of Personnel Selection Procedures*. Other professional literature that defines and describes testing standards and influences professionals are produced by the following organizations: *The American Educational Research Association; the American Psychological Association; the Clearinghouse for Licensure, Enforcement, and Regulation (CLEAR); the Educational Testing Service (ETS); the National Council of Measurement in Education; the National Organization for Competency Assurance; and the Society for Industrial and Organizational Psychology.*

The *Standards for Educational and Psychological Testing* have been referenced as the “standard” for the basis of all aspects of the policies contained in this document.

California practice should be appropriately represented in occupational analyses conducted on a national level in order for the results of the occupational analysis to be valid for examination development in California.

The number of items in an examination should be sufficient to ensure adequate content coverage and provide reliable measurement. Both subject matter expert judgment and empirical data should be used to establish the number of items within an examination. The empirical data should include results from occupational analysis and item and test analysis. The item bank for an examination should contain a sufficient number of items such that: 1) at least one new form of the examination could be generated if a security breach occurred; and 2) items are not overexposed. Frequent exposure of items may result in candidates who pass because of “practice effect” rather than demonstration of competence.

If changes are made to examination content, methods for administration, or examination format, the examination should be revalidated.

3. STANDARDS FOR REVIEW OF STATE AND NATIONAL EXAMINATIONS

The following standards, at a minimum, should be considered in a review of state and national examinations.

- Description of method to establish content-related validity
- Examination reliability
- Information about the sample of practitioners surveyed
- Item development process (experts used, editing methods, etc.)
- Method to ensure standards are set for entry-level practice
- Occupational analysis report and frequency of updates
- Pass/fail ratio
- Pass point setting methodology
- Right to access information from all studies and reports from test vendors (local or national)
- Right of state agency to review recent examination
- Size of item banks
- Statistical performance of examinations
- Test plan and method to link to occupational analysis
- Test security methods; test administration processes
- The request for proposal (RFP)

If national examinations are used, the suitability of examination content for California practice should be determined by a review of the results of the occupational analyses and the demographics of the practitioners upon which it is based.

4. SETTING OF PASSING STANDARDS

Every board, program, bureau, and division under the jurisdiction of the DCA should ensure that **passing standards** for its examination(s) are based on **minimum competency criteria at an entry level to the profession.**

The process of setting standards should adhere to accepted technical and professional standards so that persons who become licensed possess sufficient knowledge and experience to practice safely and competently. The passing standards should be determined by a criterion-referenced passing score methodology that considers the representativeness of subject matter experts used in the standard setting, their training in the standard setting process, and the suitability of statistical analyses.

Boards, programs, bureaus, and divisions that have laws or regulations requiring a fixed passing percent score should seek to change the law or regulation to require a criterion-referenced passing score that is based on the minimum competence criteria.

5. APPROPRIATE FUNDING SOURCES FOR EXAMINATION VALIDATIONS AND OCCUPATIONAL ANALYSES

Ideally candidates for a licensing examination would serve as the source of funding for examination development, administration, and processing. However, experience has shown this practice is not viable for every board. Because the integrity of the examination process is essential in ensuring consumer protection, if candidates are unable to bear the entire cost, it is therefore appropriate for licensees of the profession to also bear part of the cost of the examination development process.

Funding for the examination development process requires a budget that reflects the costs of examination validation and occupational analysis. It is imperative that budget line items be designated for these purposes in a fully funded budget. To assure validity, maintain consistency, preserve security, and ensure the integrity of the examination program, the budget line items need to be continuous appropriations.

Additional budgetary considerations are related to the ability of boards, bureaus, programs, and divisions to contract for activities associated with examination development and occupational analyses. These activities encompass data entry, development and administration of national examinations, electronic examination administration, and expenses associated with travel and per diem for subject matter experts who participate in examination development and occupational analysis workshops.

Moreover, boards, programs, bureaus, and divisions must have the budgetary flexibility to adapt to unexpected or additional program needs. For example, the potential for catastrophic incidents such as a security breach of an examination and loss of an examination should be accounted in determining overall costs.

6. CONDITIONS UNDER WHICH BOARDS, PROGRAMS, BUREAUS, AND DIVISIONS SHOULD USE INTERNAL AND EXTERNAL ENTITIES TO CONDUCT THESE REVIEWS

Internal review occurs when a board, program, bureau, or division develops and administers its own examinations independently or with oversight or administration of the review performed by the OER staff.

External review occurs when a board, program, bureau, or division contracts out for development and/or administration of their examination or relies on a national examination.

A board, program, bureau, or division may choose to use external and/or internal resources for various reasons, depending on its program needs. The program staff must determine the most logical application of resources based on budget and standard requirements. Issues affecting those requirements include, but are not limited to, specialization, experience, uniformity, expertise, timing, consistency, cost-effectiveness, objectivity, staffing, and security needs.

7. STANDARDS FOR DETERMINING APPROPRIATE COSTS OF REVIEWS OF DIFFERENT TYPES OF EXAMINATIONS, MEASURED IN TERMS OF HOURS REQUIRED

The technical standards are delineated in the *Standards for Educational and Psychological Testing*. These standards define the tasks that must be performed to meet each guideline. Costs can then be applied to the performance of each task; however, the length of time spent in the performance of each task is based on the difficulty in performing the task, coupled with the complexity of the profession.

Addendum B provides examples of the minimum activities that should occur in any occupational analysis or examination development. Costs would include test development staff expenses, subject matter expert related expenses, administrative support activities, travel and per diem, workshop support activities, utilization of technological opportunities to enhance the test development and analysis activities, and funding for the workshop facilities.

Addenda C through F include a sample of an examination schedule, example of costs associated by workshop types (costs vary by board), a portion of a master task schedule necessary to accomplish both a written and oral portion of an examination, including oral examiner training and proposed implementation dates.

8. CONDITIONS UNDER WHICH IT IS APPROPRIATE TO FUND PERMANENT AND LIMITED-TERM POSITIONS WITHIN A BOARD, PROGRAM, BUREAU OR DIVISION TO MANAGE THESE REVIEWS

The licensing examination is one of the last hurdles that a candidate must face in the licensing process. A board, bureau, program, or division has the ultimate responsibility to ensure that the examination meets technical, professional, and legal standards and protects the health, safety and welfare of the public by assessing a candidate's ability to practice competently. Because examinations are critical to the mandate for consumer protection, it is therefore necessary that if a program provides an examination, it should maintain examination support staff. The number of support staff needed is determined by each program's examination requirements and secured through the budget process. Factors that may affect change in the number of staff support needed include but are not limited to the following:

- 1) An increase in the number of times an examination is offered
- 2) A change of method by which an examination is administered, for example:
 - A change from paper to electronic administration
 - A change from requiring only a written examination to additionally requiring a practical or oral examination
- 3) A change of examination administration, for example:
 - A change from requiring a national examination to an examination based on and developed by California practitioners, or vice-versa
 - A change in examination vendors
- 4) A unique circumstance such as a breach of examination security
- 5) Legislative mandates

9. OTHER

Summary:

Examinations and the inferences made from the resulting scores are validated on a continuous basis, and examination validation is never “finished.” Each examination is based upon the results of an occupational analysis that identifies the job-related critical skills necessary for safe and competent practice. Examinations are designed to assess those skills. To ensure that examinations are job-related, practicing licensees known as subject matter experts must develop the examinations.

ACKNOWLEDGMENTS

In 1999 the policy standards for examination validation and occupational analyses were developed by the board, bureau, and program Executive Officer or his/her representative as listed below. A number of these individuals are still engaged in developing standards for examination validation; others have assumed different duties within the Department or have applied their talents to jobs outside the Department of Consumer Affairs. The Office of Examination Resources remains indebted to this group and continues to publish this document for educational purposes.

C. Lance Barnett, Ph.D., Registrar, Contractors State Licensing Board.

Teresa Bello-Jones, R.N., M.S.N., J.D., Executive Officer, Board of Vocational Nurse and Psychiatric Technician Examiners

Cindi Christenson, Executive Officer, Board of Registration for Professional Engineers and Land Surveyors

Georgetta Coleman, Executive Officer, Board of Dental Examiners

Sherry Mehl, Executive Officer, Board of Behavioral Sciences

Patricia Harris, Executive Officer, Board of Pharmacy

Cathleen McCoy, Executive Officer, Respiratory Care Board

Thomas O'Connor, Executive Officer, Board of Psychology

Steve Sands, Executive Officer, Board of Architectural Examiners

Carol Sigmann, Executive Officer, Board of Accountancy

Chairman: **Norman Hertz, Ph. D.**, Office of Examination Resources

The final draft standards were submitted to all the boards, bureaus, and programs that have occupational licensing programs for their review and comment. The final draft standards were also submitted to affected divisions for review and comment. The comments of all who responded were considered for incorporation into this document.

In September 2004, OER made writing style and format revisions to the original publication.

GLOSSARY OF TERMS

Content-Related Evidence of Validity. Evidence that shows the extent to which the content domain of a test is based upon tasks performed in practice and the knowledge, skills, and abilities required to perform those tasks.

Criterion-Referenced Passing Score. The criterion against which the passing score is established is the concept of minimum competence. The criterion represents an absolute standard not dependent upon the performance of the candidates who sit for the examination.

Entry Level. The perspective that the content of tests should be based on the level of competency required of a practitioner who has been licensed for less than five (5) years.

Minimum Competence. The level of knowledge, skills and abilities required of practitioners that when performed at this level would not cause harm to the public health, safety, or welfare.

Occupational Analysis (Job Analysis). A method for identifying the tasks performed in a profession or on a job and the knowledge, skills, and abilities required to perform that job. For occupational licensing, the term occupational analysis is preferred because the scope of analysis is across a profession, not a solitary job.

Pass/Fail Ratio. The pass/fail ratio is defined as the percentage of candidates who pass compared to those who fail. A fixed pass/fail ratio or an extremely high or low pass rate may indicate a mismatch between education, training, and experience and the examination content. Likewise, a highly fluctuating pass/fail ratio may signal a disparity in the examination process and should be investigated.

Reliability. The degree to which test scores are consistent, dependable, or repeatable; that is, the degree to which they are free of errors of measurement.

Retranslate. The process of assigning existing test questions to a new examination outline. New examination outlines are produced from the results of an occupational analysis.

GLOSSARY OF TERMS

(Continued)

Revalidation. The ongoing process of affirming that an occupational analysis is valid.

Subject Matter Experts (SMEs). Subject matter experts are practitioners currently possessing an active license in good standing, are active in their practice, and are representative of the diversity of the professional population of the profession in terms of years licensed, practice specialty, ethnicity, gender, and geographic area of practice.

Validity. The degree to which a certain inference from a test is appropriate or meaningful. Validity is not a property inherent in a test but refers to the degree to which the decision based upon a test is accurate. In the occupational licensing context, validity is interpreted as correctly differentiating between persons who are qualified from those who are not.

ADDENDUM A

Government Code Section 12944 (a)

12944. Licensing boards; unlawful acts based on examinations and qualifications; determination of unlawfulness; inquiries; reasonable accommodations; records

- (a) It shall be unlawful for a licensing board to require any examination or establish any other qualification for licensing which as an adverse impact on any class by virtue of its race, creed, color, national origin or ancestry, sex, age, medical condition, or physical disability, mental disability, unless such practice can be demonstrated to be job related.

Business and Professions Code Section 139

- (a) The Legislature finds and declares that occupational analyses and examination validation studies are fundamental components of licensure programs. It is the intent of the Legislature that the policy developed by the department pursuant to subdivision (b) be used by fiscal, policy, and sunset review committees of the Legislature in their annual reviews of these boards, programs and bureaus.
- (b) Notwithstanding any other provision of law, the department shall develop in consultation with the boards, programs, bureaus and divisions under its jurisdiction, and the Osteopathic Medical Board of California and the State Board of Chiropractic Examiners, a policy regarding examination development and validation, and occupational analysis. The department shall finalize and distribute this policy by September 30, 1999, to each of the boards, programs, bureaus, and divisions under its jurisdiction and to the Osteopathic Medical Board of California, and the State Board of Chiropractic Examiners... This policy shall address, but shall not be limited to, the following issues:

**Business and Professions Code Section 139
(continued)**

- (1) An appropriate schedule for examination validation and occupational analyses, and circumstances under which more frequent reviews are appropriate.
- (2) Minimum requirements for psychometrically sound examination validation, examination development, and occupational analyses, including standards for sufficient number of test items.
- (3) Standards for review of state and national examinations.
- (4) Setting of passing standards.
- (5) Appropriate funding sources for examination validations and occupational analyses.
- (6) Conditions under which boards, programs, and bureaus should use internal and external entities to conduct these reviews.
- (7) Standards for determining appropriate costs of reviews of different types of examinations, measured in terms of hours required.
- (8) Conditions under which it is appropriate to fund permanent and limited term positions within a board, program, or bureau to manage these reviews.

ADDENDUM B

Minimum Activities Necessary to Support a Valid Examination Program

The following activities must be considered as **minimum** in the process of creating and maintaining a valid examination program. Typically, an individual trained in assessment and measurement performs the activities required for the program. Moreover, the board, program, bureau or division provides staff support for most, if not all, of these activities when the Office of Examination Resources or another test vendor performs the review or development. On-going consultation with the board, program, bureau, or division is essential at every stage.

I. Examination Development

- 1) Fulfill Americans with Disabilities Act requirements
- 2) Evaluate item bank
- 3) Conduct workshop(s)
 - a) Item writing
 - b) Item review
 - c) Exam construction
 - d) Passing score
 - e) Others as necessary
- 4) Edit examination
- 5) Score examination and perform item analysis
- 6) Maintain item bank
 - a) Enter information subsequent to workshops
 - b) Enter statistics subsequent to item analysis
- 7) Coordinate activities with computer-based testing vendor
- 8) Provide continuous technical assistance

ADDENDUM B

(Continued)

II. Occupational Analysis

- 1) Conduct research/review of prior analysis and related materials
- 2) Conduct workshop(s)
 - a) Develop content
 - b) Finalize task and knowledge statements
 - c) Review description of practice
- 3) Construct questionnaire
- 4) Develop sampling plan/data entry format
- 5) Distribute questionnaire to licensees
- 6) Analyze questionnaire data
- 7) Develop description of practice
- 8) Prepare examination plan
- 9) Prepare and print validation report
- 10) Retranslate examination item bank

III. Special Projects

- 1) Perform analysis of national or other examinations
- 2) Perform special analyses.

CCIDC BYLAWS

BY-LAWS OF CCIDC, INC.

dba CALIFORNIA COUNCIL FOR INTERIOR DESIGN CERTIFICATION

A Nonprofit Public Benefit Corporation

RECITALS

Purpose

This Corporation is a non-profit public benefit corporation organized solely for public purposes under relevant provisions of the California Corporations Code. The Corporation's Mission Statement is to establish and implement professional standards and educational requirements, educate the public, and facilitate interior design professional's compliance with our standards and code of ethics in order to provide for the protection, health, safety and welfare of the public.

ARTICLE I - OFFICES

Principal Office

Section 1.01. The principal office of the Corporation for its transaction of business is 1605 Grand Avenue, Suite 4, San Marcos, CA 92078.

Change of Address

Section 1.02. The Board of Directors is hereby granted full power and authority to change the principal office of the Corporation from one location to another County in the State of California. Any such change shall be noted by the Secretary in these By-laws, but shall not be considered an amendment of these By-laws.

ARTICLE II – CERTIFICATE HOLDERS

Classification of Certificate Holders

Section 2.01. The Corporation shall have one (1) class of Certificate Holders, and each Certificate Holder shall have equal rights. No person shall hold more than one Certificate in the Corporation.

Eligibility for Certificate Holder

Section 2.02. Any person, as defined in Section 5065 of the Corporations Code, who also qualifies under Section 5800 et seq of the California Business and Professions Code, is eligible to be a Certificate Holder of the Corporation, except that, in the case of a natural person, such person shall not be eligible for Certificate Holder unless over the age of eighteen (18) years.

Qualification of Certificate Holder

Section 2.03. Certificate Holders of the Corporation shall be limited to persons who meet the qualifications set forth in Division 3, Chapter 3.9 (Section 5800 et. seq.) of the California Business and Professions Code, or successor statutes, and who are certified as Certified Interior Designers ("CIDs") in this State in accordance with the terms and conditions contained in these By-laws and the Administrative Rules and Regulations of the Corporation.

Admission to Certificate Holder

Section 2.04. Any person eligible and qualified to be a Certificate Holder under these By-laws shall be admitted to become a Certificate Holder upon the approval of the Corporation (or Compliance Committee of the Board of Directors that is duly authorized, by resolution, to admit Certificate Holders) and submission of an application submitted by such person in

such form and in such manner as shall be prescribed by the Corporation, and upon the payment of the minimum annual fees, if any, outlined in these By-laws and/or the Administrative Rules and Regulations of the Corporation.

Certificate Holder's Term

Section 2.05. The term of a Certificate Holder's certification shall continue until terminated as provided in these By-laws, the Administrative Rules and Regulations, or the Code of Ethics and Conduct.

Certificate Holder's Fees

Section 2.06. The minimum annual fees, and other fees payable to the Corporation by Certificate Holders shall be as provided in the Administrative Rules and Regulations of the Corporation.

Assessments

Section 2.07. Certificate Holder's rights and interests in the Corporation shall be non-assessable.

Number of Certificate Holders

Section 2.08. Except as may be provided by law, there shall be no limit on the number of Certificate Holders the Corporation may admit.

Transferability of Certificate

Section 2.09. Certification in the Corporation is personal to the Certificate Holders, and neither the Certificate Holders of the Corporation nor any rights of their certification may be transferred or assigned for value or otherwise, whether voluntarily or by operation of law.

Record of Certificate Holders

Section 2.10. The Corporation shall keep, in written form (or in any form capable of being converted into written form), records containing the name, address of each Certificate Holder. The records shall also contain the fact of termination and the date on which such certification ceased. Such records shall be kept in the principal office of the Corporation and shall be subject to the rights of inspection required by law and as set forth in these By-laws; provided, however, the Corporation shall not be required to disclose personal or confidential information to any third party.

Non-liability of Certificate Holders

Section 2.11. A Certificate Holder of the Corporation shall not, under any circumstances, by reason of such certification in the Corporation, become or be personally liable for any of the debts, obligations, or liabilities of the Corporation.

Voting Rights

Section 2.12. Except as is required by applicable law, Certificate Holders shall not have any vote in the affairs of the Corporation.

Termination of Certification

Causes

Section 2.13.

(a) All rights of certification of a Certificate Holder shall automatically terminate on the occurrence of any of the following causes:

- (1) The voluntary resignation of a Certificate Holder;
- (2) Where a certification is issued for a period of time, the expiration of such period of time;
- (3) The death of a Certificate Holder;
- (4) The expulsion, revocation, or suspension of a Certificate Holder's certification in the Corporation;
- (5) The dissolution of corporate Certificate Holders; or
- (6) The non-payment of fees and other charges outlined in the Administrative Rules and Regulations of the Corporation.

Effect of Termination

(b) The rights of a Certificate Holder in the Corporation shall cease on the termination of such Certificate Holder's certification with the Corporation.

Expulsion, Revocation, or Suspension of a Certificate Holder

Section 2.14. A Certificate Holder may be expelled as a Certificate Holder of the Corporation, or may have their certification with the Corporation revoked or suspended; for the nonpayment of the Certificate Holder's financial obligations to the Corporation, for conduct as a Certificate Holder which is found by the Corporation to be in violation of these By-laws; the Administrative Rules and Regulations, or Code of Ethics and Conduct adopted by the Corporation; or for conduct which is detrimental to the interests of the Corporation or the other Certificate Holders of the Corporation. Expulsion of a Certificate Holder or revocation of such Certificate Holder's certification in the Corporation, notice to such Certificate Holder, appeals, and other actions related to the revocation, suspension, or expulsion of a Certificate Holder shall occur by action of the Board and in accordance with methods and procedures outlined in the Administrative Rules and Regulations of the Corporation. A Certificate Holder shall have no voting rights if expelled or if such Certificate Holder's certification is suspended or revoked. A Certificate Holder shall further have no voting rights during the period such Certificate Holder's certification is suspended.

Certificate Holders' Meetings

Section 2.15. Meetings of the Certificate Holder's shall only occur as required, and upon the terms and conditions, by the Corporations Code or other applicable law.

ARTICLE III - BOARD OF DIRECTORS

Classification of Board of Directors

Section 3.01. The Corporation shall have one (1) class of Directors only, and each Director shall have equal voting and other rights. No person shall hold more than one (1) directorship position on the Board of Directors in the Corporation.

Eligibility for Board of Directors

Section 3.02. Any person, as defined in Section 5065 of the Corporations Code, is eligible to be a Director of the Corporation, except that, in the case of a natural person, such person shall not be eligible for Director unless over the age of eighteen (18) years.

Qualification of the Board of Directors

Section 3.03. Any person eligible for the Board of Directors under Article III of these By-laws is qualified for the Board of Directors only after such person has satisfied that, if such person be a corporation, that the corporation is in good standing; and that if such person be a natural person, that such person is of good moral character and in sympathy with the objectives of this Corporation. All Directors shall be residents of California. Except for the Public Directors, all Directors must further be qualified as Certificate Holders as provided in Article II of these By-laws.

(a) Except for the Independent Director, all Professional Interior Design Directors shall be professional members in good standing of their respective designated organization for the duration of their term on the Corporation's Board of Directors, as defined in Article III, Section 3.04(a).

(b) Employees of the Corporation are not eligible to serve on the Board.

Number of Directors

Section 3.04. The authorized number of Directors of the Corporation is eleven (11). The eleven (11) Directors of the Corporation shall consist of:

(a) One member holding membership in each of the following five (5) interior design organizations (hereinafter referred to as the "Professional Interior Design Directors"):

- (1) ASID;
- (2) IDS;
- (3) IFDA;
- (4) IIDA; and
- (5) NKBA.

As Directors of the Corporation, there shall be no requirement that any one or more of the Professional Interior Design Directors have any formal, fiduciary, or other direct relationship with the interior design organizations listed above.

(b) One (1) member not affiliated with any of the above-listed professional interior design organizations (the "Independent Director");

(c) One director holding membership in IDEC (the "IDEC Director"); and

(d) Four (4) individuals who shall not be professionally familiar and associated with the design, construction, building, or furniture industries (the "Public Directors").

Term, Appointment, and Election of Directors

Section 3.05. Of the eleven (11) Directors of the Board, six (6) shall be appointed in the manner provided in this Article III, and five (5) shall be appointed by the Nominating Committee established by the Board as provided in these By-laws.

Initial Directors

(a) There are currently ten (10) Directors for the Corporation, with the one vacancy to be filled in accordance with these By-laws at the Directors meeting scheduled for September 25, 2010 in San Diego, California. As such, reference in these Bylaws to the appointment of initial Directors is unnecessary.

Successor Directors

(b) The appointment of Successor Directors for the Corporation shall occur in the following manner:

Professional Interior Design Directors

(1) In the event a Professional Interior Design Director's term expires or terminates, then the Board shall solicit from the interior design profession and industry names of prospective candidates to serve as a successor for such Professional Interior Design Director position. Among such candidates, the Nominating Committee may select for ratification by the Board a person from such list of candidates to serve as the next Professional Interior Design Director for such position. Further provided, the Directors shall place greater consideration for a candidate if such candidate is endorsed by the respective interior design organization.

Independent Director

(2) Subsequent to the initial appointment and upon expiration of the Independent Director's initial term, the Independent Director shall recommend candidates to serve as a Director in his or her place and stead. The Board may further solicit and/or accept nominations from other qualified methods. Among such candidates, the Nominating Committee of the Board may select for ratification by the Board one (1) person from such list of candidates to be the next Independent Director.

Public Directors

(3) Subsequent to the initial appointment and upon expiration of a Public Director's term, the Board shall solicit from the interior design profession and industry names of prospective candidates to serve as a successor Public Director(s). Among such candidates, the Nominating Committee may select for ratification by the Board one (1) or more persons from such list of candidates to serve as the next Public Director(s).

Miscellaneous Provisions Relating to Directors

(c) Except as otherwise provided in these By-laws, all vacancies on the Board shall be filled by the Nominating Committee upon ratification by the Board.

(d) Except as otherwise provided in these By-laws, each elected or appointed Director shall hold office until the expiration of the term for which elected and until a successor has been elected and qualified.

(e) No Director shall serve more than two (2) full consecutive terms.

(f) A Director who has previously served two (2) full consecutive three year terms may be re-nominated to the Board after a one (1) three year term break.

(g) To the extent it is possible; the membership of the Board should reasonably reflect representation from the various geographic areas of the state.

(h) No Director shall move from one class of seat on the Board to another class of seat without one (1) three year term break in order to serve beyond two (2) full consecutive three year terms.

Resignation and Removal of Directors

Section 3.06. The Board may declare vacant the office of a Director who is subject to those termination events outlined in this Article III.

Assessments

Section 3.07. Directorships shall be non-assessable.

Transferability of Directorship

Section 3.08. Neither the Directors of the Corporation nor any rights associated with such directorship may be transferred or assigned for value or otherwise.

Board of Directors Membership Book

Section 3.09. The Corporation shall keep, in written form (or in any form capable of being converted into written form), a directorship book containing the name, address of each member of the Board of Directors. The book shall also contain the facts of termination and the date on which such membership to the Board of Directors ceased. Such book shall be kept in the principal office of the Corporation and shall be subject to the rights of inspection required by law, and as set forth in these By-laws; provided, however, the Corporation shall not disclose personal or confidential information regarding any member of the Board of Directors.

Inspection Rights of Members of the Board of Directors

Demand

Section 3.10.

(a) Subject to the Corporation's right to set aside a demand for inspection pursuant to Section 6310 et. seq. of the Corporations Code and the power of the court to limit inspection rights pursuant to relevant provisions of the Corporations Code, and unless the Corporation provides a reasonable alternative as provided in these By-laws, a Director satisfying the qualifications set forth hereinafter may do either or both of the following:

(1) Inspect and copy all records available to such Director pursuant to applicable provisions of the Corporations Code, at reasonable times, on five (5) business days' prior written demand on the Corporation, which demand shall state the purpose for which the inspection rights are requested; or

(2) Obtain from the Secretary of the Corporation, on written demand and tender of a reasonable charge, copies of all records available to such Director pursuant to applicable provisions of the Corporations Code. The demand shall state the purpose for which the list is requested. The records shall be available on or before the later of ten (10) business days after the demand is received or after the date specified therein as the date as of which the list is to be compiled.

Directors Permitted to Exercise Rights of Inspection

(b) The rights of inspection set forth in Section 3.10(a) of these By-laws may be exercised by the following:

(1) Any Director, for a purpose reasonably related to such Director's interest as a Director;

(2) The authorized number of Directors for a purpose reasonably related to the Directors' duties and responsibilities as Directors of the Corporation.

Alternative Method of Achieving Purpose

(c) The Corporation may, within ten (10) business days after receiving a demand pursuant to Section 3.10(a) of these By-laws, deliver to the Director or Directors making the demand, a written offer of an alternative method of achieving the purpose identified in said demand without providing access to or a copy of such records the Board of Directors. An alternative method, which reasonably and in a timely manner accomplishes the proper purpose set forth in a demand made pursuant to these By-laws, shall be deemed reasonable; unless within a reasonable time after acceptance of the offer, the Corporation fails to do those things which it offered to do. Any rejection of the offer shall be in writing, and shall indicate the reasons the alternative proposed by the Corporation does not meet the proper purpose of the demand made pursuant to Section 3.10(a) of these By-laws.

Denial of Request

(d) If the Corporation reasonably believes that the information will be used for a purpose other than one reasonably related to a Director's duties and responsibilities as a Director, the Corporation may deny the Director access to the list of Certificate Holders and the list of the Board of Directors.

Authorized Inspectors

(e) Any inspection and copying under these By-laws may be made in person or by the Director's agent or attorney. The right of inspection includes the right to copy and make extracts.

Non-liability of Directors

Section 3.11. A Director of the Corporation shall not, under any circumstances, by reason of such membership to the Board of Directors, become or be personally liable for any of the debts, obligations, or liabilities of the Corporation.

Termination of Directorship to Board of Directors

Section 3.12. A Director's directorship to the Board of Directors, and all rights of membership to the Board of Directors shall automatically terminate on the occurrence of any of the following events:

(a) The voluntary resignation of a Director;

(b) Where a membership to the Board of Directors is issued for a period of time, the expiration of such period of time;

(c) The death of a Director;

(d) The dissolution of an incorporated Board member;

(e) The dissolution of one of the interior design organization listed in Section 3.04(a). In such event, the acting Professional Interior Design Director associated with such dissolved interior design organization shall act as Director for the remainder of their term. Upon the expiration of such Director's term, the Board vacancy shall be thereafter filled by the appointment of a Professional Interior Design Director with membership in good standing with any of the interior design organizations listed in Section 3.04(a).

(f) The Director has been declared of unsound mind by a final order of court;

(g) The Director has been convicted of a felony;

(h) The Director has failed to attend at least fifty percent (50%) of all scheduled meetings of the Board of Directors determined within a twelve (12) consecutive month period of time;

(i) The removal of a Director as provided in these By-laws; or

(j) As otherwise required by applicable provisions of California law.

Reduction in Number of Directors

Section 3.13. Any reduction in the number of Directors on the Board shall not act to remove any Director prior to the expiration of such Director's term of office, with the reduction in the number of Directors of the Corporation also being effective only after such matter is approved by the requisite number of Directors at a duly called meeting of the Directors as provided for in these By-laws.

Procedure for Termination

Section 3.14. If grounds appear to exist for terminating a Director under Article III of these By-laws, the following procedure shall be followed:

(a) Upon the vote of at least two-thirds (2/3) of the Board, the Board shall give the Director at least fifteen (15) days' prior notice of the proposed termination and the reasons for the proposed termination by personal delivery or other method customary to the Board. Notice shall be given by any method reasonably calculated to provide actual notice. In the event notice by personally delivery or by such other customary method is ineffective, the Board's may give notice by mail sent by first-class, postage pre-paid, to the Director's last address as shown on the Corporation's records in the same time frame as outlined in this subparagraph.

(b) The Director shall be given an opportunity to be heard by the Board, or an appropriate committee of the Board, either orally or in writing, at least five (5) days before the effective date of the proposed termination. The hearing shall be held, or the written statement considered, by the Board or by a committee authorized by the Board to determine whether the termination should occur.

(c) The Board, or an appropriate committee of the Board, shall decide whether the Director should be terminated. All decisions of the Board, or an appropriate committee of the Board, shall be final with regard to termination of Directors.

(d) All Directors agree that, by their appointment to the Board of Directors, any action challenging the termination, including a claim alleging defective notice, must be commenced within one (1) year after the date of the termination of their directorship with the Corporation.

(e) It is the intent of the Corporation that, unless required by the Corporations Code or other applicable law, that the Certificate Holders of the Corporation have no voting rights to elect, appoint, or remove Directors of the Corporation, and shall have no right to remove any or all the Directors of the Corporation.

Effect of Termination

Section 3.16. The rights of a former Director in the Corporation shall immediately cease on the termination date of such Director's membership.

Replacement of Removed or Terminated Director

Section 3.17. The replacement of the Director whose directorship on the Board was terminated or expired shall occur in the same manner, and upon the same terms, conditions, and timeliness as outlined in Sections 3.04 and 3.05 of these By-laws relating to the appointment of successor Directors, or as otherwise provided for herein. In the event, however, that such vacancy has not been filled as provided in this Article III within thirty (30) days that the vacancy began, then the Board shall fill such vacancy by the vote of a majority of the Directors at a duly called and noticed meeting of the Directors until such vacancy is otherwise filled as provided in these By-laws. In the event the Directors are unable to obtain a majority vote for the appointment of a temporary Director to fill such a vacancy, then the Chairperson of the Board of the Corporation shall be the tie-breaker in any such actions of the Directors to determine which nominee shall act as a temporary Director of the Board to fill such vacancy.

Compensation of Directors

Section 3.18. The Directors shall not be compensated by the Corporation; provided, however, that a Director may be entitled to reimbursement of costs incurred by such Director in direct relation to the Director's services as a Director of the Corporation that are approved by the Board of Directors.

ARTICLE IV - MEETINGS OF BOARD OF DIRECTORS

Place

Section 4.01. Meetings of the Board of Directors shall be held at the principal office of the Corporation, or at such other location within the State of California as may be designated from time to time by the Board of Directors.

Date and Time

Section 4.02. The Directors shall meet at least annually each year for the purpose of transacting such proper business as may come before the meeting. If the day fixed for the regular meeting of Directors falls on a legal holiday, such meeting shall be held at the same hour and place on the next succeeding day.

Special Meetings

Section 4.03. Special meetings of Directors shall be called by a majority of the Board of Directors, the Chairperson of the Board of Directors, or the Executive Director of the Corporation to be held at the principal office of the Corporation or at such times and places within the State of California as may be ordered by resolution of the Board of Directors. Where the purpose of the special meeting is the removal of Directors and the election of their replacement, a majority of the Directors of the Corporation may call special meetings for such purpose. No business, other than the business that was set forth in the notice of the special meeting, may be transacted at a special meeting.

Notice of Meetings

Section 4.04. Written notice of every meeting of Directors shall be either personally delivered, mailed by first-class or registered or certified United States mail, postage prepaid, sent to the Directors via facsimile, or sent to the Directors some other reliable form of electronic communication no later than twenty (20) days before the date of the meeting to each Director who on the record date for notice of the meeting is entitled to vote thereat. There shall be some form of proof of delivery available to the Corporation when using electronic communications or facsimile to deliver notices to the Directors of meetings. In the event given by mail or other means of written communication, the notice shall be addressed to the Director at the address of such Director appearing on the books of the Corporation or at the address given by the Director to the Corporation for the purpose of notice. Where no such address appears or is given, notice shall be given at the principal office of the Corporation or by publication in any newspaper of general circulation in the county in which the principal office of the Corporation is located. The Secretary or Assistant Secretary of the Corporation, or any transfer agent specially designated by the Secretary or Assistant Secretary for the purpose herein mentioned, shall execute an affidavit of the giving of the notice of the meeting of Directors. In the case of a specially called meeting of Directors, notice that a meeting will be held at a time requested by the person or persons more than ninety (90) days after receipt of the written request from such person or persons by the Chairperson of the Board, the President, Vice-Chairpersons, or Secretary of the Corporation, shall be sent to the Directors forthwith and in any event no later than twenty (20) days after the request was received.

(a) When a Directors' meeting is adjourned to another time or place, and if the adjournment is for more than forty-five (45) days or if after the adjournment a new record date is fixed for the adjourned meeting, a notice of the adjourned meeting shall be given to each Director of record entitled to vote at the meeting.

Contents of Notice

Section 4.05. The notice shall state the place, date, and time of the meeting. In the case of regular meetings, the notice shall state those matters which the Board of Directors at the time the notice is given, intends to present for action by the Directors. The notice of any meeting at which Directors are to be elected, or whose appointment is to be confirmed, shall include the names of all those who are nominees or appointees at the time the notice is given to the Directors. For a special meeting, the notice shall state the general nature of the business to be transacted and shall state that no other business may be transacted.

Notice of Certain Agenda Items

Section 4.06. Approval by the Directors of any of the following proposals, other than by unanimous approval by those Directors entitled to vote, is valid only if the notice or written waiver of notice states that general nature of the proposal or proposals:

(a) Removing a Director;

(b) Amending the Articles of Incorporation, these By-laws, the Administrative Rules and Regulations, or the Code of Ethics and Conduct of the Corporation; or

(c) Electing to wind up and dissolve the Corporation.

Waivers, Consents, and Approvals

Section 4.07. The transactions of any meeting of Directors, however called and noticed, and wherever held, shall be as valid as though at a meeting duly held after regular call and notice, if a quorum is present either in person or by proxy, and if, either before or after the meeting, each of the persons entitled to vote but not present in person or by proxy, signs a written

waiver of notice, a consent to the holding of the meeting, or an approval of the minutes of the meeting. All such waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

Quorum

Section 4.08. A quorum at any meeting of Directors shall consist of seventy percent (70%) of the Directors represented in person and entitled to vote. For purposes of this By-law, "entitled to vote" is defined as the power to vote for the election of Directors at the time any determination of voting power is made and does not include the right to vote on the happening of some condition or event which has not yet occurred.

Loss of Quorum

Section 4.09. The Directors present at a duly called or held meeting at which a quorum is present may continue to transact business until the withdrawal of enough Directors leave less than a quorum, if such action taken, other than adjournment, is approved by at least a majority of Directors required to constitute a majority of a quorum.

Adjournment for Lack of Quorum

Section 4.10. In the absence of a quorum, any meeting of Directors may be adjourned from time to time by the vote of a majority of the votes represented either in person or by proxy, but no other business may be transacted except as provided in Section 4.09 of these By-laws.

Voting of Board of Directors

One Vote Per Director

Section 4.11. Each Director is entitled to one vote on each matter submitted to a vote of the Directors.

Indivisible Interest in Single Membership in Board of Directors

(a) (Not applicable).

Membership in Board of Directors in Two or More Names

(b) Where a membership in Board of Directors stands of record in the names of two (2) or more persons, whether fiduciaries, members or representatives of a partnership or other organization, joint tenants, tenants in common, husband and wife as community property, tenants by the entirety, or otherwise, or if two (2) or more persons (including proxy holders) have the same fiduciary relationship respecting the same membership, unless the Secretary of the Corporation is given written notice to the contrary and is furnished with a copy of the instrument or order appointing them or creating the relationship wherein it is so provided, their acts with respect to voting shall have the following effect: if only one (1) person votes, such act shall bind both or all persons; and if more than one (1) person votes in varying manners, the act of the majority so voting shall bind all persons.

Record Date of Membership in Board of Directors

(c) The record date for the purpose(s) of determining the Directors entitled to vote at and to notice a meeting of Directors, is thirty (30) days before the date of the meeting of Directors.

Cumulative Voting

(d) Cumulative voting shall not be authorized for the election of Directors or for any other purpose.

Proxy Voting

(e) Directors entitled to vote shall not be permitted to vote or act by proxy. Any amendment of this provision creating or expanding proxy rights shall be adopted with approval by the Directors. For purposes of this provision of these By-laws, "approval by the members" shall assume the same definition set forth in relevant provisions of the Corporations Code.

More than One (1) Director Claiming Rights to Directorship Position

(f) In the event more than one (1) person attends a meeting of the Board claiming to be a Director of the Corporation's Board, the Corporation shall not allow either person to vote at the meeting. The Corporation shall thereafter conduct an investigation and determine which person is lawfully entitled to act as Director.

Action Without Meeting by Written Ballot

Ballot Requirements

Section 4.12.

(a) Any action which may be taken at any regular or special meeting of Directors may be taken without a meeting. If an action is taken without a meeting, the Corporation shall distribute a written ballot to every Director entitled to vote on the matter. The ballot shall set forth the proposed action, provide an opportunity to specify approval or disapproval of any proposal, and provide a reasonable time within which to return the ballot to the Corporation. Approval by written ballot shall be valid only when the number of votes cast by ballot within the time period specified equals or exceeds the quorum required to be present at a meeting authorizing the action, and the number of approvals equals or exceeds the number of votes that would be required to approve at a meeting at which the total number of votes cast was the same as the number of votes cast by ballot.

Solicitation of Ballots

(b) Ballots shall be solicited in a manner consistent with the requirements of giving notice of meetings set forth in Section 4.04 of these By-laws, and of voting by written ballot set forth in Section 4.12 of these By-laws. All such solicitations shall indicate the number of responses needed to meet the quorum requirements and shall state the percentage of approvals necessary to pass the measure submitted. The solicitation shall specify the time by which the ballot must be received in order to be counted.

(c) Action under this Section 4.12 is only an optional method.

Conduct of Meetings

Chairperson of the Board

Section 4.13.

(a) The Chairperson of the Board or, in his or her absence, the Vice-Chair, or any other person chosen by a majority of the voting Directors, present in person shall be Chairperson of and shall preside over the meetings of the Directors.

Secretary of Meetings

(b) The Secretary of the Corporation shall act as the secretary of all meetings of Directors; provided that in his or her absence, the Chairperson of the meetings of Directors shall appoint another person to act as secretary of the meetings.

Rules of Order

(c) The Robert's Rules of Order, as may be amended from time to time, shall govern the meetings of Directors insofar as such rules are not inconsistent with or in conflict with these By-laws, the Articles of Incorporation of this Corporation, or applicable law.

Required Vote of the Directors

Section 4.15. Every act or decision done or made by a majority of the Directors present at a meeting duly held at which a quorum is present is the act of the Directors. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of directors, if any action taken is approved by at least a majority of the required quorum for such meeting. Notwithstanding any provision to the contrary, the following matters require the minimum approval of the number of Directors as specified in these By-laws:

(a) Adoption, amendment or repeal of Articles of Incorporation, By-laws, Administrative Rules and Regulations or Code of Ethics and Conduct; or

(b) Appointment of a Chairman of the Board, Vice-Chair, Treasurer, and Secretary..

(c) An increase or reduction in the number of Directors serving on the Board.

ARTICLE V – POWERS AND RESPONSIBILITIES OF THE BOARD

Powers and Responsibilities of the Board.

Section 5.01. The powers and responsibilities of individual Directors of the Board shall be as follows:

(a) Administer and enforce all provisions of the certification criteria established by California law, as defined in the Administrative Rules and Regulations and subsequent provisions as approved and adopted by the Corporation's Board.

(b) Monitor all changes and revisions in California State law with regard to the certification criteria and adopt provisions as necessary to maintain compliance.

(c) Review and approve all applications for certification.

(1) The Board shall not be required to review each and every application for certification. The Board shall direct the Executive Director and the staff of the Corporation. The Executive Director and the Corporation's staff shall thoroughly examine each application for certification to ensure each applicant's satisfaction of conformance with the certification criteria. The Executive Director and the Corporation's staff shall then present those applications to the Board for signed approval by a Director. The Board may randomly sample the applications in order to verify conformance with the certification criteria.

(2) It will also be the Board's responsibility to monitor and ensure that all applicants who are denied certification are properly and timely notified with regard to the denial of his/her application for certification and the reason(s) for such denial so that he/she may remedy his/her qualifications or requirements and to meet the certification criteria. This task will also be carried out by the Executive Director and Corporation staff.

(d) Interpret and enforce the Code of Ethics and Conduct for Certified Interior Designers established by the Certification Task Force. The Board shall ensure its distribution to all applicants and Certified Interior Designers. The Board, at its discretion, may amend the Code of Ethics and Conduct, and the Administrative

Rules and Regulations, as it deems necessary by vote of two-thirds (2/3) of the Directors.

(e) Establish a procedure for conducting hearings and appeals with regard to complaints from the public. A forum shall be devised for hearing from both sides in a dispute. This shall be in a written submission form so the Board can make a determination. If the Board determines it cannot make a decision based upon the written submission, the Board may elect to conduct a public hearing. The Board is concerned with violations of the Code of Ethics and Administrative Rules and Regulations only. Any other disputes between a member of the public and a Certified Interior Designer must be resolved through other avenues. The Board's power to discipline a Certified Interior Designer found guilty of violating the Code of Ethics and Administrative Rules and Regulations and conduct shall be limited to denial of any application for re-certification or suspension of such member's certification for a period of time as determined by the Board.

(f) Establish internal operating rules through By-laws and resolutions.

(g) Establish policies, goals, objectives, priorities, timetables, procedures and position statements in furtherance of the law and the profession.

(h) Authorize material transactions, investments, acquisitions, expenditures, etc.

(i) Select and hire an Executive Director, direct and monitor his/her performance, and remove him/her, if necessary. The Executive Director shall exercise the powers and perform the duties delegated by the Board and vested in him/her by the Corporation's Administrative Rules and Regulations adopted by the Board.

(j) Establish, maintain and periodically review personnel policies. The Board shall, together with the Executive Director, prepare a written personnel policy and procedure manual.

(k) Monitor corporate finances (both income and expenditures) through financial reports prepared by an independent accounting expert. The Board shall hire an independent CPA auditor, separate from Corporation's accountant, to conduct an annual audit of the finances and to prepare an executive management report relating to the operation of the Corporation.

(l) Establish and approve annual operating budgets based upon projected income and expenditures prior to the end of each fiscal year.

(m) Monitor and evaluate implementation of all Board policies and decisions.

(n) Monitor and set all fees with regard to the application and certification process. Fees shall be set in accordance with guidelines established by the State of California.

(o) Maintain the official roster of all Certified Interior Designers in the State of California.

(p) Adopt a common seal and protect the same from misuse, misrepresentation and copyright infringement.

(q) Promote certification as a standard for interior designers in the State of California to other professionals and the general public and through public forums, education, print or other advertising media.

(r) Take all corporate action as required and in compliance with Corporation's articles of incorporation and bylaws.

(s) File all annual tax returns and required reports in a timely manner.

(t) Take all corporate action in a manner consistent with requirements for federal and state tax-exempt status.

(u) Keep a complete record of all minutes and acts of the Corporation and to supervise all of the Corporation's agents and employees and to see that their duties are properly performed.

(v) Take any and all other lawful action that is in the best interests, and in furtherance of the goals and objectives, of the Corporation.

Section 5.02. A majority of the Directors where a quorum is present must approve any contract or transaction to which the Corporation is a party and in which one or more of its Directors has a material financial interest, except as special approval is provided for in the Corporations Code.

ARTICLE VI - OFFICERS

Officers and Duties

Section 6.01. The Officers of the Corporation are the Chairperson of the Board, the Vice-Chair, the Secretary, and the Treasurer. Officers shall serve for one (1) year terms at the pleasure of the Board, with such appointments automatically renewed unless otherwise removed by the Board.

Section 6.02. The Chairperson of the Board (for purposes of these By-laws and the Corporation's affairs, the person in this position shall be referred to as either the "Chairperson of the Board;" provided, however, only one person shall be the Chairperson of the Board) is the chief executive officer and general manager of the Corporation. All references in California law or otherwise to the term "president" shall mean the Chairperson of the Board as applied to the Corporation. The Chairperson of the Board shall, subject to the control of the Board, have general supervision, direction and control of the business and affairs of the Corporation and of its officers, employees and agents, including the right to employ, discharge and prescribe the duties and compensation of all officers, employees and agents of the Corporation, except where such matters are prescribed in these By-laws or by the Board. The President/Chairperson of the Board shall preside at all meetings of the Board and meetings of the members, if any. The President/Chairperson of the Board is authorized to sign all contracts, notes, conveyances and other papers, documents and instruments in writing in the name of the corporation.

Section 6.03. The Vice-Chair shall perform under the direction of the Chairperson of the Board, duties and responsibilities in the management of the Corporation or in one or more particular areas of its management. In the event of the disability of the Chairperson of the Board, the duties of the Chairperson of the Board shall be exercised by the Vice-Chair..

Section 6.04. The Secretary shall keep or cause to be kept the minute book of the Corporation. The Secretary shall sign in the name of the Corporation, either alone or with one (1) or more other officers, all documents authorized or required to be signed by the Secretary. If the Corporation has a corporate seal, the Secretary shall keep the seal and shall affix the seal to any documents as appropriate or desired. The Board may by resolution authorize one (1) or more assistant secretaries to perform, under the direction of the Secretary, some or all the duties of the Secretary.

Section 6.05. The Treasurer is the chief financial officer of the Corporation, and where appropriate, may be designated by the alternate title "chief financial officer." The Treasurer is responsible for the receipt, maintenance and disbursement of all funds of the Corporation and for the safekeeping of all securities of the Corporation. The Treasurer shall keep or cause to be kept books and records of account and records of all properties of the Corporation. The Treasurer shall prepare or cause to be prepared annually, or more often if so directed by the Board or President, financial statements of the Corporation. The Board may by resolution authorize one (1) or more assistant treasurers to perform, under the direction of the Treasurer, some or all the duties of the Treasurer.

Appointment or Removal of Officers

Section 6.06. The Officers of the Corporation shall be appointed by the Board of the Corporation.

Section 6.07. Any Officer may be removed from office at any time by the Board, with or without cause or prior notice.

Section 6.08. When authorized by the Board, any appointed Executive Officer may be appointed for a specific term under a contract of employment. Notwithstanding that such Executive Officer is appointed for a specified term or under a contract of employment, any such Executive Officer may be removed from office at any time pursuant to these By-laws and shall have no claim against the Corporation on account of such removal other than for such monetary compensation as the Executive Officer may be entitled to under the terms of the contract of employment.

Resignation of Officers

Section 6.09. Any Executive Officer may resign at any time upon written notice to the Corporation without prejudice to the rights, if any, of the Corporation under any contract to which the Executive Officer is a party. Such resignation is effective upon receipt of the written notice by the Corporation unless the notice prescribes a later effective date or unless the notice prescribes a condition to the effectiveness of the resignation.

Execution of Instruments

Section 6.10. Any and all instruments executed in the name of the Corporation, including, but not limited to, contracts, agreements, purchase orders, notes, deeds, deeds of trust, mortgages, leases, security agreements, checks and drafts issued, endorsements of checks and drafts received, certificates, applications, and reports shall be executed by any one or more Officers, employees or agents of the Corporation as authorized from time to time by the Board. Such authorization may be general or confined to specific instances.

(a) The respective offices and duties thereof as established and defined in this Article VI and by resolution of the Board include, except as otherwise provided, the authority to execute instruments in the name of the Corporation when the execution of the instrument is incident to carrying out the duties of the office.

Advisory Consultants

Section 6.11. The Board may have legislative, legal, financial advisory and other consultants and staff available to it to provide consultation and other advice. The Board shall further select and hire an Executive Vice President and other necessary staff to assist the Corporation in the day-to-day management of the affairs and activities of the Corporation. The Executive Vice President may, at his/her discretion, hire further staff to assist him/her in carrying out the Executive Vice President's duties and responsibilities.

ARTICLE VII - COMMITTEES

Section 7.01. Committees of the Corporation are of two (2) kinds, those with legal authority to act for the Corporation and advisory committees.

Section 7.02. The Board may, by resolution adopted by a majority of the authorized number of Directors then in office, designate one (1) or more committees with legal authority to act for the Corporation to the extent specified in the resolution creating such committee, each such committee consisting of two (2) or more Directors, to serve at the pleasure of the Board. The Board may designate one (1) or more Directors as alternate members of any committee, who may replace any absent member at any meeting of the committee. The appointment of members or alternate members of a committee requires the vote of a majority of the Directors then in office. The procedures of these committees shall be the

same as relating to the rules and conduct of the meetings of the Board. Any such committee, to the extent provided in the resolution of the Board, shall have all the authority of the Board, except with respect to:

- (a) The filling of vacancies on the Board or on any committee.
- (b) The fixing of compensation of the Directors for serving on the Board or on any committee.
- (c) The amendment or repeal of these By-laws or the adoption of new bylaws.
- (d) The amendment or repeal of any resolution of the Board which by its express terms is not so amendable or repealable.
- (e) The appointment of other committees of the Board.
- (f) The approval of any self-dealing transaction not permitted by Section 5233 of the Corporations Code to be approved by a committee.

Section 7.03. Advisory committees may be appointed to consist of one or more Board members. Advisory committee membership may also consist of Directors only, both Directors and non-Directors, or non-Directors only, and also may include nonvoting members and alternate members. Advisory committees have no legal authority to act for the Corporation, but shall report their findings and recommendations to the Board.

Section 7.04. The Board may establish a Nominating Committee, which shall consist of three (3) Directors. The first Chair of the Nominating Committee shall be as determined by resolution of the Board. The Chair shall serve a one (1) year term as Chair of the Nominating Committee. Thereafter, the prior Chairman of the Corporation's Board shall serve as the Chair of the Nominating Committee for one (1) year terms. In the event the prior Chairman of the Corporation's Board is unable or unwilling to serve as Chair of the Nominating Committee, then in that event the Board shall determine the Chair of the Nominating Committee. The other two (2) Directors on the Nominating Committee shall be selected by the Corporation's Board, with at least one (1) Director on the Nominating Committee being a Public Director. All Directors serving on the Nominating Committee shall serve one (1) year terms, and the Directors shall appoint new Directors to the Nominating Committee from such terms expire, or as such positions on the Nominating Committee otherwise become vacant.

ARTICLE VIII - AMENDMENTS TO ORGANIZATIONAL DOCUMENTS

Amendment of Articles by the Directors

Section 8.01. Any amendment to the Articles of Incorporation may be amended by a two-thirds (2/3) vote of the full Board at any such meeting called for the purpose of approving or rejecting such amendment, in addition to any other purpose such meeting was called. Any proposed amendment to the Articles of Incorporation shall comply with the other terms and conditions set forth in these By-laws and applicable law.

ARTICLE IX - AMENDMENTS TO THE BY-LAWS

Amendment of By-laws by Directors

Section 9.01. Subject to paragraph (a) of these By-laws, these By-laws may be amended or new By-laws adopted at any regular or special meeting of the Board of Directors when called for the specific purpose by a majority vote of the members of the Board of Directors. In the event of such a meeting called for that specific purpose, the written consent of two-thirds (2/3) of the full Board of the Board of Directors shall be effective to repeal and/or amend any By-law and to adopt any additional By-laws.

(a) An amendment or repeal of these By-laws approved by the Board of Directors shall require the approval of the Directors when such amendment or repeal involves:

(1) An amendment to these By-laws specifying or changing a fixed number of Directors, or changing from a fixed to a variable number of Directors or vice versa;

(2) An addition or amendment of a By-law that requires approval of the Directors be unanimous or by a greater proportion than that already required by law or these By-laws;

(3) An amendment to these By-laws increasing the length of the Directors' terms;

(4) An addition or amendment of a provision that provides for the selection of Directors other than as provided in these By-laws;

(5) An addition or amendment of a By-law when such addition or amendment of a By-law relates to the Board's authority to fill vacancies created by the removal of Directors;

(6) An addition or amendment of a By-law changing the number necessary for a quorum at Directors' meetings, creating or changing proxy rights, or changing or repealing cumulative voting rights;

(7) An addition or amendment of a By-law that would terminate all Director membership on the Board; or

(8) An addition or amendment of a provision that requires the approval of the Directors consistent with the California Corporations Code.

ARTICLE X - CORPORATE RECORDS AND REPORTS

Record Keeping

Section 10.01. The Corporation shall keep adequate and correct records of accounts and minutes of the proceedings of meetings of its Certificate Holders, Board of Directors, and committees of the Board of Directors. The Corporation shall also keep a record of its Certificate Holders giving their names and addresses. The minutes shall be kept in written form. Other books and records shall be kept in either written form or in any other form capable of being converted into written form.

Annual Report

Section 10.02. The Board shall make available to the Board of Directors an annual report within a reasonable time after the Corporation files its annual federal income tax return for a given fiscal year. Reports shall contain all the information required by Section 6321(A) of the Corporations Code, any other federal or state reporting requirements, and shall be accompanied by any report thereon of independent accountants. If there is no such report from independent accountants, a certificate of an authorized officer of the Corporation stating that such statements were prepared without audit from the books and records of the Corporation will be prepared. The annual report shall also be made reasonably available to all Certificate Holders in a manner determined by the Directors or as may be required by applicable law.

Annual Statement of Certain Transactions

Section 10.03. The Corporation shall make available annually to its Directors, a statement of any transaction or indemnification described in Section 6322(D) and (E) of the Corporations Code, if such transaction or indemnification took place. Such annual statements shall be affixed to and sent with the annual report described in these By-laws.

Indemnification

Section 10.04. The Corporation may indemnify a Director, Officer, agent or employee under relevant provisions of the Corporations Code, or pursuant to any contract entered into with any employee who is not an Officer of Director. Expenses incurred in defending any proceeding may be advanced by the Corporation as authorized in the Corporations Code prior to the final disposition of such proceeding upon receipt of any undertaking by or on behalf of the Director, Officer, agent or employee to repay such amount unless it shall be determined ultimately that the Director, Officer, agent or employee is entitled to be indemnified.

Section 10.05. The Corporation may purchase and maintain insurance on behalf of any Director, Officer, agent, or employee of the corporation against any liability asserted against or incurred by the Director, Officer, agent, or employee in such capacity or arising out of the Director's, Officer's, agent's, or employee's status as such, whether or not the Corporation would have the power to indemnify the Director, Officer, agent or employee against such liability under the provisions of Section 7237 of the Corporations Code.

ARTICLE XI - MISCELLANEOUS

Construction of These By-laws

Section 11.01. Unless the context requires otherwise, the general provisions, rules of construction, and definitions in the California Nonprofit Corporation Law shall govern the construction of these By-laws. Without limiting the generality of the preceding sentence, the masculine gender includes the feminine and neuter, the singular includes the plural, and the plural includes the singular.

Incorporation of Administrative Rules and Regulations and Code of Ethics and Conduct

Section 11.02. The Administrative Rules and Regulations and Code of Ethics and Conduct, as may be amended from time to time by the Board, are incorporated into these By-laws by this reference.

Severability

Section 11.03. It is intended that each paragraph, Section, and Article of these By-laws be viewed as separate and divisible, and in the event that any portion of these By-laws are held to be invalid or contradict relevant provisions of the Corporations Code or other applicable law, such invalid portion shall be severed to the minimum amount necessary to make such provisions valid or consistent with applicable law. It is further intended that the remaining portions of these By-laws continue to be in full force and effect.

I, RICHARD GALITZ, M.D., the currently acting Secretary of the Corporation, certify that this is a true and correct copy of the Corporation's By-laws, adopted by the Board and which became effective on the 25th day of September, 2010, and that these By-laws include all amendments, if any, to the date of this instrument.

RICHARD GALITZ, M.D., Secretary

CCIDC RULES & REGULATIONS

CCIDC
ADMINISTRATIVE RULES AND REGULATIONS
09/25/2010

1.0 DEFINITIONS

1.1 DIVERSIFIED INTERIOR DESIGN EXPERIENCE:

The phrase "diversified interior design experience" as used in this Chapter and these Administrative Rules and Regulations shall be defined as the preparation, or instruction in the preparation, of nonstructural or non-seismic plans which are of sufficient complexity so as to require the skills of a licensed contractor to implement them, and includes programming, planning, designing, and documenting the construction and installation of nonstructural or non-seismic elements, finishes and furnishings within the interior spaces of a building, and encompasses the competency to protect and enhance the health, safety, and welfare of the public.

1.2 INTERIOR DESIGN:

The term "interior design" as used in this Chapter and these Administrative Rules and Regulations shall be defined as the:

- A. Analysis of a client's needs, goals, and life and safety requirements;
- B. Integration of findings with knowledge;
- C. Formulation of preliminary design concepts that are appropriate, functional and aesthetic;
- D. Development and presentation of final design recommendations through appropriate presentation media;
- E. Preparation of working drawings, plans and specifications for non-structural, non-seismic interior construction, materials, finishes, space planning, furnishings, fixtures, and equipment, that are of sufficient complexity so as to require the skills of a licensed contractor;
- F. Coordination with professional services of other licensed practitioners as required for regulatory approval;
- G. Preparation and administration of construction and furnishing bids and contract documents on behalf of a client;
- H. Review and evaluation of design solutions after project completion.

1.3 FIRM:

The term "firm" as used in these Administrative Rules and Regulations shall be defined as a sole proprietorship, partnership or corporation engaged in interior design, including individuals, partners or shareholders thereof.

1.4 COLLEAGUE:

The term "colleague" as used in these Administrative Rules and Regulations shall be defined as any other individual or firm engaged in interior design or a related design profession.

1.5 CLIENT:

The term "client" as used in these Administrative Rules and Regulations shall be defined as any individual or entity that retains a Certified Interior Designer to render interior design services.

1.6 INTERIOR DESIGN CERTIFICATION EXAMINATION:

The phrase "interior design certification examination" as used in these Administrative Rules and Regulations shall be defined as:

A. IDEX California.

1.7 ACCREDITED INTERIOR DESIGN DEGREE PROGRAM:

The phrase "accredited interior design degree program" as used in these Administrative Rules and Regulations shall be defined as:

A. An accredited interior design degree means a program accredited by any accrediting agency recognized by the United States Department of Education ("USDE").

1.8 ACCREDITED INTERIOR DESIGN CERTIFICATE PROGRAM:

The phrase "accredited interior design certificate program" as used in these Administrative Rules and Regulations shall be defined as:

A. An accredited interior design certificate means a program accredited by any accrediting agency recognized by the USDE.

1.9 INTERIOR DESIGN EDUCATION:

The phrase "interior design education" shall mean successful completion of:

A. A certificate and/or degree program of interior design from a USDE recognized accrediting school; or

B. A combination of courses in the following categories:

1. Interior Design/Interior Decoration;
2. Construction Documents;
3. Architecture;
4. Art and Architectural/Design History;
5. Building Codes;
6. Drafting;
7. Computer Aided Design and Drafting (CADD);
8. Graphic Design;
9. Business Practices

The required combination of courses shall be as determined by CCIDC.

1.10 INTERIOR DESIGN EDUCATION AND DIVERSIFIED INTERIOR DESIGN EXPERIENCE:

For purposes of Business and Professions Code sections 5801, subdivision (c), and 5801.1, an interior designer may be eligible for certification if he/she satisfies the applicable interior design certification examination requirements and has either the requisite number of years of interior design education or diversified interior design experience, or a combination of both.

1.11 FULL-TIME AND PART-TIME DIVERSIFIED INTERIOR DESIGN EXPERIENCE:

A. The phrase "full-time diversified interior design experience" as used in these Administrative Rules and Regulations shall be defined as experience of the nature described in Section 1.1, above, of thirty-six (36) hours or more per week or eighteen hundred (1800) hours or more per year.

B. The phrase "part-time diversified interior design experience" as used in these Administrative Rules and Regulations shall be defined as experience of the nature described in Section 1.1, above, of less than thirty-six (36) hours per week or less than eighteen hundred (1800) hours per year. Part-time experience will be considered in proportion to full-time experience.

1.12 CERTIFICATE HOLDER OR CERTIFIED INTERIOR DESIGNER

The phrase "certificate holder" or "Certified Interior Designer" shall have the same meaning as used in these Administrative Rules and Regulations upon completion of the requirements set forth herein.

2.0 ADMINISTRATION OF CCIDC

2.1 ADMINISTRATION

A. Name: CCIDC, Inc., a California non profit public benefit corporation (California Council For Interior Design Certification), and hereinafter referred to as "CCIDC."

B. Location of Offices. The principal office of CCIDC, Inc., is located at 1605 Grand Avenue, Suite 4, San Marcos, California 92078.

C. Delegation of Certain Functions.

1. Whenever it is stated in these Administrative Rules and Regulations that the "CCIDC Board" or "Board" may or shall exercise or discharge any power, duty, purpose, function, or jurisdiction, the Board of Directors of CCIDC, elected and/or appointed in accordance with the CCIDC's Bylaws, specifically has reserved the same for its own exclusive action.

2. Whenever it is stated the "Executive Director" may or shall exercise or discharge any power, duty, purpose, function, or jurisdiction, that the Executive Director has the authority to act thereon. The Executive Director shall be appointed by the CCIDC Board in accordance with the Bylaws of CCIDC.

3. Any party in interest may appeal to the CCIDC Board for review of the actions and decisions of the Executive Director.

4. Nothing herein prohibits the Executive Director from re-delegating to his/her subordinates.

5. The powers and discretion conferred upon the CCIDC Board to conduct hearings; receive and file notices of defense; determine the time and place of disciplinary hearings under Article 5 of these Administrative Rules and Regulations; set and calendar cases for hearing; perform other functions necessary to the businesslike dispatch of the business of the CCIDC Board in connection with proceedings prior to the hearing of such proceedings; make and issue findings of fact; and the certification and delivery or mailing of copies of decisions under Article 5; are hereby delegated to and conferred upon the Executive Director, or to his/her designee.

6. Employees or staff of the CCIDC shall not, while employed by CCIDC, work or otherwise participate in any design, construction, building, or furnishings industry organizations.

3.0 APPLICATION FOR CERTIFICATION

3.1 QUALIFICATION AND APPLICATION.

A. In accordance with Business and Professions Code, section 5801, the CCIDC shall, upon written request, provide any Certified Interior Designer with a stamp, certificate and identification card which shall bear the name of and include a number identifying that Certified Interior Designer. The stamp, certificate and identification card certifies that the interior designer has provided CCIDC with evidence of passage of an interior design certification examination approved by CCIDC and any of the following:

1. He/she is a graduate of a four or five-year accredited interior design degree program, and has two years of diversified interior design experience; or

2. He/she has completed a three-year accredited interior design certificate program, and has three years of diversified interior design experience; or

3. He/she has completed a two-year accredited interior design certificate program, and has four years of diversified interior design experience; or

4. He or she has at least eight years of interior design education, or at least eight years of diversified interior design experience, or a combination of interior design education and diversified interior design experience that together total at least eight years.

B. Applicants shall be required to submit with their applications for certification a signed acknowledgment of their receipt and review of the Code of Ethics and Professional Conduct.

C. Applicants shall be required to submit the following as evidence of Educational and/or Interior Design Experience and passage of the required interior design certification examination:

1. Copy of college transcript and/or technical school records with official seal.

2. Completed Application for Certification listing diversified interior design experience.

3. Through December 31, 2012, completed verification form signed by an official of the examining body for a) the CQRID exam, b) or the NCIDQ exam, or c) both parts of the NKBA exam, verifying passage of one of these required interior design certification examination, plus passage of e) the CCRE which will be provided by CCIDC. Effective January 1, 2013, the IDEX California will be the only interior design certification examination used by CCIDC.

D. Applicants shall provide a copy of their driver's license with photo, with their application for certification;

E. Applicants shall be required to complete any portions of the application for certification disclosing any and all felony criminal convictions in any jurisdiction, including but not limited to the time and place of the incident resulting in the felony conviction and the nature of the conviction. The Applicant, however, may also submit along with the application for certification an explanation of the felony criminal conviction for the Board's review along with the application for certification.

3.2 DURATION AND RENEWAL OF CERTIFICATION.

A. Expiration of certification and renewal of unexpired certification.

All Certificates issued under Chapter 3.9 of the Business and Professions Code shall expire twenty-four (24) months after the issue date. Certification shall remain in full force and effect until revoked or suspended for

cause, or until expiration, and shall be renewable every two (2) years. To renew an unexpired certificate, the Certified Interior Designer shall, on or before the expiration date of the certification, apply for renewal on a form prescribed by CCIDC and pay the renewal fee.

B. Renewal of expired certification.

A certificate which has expired may be renewed at any time within four (4) years after its expiration by filing an application for renewal on a form prescribed by the Board, and paying the renewal fee in effect. If the certification is renewed more than thirty (30) days after its expiration date, the certificate holder, as a condition precedent to renewal, shall also pay the delinquent administrative fee of \$100.. Renewal shall be effective on the date the application is received by CCIDC, the date all renewal fees are paid, and/or the date the delinquent administrative fee, if applicable, is paid. If so renewed, the certification shall continue in effect through the date provided, when it shall expire if it is not again renewed. Upon renewal of certification as provided above, the Board shall issue to the Certified Interior Designer a new identification card and stamp setting forth the next expiration date.

If the certification is renewed more than thirty (30) days after its expiration date, as a condition precedent to renewal the certificate holder shall pay the delinquent administrative fee of \$100 referenced above as well as all back fees due at that time. For purposes of this paragraph, back fees shall be based on all fees due CCIDC as if the certificate holder's certification has not expired.

C. Failure to renew an expired certification within four (4) years after initial expiration:

A certificate, which is not renewed within four (4) years after its initial expiration may not thereafter be renewed, restored, reissued, or reinstated. The holder of the expired certification may apply for re-certification and obtain a new certificate if:

1. No fact, circumstance, or condition exists which, if the certification were issued, would justify its revocation or suspension;
2. The applicant pays all of the fees which would be required of the applicant if the applicant were then applying for the certification for the first time; and
3. The applicant takes and passes the current applicable interior design certification examination.

3.3 CERTIFICATION BY RECIPROCITY

A. An applicant for certification by reciprocity shall furnish proof satisfactory to the Board that:

1. The applicant is legally recognized and in good standing as an interior designer in a jurisdiction of the United States or Canada with requirements that are substantially equivalent to the requirements of Chapter 3.9 of the Business and Professions Code governing Certified Interior Designers in this state; and

2. Provides evidence of passage of the IDEX California interior design certification examination, or equivalent as determined by CCIDC from time to time.

3.4 FEES AND REVENUE.

A. Fee Schedules, Penalties, and Delinquency Fees.

The renewal fees shall be fixed in accordance with the following schedule:

1. The fee for the initial two (2) year certification shall be two hundred fifty dollars (\$250) in addition to a one-time nonrefundable one hundred dollars (\$100) application and processing fee.

2. The fees for a replacement certificate shall be \$50.00, a replacement I.D. card shall be \$35.00, and a replacement stamp shall be \$75.00.

3. The biannual renewal fee shall be two hundred fifty dollars (\$250).

4.0 ISSUANCE OF CERTIFICATION

4.1 ISSUANCE OF CERTIFICATION

A. Upon proof having been made to the satisfaction of CCIDC that the qualified applicant has passed the required interior design certification examination and payment of the certification fee prescribed by Section 3.4, CCIDC shall issue certification to the applicant showing that the person named therein is a Certified Interior Designer in the state of California.

4.2. GROUNDS FOR DENIAL OF APPLICATION FOR CERTIFICATION

A. CCIDC may deny or refuse to issue certification to any applicant who does not meet the criteria established by these Administrative Rules and Regulations, and Chapter 3.9 of the Business and Professions Code, as they now exist or as may be hereinafter adopted by the CCIDC Board or the California legislature.

B. CCIDC may deny or refuse to issue certification to any applicant who has, in the Board's determination upon review of evidence of same, committed any act, or omission, which if committed by a Certified Interior Designer, would constitute grounds for disciplinary action under these Administrative Rules and Regulations.

4.3 RECORDS; INDEX

A. CCIDC shall keep a record of the names and addresses of all Certified Interior Designers and such additional personal data as CCIDC determines to be appropriate. CCIDC shall maintain a proper index and record of each certification issued.

B. CCIDC Board and/or its legal counsel may develop policies and rules regarding disclosure of confidential information concerning individual Certified Interior Designers to the public.

4.4 DURATION OF CERTIFICATION

A. Certification is renewable every two (2) years.

B. Certification shall remain in full force and effect until revoked or suspended for cause, or until expiration.

4.5 REPLACEMENT OF LOST CERTIFICATES, STAMP OR IDENTIFICATION CARD

A. A replacement certificate, stamp or identification card, in place of one that has been lost, destroyed, or mutilated, shall be issued upon proper application, subject to these Administrative Rules and Regulations. A replacement fee fixed by Section 3.4 shall be charged.

4.6 CHANGE OF ADDRESS; NOTICE; PENALTY

A. Each Certified Interior Designer shall notify CCIDC of any change of preferred mailing address.

4.7 USE OF STAMP AND SIGNATURE ON PLANS

A. Each Certified Interior Designer will, upon certification, receive a stamp of the design authorized by CCIDC. Each Certified Interior Designer shall sign, date, and indicate his/her certification number on all plans, specifications, and other instruments of service and contract documents prepared for others.

4.8 USE OF TITLE CERTIFIED INTERIOR DESIGNER

A. Each Certified Interior Designer is granted permission to use the title "Certified Interior Designer" or "CID" and his/her certification number in conjunction with his/her name while their certification is in good standing. The title and number shall not be used with a business or corporate name, and no title may be used if the individual's certification has been suspended or revoked. Failure to comply with this section constitutes grounds for disciplinary action.

B. CCIDC may bring an action to enjoin an individual from using the title Certified Interior Designer or impersonating a Certified Interior Designer if that individual is not in fact a Certified Interior Designer, if his/her certification is not active and in good standing, or for some other valid reason under California Business and Professions Code Section 17200 or other applicable California law.

5.0 DISCIPLINE

5.1 INVESTIGATIONS: SUSPENSION OR REVOCATION OF CERTIFICATION

CCIDC may, on its own motion, or upon receipt of a verified written complaint from any person, investigate the actions of any Certified Interior Designer, and may revoke or suspend their certification for a period of not more than two years if found to have committed any one or more of the acts or omissions constituting grounds for disciplinary action under these Administrative Rules and Regulations.

5.2 TIME FOR DISCIPLINARY ACTION: LIMITATION

A. All complaints against a Certified Interior Designer shall be filed within two (2) years of the occurrence of the alleged act or omission giving rise to possible disciplinary action, except that a complaint alleging a violation of Section 5.6 may be filed within two (2) years after the discovery by CCIDC of the facts constituting the alleged fraud or misrepresentation prescribed by Section 5.6.

B. Any complaint not filed within the time provided in this section shall be barred, and no action against a Certified Interior Designer shall be commenced under the provisions of this Article 5.

5.3 POWERS AND PROCEEDINGS BY THE BOARD REGARDING DISCIPLINARY MATTERS

A. The powers and proceedings used by the CCIDC Board relating to disciplinary actions outlined in this Article 5 will be consistent with applicable law, including Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code (Sections 11500 to 11528) and Article 5 of Chapter 3 of Part 2 of Division 2 of Title 1 of the Corporations Code (Sections 5340 to 5342). Additional powers and proceedings may further be developed by CCIDC and legal counsel when determined to be in the best interest of CCIDC and the Certified Interior Designers.

5.4 EXPIRATION OF SUSPENDED OR REVOKED CERTIFICATION RENEWAL

A. A suspended certification may be eligible for renewal as provided in section 3.2 during the suspension period. Notwithstanding a renewal of certification, any suspension shall remain in effect during the suspension period and a suspended certification may not act as a Certified Interior Designer until the expiration for the suspension period.

B. A revoked certification is subject to expiration as provided in this article and may not be renewed. If it is reinstated, as determined by CCIDC, after its expiration, the holder of the revoked certification, as a condition precedent to its reinstatement, shall pay a reinstatement fee in an amount equal to the renewal fee in effect on the last regular renewal date before the date on which it is reinstated, plus all applicable late fees and other applicable charges.

5.5 VIOLATION AS GROUNDS FOR DISCIPLINE IN GENERAL

A. A certificate holder's violation of any of the provisions of these Administrative Rules and Regulations or Code of Ethics and Conduct constitutes grounds for disciplinary action.

5.6 FRAUD IN OBTAINING CERTIFICATION

A. The fact that the holder of a certification has obtained the certification by fraud or misrepresentation constitutes a ground for disciplinary action.

5.7 FRAUD IN PERFORMANCE AS CERTIFIED INTERIOR DESIGNER

A. The fact that the holder of a certification has been found by a court or other forum of competent jurisdiction to have been guilty of fraud, deceit, or breach of contract, constitutes grounds for disciplinary action.

5.8 GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

A. The fact that the holder of a certification has been found by a court or other forum of competent jurisdiction to be guilty of gross negligence or willful misconduct constitutes grounds for disciplinary action.

5.9 GROSS INCOMPETENCE

A. The facts that the holder of a certification has been found guilty of gross incompetence by a court or other forum of competent jurisdiction constitute grounds for disciplinary action.

5.10 SIGNING OTHERS' PLANS OR INSTRUMENTS; PERMITTING MISUSE OF NAME

A. The fact that the holder of a certification has affixed his/her signature, or stamp, or has permitted the use of his/her name to, or on plans, drawings, specifications, or other instruments of service not prepared by him/her or under his/her immediate and responsible direction, or has permitted his/her name, signature, or stamp to be used for the purpose of assisting any person, not a Certified Interior Designer, to evade the provisions of this section, constitutes a ground for disciplinary action.

5.11 NOTIFICATION ISSUANCE; CONTENTS; SERVICE; REVIEW OF VIOLATION; FINDINGS OF FACT

A. CCIDC may, upon receipt of a verified written complaint, or on its own motion, review and investigate any actions and alleged violation(s) of any Certified Interior Designer, or Non-certified interior designer. CCIDC, or its authorized representative, may contact such person to discuss and resolve the alleged violation. Upon conclusion of the review, the CCIDC's authorized representative shall prepare a finding of fact and a recommendation based upon the finding to which the CCIDC Board shall give due consideration in determining whether cause for disciplinary action exists. If, upon completion of such review and investigation, the CCIDC Board has cause to believe that a Certified Interior Designer or a Non-certified interior designer has violated the provisions of this Article 5.0, they shall so notify such individual in writing ("Notification"). Such Notification shall be in writing and shall describe with particularity the nature of the alleged violation, including a reference to the provision of this Article 5.0 alleged to have been violated. The Notification shall be served upon such person by registered or certified mail or as otherwise required by law

5.12 CONTEST OF NOTIFICATION PROCEDURE

A. If a Certified Interior Designer or an Non-certified interior designer desires to contest a Notification he or she shall, within ten (10) business days after service of the Notification notify the Executive Director of CCIDC in writing of his/her request for an informal conference with the Executive Director, or his/her designee. The Executive Director or his/her designee shall, within sixty days (60) from the receipt of the request, hold an informal conference, at the conclusion of which he/she may affirm, modify, or dismiss the Notification. The

Executive Director or his/her designee shall state with particularity, in writing, his/her reasons for such action, and shall immediately transmit a copy to each party to the original complaint.

1. If the Certified Interior Designer or Non-certified interior designer desires to contest a decision made after the informal conference, he/she shall inform the Executive Director in writing within ten (10) business days after he/she receives the decision resulting from the informal conference.

B. If the Certified Interior Designer or Non-certified interior designer fails to notify the Executive Director in writing that he/she intends to contest the Notification or the decision made after an informal conference within the time specified in this section, the Notification or the decision made after the informal conference shall be deemed a final order of CCIDC and shall not be subject to further administrative review.

C. Where a Certified Interior Designer or a Non-certified interior designer has in a prescribed manner notified the Executive Director of his/her intent to contest the decision made after the informal conference, the CCIDC Board shall afford an opportunity for a hearing. The CCIDC Board shall thereafter conduct a hearing and receive evidence and/or testimony in support or denial of the complaint. Based on its review of the evidence and/or testimony presented at the hearing and its findings of fact, the CCIDC Board shall issue a decision affirming, modifying, or vacating the Notification, or directing other appropriate relief which shall include, but not be limited to, an order that a Certified Interior Designer's or an Non-certified interior designer's failure to comply with any provision of CCIDC Board's decision constitutes grounds for suspension, denial or revocation of certification. The CCIDC Board's decision after hearing shall be final. All such action taken herein by the CCIDC Board may further be taken by a committee of the CCIDC Board, if permitted by the By-laws of CCIDC.

D. The rights of any Certified Interior Designer to appeal the Board's final decision shall be subject to applicable laws, including but not limited to the one year statute of limitations outlined in Sections 5340 or 5341 of the California Corporations Code.

CCIDC BOARD POLICIES

CCIDC BOARD POLICIES INDEX

Category	Policy	Subject	Approval
Finance	1.1	Not Used	-
	1.2	Check Authorization and Signature Policy (Revised)	09/25/10
	1.3	Not Used (Deleted 09/25/10)	-
	1.4	Corporate Loans (Revised)	09/25/10
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Board Operations	2.1	Position Statements and Confidentiality (Revised)	09/25/10
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	2.4	Prevention of Sexual Harassment (Revised)	09/25/10
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	4.4	Graphic Standards (Revised)	09/25/10
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	6.4	Schedule and Procedure for Submitting Information to the Board of Directors (Revised)	09/25/10
	6.5	Distribution of Board of Directors Meeting Minutes (Revised)	09/25/10
	6.6	Directors Per Diem Reimbursement (Revised)	09/25/10
	6.7	Director Retention of Board of Directors Materials (Revised)	09/25/10
	6.8	Ensure Communication at All Levels (Revised)	09/25/10
	6.9	Method for Release of CID Roster (Revised)	09/25/10

FINANCE

Policy 1.2 Check Authorization and Signature Policy

Purpose: To establish expenditure authorization and check signature procedures in accordance with independent auditor recommendations and insurance coverage requirements.

Intent: To identify CCIDC representatives who are authorized to approve expenditures and sign corporate checks.

1. Payment of invoices must be authorized in advance by the officer of the appropriate jurisdiction or committee responsible for the expenditure. The Executive Director may authorize expenditures related directly to expenditures necessary for office administration.
2. All checks shall require one or more of the following signatures: Executive Director, Chair, or Treasurer.
3. The Executive Director will be responsible for the accountability of all blank checks for all program accounts.
4. For all checks under \$5,000.00 one (1) signature will be required. For all checks over \$5,000.00 two (2) signatures will be required.
5. The Accounting Department will record checks in the check register by jurisdiction/committee and program when checks are issued.
6. Whenever possible, checks should be issued directly to vendors and only under exceptional circumstances to staff.
7. Under no circumstances may checks be made payable to "bearer" or "cash".
8. Under no circumstances will blank checks be signed.
9. All bank statements and related correspondence will be mailed to the Treasurer's office, or home, directly by the bank. Reviewed and forwarded to the Executive Director.

Approved: 09/25/2010

FINANCE

Policy 1.4 Corporate Loans

Purpose: To establish guidelines for making, or receiving corporate loans, to or from other corporations, banks or individuals.

Intent: To insure CCIDC takes a responsible position in the administering of its funds and the disposition of same.

1. All consideration for any loan(s) should be made by the full board and voted thereon.
2. All loan agreements must be approved by the corporate attorney before being signed.
3. All loan agreements should be signed by the Chair, or in the absence of same, another appropriate officer such as Vice Chair or Treasurer.
4. The administration of all loans shall be the responsibility of the Executive Director including collection and final disposition.
5. All loans shall be in the sole interest of the organization only and no personal loans of any kind shall be made to the board, staff or any other individual.
6. All loans shall bear interest at an appropriate rate close to market rates in effect at that time for similar loans.

Approved: 09/25/2010

BOARD OPERATIONS

Policy 2.1: Position Statements and Confidentiality

Purpose: No Board Member, Committee Member or Staff may make “position statements” or opinions inconsistent with the Board.

Intent: To avoid misrepresentation of CCIDC as a whole, this policy has been established to remind officers, committee members, Directors and staff members of their legal responsibility to the Corporation.

1. No officer, committee member, Director or staff member may represent opinions about CCIDC business issues or actions, unless those opinions have been approved in advance by the Board of Directors. A member may express his/her personal opinions if clearly stated that it is not necessarily the position of CCIDC.
2. Those matters, which have been deemed confidential by the Board of Directors, are not to be discussed outside of meetings of the Board or its committees without the express permission of the Chair.

Approved: 09/25/2010

BOARD OPERATIONS

Policy 2.3 Conflicts of Interest

Purpose: To ensure that all volunteers, staff and members of the Board of Directors of CCIDC who act on behalf of CCIDC think individually, are motivated by the best interests of CCIDC, act in furtherance of the organization's mission, and are not compromised by outside interests.

1. For the purpose of this policy, Aconflicts of interest@ occur whenever a volunteer, member of the CCIDC staff, or a member of the Board of Directors acts in a position of authority on an issue in which he or she, (1) directly; (2) through an entity in which he or she has a material financial interest; or (3) through a family member, has financial or other interest.
2. Conflict of interest situations should be avoided whenever possible, and otherwise disclosed and handled in good faith. Specifically:
 - a. Members of the board shall perform the duties of a director, including the duties of a member of any committee of the board upon which the director may serve, in good faith, in a manner such director believes to be in the best interests of CCIDC and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.
 - b. Members of the board shall fully disclose if they have a family or social relationship with any person who seeks to contract services or business with CCIDC and abstain from voting on any such proposed contracts.
 - c. Should any actual or potential conflict of interest affect the ability of a person to carry out any position of responsibility, such person may: (1) be required by the Board of Directors to decline any nomination or appointment or resign their position; or (2) be prohibited by the Board of Directors from participating in the particular situation or decision making process.

Approved: 09/25/2010

BOARD OPERATIONS

Policy 2.4 Prevention of Sexual Harassment

Purpose: To ensure that all volunteers, employees and members of the Board of Directors of CCIDC are free from sexual harassment while performing work for or on behalf of CCIDC.

1. Sexual harassment in employment violates both state and federal law and, accordingly, will not be tolerated by any volunteer, employee or member of the Board of Directors of CCIDC.

2. According to the United States Equal Employment Opportunity Commission (EEOC), sexual harassment consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual or sex-based nature when (1) submission to that conduct is made either explicitly or implicitly a term or a condition of an individual's employment; (2) an employment decision is based on an individual's acceptance or rejection of that conduct; or (3) that conduct interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
3. It is also unlawful to retaliate or take reprisals in any way against an employee who has articulated a good faith concern about sexual harassment or discrimination against him or her against another individual. CCIDC will not retaliate against a volunteer, employee, or member of the Board of Directors for filing a complaint and will not tolerate or permit retaliation by volunteers, employees or members of the Board of CCIDC.
4. If you believe that you have been unlawfully harassed, provide a written complaint to the President as soon as possible after the incident. Your complaint should include details of the incidents, names(s) of the individual(s) involved and names of any witnesses. CCIDC will immediately undertake an effective, thorough and objective investigation of the harassment allegations.
5. If CCIDC determines that unlawful harassment has occurred, effective remedial action will be taken in accordance with circumstances involved. A volunteer, employee or member of the Board of Directors of CCIDC determined to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination of his or her relationships with CCIDC.
6. CCIDC requires all volunteers, employees, and members of the Board of Directors to report any incidents of harassment forbidden by this policy **immediately** so that complaints can be quickly and fairly resolved. You should also be aware that the EEOC and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment in employment. If you think that you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

Approved: 09/25/2010

EDUCATION

Policy 3.1: CEU Requirements for Certified Interior Designers.

Purpose: To establish the requirement of Continuing Education Units (CEU's) to maintain Certified Interior Designer (CID) status.

Intent: To establish the number of CEU's required for maintaining CID status and the enforcement of this mandatory requirement.

1. Every active Certified Interior Designer is required to successfully complete continuing education courses equivalent to 1.0 or 10 hours Continuing Education Units (CEU's) during each two-year period.
2. It is the responsibility of each active Certified Interior Designer to report to CCIDC his or her completed CEU course credits online on the CEU Registry at the time of certificate renewal.
3. CCIDC accepts all approved courses by the Interior Design Continuing Education Council or any Interior Design organization (i.e. IIDA, ASID, IFDA, IDS, NKBA, etc.) AIA approved courses must be relevant to the practice of Interior Design. As of July 1, 1997, all courses approved by IDCEC, IIDA and ASID, are registered with NCIDQ. Contact NCIDQ for a transcript of courses taken after July 1, 1997.
4. Activities for which CEU credit **is not intended**: Association membership, leadership activities, committee meetings/activities; Professional exam preparation; Entertainment and recreation. Mass media programs (TV, radio, newspaper) do not qualify unless they are an integral part of a planned continuing education experience qualifying under CEU criteria. Some meetings, conventions and exhibits, (only planned learning activities within such events are eligible for CEU credit.) Tours without specific lecture time by qualified lecturers; work experience; Youth programs; Individual scholarship such as articles, books, research projects, presentation of papers, or teaching.
5. Instructors may receive CEU credit for preparing and offering an IDCEC approved CEU for the first time only that the course is offered. The CEU credit is equivalent to the CEU credit received by participants.

Approved: 09/25/2010

LEGAL

Policy 4.1: Member Appellations

Purpose: To establish the correct use of the appellation by Certified Interior Designers.

Intent: To ensure proper representation and application of the Certified Interior Designer appellation.

1. If the initials are used they should always be capitalized and not separated with periods or other punctuation.
2. CIDs in good standing may use the following appellations immediately following their name:

- a.) Certified Interior Designer (preferred usage)
 - b.) CID
 - c.) Certified Interior Designer # (insert actual number).
 - d.) Certified Interior Designer # (insert actual number) in the State of California.
 - e.) Certified Interior Designer in the State of California.
- 3. No Certified Interior Designer shall imply in any way whatsoever that they are “State” certified or have been certified by any “State” agency.
 - 4. “Delinquent” or “Expired” CID’s are not entitled to use any CID designation.
 - 5. Design firms, dealerships, manufacturers, or architectural firms may not imply the firm is certified, even when one or more employees of the firm are CIDs in good standing.
 - 6. Violations of the appellation policy will be monitored by the CCIDC through formal notification to the identified individual or firm by the Executive Director. If, after two notifications to the identified individual or firm, the violation continues, the Executive Director shall notify them by mail to cease and desist. Failure to comply with the cease and desist letter will result in action in accordance with Section 17200 of the California Business and Professions Code, the unfair business practices act.

Approved: 09/25/2010

LEGAL

Policy 4.2: Election of Officers

Purpose: To establish a process by which candidates for office are selected and voted upon by the Board of Directors.

Intent: To insure proper procedures are followed consistent with the CCIDC Bylaws.

- 1. The officers of the corporation are the Chair, the Vice Chair, the Secretary, and the Treasurer. Officers shall serve for one-year terms at the pleasure of the Board.
- 2. For duty descriptions of officers refer to the CCIDC Bylaws, Chapter 4.
- 3. A request for nominations for officer positions shall be E-mailed to the entire board not less than 60 days prior to the Annual Meeting. Such nominations shall be returned to the Elections Officer within 15 working days or considered void if received after that time. A board member may be

nominated to more than one position, but elected to only one position. A board member who is nominated for office(s) must accept the nomination for office(s) within ten (10) days. Written acceptances shall be mailed or faxed to the Elections Officer. The Elections Officer shall be the highest-ranking staff position of the corporation.

4. The Elections Officer shall count each vote and the person with the most votes shall be duly elected to that position. If there is a contested election, then any member of the board may call for the vote again and a recount.
5. The Elections Officer shall tabulate the votes for the office of Chair first, Vice Chair second, Secretary third and Treasurer fourth. Any person who was nominated for more than one office and who is elected to an officers position shall automatically be disqualified from subsequent offices. In the event there is a tie vote for an office the Elections Officer shall call for another vote for that office. If after three (3) votes a tie vote remains, the Elections Officer shall ask the candidates who are tied to step outside the room. A discussion by the remaining board members shall try to resolve the tie vote. The candidates who are tied shall rejoin the board and the three (3) vote cycle shall begin again. This cycle shall continue until a person is elected to the office in question. No other office in the election sequence shall be tabulated until the previous office is elected.
7. If a candidate wishes to prepare a one page biographical data sheet and statement it will be sent to each board member as long as it is received prior to 30 days before the Annual Meeting.

Approved: 09/25/2010

LEGAL

Policy 4.3: Contracts for Services and Products

Purpose: To ensure that all agreements with outside parties for services and products are established within accepted business practices which protect CCIDC from undue risk.

Intent: To establish a procedure that minimizes CCIDC's exposure to risk.

1. In furtherance of its purposes, CCIDC regularly enters into agreements for services and products with outside parties. All agreements should: be conducted efficiently and professionally; reflect the highest standards of business ethics; strive to ensure that the services and/or products involved are of the highest quality; be documented thoroughly; and protect CCIDC's proprietary interests.
2. All agreements for services or products must be conducted through written contracts and not on the basis of oral understanding.

3. All contracts for services or products, which are within the budget approved by CCIDC's Board of Directors, must be signed by the Executive Director after consultation with the appropriate board officer of jurisdiction.
4. All contracts for services or products which are not within the budget approved by CCIDC's Board of Directors must first be approved by the Officer of Jurisdiction, Secretary, Treasurer and Chair.

Approved: 09/25/2010

LEGAL

Policy 4.4: Graphics Standards

Purpose: This manual contains a description and approved criteria for use for each component of a unique and powerful graphics program for use by CCIDC and the Board of Directors. The purpose of the guidelines is to insure the display of a unified and consistent image of California Certified Interior Designers.

The objectives of this manual are:

- A. Provide a concise description of each piece within the graphics program.
- B. Provide examples of the proper use of each piece.
- C. Provide information for CCIDC, Board of Directors and California Certified Interior Designers reference.
- D. Provide guidelines for use of the CCIDC logo and IDEX logo in collateral material produced by CCIDC and used by Certified Interior Designers in California.

Approved: 09-25-2010

LEGAL

Policy 4.5: Code of Ethics and Conduct

Purpose: To establish minimum standards of behavior and conduct for Certified Interior Designers.

Intent: To provide the public, legislators, and the profession of Interior Design with standards of conduct and behavior for Certified Interior Designers.

1. Preamble

Certified Interior Designers shall conduct their interior design practice in a manner that will encourage the respect of clients, fellow interior designers, the interior design industry and the general public. It is the individual responsibility of every CID to abide by the Code of Ethics and Conduct, Bylaws, Policies and Position Statements of CCIDC.

2. Definitions

The terms used in this Code shall be defined in the same manner in which they are defined in the Bylaws, Policies and Position Statements of CCIDC.

3. Responsibility to the Public

- A. In performing professional services, a Certified Interior Designer shall exercise reasonable care and competence, and shall take into account all applicable laws, regulations and codes.
- B. In performing professional services, a Certified Interior Designer shall at all times consider the health, safety, and welfare of the public.
- C. In performing professional services, a Certified Interior Designer shall not knowingly violate the law, nor counsel or assist a client in conduct the Certified Interior Designer knows, or reasonably should know, is illegal.
- D. A Certified Interior Designer shall not knowingly accept monies from a client for any installation or construction work that is required by law to be performed by a licensed contractor without holding such a license from the State.
- E. A Certified Interior Designer shall not permit his/her name, signature, or stamp to be used in conjunction with a design or project for which interior design services are not to be, or were not, performed by the Certified Interior Designer or under his/her responsible direction.
- F. A Certified Interior Designer shall not engage in any form of false or misleading advertising or promotional activities and shall not imply, through advertising or other means, that staff members or employees of his/her firm are Certified Interior Designers unless such be the fact.
- G. A Certified Interior Designer shall not make misleading, deceptive or false statements or claims about his/her professional qualifications, experience, or performance.
- H. A Certified Interior Designer shall not by affirmative act or failure to act, engage in any conduct involving fraud, deceit, misrepresentation or dishonesty in professional or business activity.

- I. In conduct of his/her professional activities, a Certified Interior Designer shall not discriminate on the basis of race, religion, gender, national origin, age, non-disqualifying handicap, or sexual orientation.
- J. In performing professional services, a Certified Interior Designer shall refuse to consent to any decision by his/her client or employer, which violates any applicable law or regulation, and which, in the Certified Interior Designer's judgment, will create a significant risk to public health and safety.

4. Responsibility to the Client

- A. A Certified Interior Designer shall undertake to perform professional services only when he/she, together with his/her consultants, is qualified by education, training or experience to perform the services required. (A Certified Interior Designer should not work outside their specific area of expertise).
- B. Before accepting an assignment, a Certified Interior Designer shall reasonably inform the client of the scope and nature of the project involved, the interior design services to be performed, and the method of remuneration for those services. A Certified Interior Designer shall not materially change the scope of a project without the client's consent.
- C. When accepting an assignment, a Certified Interior Designers should always have a contract, or letter of agreement, with the client that clearly spells out the scope of the work, the fees or costs associated with that scope of work, how and when those fees are to be paid by the client, when the work is expected to be completed, and a clause for legal remedies in the case of a dispute between the client and the Certified Interior Designer utilizing binding arbitration or other suitable forms of dispute resolution.
- D. A Certified Interior Designer shall disclose, in writing, to his/her employers and clients prior to the engagement, any direct or indirect financial interest that he/she may have that could affect his/her impartiality in specifying project-related goods or services, and shall not knowingly assume or accept any position in which his/her personal interests conflict with his/her professional duty. If the employer or client objects to such financial or other interest, the Certified Interior Designer shall either terminate such interest, or withdraw from such engagement.
- E. A Certified Interior Designer shall not reveal any information about a client, a client's intention(s), or a client's production method(s) which he/she has been asked to maintain in confidence, or which he/she should reasonably recognize as likely, if disclosed, to affect the interests of his/her client adversely. Notwithstanding the above, however, a Certified Interior Designer may reveal such information to the extent he/she reasonably believes is necessary to (1) stop any act which creates a significant risk to public health and safety and which the Certified Interior Designer is unable to prevent in any other manner; or (2) to prevent any violation of applicable law or this Code of Ethics.

5. Responsibility to Other Certified Interior Designers and Colleagues

- A. A Certified Interior Designer shall pursue his/her professional activities with honesty, integrity and fairness, and with respect for another interior designer's or colleague's contractual and professional relationships.
- B. A Certified Interior Designer shall not initiate or participate in any discussion or activity, which might result in an unjust injury to another interior designer's or colleague's reputation or business relationships.
- C. A Certified Interior Designer shall not accept instruction from his/her clients, which knowingly involves plagiarism, nor shall he/she consciously plagiarize another's work.
- D. A Certified Interior Designer shall not endorse the application for certification of an individual known to be unqualified with respect to education, training, experience, or character, nor shall he or she knowingly misrepresent the experience, professional expertise, or moral character of that individual.
- E. A Certified Interior Designer shall only take credit for work that has actually been created by that designer or the designer's firm and under the designer's direction.

6. Responsibility to the Profession

- A. A Certified Interior Designer agrees to maintain standards of professional and personal conduct that will reflect in a responsible manner to the profession.
- B. A Certified Interior Designer shall seek to continually upgrade his/her professional knowledge and competency with respect to the interior design profession.
- C. A Certified Interior Designer agrees, whenever possible, to encourage and contribute to the sharing of knowledge and information between Certified Interior Designers and other allied professional disciplines, industry, and the public.
- D. A Certified Interior Designer shall not knowingly make false statements or fail to disclose any material fact requested in connection with his/her application or the renewal thereof.

Approved: 6/24/03

LEGAL

Policy 4:6: Disciplinary Procedures

Purpose: To establish procedures to conduct disciplinary proceedings and consider alleged violations of the Bylaws, Code of Ethics and Conduct and other policies, or any other conduct to be detrimental to the best interest of CCIDC.

Intent: To provide the Board of Directors with procedures to conduct disciplinary proceedings and consider alleged violations.

1. The Complaint

- A. The individual against whom a complaint is made shall currently hold Certified Interior Designer status.
- B. All complaints against a CID shall be filed within two (2) years of the occurrence of the alleged act, except that a complaint alleging a violation of Section 3.F of the Code of Ethics may be filed within two (2) years after the discovery of the alleged false statements or failure to disclose, provided such discovery occurs no later than five (5) years after the date of the application for membership.
- C. All complaints shall be submitted in writing to the CCIDC office, shall be signed by the complaining party, and shall include a description of the alleged violation as well as specific references to the activities or conduct supporting the complaint.

2. Discipline

- A. The procedures for discipline shall be as described in the CCIDC Rules and Regulations, Item 5.0.

Approved: 8/23/97

EXECUTIVE

Policy 6.1: Reimbursable Travel Expenses for Board Members

Purpose: To reimburse for expenses incurred for travel on CCIDC's behalf.

Intent: To establish criteria for reimbursement.

- 1. It is the responsibility of each board member to keep their expenses on behalf of CCIDC to a minimum and not engage in activity that would incur frivolous or excessive charges to CCIDC.
- 2. Make travel reservations as early as possible in order to get lowest rates.
- 3. If CCIDC has determined specific overnight accommodations with a set lodging amount and you wish to make other arrangements, costs beyond the amount of the pre-arranged lodging will be the responsibility of the individual.
- 4. The following are guidelines for specific expense items:

- A. Meals and Lodging: Reasonable and customary costs associated with location and type of event if not otherwise provided by CCIDC.
 - B. Mileage: At current IRS standard.
 - C. Try to use a shuttle to and from airports, or share a cab.
5. All expenses must be submitted on a CCIDC approved expense form available from the CCIDC office along with all receipts. Lack of receipts will result in non-reimbursement of those particular expense items.
6. Expenses will be paid within 5 working days upon receipt of expense forms.

Approved: 09/25/2010

EXECUTIVE

Policy 6.2: Protocol Guidelines for CCIDC Board of Director Presence at Events.

Purpose: To establish proper procedure for requesting Board of Director presence at an industry or public event.

Intent: To gain maximum benefit for CCIDC and the Host from CCIDC Board of Director presence.

The following recommendations may apply, when a request is made to have a CCIDC Board of Director present at an event.

1. The request needs to be made at least thirty (30) days before the planned event to the Executive Director at CCIDC in writing. The request should contain the following information.
 - A. A statement of the event scope and purpose.
 - B. A statement of expenses, if any, to be incurred by the CCIDC Director.
 - C. A statement of expectations, i.e. a welcome address, a speech, a jury, a reception, etc.
 - D. A statement addressing ground travel arrangements and how they will be provided.
 - E. A statement addressing air travel and lodging arrangements, if any, to be incurred.
2. The reply, which will be forwarded to the Host by the Executive Director, will include the following:
 - A. A press release to be made available to all newspapers and publications describing the visiting CCIDC Director profile, etc.
 - B. A request for a preliminary schedule for the visiting CCIDC Director.
 - C. A request for additional information and details of the event.
 - D. A request for a script or topic if a speech or address is to be given.
 - E. A request for local contact information – name, cell phone, E-mail address, etc.
 - F. A request for a description of the dress requirements for the entire event.

- G. A request for a list of event organizers, and other Guests involved in the event.
 - H. A request for a seating plan for the CCIDC Director where applicable.
3. Introductions for all visiting CCIDC Directors should follow common courtesy guideline.
- A. The Host entity and/or event speaker shall recognize each CCIDC Director in an appropriate order, i.e. Chair, Vice Chair and Board members.
 - B. At the conclusion of the event the speaker should thank the CCIDC Director, or guests.
 - C. Social introductions would follow the same format as described under 3A.
4. Follow Up:
- A. The event contact will provide a list of special participants, which deserve a “Thank You” from the CCIDC Director.
 - B. The event contact will respond in kind to the CCIDC Director.
 - C. The event contact will keep CCIDC informed and will provide any and all press articles and opportunities generated from the event and CCIDC Director presence.

Approved: 09/25/2010

EXECUTIVE

Policy 6.3: Required Attendance at Board of Directors Meetings

Purpose: To encourage maximum attendance for all Board of Directors Meetings.

Intent: To insure maximum representation.

1. A member of the Board of Directors must attend at least two Board meetings per year.
2. A Director who is unable to attend a Board meeting must notify the Chair or Executive Director not later than 30 days prior to the meeting.
3. Should a Director know well in advance that he or she is unable to attend a meeting or meetings, the Director may resign from office. In accordance with Chapter 3, Section 3.4 of the Bylaws, the resigning Director shall provide written notice of his or her resignation to the Chair or to the Board.

Approved: 09/25/2010

EXECUTIVE

Policy 6.4: Schedule and Procedure for Submitting Information to the Board of Directors.

Purpose: To bring items of business to the Board of Directors in a timely and efficient manner.

Intent: To expedite the conduct of business at Board of Director meetings.

1. Reports or other actions requiring a Board of Directors vote must be on the official agenda in order to have action taken during that particular meeting. To request agenda space for any business coming before the Board of Directors, a written request must be directed to the Chair 21 days in advance of the next regularly scheduled meeting. Requests normally are to be made by the Director or Committee Chair of Jurisdiction.
2. A written report and any related materials for consideration must be mailed, or E-mailed, to the Executive Director at the CCIDC office, and the Director or Committee Chair of Jurisdiction so that they are received no later than 14 days prior to the first day of the scheduled meeting.
3. The copy mailed to the Executive Director must be accompanied by an appropriate instruction for copying and distribution.
4. The Executive Director will contact the Chair to schedule appropriate time for agenda discussion.
5. The agenda and copies of all reports and any related materials for consideration will be sent to all Board of Director members so that they are received a full 7 days prior to the next scheduled meeting.
6. Board members are to read and fully familiarize themselves with the agenda materials prior to the Board meeting.
7. The submitted report should be concise, well organized, and provide adequate information and any recommended action for the Board of Directors to act upon. Any report prepared for the Board of Directors should answer the following questions:
 - A. What is the issue? (Definition)
 - B. What is the need for consideration of the issue and recommended action relative to the issue?
 - C. How does the consideration of the issue and recommended action support CCIDC's mission, purposes, vision, and change goals?
 - D. How long would implementation of the recommended action take? Who would be involved?
 - E. What cost would the recommended action involve?
 - F. What alternatives are to the recommended action?
8. Exception to this policy will be considered at the Chair's discretion.

Approved: 09/25/2010

EXECUTIVE

Policy 6.5: Distribution of Board of Directors Meeting Minutes

Purpose: To establish a procedure for distribution of Board of Directors Meeting Minutes.

Intent: To assure communication with the Board of Directors.

1. Staff will issue "Draft" meeting minutes within 30 working days after a board meeting, or conference call board meeting, where a quorum is present and a proper business meeting is conducted. Copies will be distributed to each director via E-mail.
2. Any changes, comments, additions or deletions to the meeting minutes shall be communicated to staff within 10 working days from receipt of same. Final decisions on any changes to the official meeting minutes shall be the responsibility of the board Chair.
3. It shall be deemed that the meeting minutes will become "Final" if no comments, changes, additions or deletions are received from the Board.
4. The meeting minutes shall be approved by a vote of the board at the next regularly scheduled board meeting.

Approved: 09/25/2010

EXECUTIVE

Policy 6.6: Directors Per Diem Reimbursement

Purpose: Explain the purpose of the Per Diem and when it gets paid.

Intent: To establish a clear policy regarding reimbursement of Per Diem.

1. In accordance with Chapter 3, item 3.11 of the CCIDC Bylaws, Directors will be paid a \$100.00 "per diem" for each meeting day that they attend. This is to be paid for Board of Director Meetings only and is not intended for committee meetings, director orientations, visits to schools or colleges, or other board or CCIDC business, with the exception for strategic planning meetings held the day prior to a regularly scheduled Board of Director Meeting in which case a per diem of \$50.00 will be paid to each director attending. Any deviation, even under special circumstances, must be approved by the Board and voted thereon.
2. The "per diem" does not apply to travel time unless it occurs on the same day as the meeting.
3. The "per diem" should be added to an expense report under "Miscellaneous" expenses clearly denoting the dates for which it is paid. It will be paid within 5 working days per the reimbursable expense policy.

4. A Form "1099" (IRS) will be issued to any Director who accrues \$600.00 or more in "per diem" in any given year.

Approved: 09/25/2010

EXECUTIVE

Policy 6.7: Director Retention of Board of Director Materials.

Purpose: That Directors retain all written Board of Directors materials.

Intent: To save duplication costs and additional postage.

1. It is the responsibility of each Director to retain for future reference all Board of Directors agenda books, meeting minutes, freestanding reports and other written communications to the Board of Directors so that they do not have to be reduplicated and redistributed for the past year.
2. With the exception of reports and information deemed to be of a confidential nature each Director should share appropriate Board of Directors information and materials with his or her associations.
3. Upon completion of his or her term of office, each Director should shred any confidential material such as financial data or unapproved meeting minutes, and discard the rest.

Approved: 09/25/2010

EXECUTIVE

Policy 6.8: Ensure Communication at all levels.

Purpose: To ensure communication at all levels within the organization.

Intent: To facilitate communication and response.

1. Prior to its disbursement all correspondence containing information relating to CCIDC shall be reviewed and edited, if necessary, by the Chair and the Executive Director.
2. All correspondence containing information relating to CCIDC sent to anyone shall be copied and sent to the CCIDC office.
3. All correspondence from any Board member to the CCIDC office shall be copied to the Chair.

Approved: 09/25/2010

EXECUTIVE

Policy 6.9: Method for Release of CID Roster

Purpose: To establish a method for release of CID Roster.

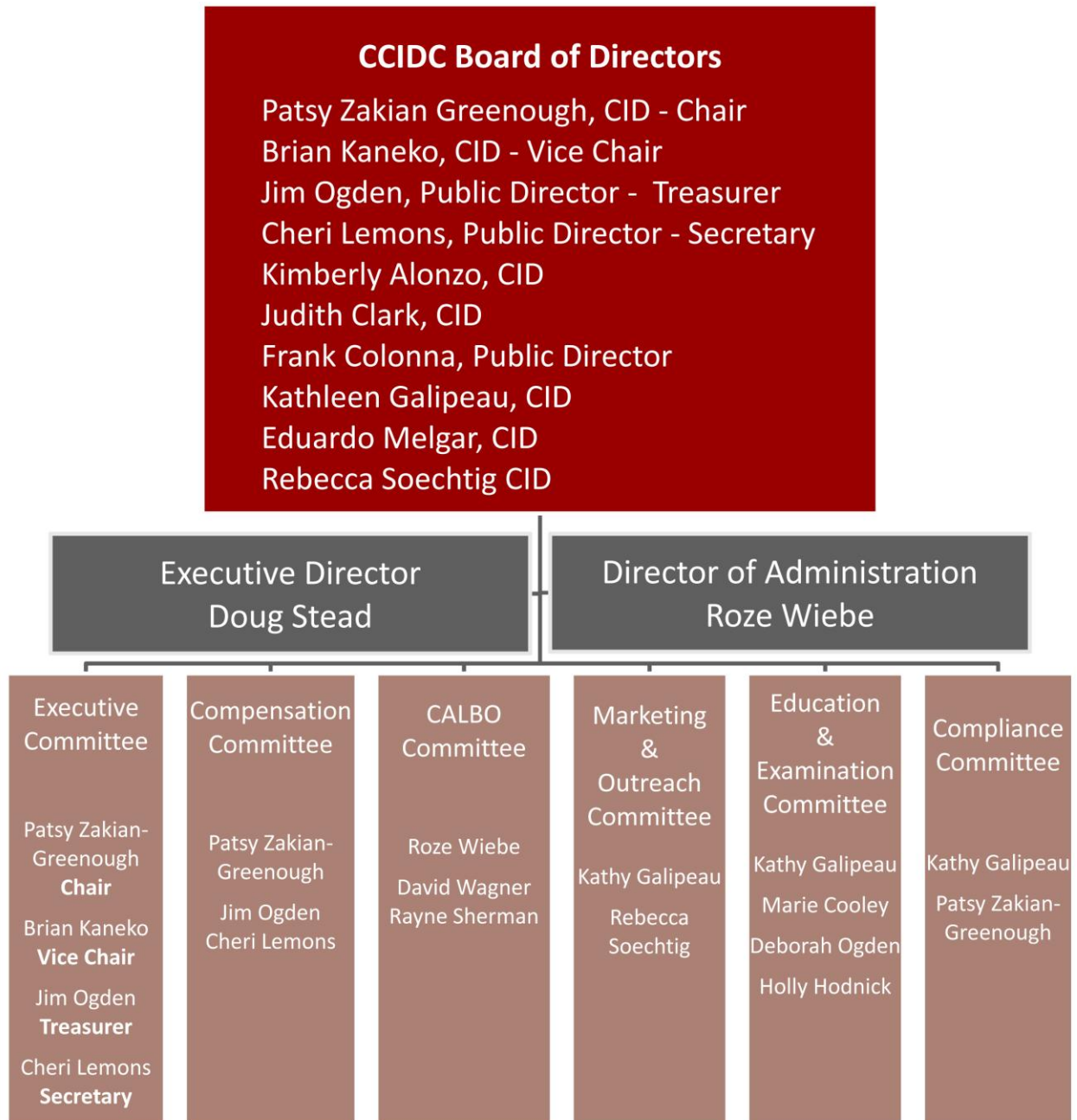
Intent: To provide an objective and consistent process for release of CID names and personal information and to control undesirable use or loss of privacy.

1. Under no circumstances will the CID Roster be made available in whole or in part to anyone in order to protect the privacy of all CID's. It may be made available in printed (paper) or electronic (E-mail) format to potential clients or consumers of interior design services wishing to obtain the names of CID's in their particular area or location. Such requests will only contain the name, business name, city and phone number.
2. Any party requesting to submit a piece of information to the CID Roster must first submit said piece of information to the Board for approval. If approved, CCIDC will submit said information to the CCIDC web master for insertion on the CCIDC web site, or for inclusion in the monthly CCIDC E-news.

Approved: 09/25/2010

CCIDC COMMITTEE ORGANIZATIONAL CHART

CCIDC ORGANIZATIONAL CHART OF THE BOARD'S CURRENT COMMITTEE STRUCTURE



SENATOR CRAVEN'S LETTER

SACRAMENTO OFFICE
STATE CAPITOL
SACRAMENTO, CA 95834
PHONE: (916) 445-3101
LEGISLATIVE OFFICE
2221 PA (DRAKE AIRPORT RD)
SUITE 100
CARLSBAD, CA 92008
PHONE: (619) 433-3014
FACSIMILE: (619) 433-3014
AREA 04-0001

Senate

California Legislature



WILLIAM A. CRAVEN
SENATOR
38TH DISTRICT

VICE CHAIRMAN
COMMITTEE ON RULES

December, 1991

Dear Building Official:


In 1990, I sponsored SB 153 which was chaptered into law. It establishes Certification of Interior Designers in the State of California as a means by which the public and local building officials could easily identify competent professionals qualified to work with building, life-safety, flammability and disabled access code issues for interior spaces.

Designers who are Certified under the provisions of Chapter 3.9, Section 5800 of the Business & Professions Code have demonstrated through education, experience and examination their knowledge of the Uniform Building Code as it relates to space planning and non-structural interior construction documents.

Beginning January 1, 1992, a stamp will be issued to Certified Interior Designers which will provide quick identification when they submit their plans. Building officials will then be able to recognize Certified Interior Designers as professionals qualified to develop interior plans and specifications in accordance with health, safety and welfare guidelines.

Thank you for your cooperation.

Sincerely,


WILLIAM A. CRAVEN
Senator
38th District

WAC:sj

CCIDC BROCHURES

13) WHAT ARE THE PROPER FEE STANDARDS AND BILLING ARRANGEMENTS FOR A PROJECT?

There is no single set of industry fee standards for interior design, so during the interview process, you'll want to make sure you ask the designer questions (sample questions follow):

- **Billing method:** How will the designer charge for professional services? Is it a fixed fee, or one based on square footage? Is it an hourly rate? If hourly rates apply, then what is the hourly billing rate, and what is the estimated number of hours for your job? If applicable, also be sure to ask about billing rates for travel time, and any other reimbursable expenses. Ask for a signed contract.
- Be aware that some interior designers, certified or not, may purchase goods, and may include with their professional fees a mark-up on items (such as furnishings, window and wall treatments, floor coverings, hardware, etc.) purchased on your behalf. As work progresses, you are entitled to an itemized list of these goods, including the total price. Also, in this case, a Certified Interior Designer is required by the CCIDC Code of Ethics to disclose to the client the billing method used.
- Some interior designers provide professional design services only, and are not involved in the actual purchase of items for a project. In this case, the designer would charge only for design services and other reimbursable expenses, but should help you locate and coordinate suppliers or other resources for obtaining the necessary merchandise for your project.
- While determining which billing method the interior designer uses, establish a budget together. Ask to see a copy of the designer's project contract, and verify your payment responsibilities as listed in the contract. Before signing, make sure you understand it. If you have questions, ask!
- **Terms:** What will be the payment schedule for the project? If the proposed schedule doesn't meet your needs, negotiate a reasonable compromise.

14) WHAT SHOULD I DO IF PROBLEMS OCCUR WITH THE CERTIFIED INTERIOR DESIGNER I HIRED?

Following these procedures will greatly reduce the chance for any misunderstanding. However, should any problems arise, you should openly and candidly discuss the problem with your designer. If you are still having difficulty solving the problem, contact us at CCIDC. We can often suggest solutions, or act as a resource until the problem has been solved satisfactorily. If necessary, we can determine whether the designer in question has violated the CCIDC Code of Ethics or our Rules and Regulations. The CCIDC has the duty and authority to investigate alleged violations by its Certified Interior Designers, and, in extreme cases, to even revoke their certification if warranted.

For your convenience, we have posted an interactive complaint form on our website which you can E-mail or print out, fill in, and fax or mail to our office. You can obtain a copy of the Code of Ethics on our website, or we can send it to you.

Answers & Basics for Consumers regarding Certified Interior Designers

After several years of legislative efforts by interior design groups and by the California Legislative Conference on Interior Design, a new law went into effect on January 1, 1991 outlining the parameters and responsibilities of work that an interior designer can perform. Along with these guidelines the listing of "Certified Interior Designer" was added to the California Business and Professions code, providing an official designation for interior designers who meet the education, experience, and examination requirements as outlined by the California Council for Interior Design Certification.

- The California Council for Interior Design Certification (CCIDC), was established in January 1992 as the entity responsible for administration of the requirements of the Certified Interior Designers Law under Chapter 3.9, Section 5800 of the California Business and Professions Code.
- Under the Certified Interior Designers Law, Certified Interior Designers are qualified by the CCIDC upon evidence of a combination of interior design education and/or experience, and passage of a designated examination.
- Only the CCIDC can determine eligibility to be a Certified Interior Designer in the State of California.
- Designers who meet the education, experience, and examination criteria of the CCIDC Board are allowed to use the "Certified Interior Designer" title and are recognized in the State of California.

Upon qualification, the Certified Interior Designer will be identified by an individual number which will appear on a certificate, a stamp with which to identify interior design non-structural and non-seismic drawings and documents, and an identification card.

Certified Interior Designers, as mandated by the State of California, have met high standards of qualification and have agreed to uphold a strict code of ethics and conduct.

CCIDC

California Council for Interior Design Certification
1605 Grand Avenue, Suite 4
San Marcos, California 92078
tel. 760.761.4734 fax 760.761.4736
web: www.ccidc.org
E-mail: ccide@earthlink.net





California Council for Interior Design Certification

ARE YOU PLANNING TO HIRE AN INTERIOR DESIGNER? MAKE SURE THEY'RE CERTIFIED!

Hiring a Certified Interior Designer ensures that you'll be working with an experienced and competent design professional.

If you've never worked with an interior designer before, the process can be overwhelming. This brochure is designed to help you make informed decisions about hiring the best interior designer for your residential, retail, office or other commercial project.

Once you've decided to hire an interior designer, choosing one is of paramount importance. Many people call themselves interior designers, but if you are a consumer with a complex project, be sure you hire someone who is truly qualified to execute the task at hand. This should be someone who is trained to guide you through dozens, sometimes hundreds of decisions, challenges, and opportunities- all to a successful result.

CCIDC, the California Council for Interior Design Certification, (a public/private partnership) was established in 1992 to act as a protection resource to help you, the consumer, know when an interior designer is qualified. We are a council of qualified and experienced interior design professionals providing service and information to the public about ethical and professional standards for the industry.

CONSUMERS' QUESTIONS AND ANSWERS REGARDING CERTIFIED INTERIOR DESIGNERS

1) WHAT IS A CERTIFIED INTERIOR DESIGNER?

(B&P Code Section 5800.5538)

As opposed to a non-certified interior designer, a Certified Interior Designer is a competent design professional who is qualified to design, prepare, and submit any type of non-structural, non-seismic interior construction plans and specifications to local building departments. Certified Interior Designers have demonstrated through education, experience and examination their knowledge of the Uniform Building Code as it relates to space planning, life safety, flammability and disabled access code issues.

2) WHAT ARE THE MEANINGS OF THE TERMS "NON STRUCTURAL" AND "NON-SEISMIC"?

"Non-structural" means interior elements that are non-load bearing. It excludes the structural grid system supporting a building. "Non-seismic" means interior elements that do not assist in the seismic bracing of a building's structural system.

Common non-structural items include ceiling and partition systems. These components employ normal and typical bracing conventions and do not assist in the structural integrity of a building.

3) WHAT ARE THE QUALIFICATIONS OF A CERTIFIED INTERIOR DESIGNER, AND WHO MAY REFER TO THEMSELF AS A CERTIFIED INTERIOR DESIGNER?

(B&P Code Section 5801-5801.1)

A Certified Interior Designer must have completed:

- a. A four or five year accredited interior design program and have a minimum of two years experience, or;
- b. A three year accredited interior design program and have a minimum of three years experience, or;
- c. A two year accredited interior design program and have a minimum of four years of experience, or;
- d. Have a combination of interior design education and experience for a minimum total of eight years.

Starting in 2009 they must pass the IDEX California examination specifically developed for certification based upon the California Building Code, Title 24, California laws and regulations. Prior to 2009 they were required to pass the California Codes and Regulations Examination (CCRE) and one of the three national interior design examinations.

Only persons who have met these education, experience, and examination requirements, and have been certified by the California Council for Interior Design Certification (CCIDC) may refer to themselves as a Certified Interior Designer.

4) HOW DO I KNOW THAT THE INTERIOR DESIGNER I AM HIRING IS "CERTIFIED"?

Go online to www.ccidc.org and look under "Verify a CID's Status", or you can call CCIDC to verify whether the interior designer is indeed certified and in good standing.

5) HAS YOUR DESIGNER SIGNED A CODE OF ETHICS AND CONDUCT?

Ask your designer if they have signed and agreed to abide by a Code of Ethics and Conduct. Ask them for a copy. All Certified Interior Designers are required to sign and abide by the CCIDC Code of Ethics and Conduct.

6) HOW WILL THE CERTIFIED INTERIOR DESIGNER BE IDENTIFIED?

(B&P Code Section 5802)

Each Certified Interior Designer should affix a stamp and a wet signature to all drawings, specifications or documents prepared for submission. All documents shall be presented as interior design documents, not as architectural or engineering documents.

7) THIS IS WHAT THE CCIDC STAMP LOOKS LIKE:



8) ARE CERTIFIED INTERIOR DESIGNERS "STATE CERTIFIED"?

(B&P Code Section 5804 and Section 5538)

No. The California Council for Interior Design Certification (CCIDC) is a private non-profit corporation and is responsible for certifying interior designers. The certification process in California is a "public/private partnership", as directed by the Business and Professions Code, Section 5800.

Anyone may use the term "interior designer". However, their qualifications for professional practice are unknown. If they are not a Certified Interior Designer, they may not have the knowledge and ability to protect the health, safety, and welfare of the public.

9) MAY A CERTIFIED INTERIOR DESIGNER ACT AS A GENERAL CONTRACTOR AND HIRE SUBCONTRACTORS FOR PROJECTS?

(B&P Code Section 5803)

No. The Certified Interior Designer would have to hold a valid contractors license in order to hire subcontractors and/or perform contracting work. Certified Interior Designers prepare designs for work to be performed by licensed contractors.

10) MAY CERTIFIED INTERIOR DESIGNERS DESIGN HANDICAP ACCESS SYSTEMS?

Yes. Certified Interior Designers are required by law to pass a building and barrier free codes exam to demonstrate proficiency in handicap access and other code requirements.

They are recognized by Section 5800(a) to have "...demonstrated by means of education, experience, and examination the competency to protect and enhance the health, safety, and welfare of the public."

11) MAY CERTIFIED INTERIOR DESIGNER PLANS INCLUDE MECHANICAL OR ELECTRICAL ENGINEERING DRAWINGS?

Yes, if the mechanical and electrical elements have been prepared and stamped by a licensed mechanical or electrical engineer or architect.

12) HOW CAN I FIND A CERTIFIED INTERIOR DESIGNER FOR MY PROJECT?

The Certified Interior Designer has the education, training, and experience to guide you through the entire design process- from helping define the initial project goals, to meeting cost and time budgets. A certified professional can actually save you considerable time and expense by knowing how to get the most out of your design budget, and by avoiding costly mistakes. Fees for certified interior designers are very competitive in the marketplace.

For a list of certified interior design professionals in your area, or for more detailed information on certification, contact us at the phone number on the back of this guide, or visit our website at www.ccidc.org

16) MAY CERTIFIED INTERIOR DESIGNER PLANS INCLUDE MECHANICAL OR ELECTRICAL DRAWINGS?

Yes, if the mechanical and electrical elements have been prepared and stamped by a licensed mechanical or electrical engineer or architect.

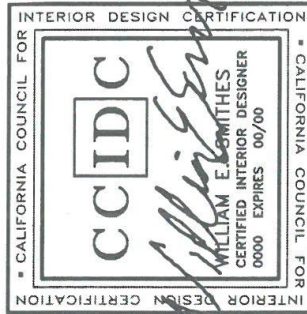
17) HOW CAN THE BUILDING DEPARTMENT CHECK THE STATUS OF A CERTIFIED INTERIOR DESIGNER?

Plan checkers or building officials can go online to www.ccidc.org and click on "Verify a CID's Status" in the left hand column on the CCIDC home page. They can also call CCIDC at (760) 761-4734 for verification over the phone.

18) HOW WILL THE CERTIFIED INTERIOR DESIGNER PROVIDE THEIR IDENTIFICATION NUMBER TO BUILDING DEPARTMENTS?

Their number will be written on the Plan Check Application in the space that requests the designer's "license" number. The designer's certification number is also included within the stamp.

19) WHAT DOES THE CCIDC STAMP LOOK LIKE?



CCIDC®

California Council for Interior Design Certification

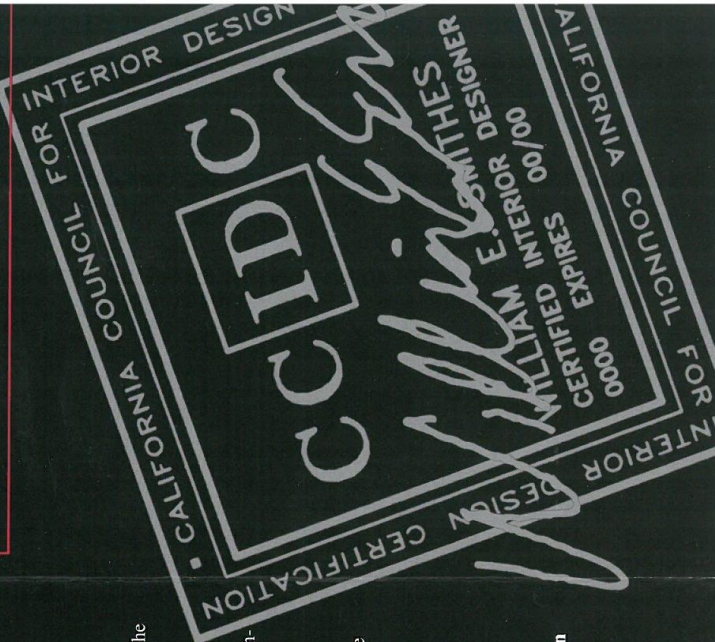
Questions & Answers on Certified Interior Designers for Building Officials

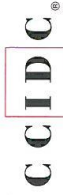
After several years of legislative efforts by interior design groups and by the California Legislative Conference on Interior Design, a new law went into effect on January 1, 1991 outlining the parameters and responsibilities of work that an interior designer can perform. Along with these guidelines the listing of "Certified Interior Designer" was added to the California Business and Professions Code, providing an official designation for interior designers who meet the education, experience, and examination requirements as outlined by the California Council for Interior Design Certification.

- The California Council for Interior Design Certification (CCIDC) was established in January 1992 as the entity responsible for administration of the requirements of the Certified Interior Designers Law under Chapter 3.9, Section 5800 of the California Business and Professions Code.
- Under the Certified Interior Designers Law, Certified Interior Designers are qualified by the CCIDC upon evidence of a combination of interior design education and/or experience, and passage of a designated examination.
- Only the CCIDC can determine eligibility to be a Certified Interior Designer in the State of California.
- Designers who meet the education, experience, and examination criteria of the CCIDC Board are allowed to use the "Certified Interior Designer" title and are recognized in the State of California.
- Upon qualification, the Certified Interior Designer will be identified by an individual number which will appear on a certificate, a stamp with which to identify interior design non-structural and non-seismic drawings and documents, and an identification card.
- Certified Interior Designers, as mandated by the State of California, have met high standards of qualification and have agreed to uphold a strict code of ethics and conduct.

CCIDC®

California Council for Interior Design Certification
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California Council for Interior Design Certification

QUESTIONS AND ANSWERS FOR BUILDING OFFICIALS ON CERTIFIED INTERIOR DESIGNERS

- 1) WHAT IS A CERTIFIED INTERIOR DESIGNER?** (B&P Code Section 5800)
A Certified Interior Designer is a competent design professional who may prepare and submit non-structural, non-seismic construction documents and specifications to local building departments for the purposes of plan check.
- Under the provisions of Chapter 3.9 of the Business & Professions Code, commencing with section 5800, Certified Interior Designers have demonstrated through education, experience and examination their knowledge of the California Building Code as it relates to space planning, life safety, flammability and disabled access code issues.
- 2) WHAT ARE THE QUALIFICATIONS OF CERTIFIED INTERIOR DESIGNERS?** (B&P Code Section 5801)
A Certified Interior Designer must have completed:
- a. A four or five year accredited interior design program and have a minimum of two years experience, or;
 - b. A three year accredited interior design program and have a minimum of three years experience, or;
 - c. A two year accredited interior design program and have a minimum of four years of experience, or;
 - d. Have a combination of interior design education and experience for a minimum total of eight years.
- Starting in 2009 they must pass the IDEX California examination specifically developed for certification based upon the California Building Code, Title 24, California laws and regulations. Prior to 2009 they were required to pass the California Codes and Regulations Examination (CCRE) and one of the three national interior design examinations.
- 3) WHO MAY REFER TO HIMSELF OR HERSELF AS A CERTIFIED INTERIOR DESIGNER?** (B&P Code Section 5812 & 5804)
Only persons who have met the education, experience, and examination requirements, and have been certified by the California Council for Interior Design Certification (CCIDC) may refer to themselves as a Certified Interior Designer.
- The title "Certified Interior Designer" is protected by law (B&P Section 17200) and it is considered an "unfair business practice" for any person to represent himself or herself as such unless they have complied with Section 5800.

4) HOW WILL THE CERTIFIED INTERIOR DESIGNER BE IDENTIFIED? (B&P Code Section 5802)

Each Certified Interior Designer will affix a stamp and a wet signature to all drawings, specifications or documents prepared for submissions, as specified in Section 5801. All documents shall be identified as interior design documents, which are not architectural nor engineering documents.

5) ARE LICENSED ARCHITECTS AND ENGINEERS THE ONLY DESIGN PROFESSIONALS WHO CAN SUBMIT CONSTRUCTION DOCUMENTS FOR PLAN REVIEW? (B&P Code Section 5805)

No. The building official is authorized to recognize the Certified Interior Designer's drawings and documents. For plan check and acceptance, the building official shall reference the California Building Code.

6) MAY A CERTIFIED INTERIOR DESIGNER ACT AS A GENERAL CONTRACTOR AND HIRE SUBCONTRACTORS FOR PROJECTS? (B&P Code Section 5803)

No. The Certified Interior Designer would have to hold a valid general contractors license in order to hire subcontractors and/or perform contracting work. Certified Interior Designers design systems for work to be performed by licensed general contractors.

7) ARE CERTIFIED INTERIOR DESIGNERS "STATE CERTIFIED"? (B&P Code Section 5804 & 5538)

No. The California Council for Interior Design Certification (CCIDC) is a private non-profit corporation and is responsible for certifying interior designers. The certification process in California is a public private "partnership", as directed by the Business and Professions Code, Section 5800.

8) DOES THE INTERIOR DESIGN CERTIFICATION LAW PRECLUDE ANYONE FROM CALLING THEMSELVES AN "INTERIOR DESIGNER"?

Anyone may use the term "interior designer". However, their qualifications for professional practice are unknown. If they are not a Certified Interior Designer, they may not have the ability to protect the health, safety, and welfare of the public.

9) WHAT MAY A CERTIFIED INTERIOR DESIGNER DESIGN? (B&P Code Section 5800 and Section 5538)

A Certified Interior Designer may design any type of non-structural or non-seismic interior spaces consistent with Section 5800 and Section 5538. They may engage in the programming, planning, designing and documenting the construction and installation of non-structural or non-seismic elements, within the interior spaces of a building.

10) WHAT ARE THE MEANINGS OF THE TERMS "NON-STRUCTURAL" AND "NON-SEISMIC"?

"Non-structural" means interior elements that are non-load bearing. It excludes the structural grid system supporting a building. "Non-seismic" means interior elements that do not assist in the seismic bracing of a building's structural system.

Common non-structural items include ceiling and partition systems. These components employ normal and typical bracing conventions and do not assist in the structural integrity of a building.

11) CAN A CERTIFIED INTERIOR DESIGNER DESIGN, PLAN, OR PREPARE INSTRUMENTS OF SERVICE FOR STOREFRONTS OR INTERIOR ALTERATIONS? (B&P Code Sections 6745 & 5538)

Yes. Section 6745 allows anyone to perform these services "...provided such alterations do not affect the structural safety of the building". Section 5538 was amended in 1990 to reflect similar intent.

12) WHAT IS THE SIGNIFICANCE OF THE CHANGE IN LANGUAGE REGARDING SECTION 5538, AND HOW DOES IT RELATE TO SECTION 5805 FOR CERTIFIED INTERIOR DESIGNERS?

The language "...including but not limited to structural or seismic components" as elements of building safety in section 5538 was removed (emphasis added). Certified Interior Designers are only restricted by seismic and structural considerations when planning interior alterations.

Section 5805 affirms the legislative intent of opening the plan check process to qualified individuals and refers to compliance with the California Building Code as the approval criteria.

13) MAY CERTIFIED INTERIOR DESIGNERS DESIGN HANDICAP ACCESS SYSTEMS?

Yes. Certified Interior Designers are required by law to pass a building and barrier free codes exam to demonstrate proficiency in handicap access requirements.

They are recognized by Section 5800(a) to have

"...demonstrated by means of education, experience, and examination the competency to protect and enhance the health, safety, and welfare of the public.

14) MAY CERTIFIED INTERIOR DESIGNER PLANS INCLUDE HORIZONTAL EXITING SYSTEMS?

Yes. Certified Interior Designers are the only professionals in the construction industry who have been specifically tested on building and barrier free codes. They also have the education and experience to work with occupancy, exiting, and life safety requirements for interior spaces.

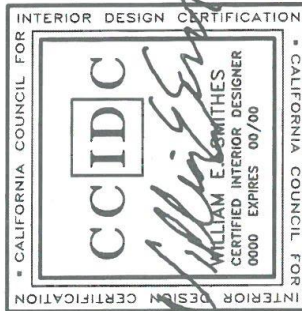
15) MAY CERTIFIED INTERIOR DESIGNER PLANS INCLUDE STRUCTURAL ELEMENTS SUCH AS AN INTERCONNECTING STAIR?

Yes, if the structural elements have been prepared and stamped by a licensed structural engineer or architect.

14) HOW WILL THE CERTIFIED INTERIOR DESIGNER BE IDENTIFIED?
(B&P Code Section 5602)

Each Certified Interior Designer should affix a stamp and wet signature to all drawings, specifications, or documents prepared for submission. All documents shall be presented as interior design documents, not as architectural or engineering documents.

15) WHAT DOES THE CERTIFIED INTERIOR DESIGNER STAMP LOOK LIKE?



California Council for Interior Design Certification

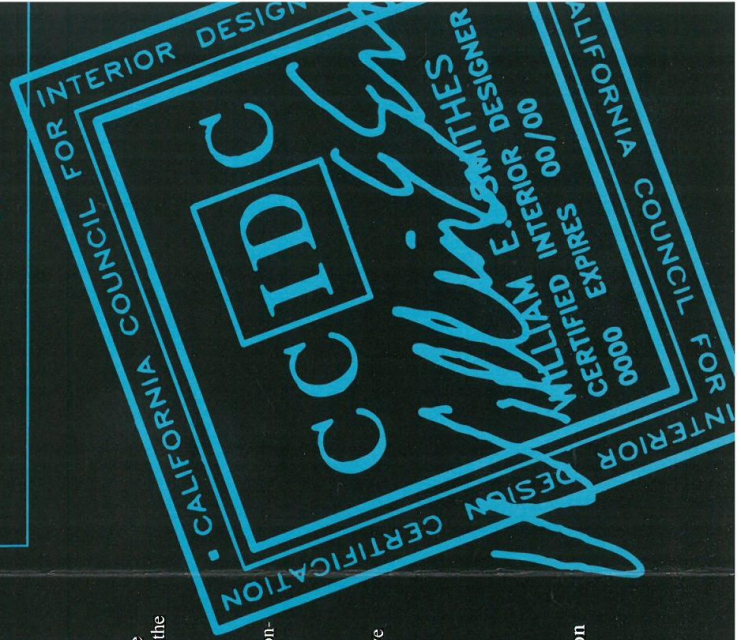
Interior Design Certification for Students and non-certified interior designers

After several years of legislative efforts by interior design groups and by the California Legislative Conference on Interior Design, a new law went into effect on January 1, 1991 outlining the parameters and responsibilities of work that an interior designer can perform. Along with these guidelines the listing of "Certified Interior Designer" was added to the California Business and Professions Code, providing an official designation for interior designers who meet the education, experience, and examination requirements as outlined by the California Council for Interior Design Certification.

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- Designers who meet the education, experience, and examination criteria of the CCIDC Board are allowed to use the "Certified Interior Designer" title and are recognized in the State of California.
- Upon qualification, the Certified Interior Designer will be identified by an individual number which will appear on a certificate, a stamp with which to identify interior design non-structural and non-seismic drawings and documents, and an identification card.
- Certified Interior Designers, as mandated by the State of California, have met high standards of qualification and have agreed to uphold a strict code of ethics and conduct.



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California Council for Interior Design Certification

INTERIOR DESIGN CERTIFICATION FOR STUDENTS AND NON-CERTIFIED INTERIOR DESIGNERS

- 1) WHY SHOULD I BECOME A "CERTIFIED INTERIOR DESIGNER"?**
- ☐ It is the only legally recognized title for interior designers in California.
 - ☐ Only Certified Interior Designers have proven their education, experience, and passed an examination relevant to California.
 - ☐ Every Certified Interior Designer is required to sign and abide by the CCIDC Code of Ethics and Conduct when they apply, giving their promise of professionalism to their clients.
 - ☐ Certification demonstrates a commitment to professional practice through education, experience and examination.
 - ☐ Greater knowledge decreases risk of legal liability.
 - ☐ Increased client confidence in your abilities.
- 2) WHAT IS CERTIFICATION FOR INTERIOR DESIGNERS?**
- "Certified Interior Designer" is the only legally recognized and protected title for interior designers in the state of California.
- In 1990 the California legislature passed a law creating Section 5800 of the Business & Professions Code, which in turn codified the title "Certified Interior Designer".
- CCIDC is the responsible and recognized organization for certifying interior designers in the state of California.
- 3) WHAT IS A CERTIFIED INTERIOR DESIGNER?**
(B&P Code Section 5800)
- A Certified Interior Designer is a competent design professional who may prepare and submit non-structural, non-seismic construction documents and specifications to local building departments for the purposes of plan check.
- Certified Interior Designers have demonstrated through education, experience and examination their knowledge of the California Building Code as it relates to space planning, life safety, flammability and disabled access code issues, under the provisions of Chapter 3.9 of the Business & Professions Code, commencing with Section 5800.

4) WHAT ARE THE REQUIRED QUALIFICATIONS TO BECOME A CERTIFIED INTERIOR DESIGNER?
(B&P Code Section 5801)

A Certified Interior Designer must have completed:

- a.** A four or five year accredited interior design program and have a minimum of two years experience, or;
- b.** A three year accredited interior design program and have a minimum of three years experience, or;
- c.** A two year accredited interior design program and have a minimum of four years of experience, or;
- d.** Have a combination of interior design education and experience for a minimum total of eight years.

As of 2009 they must pass the IDEX California examination specifically developed for certification based upon the California Building Code, Title 24, California laws and regulations as well as fulfilling one of the four categories above.

Prior to 2009 candidates were required to pass the California Codes and Regulations Examination (CCRE) and one of three national interior design examinations. These examinations are no longer required.

5) WHAT IS AN ACCREDITED INTERIOR DESIGN PROGRAM?

The California certification board, CCIDC, accepts all accrediting agencies recognized by the United States Department of Education.

6) WHAT IS THE "IDEX CALIFORNIA" EXAMINATION?

The IDEX California is an examination specially developed for certification purposes in California and tests candidates specifically on the California Building Code (CBC) and Title 24 as well as ethics, business practices, and design standards, among other things.

7) WHY IS THE IDEX CALIFORNIA ACCEPTED, AND NOT ONE OF THE NATIONAL EXAMINATIONS?

None of the national examinations test for the California Building Code or Title 24, they test for codes that do not apply in California.

If the purpose of regulating a profession is to protect the health, safety and welfare of the public, then it stands to reason that the examination be used in determining a candidates proficiency for such regulation be based upon the codes and regulations applicable to that state.

8) WHAT ARE THE MINIMUM REQUIREMENTS TO REGISTER FOR THE IDEX CALIFORNIA EXAMINATION?

The minimum education requirement is a two (2) year certificate or 40 semester units (60 quarter units) in the core subject of interior design, or for "experience only" candidates a minimum of five (5) years diversified interior design working experience based upon 36 hours per week, or a total of 9,000 hours.

9) HOW DO I APPLY FOR THE IDEX CALIFORNIA EXAMINATION?

First you must apply to become a Certified Interior Designer so your education and/or work experience can be verified. The various applications are located on the CCIDC web site at www.ccidc.org. You will register for the IDEX California on the same application to become a Certified Interior Designer.

10) HOW IS THE IDEX CALIFORNIA EXAMINATION ADMINISTERED?

The IDEX California is an online examination given at multiple locations across California at proctored testing sites. It can also be taken at testing sites in other states. The examination will be given twice a year, once in the spring (May) and once in the fall (October). The testing window for each sitting will last for the entire month. When a candidate registers for the examination they are allowed to select their testing location and their testing date and time within the testing window

11) HOW LONG IS THE EXAM AND ARE THERE ANY DRAWING REQUIREMENTS?

The exam consists of 150 multiple-choice questions and candidates are given three (3) hours to answer them. There are no drawing requirements because in order to register for the examination there is a minimum requirement of education or working experience so the candidate should already know how to draw. The purpose of the IDEX is to test the candidate's knowledge on codes and regulations as well as consumer safety and other issues as it relates to certification. Passage of the IDEX California is in addition to the education and experience requirements defined in Item 4 of this brochure and Section 5801 of the B&P Code.

12) WHERE CAN I FIND MORE INFORMATION ABOUT THE IDEX CALIFORNIA EXAMINATION?

There is a wealth of information on the IDEX California examination posted on the CCIDC web site at www.ccidc.org including a free download of the official CCIDC study guide and applications.

There is also information posted on the CCIDC web site for third party study materials and preparation classes. Get the updates: sign up to receive timely bulletins and updates by subscribing to the "IDEX interest form".

13) WHO MAY REFER TO HIMSELF OR HERSELF AS A "CERTIFIED INTERIOR DESIGNER"?

(B&P Code Sections 5812 & 5804)

Only persons who have met the education, experience, and examination requirements, and have been certified by the California Council for Interior Design Certification (CCIDC) may refer to themselves as a "Certified Interior Designer".

The title "Certified Interior Designer" is protected by law (B&P Section 17200) and it is considered an "unfair business practice" for any person to represent himself or herself as such unless they have complied with Section 5800.

**LEGISLATIVE COUNSEL LETTER
TO
SENATOR McPHERSON
2000**

[illegible][illegible]

September 21, 2000

Honorable Bruce McPherson
3076 State Capitol

CERTIFIED INTERIOR DESIGNER - #6147

Dear Senator McPherson,

QUESTION

Under the proposed 2000 International Building Code, would local building officials in California be prohibited from accepting interior design plans from certified interior designers who are not registered design professionals?

OPINION

Under the proposed 2000 International Building Code, local building officials in California would not be prohibited from accepting interior design plans from certified interior designers who are not registered design professionals.

ANALYSIS

Chapter 3.9 (commencing with Sec. 5800) of Division 3 of the Business and Professions Code¹ governs the certification and regulation of interior designers. Under that chapter, a "certified interior designer" is defined in subdivision (a) of Section 5800 as follows:

¹ All further section references are to the Business and Professions Code, unless otherwise specified.

"5800. As used in this chapter:

"(a) 'Certified interior designer' means a person who prepares and submits nonstructural or nonseismic plans consistent with Sections 5805 and 5536 to local building departments that are of sufficient complexity so as to require the skills of a licensed contractor to implement them, and who engages in programming, planning, designing, and documenting the construction and installation of nonstructural or nonseismic elements, finishes and furnishings within the interior spaces of a building, and has demonstrated by means of education, experience and examination, the competency to protect and enhance the health, safety, and welfare of the public.

Despite the inclusion of the word "certified" in the definition in subdivision (a) of Section 5800, California has no government certification program or licensing scheme for interior designers, but rather provides for voluntary certification by a professional interior design organization (see Sec. 5801).² A certified interior designer may obtain a stamp from an interior design organization certifying that the person has submitted evidence of passage of an interior design examination approved by that interior design organization, along with completion of specified education and experience requirements (Sec. 5801). Local building officials, in exercising discretion in the acceptance of plans submitted by certified interior designers, are required to reference the Uniform Building Code (Sec. 5805). However, any person, including certified interior designers, may furnish labor and materials, with or without plans, for nonstructural or nonseismic work (Sec. 5538).

The State Housing Law (Pt. 15 (commencing with Sec. 17910), Div. 13, H.&S.C.) establishes the building codes that govern the safety and structure of buildings and regulates details of construction, use of materials, and electrical, plumbing, and heating specifications according to different types of building occupancy. Section 17922 provides that the California Building Code, as set forth in Title 24 of the California Code of Regulations,

² Assembly Bill No. 1096 of the 1999-2000 Regular Session was passed by both the Assembly and the Senate, but was vetoed by the Governor on September 10, 2000. A.B. 1096 had proposed to repeal Chapter 3.9 (commencing with Sec. 5800) of Division 3 of the Business and Professions Code, and to add a new Chapter 3.9, which would have provided for the registration of interior designers and the regulation of their professional services by a Board of Interior Design created by the bill. The bill would have set forth educational, examination, and experience requirements for registration. The bill would have provided, among other things, for criminal penalties for the use of the title "registered interior designer" if the person is not registered and has not met specified criteria. Under the bill, persons who are already certified design professionals as of December 31, 2000, would have automatically become registered interior designers.

shall impose substantially the same requirements as are contained in the most recent edition of the Uniform Building Code of the International Conference of Building Officials, with amendments, as well as other specified industry codes. Subdivision (a) of Section 17922 of the Health and Safety Code reads as follows:

"17922. (a) Except as otherwise specifically provided by law, the building standards adopted and submitted by the department for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 and the other rules and regulations, which are contained in Title 24 of the California Administrative Code, adopted, amended, or repealed from time to time pursuant to this chapter shall be adopted by reference, except that the building standards and rules and regulations shall include any additions or deletions made by the department. The building standards and rules and regulations shall impose substantially the same requirements as are contained in the most recent editions of the following uniform industry codes as adopted by the organizations specified:

"(1) The Uniform Housing Code of the International Conference of Building Officials, except its definition of 'substandard building.'

"(2) The Uniform Building Code of the International Conference of Building Officials.

"(3) The Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials.

"(4) The Uniform Mechanical Code of the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials.

"(5) The National Electrical Code of the National Fire Protection Association. In adopting building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 for publication in the State Building Standards Code and in promulgating other regulations, the department shall consider local conditions and any amendments to the uniform codes referred to in this section. Except as provided in Part 2.5 (commencing with Section 18901), in the absence of adoption by regulation, the most recent editions of the uniform codes referred to in this section shall be considered to be adopted one year after the date of publication of the uniform codes.

"(6) Appendix Chapter 1 of the Uniform Code for Building Conservation of the International Conference of Building Officials.

Because the International Building Code (hereafter the IBC) is not one of the codes specified in Section 17922 or in any other provision of California law, the IBC currently does not apply in this state. Thus, in our opinion, under existing law, the IBC does not impose requirements upon local building officials in this state.

However, we have been informed by counsel for the California Building Standards Commission that the proposed IBC may replace the Uniform Building Code as the basis for the California Building Code by the time when the next revision of the California Building Code is adopted.³

If Section 17922 of the Health and Safety Code or another California statute is amended to make the IBC applicable in this state, the only remaining issue is whether local building officials would be prohibited from accepting interior design plans from certified interior designers who are not registered design professionals.

The proposed 2000 IBC would define a "registered design professional" as "an individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state in which the project is to be constructed (Sec. 202.17, IBC)."⁴ California does not currently require that interior designers be registered or licensed in order to practice interior design.

The IBC defines "construction documents" as "written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit" (Sec. 202.3, IBC). The IBC further provides that construction documents are required to be prepared by a registered design professional where required by the statute of the jurisdiction in which the project is to be constructed (Sec. 106.1, IBC). Thus, no conflict would exist between the types of documents the IBC requires a registered design professional to prepare and California's restriction on the types of documents certified interior designers may prepare because under the IBC, California has the authority to determine the applicable statutory requirements for registered design professionals and for persons who are not registered design professionals.

As discussed above, California law allows a certified interior designer to prepare and submit nonstructural or nonseismic plans to local building departments and to engage in programming, planning, designing, and documenting the construction and installation of nonstructural or nonseismic elements and the finishes and furnishings used within the interior spaces of a building (Sec. 5800). Thus, while California does not license or register interior designers, it allows certified interior designers to submit interior design plans to local building officials. If Section 17922 of the Health and Safety Code or another statute is

³ In fact, Assembly Bill No. 1626 of the 1999-2000 Regular Session, as amended in the Assembly June 15, 1999, proposed that change by amending Sections 17922 and 18916 of the Health and Safety Code to include the most recent edition of the International Building Code authored by the International Conference of Building Officials. However, these provisions were deleted from that bill when it was amended on January 20, 2000, and were not included in the bill when it was enacted as Chapter 3 of the Statutes of 2000.

⁴ We assume, for purposes of this analysis, that "the state in which the project is to be constructed" is California.

amended to make the IBC applicable in California, local building officials would continue to have authority under California law to accept interior design plans from persons, including certified interior designers, who are not registered design professionals.

Accordingly, it is our opinion that under the proposed 2000 International Building Code, local building officials in California would not be prohibited from accepting interior design plans from certified interior designers who are not registered design professionals.

Very truly yours,

Bion M. Gregory
Legislative Counsel



By
Carol J. Uteri
Deputy Legislative Counsel

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