

ARE 3.1 Will Debut February 27, 2006

Calendar year 2006 not only will usher in the ARE rolling clock, it also will be the setting for the debut of ARE 3.1, which will take place February 27, 2006. Among the most important features of ARE 3.1 are the newly combined graphic vignettes. The 3.1 version of Site Zoning will be a combination of Site Analysis and Site Zoning. The 3.1 version of Site Design will be a combination of Site Parking and Site Design. The combined graphic vignettes are another step toward approximating real-life office scenarios for exam candidates.

New 3.1 editions of the *ARE Guidelines*, *ARE Study Guides*, and *ARE Practice Program* will be available on the Council's web site. Keep track of ARE-related news by visiting the exam section of the NCARB web site (<http://www.ncarb.org/are/index.html>).

Curious about what's happening with the ARE, one of NCARB's most essential initiatives? The ARE rolling clock makes its debut January 1, 2006, and the introduction of ARE 3.1 follows on February 27, 2006.

Are You Ready to Roll?

The ARE rolling clock will begin ticking on January 1, 2006. Originally approved by NCARB member boards during the 2004 Annual Meeting and Conference, the ARE rolling clock establishes a five-year window in which exam candidates must pass divisions of the ARE. The following basic rules have been developed in order to ease the transition to the rolling clock:

Exam candidates who have **passed all divisions** of the ARE by January 1, 2006, regardless of the time taken, will have passed the ARE.

Exam candidates who have **passed one or more but not all divisions** of the ARE by January 1, 2006, will have five years to pass all remaining divisions. If a candidate fails to pass all remaining divisions within the initial five-year period, the candidate is given a new five-year period from the date of the

second oldest passed division. The five-year period will commence after January 1, 2006, on the date when the first passed division is administered.

Exam candidates who have **passed no divisions** of the ARE by January 1, 2006, will be governed by the rolling clock. The five-year period will commence on the date when the first passed division is administered.

It is perhaps easiest to remember that any divisions passed before January 1, 2006, will not have to be retaken, regardless of the time needed to pass those divisions.*

Rationale for a Time Limit

Until the passage of the ARE rolling clock resolution, the profession of architecture did not have a uniform national standard for examination—unlike the accounting and legal fields. The issue of linking a specific time



frame to the successful completion of the ARE was fully investigated by NCARB's Committee on Procedures and Documents (P&D) prior to the 2004 Annual Meeting.

The P&D Committee, and the Council's test development and operations consultant, Thomson Prometric, found ample evidence to support the creation of a rolling clock. In its statement of support, the committee explained, "Requiring that all divisions be passed within a reasonable period will better assure that the ARE remains a valid measure of the level of competency necessary to independently practice architecture." Thomson Prometric staff concurred and suggested that a rolling clock would be psychometrically appropriate especially as the ARE continues to evolve. **DC**

*Candidates should contact their registration board to verify their board's rolling clock criteria.

NCEES Obtains Copyright Infringement Judgment Against Examinee

The National Council of Examiners for Engineering and Surveying has obtained a copyright infringement and unfair business practices judgment against a former examinee who inappropriately and unlawfully copied questions from the NCEES Fundamentals of Engineering (FE) examination. NCEES filed the civil suit against Siavash Hakkakian of Sacramento, CA, in the U.S. District Court for the Eastern District of California soon after he was convicted on a criminal misdemeanor charge of attempted examination subversion by the state of California.

During the April 2002 administration of the FE examination, Hakkakian was observed using a calculator in an odd manner. The California Board representatives who observed him during the examination believed he had altered his calculator to use as a scanner and was scanning the examination questions to remove them from the site. When he refused to let them inspect the calculator, he was dismissed and disqualified from the examination.

The state board turned the matter over to the California Department of Consumer Affairs' Division of Investigation to conduct a formal investigation. The DOI executed a search warrant and seized one of Hakkakian's computers from his home. Located on the computer's hard drive were 158 examination questions that were identical or substantially similar to actual questions from previous FE examinations. The Sacramento County District Attorney's Office filed the criminal charge of attempted examination subversion against Hakkakian. He pled no contest to the charge on September 17, 2003, and was subsequently sentenced.

At its February meeting, the NCEES Board of Directors authorized NCEES staff to initiate civil action against Hakkakian.

The Stipulation of Final Judgment and Permanent Injunction was entered by the court on March 24, 2005. The judgment states that Hakkakian "infringed NCEES's copyrights in one or more FE examination forms and its copyrights in the questions and answers contained therein" and that he "acted in a manner and with sufficient knowledge to have his actions characterized as willful copyright infringement."

Under the terms of the judgment, Hakkakian is enjoined from registering for or taking any future administration of the FE examination or other NCEES examinations. He must also deliver to NCEES all copies of any FE exam questions in his possession and pay statutory damages agreed upon by both parties.

"NCEES is serious about exam security, and we will not hesitate to pursue legal action," says NCEES Executive Director Betsy Browne. "Our exams are our lifeblood. Dealing harshly with individuals who refuse to respect exam security and our intellectual property rights helps ensure the integrity of the licensing process for engineers and surveyors."

"This is also a good example of why NCEES has a strict calculator policy," says Browne. For many years, NCEES policy has prohibited calculators with text-editing and communication abilities from the examination rooms. Of great concern is the ability to type in text, store it in memory, and then transfer the data to another calculator, personal computer, or other electronic device. Beginning with the April 2005 examinations, NCEES extended the ban to all calculators not on a short list of approved calculators to reduce confusion among examinees and proctors.

A primary function of NCEES is to prepare standardized, confidential licensure examinations administered nationally every April and October. State boards use the examinations to help determine the competency of individuals seeking to become licensed to practice as professional engineers and surveyors. NCEES also provides examination scoring and administration services to licensing boards, as well as a variety of other products and services to engineering and surveying professionals. NCEES headquarters is located in Clemson, SC.