

**NCARB RULES OF CONDUCT
 CONTENT ANALYSIS**

This table is an analytical view of each “Rule” presented under the 2001 NCARB Rules of Conduct and a tabulation of the general ethical principal governing each rule, labeling it a prohibition of lying, law-breaking, or some other admonition.

Content summary:

- Laws:** 40% of rules require members to obey the law.
- Lies:** 30% of rules require members not to lie.
- Other:** 30% of the rules refer to some other conduct standard.

The table presents the “Rules” without the accompanying “Commentary”. The columns to the right are not part of the NCARB Code of Conduct.

The complete text, with commentary, of the 2001-2002 NCARB Rules of Conduct is available at the NCARB website, <http://www.ncarb.org/Forms/roconduct.pdf>.

NCARB “RULE”	Synopsis of Rule			Laws	Lies	Other
RULE 1 COMPETENCE						
1.1 In practicing architecture, an architect shall act with reasonable care and competence, and shall apply the technical knowledge and skill which is ordinarily applied by architects of good standing, practicing in the same locality.	Be as competent as your average peer.					<input checked="" type="checkbox"/>
1.2 In designing a project, an architect shall take into account all applicable state and municipal building laws and regulations. While an architect may rely on the advice of other professionals (e.g. attorneys, engineers, and other qualified persons) as to the intent and meaning of such regulations, once having obtained such advice, an architect shall not knowingly design a project in violation of such laws and regulations.	Design to code			<input checked="" type="checkbox"/>		
1.3 An architect shall undertake to perform professional services only when he/she, together with those whom the architect may engage as consultants, is qualified by education, training, and experience in the specific technical areas involved.	Don't get in over your head.					<input checked="" type="checkbox"/>
1.4 No person shall be permitted to practice architecture if, in the board's judgment, such person's professional competence is substantially impaired by physical or mental disabilities.	Be sane.					<input checked="" type="checkbox"/>
CONFLICT OF INTEREST						
2.1 An architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosure and agreement to be in writing) by all interested parties.	Don't double-bill.					<input checked="" type="checkbox"/>
2.2 If an architect has any business association or direct or indirect financial interest which is substantial enough to influence his/her	Disclose your financial interests.				<input checked="" type="checkbox"/>	

NCARB "RULE"

Synopsis of Rule	Laws	Lies	Other

<p>judgment in connection with the performance of professional services, the architect shall fully disclose in writing to his/her client or employer the nature of the business association or financial interest, and if the client or employer object to such association of financial interest, the architect will either terminate such association or interest or offer to give up the commission or employment.</p>
<p>2.3 An architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.</p>
<p>2.4 When acting as the interpreter of building contract documents and the judge of contract performance, and architect shall render decisions impartially, favoring neither party to the contract.</p>
<p>FULL DISCLOSURE</p>
<p>3.1 An architect, making public statements on architectural questions, shall disclose when he/she is being compensated for making such statement or when he/she has an economic interest in the issue.</p>
<p>3.2 An architect shall accurately represent to a prospective or existing client or employer his/her qualifications, capabilities, experience, and the scope of his/her responsibility in connection with work for which he/she is claiming credit.</p>
<p>3.3 If, in the course of his/her work on a project, an architect becomes aware of a decision taken by his/her employer or client, against the architect's advice, which violates applicable state or municipal building laws and regulations and which will, in the architect's judgment, materially and adversely affect the safety to the public of the finished project, the architect shall</p> <ul style="list-style-type: none"> (i) report the decision to the local building inspector or other public official charged with the enforcement of the applicable state or municipal building laws and regulations, (ii) refuse to consent to the decision, and (iii) in circumstances where the architect reasonably believes that other such decisions will be taken notwithstanding his/her objection, terminate his/her services with reference to the project unless the architect is able to cause the matter to be resolved by other means. <p>In the case of a termination in accordance with Clause (iii), the architect shall have no liability to his/her client or employer on account of such termination.</p>
<p>3.4 An architect shall not deliberately make a false statement or fail deliberately to disclose accurately and completely a material fact requested in connection with his/her application for registration or renewal or otherwise lawfully requested by the board.</p>
<p>3.5 An architect shall not assist the application for registration of a person known by the architect to be unqualified in respect to education, training, experience, or character.</p>

No kickbacks from suppliers.			<input checked="" type="checkbox"/>
Interpret drawings fairly.			<input checked="" type="checkbox"/>
Disclose your financial interests.		<input checked="" type="checkbox"/>	
Don't lie on your resume.		<input checked="" type="checkbox"/>	
Don't help clients break the law.	<input checked="" type="checkbox"/>		
Don't lie about your licensure.		<input checked="" type="checkbox"/>	
Don't help others lie about their licensure.		<input checked="" type="checkbox"/>	

NCARB "RULE"

3.6 An architect possessing knowledge of a violation of these rules by another architect shall report such knowledge to the board.

COMPLIANCE WITH LAWS

4.1 An architect shall not, in the conduct of his/her architectural practice, knowingly violate any state or federal criminal law.

4.2 An architect shall neither offer nor make any payment or gift to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the architect is interested.

4.3 An architect shall comply with the registration laws and regulations governing his/her professional practice in any United States jurisdiction. An architect may be subject to disciplinary action if, based on grounds substantially similar to those which lead to disciplinary action in this jurisdiction, the architect is disciplined in any other United States jurisdiction.

4.4 An employer engaged in the practice of architecture shall not have been found by a court of an administrative tribunal to have violated any applicable federal or state law protecting the rights of persons working for the employer with respect to fair labor standards or with respect to maintaining a workplace free of discrimination. [States may choose instead to make specific reference to the "Federal Fair Labor Standards Act of 1938, as amended" and the Equal Employment Opportunity Act of 1972, as amended" and to state laws of similar scope.] For purposes of this rule, any registered architect employed by a firm engaged in the practice of architecture who is in charge of the firm's architectural practice, either alone or with other architects, shall be deemed to have violated this rule if the firm has violated this rule.

PROFESSIONAL CONDUCT

5.1 An office offering architectural services shall have an architect resident and regularly employed in that office.

5.2 An architect shall not sign or seal drawings, specifications, reports or other professional work which was not prepared by or under the responsible control of the architect; except that (i) he/she may sign or seal those portions of the professional work that were prepared by or under the responsible control of persons who are registered under the architecture registration laws of this jurisdiction if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his/her work, and (ii) he/she may sign or seal portions of the professional work that are not required by the architects' registration law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his/her work. "Responsible control" shall be that amount of control over and detailed professional knowledge

Synopsis of Rule

	Laws	Lies	Other
Report violators of rules.		<input checked="" type="checkbox"/>	
Don't break the law.	<input checked="" type="checkbox"/>		
Don't accept or give bribes to officials.	<input checked="" type="checkbox"/>		
Don't break registration laws.	<input checked="" type="checkbox"/>		
Don't break labor laws.	<input checked="" type="checkbox"/>		
Don't practice without a license.	<input checked="" type="checkbox"/>		
Don't plan-stamp.			<input checked="" type="checkbox"/>

NCARB "RULE"

Synopsis of Rule

	Laws	Lies	Other
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of the content of technical submissions during their preparations as is ordinarily exercised by architects applying the required professional standard of care. Reviewing, or reviewing and correcting, technical submissions during their preparation after they have been prepared by others does not constitute the exercise of responsible control because the reviewer has neither control over nor detailed knowledge of the content of such submissions throughout their preparation. Any registered architect signing or sealing technical submissions not prepared by that architect but prepared under the architect's responsible control by persons not regularly employed in the office where the architect is resident, shall maintain and make available to be board upon request of at least five years following such signing and sealing, adequate and complete records demonstrating the nature and extent of the architect's control over and detailed knowledge of such technical submissions throughout their preparation.

5.3 An architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the architect is interested.

5.4 An architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.

5.5 An architect shall not make misleading, deceptive, or false statements or claims.

Don't accept or give bribes to non-officials.	<input checked="" type="checkbox"/>		
Don't commit fraud.	<input checked="" type="checkbox"/>		
Don't lie.		<input checked="" type="checkbox"/>	