

# **ADMINISTRATIVE CODE**

## **ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS**

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# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-1 COMPOSITION AND OPERATION OF THE BOARD

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#### 485-X-1-.01 Name.

The name of this board shall be the "Alabama Board for Registered Interior Designers", herein referred to as the "board."

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### 485-X-1-.02 Definitions.

(1) Certificate of Registration: the title of the license issued by the board to an applicant who has qualified under Chapter 15C, Title 34 of the Code of Alabama 1975.

(2) Registered Interior Designer: an interior design professional, as defined by the NCIDQ, who is approved and registered by the board and the Secretary of State.

(3) Active: a registered interior designer who has paid all fees, holds a valid Certificate of Registration, and has complied with all continuing education requirements and any other orders by the board.

(4) Inactive: a registered interior designer who has obtained inactive status from the board and who is not required to comply with the continuing education requirements, who is not required to pay annual fees, and who shall not use the titles, stamps, or seals restricted by Section 34-15C-9 (a) and (b).

(5) Registrant: an individual issued a Certificate of Registration by the board.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-3.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.03 Board Members.**

(1) The board shall consist of seven members appointed by the Governor of the State of Alabama as provided by the Alabama Interior Design Registration Act.

(a) One (1) board member shall be appointed from each of the five districts created in Section 34-15C-4(e)(1) and shall be registered interior designers engaged in the full time practice of interior design.

(b) One (1) board member shall be a professional educator who teaches in a college or university level interior design program and is a current or previously registered interior designer in this state, or who has the credentials for registration and agrees to become registered within the first year of their term.

(c) One (1) board member shall be a consumer who is not a design professional and is not employed in the fields of architecture, construction, engineering, interior design, interior decorating, or any related field.

(2) At least one of the seven board members shall be a member of a minority race, and the total composition of the board shall reflect the racial, gender, urban/rural, and economic diversity of the state.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.04 Statements of Economic Interests.**

All board appointees shall file a Statement of Economic Interests as required by Code of Alabama, Section 36-25-14 by April 30 of each year and covering the period of the preceding calendar year in which an appointment was

active. Forms and instructions may be obtained from the website of the Alabama Ethics Commission and shall be submitted directly to that agency by each board member.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

**485-X-1-.05 Statewide Nominating Committee.**

(1) The purpose of the Statewide Nominating Committee is to provide to the Governor informational packets on individuals recommended by the nominating committee for board appointments.

(2) The statewide nominating committee members shall be selected in district nomination meetings. There shall be one nominating committee member selected from each of the five districts as comprised in Section 34-15C-4(e)(1).

(3) Meetings of the statewide nominating committee shall be scheduled by the Chair of the statewide nominating committee, or by notice from a majority of the members thereof. The Chair of the statewide nominating committee shall notify the Chair of the Interior Design Board, in writing, of the time and place of any scheduled meeting. Public notice and conduct of meetings shall be in accordance with the Alabama Open Meetings Act. The statewide nominating committee meetings shall proceed according to Roberts' Rules of Order, as most recently revised.

(4) A simple majority of the nominating committee members shall constitute a quorum at any meeting. A simple majority vote of the nominating committee members present at the meeting shall be sufficient to conduct the business of the statewide nominating committee.

(5) The members of the statewide nominating committee shall select a Chair and Secretary for the nominating committee. The Chair and the Secretary of the nominating committee shall continue to serve until his or her successor is elected by the nominating committee members. The Chair shall preside at all meetings, when present, and shall perform all other duties pertaining to the office as deemed necessary and appropriate. The Secretary shall act as the recording and corresponding secretary and shall produce written minutes of every meeting, sign all instruments and matters which require attest, shall submit all records to the Board, and shall serve as the Chair in the absence of the Chair.

(6) To select nominees to the board, the nominating committee members shall select the names of at least two individuals from each district

requiring a nominee. The nominees shall hold valid Certificates of Registration and reside in the districts they are to represent.

(7) The nominee must submit a package to the Nominating Committee for the Governor's Office containing a current resume, a signed and notarized letter of acceptance of the nomination and agreement to serve the specified term (whether a new full term or the remainder of a vacated term), and at least two letters of recommendation.

(8) The statewide nominating committee shall submit at least two (2) names and their nominee packets to the Governor no later than sixty (60) days prior to the expiration of a board member's term or no later than sixty (60) days after any vacancy occurs on the board. The nominating committee shall include a letter of transmittal to the Governor which should include the specific dates of the term to be served by the nominees.

(9) The Governor shall appoint one (1) individual from each group of nominees for each expired term or vacancy on the Board.

(10) Each statewide nominating committee member shall receive the same per diem, travel, and expense allowance as is paid by law to state employees for the time spent in the performance of his or her duties and in necessary travel.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4(f)(1)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.06 District Nomination Meetings.**

(1) District nomination meetings are to be called every (4) four years, or as needed to fill vacancies, in each of the five districts as comprised in Section 34-15C-4(e)(1) for the purpose of selecting the Statewide Nominating Committee members.

(a) District nomination meetings shall be called by the board.

(b) All registered interior designers in each district holding a nominating meeting shall be notified of the meeting, by district of residence, in writing to the last known address on record at the board, of the time and place of the meeting.

(c) Public notice and conduct of meetings shall be in accordance with the Alabama Open Meetings Act.

(d) At the district nomination meetings, the registered interior designers who reside in the district and who are present at the meeting shall constitute a quorum at the meeting. The registered interior designers who reside in the district and are in attendance at the meeting shall nominate from the floor a Chair to preside over that meeting; shall proceed according to Roberts' Rules of Order, as most recently revised; and shall select one person to serve on the statewide nominating committee. Minutes of the meeting shall be recorded and signed by the chair of the meeting and copies sent to the chair of the Board and to the current statewide nominating committee chair.

(e) Nominations for the district representative to the statewide nominating committee may be made from the floor; or, if an individual is willing and able to serve as the district representative to the statewide nominating committee and is unable to attend the district nomination meeting, that individual shall provide, in advance of the district meeting, to the chair of the Alabama Board for Registered Interior Designers, a signed letter of acceptance of the nomination.

(f) The district representative shall be selected by a plurality of the vote and shall be a registered interior designer with a valid certificate, shall reside in the district, and shall continue to serve until his or her successor is elected.

(2) If a vacancy occurs on the statewide nominating committee from any district, a district nominating meeting shall be called for that district only to fill the vacancy until the end of the vacated term.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4(e)(2)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.07 Board Meetings.**

(1) Public notice and conduct of all board and committee meetings shall be in accordance with the Alabama Open Meetings Act. Violations of the Open Meetings Act may result in civil actions with monetary penalties of up to \$1000 on each member of the board for each violation, temporary restraining orders, and nullification of the meeting's actions. Meeting notices and a preliminary agenda or description of business to be addressed are to be sent to the Secretary of State for posting on the Secretary of State website as soon as the meeting date is set. Notices must be to the Secretary of State several days prior to minimum posting time to allow for processing.

(2) The board shall hold at least two meetings per year for the purpose of performing its duties pursuant to Chapter 15C, Title 34, Code of Alabama

1975. Meetings are to be conducted using Roberts' Rules of Order, as most recently revised.

(3) A simple majority of the members of the board shall constitute a quorum at any meeting. If a vacancy occurs, a majority of the remaining members shall constitute a quorum.

(4) A simple majority vote of the members of the board physically present shall be sufficient to conduct the business of the board. Votes by teleconference or electronic communication shall not be counted. All voting must occur in a public meeting. Voice votes are allowed. No secret balloting is allowed.

(5) Executive sessions shall be entered from a public meeting and shall strictly follow restrictions on allowable topics and the procedures regarding executive sessions found in the Alabama Open Meetings Act. The board must disclose in the minutes every person present within the executive session. Executive sessions must be closed, and the board shall then reconvene in the public meeting to take any votes or close the public meeting.

(6) Minutes recording date, time, location, attendance, and official actions of the board shall be kept for each meeting; then published and maintained in a form suitable for public viewing. Guidelines for producing minutes may be obtained from the Department of Archives and History.

(7) The board should be prepared to set the date of the next meeting at the close of every public meeting and to send notification to the Secretary of State as soon as possible.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4(i)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.08 Officers.**

The board shall elect officers from current board members annually and at least 60 days prior to the beginning of the next term. If elections do not occur prior to the end of an officer's term, the previous officer shall serve until a new officer is elected. A vacancy in an officer position will require a special election to fill that vacancy and to ensure continuity of operations of the board. A slate of nominees may be developed prior to a board meeting and/or nominations may be taken from the floor to be voted on at that meeting. Officer positions shall be:

(a) Chair – responsible for directing board meetings, signing minutes and contracts of the board, and acting as the head of the board in all matters

concerning the board. With approval of the board, the Chair may form and disband committees as needed for the execution of board duties.

(b) Vice-Chair - responsible for directing board meetings in the absence of the Chair. Ideally, the Vice-Chair would be prepared to take over the Chair position in the event of the vacancy or end of term of the current Chair.

(c) Secretary/Treasurer – responsible for executing and safeguarding the record-keeping and financial duties and responsibilities of the board, acting as the main financial contact for the board, making any required financial reports to the state, making any other reports required by other state and federal entities, and attesting to minutes of the board.

(d) Executive Officer - an Executive Director may be hired to execute regular administrative duties of the board and run board meetings, but the board members maintain oversight responsibility for all business of the board. The Executive Director may act as the main board contact for all daily business of the board and provide a continuity of knowledge and procedure across many terms of appointed members and officers.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-3.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.09 Compensation of Board Members.**

(1) Each board member and committee member, while in service to the state, shall receive the same per diem, travel, and expense allowance as is paid by law to state employees for the time spent in the performance of his or her duties and in necessary travel.

(2) Board members and committee members may formally waive reimbursement for above expenses by written statement, which is to be maintained in the board's records.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-4(h)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-.10 Financial Operation of the Board.**

(1) The board shall establish fees that are adequate to ensure the continued operation of the board and to recover costs incurred by the Board for the administration of Chapter 15C, Title 34 of the Code of Alabama 1975.

(2) All fees received by the board shall be deposited into a fund in the State Treasury known as the Alabama Board for Registered Interior Designers Fund.

(3) All fees are non-refundable. All fees are due with applications, or prior to the issuance of any requested material.

(4) The following fee schedule shall be set until such time that a new fee schedule is adopted through amendment to the Alabama Administrative Code:

Registration Application Fee	\$300.00
Annual Renewal Fee (Postmarked by midnight Sept. 30 of each year)	\$160.00
Late renewal fee	\$75.00
Reinstatement Fee (revoked or suspended)	\$400.00
Reinstatement Fee (lapsed )	\$300.00
Inactive Status Fee	\$35.00
Reactivation of Inactive Certificate Fee (Minimum 6 months of inactive status required prior to reactivation)	\$250.00
Stamp/Seal Fee	\$25.00
Records Reproduction Fee (printed or electronic media)	.50/page
Certificate Replacement Fee	\$50.00
Copy of Administrative Code (printed or electronic media)	\$20.00
Roster (printed or electronic)	\$20.00
Returned Check Fee	\$30.00

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(13); §34-15C-14

**History: Original rule filed:** July 13, 2010; effective September 21, 2010.

**Amended:** Filed March 20, 2013; effective June 12, 2013. Amended: December 25, 2018.

#### **485-X-1-11 Publications and Reports.**

(1) The board shall maintain a roster of all registered interior designers, which shall be made available to the public and shall be posted on the web site of the Board.

(2) The board shall publish other materials as needed to conduct board business, such as rules and regulations, applications, and forms. These materials shall be available to all registered interior designers and other state agencies free of charge. All others shall pay a reproduction and handling fee in accordance with the fee schedule.

(3) The board shall produce an Annual Report to be submitted to the Governor's Office, the Speaker of the House, and the Senate President Pro Tempore. The Annual Report shall be published to the Board web site, or otherwise be made available on the Internet.

(4) The board shall maintain an Index of Formal Orders for public inspection and copying, at a cost, with the name and subject of all orders, decisions, and opinions which have been issued since October 1, 1982, except those expressly made confidential or privileged by statute or order of the court. (Code of Alabama 1975, Section 41-22-4(a)(4) )

(5) The board shall inform the Secretary of State each January of the current board contact information, current board members' names, date of appointment, term of appointment, and expiration of terms; and the name of the appointing governor for each member.

(6) Board publications may be provided in a common electronic format.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(7)(9)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-1-12 Public Records.**

(1) Public Records may be viewed only by appointment and by completing a request form detailing the record or records desired. A board member or employee must be present at all times to ensure integrity of the records and privacy protections. No original records may be removed from the board office at any time.

(2) Records may be copied on request by completing a request form detailing the record or records to be copied, and upon payment of a fee to recover costs for preparation, materials, and time incurred by the board.

(3) Board records deemed sensitive may be withheld from public viewing. Examples would be materials received in confidence; sensitive personnel records; pending criminal investigations; and records whose disclosure would be detrimental to the best interests of the public (see the Attorney General's Opinion 2007-031 for further guidance). Attorney fees for determining which records should be exempt from release cannot be recovered.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5

History: Original rule filed: July 13, 2010; effective September 21, 2010.

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-2 AUTHORIZATION FOR REGISTRATION

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#### 485-X-2-.01 Authorization for Registration.

Chapter 15C of Title 34, commencing with Section 34-15C-1, Code of Alabama 1975 establishes a registration process for those interior designers who choose to obtain the credentials required to seal and submit construction documents for commercial interior projects in certain spaces of less than 5,000 contiguous square feet within a building of any size which has a total area of 2,500 square feet or more to building officials for review and permitting purposes.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-2

**History:** New Rule:

#### 485-X-2-.02 Authorization to Submit Construction Documents.

(1) Notwithstanding provisions of law to the contrary, a registered interior designer with a valid certificate may submit sealed, stamped drawings to any official of this state or any city, town, or county charged with enforcement of laws, ordinances, or regulations related to the construction or alteration of buildings are authorized to accept or approve and issue permits based upon any of the following:

(a) Plans or specifications are prepared by any person registered pursuant to this chapter, provided the plans or specifications are consistent with this chapter.

(b) Plans are not for the erection, enlargement, or alteration of any building upon a farm for the use of the farmer; of any single family residence of any size; or for any type building which has a total area of less than 2,500 square feet, provided the building is not classified as assembly occupancy.

(c) Plans and specifications which such official is not prohibited from accepting pursuant to any other state law on the effective date of August 1, 2010.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-15

**History:** New Rule:

**485-X-2-.03 Effects of This Act.**

(1) It shall be lawful for any person who is a registered interior designer pursuant to this act to participate as owners with architects and professional engineers, or both, in partnerships, corporations, professional corporations, professional associations and other business entity relationships. Such participation may include, where applicable, and without limitation, service as an officer, director, shareholder, voting or non-voting, and any other participation allowed under the laws of the State of Alabama.

(2) Nothing in this chapter shall be interpreted to prohibit any person who is not a registered interior designer from conducting any activity not prohibited by any other state law.

(3) Nothing in this chapter shall be interpreted to restrict the practice of interior design or to prohibit any person who is not a registered interior designer from using the terms “design”, “interior design”, “designer”, or “interior designer” in this state.

(4) The board shall be subject to the Alabama Administrative Procedure Act.

(5) The board shall be subject to the Alabama Sunset Law with a termination date of October 1, 2013, and four years thereafter, unless continued pursuant to the Alabama Sunset Law.

(6) All laws or parts of laws in conflict with this act are repealed, and specifically, Chapter 15A of Title 34, Code of Alabama 1975, formerly repealed by Act 2001-660, and Chapter 15B of Title 34, Code of Alabama 1975, are repealed.

(7) The effective date of this act is August 1, 2010, following its passage and approval by the Governor, or its otherwise becoming law.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-16; §34-15C-17; §34-15C-18

**History:** New Rule:

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-3 REGISTRATION OF INTERIOR DESIGNERS

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#### 485-X-3-.01 Registration Requirements.

(1) Those applicants found qualified by the board, or the board's Registration Committee, shall be granted a Certificate of Registration. Certificates of Registration are issued to individuals only. Applications for registration shall be obtained from the board and shall be submitted with all required documentation and an application fee established by the board.

(2) An applicant must meet the following requirements to become registered:

(a) Be of good ethical character.

(b) Either satisfy all educational and experience requirements to take the National Council for Interior Design Qualification (NCIDQ) examination; OR holds a degree from a National Architectural Accreditation Board (NAAB) accredited school, or is a registered architect, who satisfies eligibility requirements to take the NCIDQ examination.

(c) Has passed the NCIDQ examination.

(d) Is at least 21 years of age.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-6(a) & (b).

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective June 12, 2013.

#### 485-X-3-.02 Privileges of Registration.

(1) Those registrants holding a valid Certificate of Registration may use seals and stamps of a design approved by the board for the purpose of

submitting construction documents to building officials pursuant to this chapter, and to the use of the terms “Registered Interior Designer” or “RID” and/or their State of Alabama registration number on any sign, card, listing, advertising, business name, stationery, or in any other manner.

(2) Those registrants holding a valid Certificate of Registration may participate as owners with architects and professional engineers, or both, in partnerships, corporations, professional corporations, professional associations and other business entity relationships.

(3) Registrants whose certificates are inactive, have expired, or are otherwise made invalid immediately lose privileges reserved for registered interior designers and are subject to disciplinary action for violations of this chapter by the board or the courts as consistent with the Alabama Administrative Procedure Act.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-8; §34-15C-9; §34-15C-16.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-3-03 Renewal of Registration.**

(1) Registration term is the fiscal year which begins October 1 and ends September 30 of the following year. Certificates of Registration must be renewed annually. Renewal applications must include payment of a renewal fee established by the board and a signed affidavit showing completion of all continuing education requirements. No provision is made for partial payment for a partial year. Renewal fees are due October 1st of each fiscal year. If the registrant elects to renew his license electronically, if available, the registrant may be charged a convenience fee or surcharge. If renewal is not completed on January 1, the registration will lapse and must be reinstated, as required by regulation.

(2) Prior to September 1 of each year, the board shall issue renewal notices to each interior designer who is actively registered to the individual's last known address and/or e-mail address. It is the obligation of the registrant to notify the board of any changes to contact information.

(3) Renewals postmarked October 1 through December 31 will be considered late and those renewals must include the late penalty established by regulation.

(4) Certificates of Registration held by active duty members of the Armed Forces of the United States shall not expire until September 30 following

the day of discharge or final separation from the Armed Forces of the United States.

(5) The board shall not renew a Certificate of Registration to any individual who has been assessed fines or costs associated with investigation and prosecution of violation of the act until the individual complies with or satisfies all terms and conditions of any final order of the board or the courts of Alabama.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5 (6)(13); §34-15C-6 (e)(f).

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective June 12, 2013. Amended: December 26, 2018.

#### **485-X-3-.04 Reinstatement of Certificates and Seals.**

(1) Reinstatement of certificates and seals will be required for any certificate that has lapsed for whatever reason; or which has been suspended or revoked through disciplinary action.

(2) A registered interior designer requesting reinstatement of a lapsed certificate must complete a reinstatement application; submit the reinstatement fee; renewal fee; proof of meeting current continuing education requirements established by the board; and a sworn affidavit that no submission of sealed documents has occurred during the time a certificate was invalid. The Board shall review or authorize the Office Administrator to review the application and authorize approval of the application for reinstatement. Should the application or record reflect disciplinary history or unsatisfactory responses to questions on the application, the Board will conduct a further review of the application and render a decision regarding eligibility for registration. If approved, the same registration number will be reissued. New certificates for framing will not be issued unless a written request is made, and a replacement fee is received.

(3) A registered interior designer requesting reinstatement of a suspended or revoked certificate may do so after a 6-month waiting period from the date of original suspension or revocation. The applicant must complete a reinstatement application; submit the reinstatement fee and renewal fee; proof of meeting current continuing education requirements established by the board, and a sworn affidavit that no use of titles or seals reserved for registered interior designers has occurred during the period of suspension or revocation. The Board shall conduct a review of the application and render a decision regarding eligibility for registration. The board shall not reinstate Certificates of Registration which have been suspended or revoked through disciplinary action to any individual who has not satisfied all monetary fines or assessments and any other

conditions of any final order of the board. If reinstatement is approved, the same registration number will be reissued. New certificates for framing will not be issued unless a written request is made and a replacement fee is received.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(6); §34-15C-12.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective June 12, 2013. Amended: December 26, 2018.

#### **485-X-3-.05 Inactive Status.**

(1) Only a registered interior designer holding a current and valid Certificate of Registration may apply to the board for inactive status. The individual shall request inactive status in writing on an application as approved by the board. When an individual is classified as inactive status, the certificate of the inactive individual will become invalid and the individual will not be listed in the roster and will not retain the title and seal and stamping privileges of a Registered Interior Designer in the State of Alabama.

(2) Inactive status must be in force for a period of not less than six months before reactivation may be requested. The date of Inactive Status shall begin on the date specified on the application.

(3) When requesting reactivation as a Registered Interior Designer, the inactive status individual shall complete an Application for Reactivation, available from the board office or the board website, and submit the payment of a reactivation fee established by the board.

(4) Continuing education requirements are suspended during terms of board-approved inactive status. Continuing education requirements shall resume upon reactivation of the certificate.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(12).

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-4 CERTIFICATES AND SEALS

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#### 485-X-4-.01 Certificates and Seals.

(1) A Certificate of Registration, suitable for framing, bearing the full name of the registrant, their registration number, and the date registered shall be issued to each new registrant. The certificate shall be signed by the chair of the board and the Secretary of State. Certificates are to be maintained and posted in the primary business offices in which the registrant practices.

(2) Upon approval of valid registration, an interior designer may create his/her own seal for use in the issuing of plans, specifications, and other documents for the purpose of obtaining construction permits. Seals may be a rubber stamp, an impression seal, or a computer-generated seal, as allowed by jurisdiction.

(3) Seals shall conform to the following design guidelines: The seal shall be circular, two inches in diameter, and shall contain an outer circle which reads "STATE OF ALABAMA" at the top and "REGISTERED INTERIOR DESIGNER" at the bottom. The registered interior designer's name and registration number must be placed inside the inner circle. Seals are for individual use only and are not to utilize the name of the business entity.

(4) Example of appropriate seal design (actual size):



(5) To ensure consistency and continuity the Board shall, with a fee, offer an electronic seal in AutoCAD format. Requests must be made in writing and submitted with the fee. The registrant's seal must be affixed on all final drawings, plans, specifications, and reports whenever presented to a client or any public or governmental agency for the purpose of obtaining a permit for construction. Work products presented which are not final should be so identified as "unfinished", "draft", or "not for construction". Seals shall conform to the requirements of the authority having jurisdiction under which documents are submitted.

(6) By affixing the seal, the registered interior designer signifies that the document was prepared either by the registrant personally or under his or her direct supervision.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-8; §34-15C-9(c).

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

#### **485-X-4-.02 Suspended or Revoked Certificates and Seals.**

(1) Certificates and seals may be suspended or revoked through disciplinary actions consistent with the Alabama Administrative Procedure Act.

(2) The board may determine terms for reinstatement of certificates and seals and through processes consistent with the Alabama Administrative Procedure Act.

(3) Reinstatement of certificates and seals will be required for any certificate which has been suspended or revoked through disciplinary action.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(6); §34-15C-11

**History:** New Rule:

#### **485-X-4-.03 Replacement or Duplicate Certificates.**

By reasonable written request, along with payment of a fee established by the board, a duplicate or corrected Certificate of Registration may be issued.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-8.

**History:** New Rule:

#### **485-X-4.04 Remediation of Unsealed or Improperly Sealed Documents.**

In the event that an interior design registration becomes invalid or work is found to be out of compliance with the law, the owner of the project may remediate by the following method:

1. The owner of the project employs another interior designer with a valid registration in the state of Alabama.
2. The registered interior designer acknowledges this relationship by notifying the authority having jurisdiction.
3. The registered interior designer inspects the documents, inspects the work executed, produces a report, and produces “as-built” drawings as needed for the authority having jurisdiction and the owner. Any deficiencies in work or life-safety and building codes should be noted along with recommended actions to bring the project into compliance with applicable codes and standards.
4. The registered interior designer assumes responsibility for the design and supervision of their contractual portion of the project. New or revised documents shall bear the seal of the registered interior designer who assumes responsibility for the project.
5. The registered interior designer shall notify the authority having jurisdiction once all observable deficiencies have been addressed.

**Author:** Alabama State Board of Registration for Interior Design

**Statutory Authority:** Code of Ala. 1975, §34-15C-8.

**History:** New Rule:

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-5 CONTINUING EDUCATION

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#### 185-X-5-.01 Continuing Education Rationale.

(1) Code of Alabama Chapter 34-15C-5(8) establishes the requirement of continuing education for renewal of certificates and seals.

(2) Continuing education is the process through which registrants acquire new knowledge and skills in relation to their work and is intended to supplement what has already been obtained in prior training and practice.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### 485-X-5-.02 Exemptions.

(1) First-time registrants approved after May 31<sup>st</sup> are exempt from continuing education requirements until the reporting period following their first renewal date.

(2) Registrants under board-approved inactive status are exempt from continuing education requirements during their inactive period.

(3) Registrant is a civilian who serves on active duty in the Armed Forces of the United States for a period of time exceeding ninety (90) consecutive days during the annual reporting period.

(4) Personal hardship cases shall be considered on an individual basis. Request for an exemption from CEU requirements due to a personal hardship shall be submitted to the board in writing for review and written response.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8); §34-15C-5(12)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

### **485-X-5-03 Definitions.**

AIA CES - American Institute of Architects Continuing Education System: Provides AIA certified courses for use by those seeking continuing education requirements containing HSW content.

ASID – American Society of Interior Designers: a professional association.

CEU - Continuing Education Unit – measurement of contact hours and credit assigned to an approved course. One CEU equals a minimum of fifty (50) minutes of actual instruction time. Credit shall not be awarded for introductory remarks, meals, breaks, or business/administration matters related to courses of study. Example: A course worth 5 CEU's lasts 5 contact hours, with 50 minutes of instruction for each hour.

HSW - Acronym used to signify that a program's content involves information about Health, Safety & Welfare of the public.

IDCEC - Interior Design Continuing Education Council: A consortium of interior design professional associations whose purpose is to set mutual policy for quality continuing education for interior design professionals.

IDCEC Subject Code Index - the coding system used by IDCEC for assigning CEU course numbers according to subject matter.

IIDA – International Interior Design Association: a professional association.

NCIDQ - National Council for Interior Design Qualification: Provides examination for interior designer qualifications and records IDCEC-coded CEU course credits in a registry for those who choose to participate in the registry. The CEU registry function is a separate entity from the exam function.

Webinar – A live online educational presentation during which participating viewers can submit questions and comments.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

#### **485-X-5-04 Continuing Education Compliance.**

(1) For every annual renewal period, each registered interior designer shall be required to complete continuing education units relevant to technical and professional interior design subjects related to safeguarding the Health, Safety, and Welfare (HSW) of the public.

(a) The reporting period for continuing education units shall begin October 1 and end September 30 for each and every annual renewal period. The renewal application and CEU reporting document(s) must be postmarked no later than midnight September 30 of each annual renewal period.

(b) The continuing education section of the annual renewal form must be completed in full and include a signed affidavit attesting to the registrant's fulfillment of all continuing education requirements in order to process the renewal.

(c) If requested or audited, the CEU reporting shall include enough detail to easily verify or evaluate the course credits listed. Registrants should retain certificates for up to two years.

(2) Falsification of any information provided to the board regarding the continuing education unit reporting is grounds for disciplinary action.

(3) The following organizations sponsor many structured and on-line CEU courses that will qualify for HSW approval by the board. Please note that not all courses provided by these organizations will qualify.

ASID – American Society of Interior Designers  
IDEC – Interior Design Educators Council  
IIDA – International Interior Design Association  
NCIDQ – National Council for Interior Design Qualification  
NKBA – National Kitchen and Bath Association  
AIA – American Institute for Architects  
CSI – Construction Specifications Institute  
USGBC – United States Green Building Council

(4) It is up to each registrant to make a reasoned judgment on acceptable CEU activities. Prior written approval of a proposed CEU may be requested from the board by the registrant at least 6 weeks in advance of the scheduled activity. The board cannot guarantee the approval of any CEU without

sufficient and detailed information for analysis in relation to the stated CEU reporting requirements for interactive or self-directed study units.

(5) Courses pertaining to Design Practice Management and Personal and Professional Development do **NOT** meet HSW standards and will not be accepted.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

#### **485-X-5-.05 Continuing Education Requirements.**

(1) Continuing education unit requirements for registration renewal for registered interior designers are ten (10) hours per annual reporting period. A minimum of four (4) hours should be interactive course study per annual reporting period and a maximum of six (6) hours in self-directed study per annual reporting period.

(2) The study of topics related to **Codes and Standards** shall be used to satisfy the requirements for at least four (4) continuing education units per annual reporting period and may be either interactive or self-study units. Codes and Standards courses are those pertaining only to:

Barrier Free/ADA/Universal Design (i.e. ADA, ANSI)

Building Codes and Standards (i.e. ICC, ANSI, BOCA)

Energy Codes and Standards (i.e. ASHRAE, ICC)

Sustainability Standards (i.e. LEED Rating System)

Fire Safe Design (i.e. NFPA)

Testing and Compliance Standards (i.e. ASTM, NSF, UL, BIFMA)

(3) Each registrant shall retain detailed and verifiable documentation of continuing education units for a period of two (2) years after the annual October 1 renewal date on which they were submitted in the event the registrant is selected for an audit. Units claimed which cannot be proven to meet requirements may be disallowed.

(4) No carry-over of continuing education hours is permitted.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective June 12, 2013.

#### **485-X-5-.06 Audit**

The board shall conduct annual random in-depth audits to ensure compliance with continuing education requirements. Registrants selected for audit will be notified and required to provide documentation in support of hours claimed.

(a) The board may disallow any submitted continuing education unit if that registrant has failed to demonstrate how the continuing education experience meets the requirements of this chapter. If continuing education units are disallowed, the registrant will have 60 days from date of written notification to provide documentation that substantiates the original claim or provide documentation of other continuing education hours to meet the minimum requirements. Continuing education hours submitted to remedy a disallowance shall not be used for registration renewal purposes in the following renewal period.

(b) Failure to respond to audit requirements or satisfy all CEU requirements will result in certificates becoming expired/lapsed.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: Filed March 20, 2013; effective June 12, 2013.

#### **485-X-5-.07 Interactive Study.**

(1) Interactive course study is in-person participation in education activities offered in a classroom or group setting and presented by those qualified through professional, practical, or academic experience to conduct courses of study. Examples of interactive course study include the following:

(a) Attending professional or technical CEU presentations at professional association meetings (i.e. ASID, IIDA, NKBA, AIA, CSI, IDEC), conventions, or conferences. Registrants shall obtain certificates of completion provided by the presenter showing verifiable course information as proof of participation (i.e. IDCEC CEU course number, AIA CES course number).

(b) Attending in-house CEU programs sponsored by corporations or other organizations related to the profession of interior design. Registrants shall obtain certificates of completion provided by the presenter showing verifiable course information as proof of participation (i.e. IDCEC CEU course number, AIA CES course number).

(c) Successfully completing seminars, webinars, tutorials, or short courses related to the interior design profession. Such courses shall have certificates of completion or transcripts provided by the presenter or institution as proof of participation.

(d) Successfully completing college or university sponsored courses related to the interior design profession. Transcripts or certificates provided by the institution are required as proof of completion.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

#### **485-X-5.08 Self-Directed Study.**

(1) All self-directed study units shall have detailed descriptions and proof of completion or participation (certificates of completion, transcripts, certificates, etc.) that is easily verifiable in the event of an audit.

(2) Self-directed study may include:

(a) Successfully completing interior design-related HSW courses offered on-line, by pre-recorded webcast, by correspondence courses, by televised courses, or by audio/video recorded courses. All courses shall have a certificate of completion from the presenter showing verifiable course information and earned credit hours as proof of participation (i.e. IDCEC CEU course number or AIA CES course number).

(b) Gaining certification through examination from design-related organizations such as Green Building Certification Institute (GBCI), Construction Specifications Institute (CSI), National Kitchen and Bath Association (NKBA), etc. will earn four (4) self - directed study units per annual reporting period for each new certification earned during that period. **Annual renewals will not be accepted.** Subsequent advanced or specialized certifications requiring additional examinations will be accepted. Proof of certification must be retained.

**NOTE:** The NCIDQ examination is NOT accepted for CEU credits.

(c) A one-time submittal of an authored and published article, research paper, or book on HSW issues or topics will earn four (4) self - directed study units for all items published during the annual reporting period combined. Proof of publication and the date is required.

(d) Registrants serving as an appointed board member on the Alabama Board for Registered Interior Designers or as a member on a board of a

technical professional association related to interior design (i.e. ASID, IIDA, NCIDQ, CSI, etc.) shall earn two (2) self - directed study units for all combined associations or boards for each year of service. Proof of active service during the annual reporting period is required (i.e. board minutes or work product showing active participation in board activities).

(e) Making public professional or technical HSW CEU presentations at professional association (i.e. ASID, IIDA, AIA, CSI, etc.) meetings or conferences will earn 4 self - directed study units per annual reporting period for all presentations combined during that reporting period. Proof of instruction with dates and details of the presentations shall be required. In-house presentations are **not** accepted.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(8)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.  
Amended: December 26, 2018.

#### **485-X-5-.09 Failure to Comply with Continuing Education Requirements.**

Failure by a registrant to comply with continuing education requirements, including submission of all required documentation postmarked no later than midnight, September 30, of the annual renewal period, or compliance with an audit requirement, shall result in the individual's certificate becoming expired/lapsed. The registrant shall forfeit the right to use the titles and seals reserved for registered interior designers with valid certificates.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-6(e)(2)

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.  
Amended: Filed March 20, 2013; effective June 12, 2013.

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-6 EXEMPTIONS

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#### 485-X-6-.01 Exemption Categories.

The following individuals are exempt from the act, but remain subject to the title restrictions contained in the law:

(a) An individual making plans and specifications for or administering the erection, enlargement, or alteration of any building upon any farm for the use of any farmer.

(b) An individual making plans and specifications for any single family residence of any size.

(c) An individual making plans and specifications for any other type building which has a total area of less than 2,500 square feet, provided the building is not a school, church, auditorium, or other building intended for the assembly occupancy of people.

(d) An individual conducting any activity not prohibited by any other state law.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-10

**History:** New Rule:

# ALABAMA BOARD FOR REGISTERED INTERIOR DESIGNERS

## CHAPTER 485-X-7 COMPLAINTS AND VIOLATIONS

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- 485-X-7-.04 Procedures for Complaints Against Registrants**
- 485-X-7-.05 Notice of Charges**

#### **485-X-7-.01 Disciplinary Powers of the Board**

(1) The board shall have the power to investigate or cause to be investigated any matter covered by the Alabama Interior Design Registration Act at any time or place within the State of Alabama.

(2) The board may seek legal or equitable relief from the state circuit courts against Registered Interior Designers who violate this chapter.

(3) The board may refuse to grant, deny, revoke, suspend, or reinstate a certificate of registration to a Registered Interior Designer; issue a private or public reprimand to an individual possessing a certificate of registration; and assess and collect administrative fines not to exceed \$2000.00 for violations of Code of Ala. 1975, §34-15C. In addition to the foregoing, the board may institute any legal proceedings necessary to enforce this chapter, or any combination of the foregoing, for any of the following conduct:

(a) Fraud, deceit, dishonesty, or misrepresentations, whether knowingly or unknowingly, in the pursuit of his or her practice or in obtaining any certificate of registration or other thing of value.

(b) Gross negligence, misconduct, or incompetence in the pursuit of his or her practice.

(c) Conviction of a felony until civil rights are restored.

(d) Incompetence, as adjudged by a court having jurisdiction.

(e) Violating or directly or indirectly aiding or abetting in the misuse of titles and/or seals by a person without valid registration pursuant to this chapter in the State of Alabama.

- (f) Practicing in this state in violation of any standards of professional conduct as may be established by rule of the board.
- (g) Failure to pay any fee or administrative fine assessed by the board.
- (h) Failure to comply with any final order of the board.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-5(3),(5),(10); §34-15C-11.

**History:** New Rule:

#### **485-X-7-.02 Unlicensed Use of Titles, Stamps, or Seals.**

(1) An individual who uses the titles, stamps, or seals restricted by this act without possessing a valid Certificate of Registration will find that the Board, in its own name, may seek an injunction in the circuit court for the county of residence of the accused, and the court may enjoin such person in regards to the violation.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-9; §34-15C-12(c).

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

#### **485-X-7-.03 Procedures for Complaints Against Registrants.**

(1) The board shall supply a complaint report form to aid in handling complaints against registrants. Any person may file complaints to the board, including board members. All complaints shall be made in writing to the board and, when available and applicable, include documentation of the alleged violation. To preserve a respondent's right to face their accuser, the board should not accept anonymous complaints except in extraordinary circumstances. A copy of the complaint form shall be given to any registered interior designer who is asked to respond to an allegation.

(2) A confidential file shall be kept in the name of the accused registrant as a record of the violation, along with all documentation and the written responses. The file shall be assigned a case number and turned over to the investigator(s) as soon as possible.

(3) Investigators may be a board member, or members, along with legal counsel. The board may also use or hire outside investigators who are knowledgeable and skilled at gathering, analyzing, and presenting evidence and knowledgeable of the interior design profession and the requirements for registration.

(4) Any board member who assists in the investigation process must recuse themselves from the administrative hearing process, other than acting as a witness, and from voting on any disciplinary measures.

(5) The investigator(s) must first determine if the individual named in the complaint is a registrant. If so, the investigator(s) shall determine if there is sufficient evidence of a violation of this chapter to make a probable cause determination. If a probable cause determination is made, notice of charges may be initiated on the registrant. If the investigator(s) determines there is no probable cause for a disciplinary hearing, then the case shall be considered closed and the file marked as “no probable cause found”.

(6) The board shall notify, in writing, the individual who filed the complaint that the board is in receipt of the complaint; if a hearing date has been set; and of any resolution of the alleged violation.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

#### **485-X-7-.04 Notice of Charges.**

(1) Any time the board has reason to believe that a registered interior designer is subject to discipline, notice of the charges placed against the registered interior designer and the time and place of hearing of such charges by the board shall be served on the accused, pursuant to the Alabama Rules of Civil Procedure, not less than 45 days before the day fixed for the hearing.

(2) The notice shall inform the registered interior designer that he or she is entitled to respond to the charges within 30 days, be represented by counsel of his or her choosing at the hearing, have witnesses testify in his or her behalf at the hearing, confront and cross-examine witnesses at the hearing, and testify in his or her own behalf at the hearing.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12.

**History:** Original rule filed: July 13, 2010; effective September 21, 2010.

Amended: December 26, 2018.

**CHAPTER 485-X-8**  
**DISCIPLINARY ACTION**

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**485-X-8-.01 Injunctions.**

(1) If the board determines that any person is in violation of the title restrictions contained in Section 34-15C-9, or that any registered interior designer is violating any other provision of this chapter, the board, in its own name, may seek injunction in the circuit court for the county of residence of the accused, and the court may enjoin such person from violating this chapter, regardless of whether the proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12(c).

**History:** New Rule:

**485-X-8-.02 Disciplinary Hearings.**

(1) All disciplinary proceedings shall be conducted in accordance with the applicable provisions of the Alabama Administrative Procedures Act on due process.

(2) The board shall not bring any disciplinary actions against any person who is not a current registered interior designer. Actions against non-licensed persons must be brought before the courts.

(3) The registrant shall be given not less than forty-five (45) days written notice of any hearing to consider disciplinary action sent by certified mail, return receipt requested, and addressed to the last known address of the registrant.

(4) The registrant may at all times be represented by counsel of his/her choosing or may waive the right.

(5) The board may utilize an administrative hearing officer to preside over hearings and who may issue subpoenas, discover orders related to relevant matters, and protective orders in accordance with the rules of civil procedure.

The hearing officer provides a summary of findings of facts and conclusions of law, along with recommendation to the board. Any board member who assists in the investigation process must then recuse themselves from the administrative hearing process, other than acting as a witness, and from voting on any disciplinary measures.

(6) The board shall consider the report of the hearing officer and vote to accept, modify, or reject the recommendations of the hearing officer.

(7) Any disciplinary action adjudged appropriate by the board shall be transmitted to the registrant within thirty (30) days following the board's final order in the case.

(8) Board members must abstain from participating or voting in disciplinary investigations or hearings if the registrant under investigation is in their employ or under their supervision; or if there is a legal, ethical, or moral question vis-à-vis the board member and the registrant.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12.

**History:** New Rule:

#### **485-X-8-03 Negotiated Settlements.**

The Administrative Procedure Act and Chapter 34-15C-12(a) provides that this board may enter into negotiated settlements for any contested case with a registered interior designer as a means of resolving a disciplinary hearing. The amount of the monetary settlement or conditions agreed upon is not governed by the agency's enabling statutes for penalties and fines, but is set according to conditions the parties to the case agree upon in writing.

**Author:** Alabama State Board of Registration for Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12(a).

**History:** New Rule:

#### **485-X-8-04 Appeals.**

The accused may appeal any disciplinary action taken by the board to the Circuit Court of Montgomery County, Alabama, or to the circuit court for the county of residence of the accused. Either party has the right to appeal from the final decree of the circuit court as provided by law.

**Author:** Alabama Board for Registered Interior Designers

**Statutory Authority:** Code of Ala. 1975, §34-15C-12(b).

**History:** New Rule: