**August 2016**

**Discussion Draft**

**2016 AIA Policy and Position Statements Review**

This document contains the AIA Public Policies and Position Statements that are up for review in 2016. The Public Policies and Position Statements have been edited in red to highlight where proposed changes appear. It is provided for your convenience to facilitate discussions related to both changes to existing statements, the proposal of new statements, and for the submission of feedback.

Please submit comments on the discussion draft comment form no later than October 15, 2016 to jessycahenderson@aia.org

**II. Category: The Practice**

**B** **PUBLIC POLICY: THE BUSINESS OF ARCHITECTURE**

*The financial health of architecture businesses is essential to the future of the profession. Architects should advocate within the law for sound business practices and compensation that reflects the architect’s value to society.*

SUPPORTING POSITION STATEMENTS

1. **Copyright Protection**

The AIA supports copyright protection of the architect’s ~~design~~ work and other intellectual property in order to prevent their unauthorized use.

(*approved December 2013, through December 31, 2016*)

1. **Legal Forms of Practice**

The AIA supports architectural practice within any legal structure as long as an architect retains responsible control and individual responsibility for performing architectural services. Within any legal structure the architect performing or in responsible control of the ~~professional~~ architectural services must be identified and that structure must not be used to shield unlicensed or unlawful practice.

(*approved December 2013, through December 31, 2016*)

1. **Project Delivery**

The AIA believes collaborative project delivery processes enhance the quality, cost-effectiveness, and sustainability of our built environment. This can best be achieved through industry-wide adoption of approaches to project delivery characterized by early and consistent involvement of owners, architects, engineers, constructors, fabricators and end users in an environment of trust, fair compensation, clearly defined goals and transparency.

There are several viable project delivery models in the marketplace that promote such early collaboration. The AIA believes architects are uniquely qualified and positioned to lead the development of the project and provide architectural services for all project delivery methods. Architectural services may include predesign services, project management, programming, design, construction documentation, and construction administration for building projects.

Architects have a professional and ethical responsibility to protect the health, safety and welfare of the public in all Project Delivery methods. In addition, the AIA believes that architects have a professional and ethical responsibility to represent the ~~client’s~~ interests of the client and the public, including the need to provide reasonable and competent ~~prudent~~ design guidance to the owner.

(*approved December 2013, through December 31, 2016*)

1. **Qualifications Based Selection**

The AIA supports public policies, requirements, and administrative procedures in public and private procurement processes that mandate the open selection of architects on the basis of qualifications and oppose hiring of architects on the basis of fees or bids. Qualifications-based selection (QBS) is essential to fostering quality design that serves health, safety, and welfare in the built environment. The AIA supports best practice QBS criteria that are clear and concise, encouraging fair market competition.

(*approved December 2013, through December 31, 2016*)

1. **Tax and Regulatory System**

The AIA supports governmental policies, programs, and administration that promote a fair tax code and business regulations that encourage the free enterprise system and the economic well-being of the American people, the U.S. construction industry, and the profession of architecture. The AIA opposes the imposition of any sales and usage taxes on professional services.

(*approved December 2013, through December 31, 2016*)

1. **Tort Reform**

The AIA supports governmental policies and reforms to minimize lawsuit abuse and to promote the administration of a fair civil liability legal system. Society is best served by legislative and regulatory reforms that curtail the cost and risks of professional liability for architects and their clients without jeopardizing the public interest. The AIA specifically supports:

* Policies that limit the architect’s liability for third party claims (where such claims are permitted) to a reasonable time frame.
* Emergency Responder (Good Samaritan) legislation that provides architects with liability protection for providing advice, professional services, labor, and materials during a declared state of emergency.

(*approved December 2013, through December 31, 2016*)

1. **Interoperability**

The AIA believes that all industry-supporting software must facilitate, not inhibit, project planning, design, construction, commissioning and lifecycle management. This software must support non-proprietary, open standards for auditable information exchange and allow for confident information exchanges ~~across~~ between different software, and between different versions of the same software~~applications and across time~~. This is best accomplished through professional, public- and private- sector adoption of open and interoperable software standards. The AIA encourages its members and other industry organizations to assume a leadership role in the ~~ongoing~~ development and promulgation of open standards.

(*approved December 2013, through December 31, 2016*)

1. **Category: The Architect**

**D PUBLIC POLICY: FUTURE OF THE PROFESSION**

*With an obligation to the future of the architecture profession, architects must encourage, recruit, and inspire those who would become architects.*

**New Supporting Position Proposed** (with proposed amendments from first comment period):

**4 Pre-Licensure Titling**

The AIA supports the title of “intern” for students who are working in an architectural office while actively pursuing architecture degrees in programs accredited by the National Architectural Accrediting Board (NAAB), or studying in pre-professional programs.

The AIA supports the title of “Architectural Associate” or “Design Professional” for those who 1) have earned a degree from a program accredited by NAAB, or who have met education/experience requirements in their jurisdiction AND 2) are participating in the National Council of Architectural Registration Boards’ ~~Intern Development Program~~ Architectural Experience Program or are meeting their jurisdictions’ experience requirements.

***Please Note: the following proposed change moves previous positions under III.C under a new section II.C***

**II. Category: The Practice**

**C. Public Policy: Architects are Environmentally Responsible**

**1 Sustainable Architectural Practice and the Built Environment**

The AIA recognizes that current planning, design, construction, and real estate practices contribute to patterns of resource consumption that will inhibit the sustainable future of the Earth. Architects, as the leaders in design of the built environment, are responsible to act as stewards of the Earth. Consequently, we encourage communities to join with us in changing the course of the planet’s future by supporting governmental and private sector policy programs, including the development, evaluation, and use of codes, standards and evidence-based rating systems, that promote the design, preservation, and construction of sustainable communities and high-performance buildings.

(approved December 2014, through December 9, 2017)

**2. Energy and the Built Environment**

The AIA supports governmental policies, programs, and incentives that encourage energy conservation as it relates to the built environment as well as the development and harvesting of energy from renewable sources. Architects are encouraged to promote energy efficiency and waste reduction in the built environment to advance the goal of achieving carbon neutral buildings by the year 2030.

(approved December 2014, through December 9, 2017)

**3. Materials and the Built Environment**

The AIA recognizes that building materials impact the environment and human health before, during, and after their use. Knowledge of the life-cycle impacts of building materials is integral to improving the craft, science, and art of architecture. The AIA encourages architects to promote transparency in materials’ contents and in their environmental and human health impacts.

(approved December 2014, through December 9, 2017)

**4. Resilience**

Buildings and communities are subjected to destructive forces from fire, storms, earthquakes, flooding, and even intentional attack. The challenges facing the built environment are evolving with climate change, environmental degradation, and population growth. Architects have a responsibility to design a resilient environment that can more successfully adapt to natural conditions and that can more readily absorb and recover from adverse events. The AIA supports policies, programs, and practices that promote adaptable and resilient buildings and communities.

(approved December 2014, through December 9, 2017)

**5. Eminent Domain**

The AIA recognizes that eminent domain can be a necessary tool for government to secure land for the reasonable implementation of publicly owned projects. Only under special and unique circumstances should eminent domain be used for projects that will ultimately revert to private ownership. In these circumstances, eminent domain should be considered a tool of last resort and be applied only when there is a clear and compelling public need and benefit demonstrated after an open, broad-based, and transparent community planning process. In all cases, eminent domain should be applied in ways that fairly consider the value of existing land uses and communities, while respecting citizens’ rights, all community stakeholders, and community history.

(approved December 2014, through December 9, 2017)

**III. Category: The World**

**D PUBLIC POLICY: ARCHITECTS COLLABORATE**

**2. Diversity**

The AIA recognizes that diversity is a cultural ethos – a way of thinking or acting that fosters inclusion and enhances our membership, our profession, and the quality of life in our communities. Embracing this culture of diversity, all programs and initiatives of the AIA and its members shall reflect the society that we serve, regardless of race, gender, gender identity, sexual orientation, physical abilities, or religious practices. The AIA supports the development of policies and programs that endeavor to ensure equal access to professional degrees in architecture for those who are underrepresented in our profession.

(approved December 2014, through December 9, 2017)

**Those Providing Commentary Please Note:**

**Any proposed changes to *Public Policies* of the AIA require two readings by the AIA Board of Directors. The following Public Policies and related Position Statements received commentary and suggested edits during the April-May 2016 Comment Period, and as such will require a First Reading in December, 2016 and a Second Reading in 2017.**

**II. Category: The Practice**

**A PUBLIC POLICY: CONSTRUCTION INDUSTRY REGULATION**

*Regulation of the construction industry shapes the built environment. As stakeholders, architects must participate in the development and application of appropriate regulations and standards~~.~~ designed to protect the health, safety, and welfare of the public.*

**SUPPORTING POSITION STATEMENTS**

1. **Building Codes and Standards**

The AIA supports regulation by a single set of comprehensive, coordinated, and contemporary building codes and standards ~~which~~ that establish sound threshold values of health, safety, and the protection of the public welfare throughout the United States and overseas. To that end, the AIA espouses the development and adoption of model building codes that:

* Include participation by architects and the public in a consensus process;
* Are the product of informed education and research;
* Are without favoritism or bias to any special interest;
* Include provision for a prompt appeals procedure for all that might be aggrieved;
* Are cost-effective in relation to public benefit; and
* Promote building code provisions that set performance rather than prescriptive criteria.

(*approved December 2013, through December 31, 2016*)

1. **Building Permits and~~s~~ Process**

The AIA supports governmental policies, regulatory procedures, and administration that eliminate unnecessary time delays in the construction permitting process~~;~~ that provide transparency, consistency and predictability; and that maintain or improve health, safety and welfare requirements.

(*approved December 2013, through December 31, 2016*)

**New Proposed Statement:**

**3. Knowledge of Building Codes and Construction**

The AIA believes that knowledge of code principles and their application in building planning and design are essential parts of the necessary education and training for all architects to protect the health, safety and welfare of the public.