Exam Mailing List #57

Jurisdiction	Client ID	Exam Name	Exam Date	Exam Grade
Utah EES	CN00409145	Project Development & Documentation 5.0	8/5/2026 4:35:22 PM	Pass
Utah EES	CN00394071	Project Development & Documentation 5.0	8/5/2026 4:55:16 PM	Pass
Utah EES	CN00453518	Construction & Evaluation 5.0	8/7/2026 5:51:26 PM	Pass
Utah EES	CN00416404	Project Planning & Design 5.0	8/7/2026 6:14:05 PM	Pass
Utah EES	CN00444136	Practice Management 5.0	8/8/2026 7:21:32 PM	Fail
Utah EES	CN00438861	Project Development & Documentation 5.0	8/9/2026 3:43:30 PM	Fail
Utah EES	CN00422960	Programming & Analysis 5.0	8/10/2026 5:55:55 PM	Fail
Utah EES	CN00447101	Project Planning & Design 5.0	8/12/2026 4:54:36 PM	Pass
Utah EES	CN00453518	Practice Management 5.0	8/13/2026 5:56:46 PM	Pass
Utah EES	CN00446716	Programming & Analysis 5.0	8/13/2026 6:05:38 PM	Pass
Utah EES	CN00432141	Project Management 5.0	8/14/2026 1:47:19 PM	Pass
Utah EES	CN00411685	Practice Management 5.0	8/14/2026 5:32:52 PM	Fail
Utah EES	CN00370973	Practice Management 5.0	8/14/2026 6:22:23 PM	Fail
Utah EES	CN00435528	Construction & Evaluation 5.0	8/20/2026 6:36:07 PM	Pass
Utah EES	CN00441131	Construction & Evaluation 5.0	8/21/2026 2:05:22 PM	Fail
Utah EES	CN00447234	Practice Management 5.0	8/21/2026 6:36:53 PM	Pass
Utah EES	CN00447055	Project Planning & Design 5.0	8/22/2026 5:00:57 PM	Fail
Utah EES	CN00436758	Practice Management 5.0	8/24/2026 2:08:48 PM	Fail
Utah EES	CN00419641	Project Planning & Design 5.0	8/26/2026 4:52:27 PM	Fail
Utah EES	CN00354079	Project Management 5.0	8/26/2026 5:17:24 PM	Pass
Utah EES	CN00451421	Programming & Analysis 5.0	8/26/2026 6:13:54 PM	Fail
Utah EES	CN00442720	Programming & Analysis 5.0	8/27/2026 6:17:26 PM	Fail
Utah EES	CN00431146	Practice Management 5.0	8/27/2026 6:18:35 PM	Pass
Utah EES	CN00354079	Construction & Evaluation 5.0	8/28/2026 5:00:11 PM	Pass
Utah EES	CN00426203	Construction & Evaluation 5.0	8/29/2026 2:00:56 PM	Fail
Utah EES	CN00450001	Practice Management 5.0	8/29/2026 2:55:25 PM	Pass
Utah EES	CN00447137	Project Management 5.0	8/30/2026 4:11:11 PM	Fail
Utah EES	CN00386031	Practice Management 5.0	8/30/2026 7:13:08 PM	Fail

Exam Mailing List #58

Jurisdiction	Client ID	Exam Name	Exam Date	Exam Grade
Utah EES	CN00409145	Construction & Evaluation 5.0	9/1/2026 5:46:11 PM	Pass
Utah EES	CN00438350	Project Development & Documentation 5.0	9/10/2026 5:24:46 PM	Fail
Utah EES	CN00443570	Project Development & Documentation 5.0	9/14/2026 3:01:36 PM	Pass
Utah EES	CN00419834	Construction & Evaluation 5.0	9/9/2026 2:49:38 PM	Pass
Utah EES	CN00446628	Construction & Evaluation 5.0	9/14/2026 4:01:56 PM	Pass
Utah EES	CN00438861	Construction & Evaluation 5.0	9/20/2026 4:13:43 PM	Fail
Utah EES	CN00453310	Construction & Evaluation 5.0	9/16/2026 3:54:30 PM	Fail
Utah EES	CN00423979	Project Planning & Design 5.0	9/28/2026 4:13:10 PM	Fail
Utah EES	CN00419745	Project Planning & Design 5.0	9/28/2026 4:03:10 PM	Pass
Utah EES	CN00436945	Project Planning & Design 5.0	9/3/2026 4:21:34 PM	Fail
Utah EES	CN00409534	Project Planning & Design 5.0	9/26/2026 5:21:50 PM	Pass
Utah EES	CN00439950	Project Planning & Design 5.0	9/2/2026 4:37:52 PM	Pass
Utah EES	CN00354079	Project Development & Documentation 5.0	9/25/2026 2:58:18 PM	Pass
Utah EES	CN00420918	Project Development & Documentation 5.0	9/25/2026 3:41:00 PM	Pass
Utah EES	CN00418774	Project Development & Documentation 5.0	9/17/2026 5:03:31 PM	Fail
Utah EES	CN00426621	Programming & Analysis 5.0	9/21/2026 1:53:35 PM	Fail
Utah EES	CN00354079	Programming & Analysis 5.0	9/9/2026 5:00:49 PM	Fail
Utah EES	CN00450059	Practice Management 5.0	9/26/2026 5:02:26 PM	Fail
Utah EES	CN00441955	Project Management 5.0	9/17/2026 6:22:18 PM	Fail
Utah EES	CN00452990	Project Management 5.0	9/10/2026 5:49:17 PM	Pass
Utah EES	CN00438516	Project Management 5.0	9/30/2026 6:08:44 PM	Fail
Utah EES	CN00445126	Project Management 5.0	9/11/2026 6:21:28 PM	Fail
Utah EES	CN00446849	Project Management 5.0	9/14/2026 2:09:45 PM	Fail
Utah EES	CN00444136	Project Management 5.0	9/25/2026 9:26:25 PM	Pass
Utah EES	CN00453518	Programming & Analysis 5.0	9/22/2026 2:03:47 PM	Pass
Utah EES	CN00408921	Programming & Analysis 5.0	9/13/2026 8:26:00 PM	Pass
Utah EES	CN00439287	Project Management 5.0	9/11/2026 6:38:29 PM	Fail
Utah EES	CN00446628	Project Management 5.0	9/28/2026 3:43:35 PM	Fail

2025 Exam Data

ARE	January		February		March		April		May		June	
Test Section	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
Practice Management	2	1	2	2	2	3	5	2	2	5	9	1
Project Management	5	2	2	0	6	6	2	1	5	2	1	1
Programming & Analysis	2	1	3	1	0	1	6	0	1	2	5	1
Project Planning & Design	2	2	4	1	2	1	2	3	6	3	1	2
Project Development & Documentation	2	1	2	1	2	2	3	4	6	2	1	3
Construction & Evaluation	5	3	0	0	5	3	3	5	7	1	2	1
Total	**18**	**10**	**13**	**5**	**17**	**16**	**21**	**15**	**27**	**15**	**19**	**9**
	Attempts	28	Attempts	18	Attempts	33	Attempts	36	Attempts	42	Attempts	28
	Pass Rate	64%	Pass Rate	72%	Pass Rate	52%	Pass Rate	58%	Pass Rate	64%	Pass Rate	68%

ARE	July		August		September		October		November		December	
Test Section	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
Practice Management	4	3	4	0	1	4	2	5	2	1	5	3
Project Management	3	3	4	0	4	0	1	2	1	2	3	0
Programming & Analysis	2	2	2	1	2	5	0	1	5	4	6	2
Project Planning & Design	1	4	1	2	3	2	1	2	5	1	3	3
Project Development & Documentation	1	2	2	2	1	3	4	2	3	3	2	3
Construction & Evaluation	3	4	2	3	2	1	2	2	5	1	6	1
Total	**14**	**18**	**15**	**8**	**13**	**15**	**10**	**14**	**21**	**12**	**25**	**12**
	Attempts	25	Attempts	18	Attempts	25	Attempts	20	Attempts	27	Attempts	30
	Pass Rate	56%	Pass Rate	83%	Pass Rate	52%	Pass Rate	50%	Pass Rate	78%	Pass Rate	83%

ARE	Totals			
Test Section	**Attempts**	**Pass**	**Fail**	**Pass Rate**
Practice Management	70	40	30	57%
Project Management	56	37	19	66%
Programming & Analysis	55	34	21	62%
Project Planning & Design	57	31	26	54%
Project Development & Documentation	57	29	28	51%
Construction & Evaluation	67	42	25	63%
Total	**362**	**213**	**149**	**59%**

2026 LARE Exam Data

LARE	April			August			December		
Test Section	Pass	Fail	Credit	Pass	Fail	Credit	Pass	Fail	Credit
Inventory, Analysis, and Project Management	16	2	0						
Planning and Design	12	1	1						
Construction Documentation and Administration	11	4	0						
Grading, Drainage, and Stormwater Management	5	9	0						
Total	**44**	**16**	**1**	**0**	**0**	**0**	**0**	**0**	**0**
	Attempts	60		Attempts	0		Attempts	0	
	Pass Rate	73%		Pass Rate	#DIV/0!		Pass Rate	#DIV/0!	

LARE	Totals			
Test Section	**Attempts**	**Pass**	**Fail**	**Pass Rate**
Inventory, Analysis, and Project Management	18	16	2	89%
Planning and Design	13	12	1	92%
Construction Documentation and Administration	15	11	4	73%
Grading, Drainage, and Stormwater Management	14	5	9	36%
Total	60	44	16	73%

2025 LARE Exam Data

LARE	April			August			December		
Test Section	Pass	Fail	Credit	Pass	Fail	Credit	Pass	Fail	Credit
Inventory, Analysis, and Project Management	21	5	3	14	4	1	15	2	0
Planning and Design	13	7	0	12	5	0	12	4	1
Construction Documentation and Administration	11	3	1	9	1	0	11	2	0
Grading, Drainage, and Stormwater Management	7	5	1	4	4	0	6	4	0
Total	**52**	**20**	**5**	**39**	**14**	**1**	**44**	**12**	**1**
	Attempts	144		Attempts	106		Attempts	112	
	Pass Rate	36%		Pass Rate	37%		Pass Rate	39%	

LARE	Totals			
Test Section	**Attempts**	**Pass**	**Fail**	**Pass Rate**
Inventory, Analysis, and Project Management	61	50	11	82%
Planning and Design	53	37	16	70%
Construction Documentation and Administration	37	31	6	84%
Grading, Drainage, and Stormwater Management	30	17	13	57%
Total	**181**	**135**	**46**	**73%**

2026 Exam Data

ARE	January		February		March		April		May		June		July	
Test Section	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail	Pass	Fail
Practice Management	2	4	5	2	4	0	3	2	1	1	0	2	2	2
Project Management	2	2	6	3	3	3	3	2	3	2	2	1	1	4
Programming & Analysis	4	3	1	0	5	3	7	3	1	3	5	3	2	1
Project Planning & Design	2	1	4	3	1	1	6	1	4	3	2	5	0	1
Project Development & Documentation	2	1	1	2	1	1	5	2	7	3	4	1	2	3
Construction & Evaluation	2	2	3	1	1	2	3	0	2	3	3	6	1	2
Total	**14**	**13**	**20**	**11**	**15**	**10**	**27**	**10**	**18**	**15**	**16**	**18**	**8**	**13**
	Attempts	27	Attempts	31	Attempts	25	Attempts	37	Attempts	33	Attempts	34		
	Pass Rate	52%	Pass Rate	65%	Pass Rate	60%	Pass Rate	73%	Pass Rate	55%	Pass Rate	47%		

ARE	August		September		Totals			
Test Section	Pass	Fail	Pass	Fail	**Attempts**	**Pass**	**Fail**	**Pass Rate**
Practice Management	4	5	0	1	40	21	19	53%
Project Management	2	1	2	6	48	24	24	50%
Programming & Analysis	1	3	2	2	49	28	21	57%
Project Planning & Design	2	2	3	2	43	24	19	56%
Project Development & Documentation	2	1	3	2	43	27	16	63%
Construction & Evaluation	3	2	3	2	41	21	20	51%
					264	**145**	**119**	**55%**
Total	**14**	**14**	**13**	**15**				
	Attempts	28						
	Pass Rate	50%						

UTAH

Nicole Herrera <nherrera@utah.gov>

Re: Request for Board Guidance Regarding Organization Engaged in the Practice of Architecture

4 messages

Stephen Duncombe <sduncombe@utah.gov> Tue, Sep 22, 2026 at 7:06 AM
To: Devan Porter <devanporter1@gmail.com>
Cc: Shawn Horton <shorton@utah.gov>, Nicole Herrera <nherrera@utah.gov>

Dear Mr. Porter,

Thank you for your inquiry, and for routing it through Mr. Horton. This letter explains what the Division can and cannot provide, gives you a preliminary outline of the statutory framework so you know what the Board would be looking at, and identifies what we would need from you to place the question before the Architects and Landscape Architects Licensing Board at its October 14, 2026 meeting.

This is general information about the statutes and rules the Division administers. It is not a determination that any particular organization is or is not in compliance, it is not legal advice, and it does not bind the Division, the Board, or any future adjudicative proceeding. The Division does not pre-clear organizational arrangements, and neither Board discussion nor this letter creates a safe harbor.

The Board advises the Division; it does not issue binding interpretations of the Act on its own. It can discuss how the statutory provisions apply to a described set of facts, and that discussion is useful, but the outcome is guidance rather than an order. If Brigham Young University needs an answer it can rely on, the formal mechanism is a petition for a declaratory order under Utah Code § 63G-4-503, filed with the agency head under Utah Admin. Code R151-4-112. That rule requires the petition to state the question, the facts and circumstances, and the statute or rule to be applied. It also limits when the Department may issue such an order, including questions that can be addressed by informal advice and questions arising out of pending or anticipated litigation or administrative proceedings.

Based on the information provided, your reading of § 58-3a-102(6) appears accurate. The "practice of architecture" is defined by the listed activities performed in connection with the design, construction, enlargement, or alteration of a building, and the definition is not conditioned on offering services to third parties, on compensation, or on the existence of a client relationship. An organization that performs those activities on its own buildings is therefore not outside the definition simply because the work is internal.

Two points follow that the Board would likely focus on.

First, the Act licenses individuals, not entities. Section 58-3a-301(1) requires a license to engage in the practice of architecture, and the Division issues licenses only in the classification of architect. There is no organizational license or registration to obtain. Instead, § 58-3a-304(1)(f) treats an organization engaged in the practice of architecture as exempt from licensure provided that the organization employs a principal and that all individuals it employs who are engaged in the practice of architecture are licensed or exempt. Section 58-3a-501(2) makes it unlawful conduct for an entity to engage in, or represent itself as engaging in, the practice of architecture unless it is exempt under § 58-1-307 or § 58-3a-304.

Second, the principal requirement has substantive content. A "principal" is a licensed architect having responsible charge of the organization's architectural practice under § 58-3a-102(7), and R156-3a-102(12) defines responsible charge as direct control and management by the principal over the practice of architecture by the organization. Failing as a principal to exercise responsible charge, and failing as a supervisor to supervise an employee, subordinate, associate, or drafter, are both unprofessional conduct under R156-3a-502(2) and (3).

Section 58-3a-304(1)(d) exempts unlicensed employees, subordinates, associates, and drafters of a licensed person while preparing plans and specifications under the supervision of an architect. Section 58-3a-102(8) defines that supervision as personal review, correction where necessary, and approval of the work, and R156-3a-102(14) adds that the work must be initiated by the architect and performed under the architect's direction.

Several other exemptions in § 58-3a-304(1) may apply to specific categories of work rather than to the organization as a whole: plans and specifications for one or two-family dwellings including townhouses under (1)(b); incidental architectural work by a licensed professional engineer under (1)(c), subject to the limits in R156-3a-102(6); and alterations or repairs to an existing building affecting an area not exceeding 3,000 square feet where structural elements are not changed under (1)(e).

Section 58-3a-603 governs when an architect may affix a seal, including to work prepared by employees under supervision and to work prepared by others after thorough review and correction, and R156-3a-601 requires that all technical submissions prepared by or under the supervision of a licensee be signed, dated, and sealed.

Whether a given organization falls within § 58-3a-304(1)(f), and what that requires of it, turns on facts rather than on the organization's name or its nonprofit or institutional status. A useful written summary would describe:

1. Which of the activities listed in § 58-3a-102(6)(a) are performed by internal staff, and which are contracted to outside licensed firms.
2. The number of individuals performing those activities, how many hold a current Utah architect license, and the basis on which any unlicensed individual performs the work.
3. The individual identified as the principal, that person's Utah license number, and a description of the reporting and decision-making authority through which that person exercises direct control and management over the architectural work.
4. Who reviews, seals, signs, and dates technical submissions, including submissions made to a building official for a permit.
5. The types and scale of projects handled internally, including whether any fall within the exemptions in § 58-3a-304(1)(b), (c), or (e).
6. Whether architectural services are performed for any entity other than the university itself.

Should you wish to proceed, please keep the summary to the organizational structure and practices, as you proposed, rather than to any particular project.

Additionally, please send the summary to **Ms. Nicole Herrera, Board Secretary** (nherrera@utah.gov) a week prior to the meeting so it can be included in the Board's meeting materials. The Board sets its own agenda, so I can forward the request but cannot guarantee placement. Board meetings are open to the public, and materials you submit will be part of the public meeting record, so please do not include information you would not want disclosed.

Please also note that if any Division investigation involving this subject matter is open or anticipated, the Board will not discuss the question, and a declaratory order would be unavailable under R151-4-112(3)(g).

I hope this information helps.

Sincerely,

Stephen

On Mon, Sep 21, 2026 at 4:29 PM Devan Porter <devanporter1@gmail.com> wrote:

> Hi Stephen,

I am reaching out at the recommendation of Shawn Horton with DOPL regarding a question that has arisen concerning the application of Utah's Architects Licensing Act to architectural work performed within an organization.

I am hoping to better understand the application of Utah Code Title 58, Chapter 3a, particularly §§ 58-3a-102 and 58-3a-304, to the architectural services performed within Brigham Young University's Physical Facilities organization.

As I understand the statute, the "practice of architecture" includes activities such as planning, facility programming, preparation of designs, drawings and specifications, coordination of technical submissions, and administration of construction contracts. Section 58-3a-304 also addresses an "organization engaged in the practice of architecture," including requirements related to a licensed architect serving as the principal responsible for the organization's architectural practice.

The question I am hoping to have clarified is whether BYU Physical Facilities, based upon the nature and organization of the architectural services it performs internally, would be considered an organization engaged in the practice of architecture under these provisions and, if so, what requirements would apply to that organization and its architectural practice.

Shawn suggested that this is an appropriate question to bring forward for clarification. I would be happy to provide a concise summary of the organizational structure and practices necessary for the Board to evaluate the question, along with any supporting information that would be helpful. My intent is not to burden the Board with the details of a particular project or investigation, but rather to understand how the statutory requirements apply to this organizational structure.

I understand that the next meeting of the Architect and Landscape Architect Licensing Board is scheduled for October 14, 2026. If appropriate, I would greatly appreciate having this question placed before the Board for discussion at that meeting so that I can better understand the Board's interpretation and guidance.

Please let me know what information you would need from me, or whether there is a particular process I should follow to request that this matter be placed on the October agenda.

Thank you for your time and assistance.

Best,
Devan Porter

Former Senior Architect, BYU Physical Facilities
Utah Architect License No. 4940350-0301

--
dsp ...

Devan Porter <devanporter1@gmail.com> Mon, Oct 5, 2026 at 4:51 PM
To: Stephen Duncombe <sduncombe@utah.gov>
Cc: Shawn Horton <shorton@utah.gov>, Nicole Herrera <nherrera@utah.gov>

Hi Stephen and Nicole,

Thank you, Stephen, for explaining the Board review process, outlining the statutory framework, and connecting me with Nicole.

Attached is a summary addressing the six questions in your email, along with supporting exhibits. It focuses on BYU Physical Facilities' organizational structure and architectural practices rather than individual projects.

Nicole, please include these materials in the Board's meeting packet for October 14, 2026. Please let me know if any additional information or revisions would be helpful.

BYU Physical Facilities
Organizational Structure and Architectural Practices

Prepared for: Architects and Landscape Architects Licensing Board
Utah Department of Commerce, Division of Professional Licensing

Prepared by; Devan S. Porter, AIA
Licensed architect, Utah License No. 4940350-0301
Former Senior Architect, BYU Physical Facilities, Facilities Planning, Campus Projects

October 5, 2026

Purpose and scope

This summary responds to the six questions identified by Stephen Duncombe concerning architectural activities within BYU Physical Facilities. I began employment on January 5, 2026, and received a termination letter on August 13, 2026, two days after I made a report to the Division of Professional Licensure (DOPL Case No. 174642), which is now closed.

This account primarily concerns the Campus Projects unit within Facilities Planning, a Division of BYU Physical Facilities, and reflects practices I observed during that period. Published university descriptions and information reported to me are identified separately. I cannot confirm current staffing or practices. I am requesting guidance on the application of Utah's Architects Licensing Act to the organizational arrangements described below.

1. Activities performed internally and contracted externally

Facilities Planning, a Division of BYU Physical Facilities, includes two architectural units: Campus Projects and Major Projects. Campus Projects' staff develop project scopes and preliminary designs, prepare architectural drawings and construction documents, coordinate technical information with engineering and other disciplines, and support project delivery for university facilities. Project managers work with campus departments, engineers, interiors staff, information technology personnel, estimators, and in-house construction shops. They combine project management, design, BIM coordination, and document production responsibilities, with student workers providing design and documentation support. Major Projects' staff represent the best interests of the University (owner) in large projects designed and delivered by external architects.

BYU's Facilities Planning webpage describes services including architectural and interior design, engineering, cost estimating, landscape architectural design, space management, programming, and design feasibility studies. It identifies interior and exterior remodeling as the department's primary focus, with significant input into major new buildings.

The Managing Director and Manager of Architectural Design determined whether projects are to be designed internally or assigned to consultants. No written selection thresholds were provided to the team. Internal assignments were generally distributed according to the number of projects each project manager was carrying. I did not observe a consistent assessment of complexity,

workload, schedule, or required professional oversight in the assignment process. Throughout my time with the organization much of my effort went into developing and proposing a governance structure for the practice of architecture to ensure compliance with the law. However, department leadership rejected implementation of these proposals as unnecessary.

Outside architects handled ground-up projects and projects of substantial size or complexity. Project managers solicited consultant proposals without an established approved consultant pool or standard selection procedure provided to the team. Where consultants prepared and sealed their own documents, university personnel reviewed campus standards and maintenance compatibility.

University construction shops had the first opportunity to perform construction, depending on capacity and complexity. Other projects were coordinated with the university's construction organization and outside contractors.

2. Personnel, licensure, and supervision

During my employment, Campus Projects had two licensed architects, Mykel Davis and me, until Mykel transferred to Major Projects. Following his transfer, I was the only licensed architect within Campus Projects. Joseph Palmer had previously served as stamping architect before transitioning to Major Projects as I assumed that responsibility.

Personnel associated with the Campus Projects team included:

Individual or group	**Role & Responsibilities**
Steven Griffiths	Managing Director, Facilities Planning, Licensed Professional Engineer 187104-2202
Hayden Dain	BIM Manager, Facilities Planning; project manager, maintained Revit content, templates, and campus building models.
Keith Martin	Unlicensed Manager of Architectural Design, Campus Projects; managed the team, standards, project assignments, and projects assigned to himself.
Devan Porter	Licensed architect; Senior Architect, project manager, and stamping architect.
Natalie Chipman	Architectural Designer and project manager; accessibility review.
Mykel Davis	Licensed architect and project manager; continued to be asked to sign Campus Projects permit applications after transferring to Major Projects.
Shelbey King	Architectural Designer and project manager.
Kirsten Lin	Design Support.
Janie Lundgreen	Architectural Designer and project manager.
Scott McClellan	Architectural Designer and project manager.

Joseph Palmer	Licensed architect; previous stamping architect, subsequently assigned to Major Projects.
Approximately 12–15 student workers	Design and documentation support.

Projects designated internally as exempt could be prepared and managed by unlicensed project managers. For non-exempt projects that require an architect's seal, the stamping architect generally became involved near the end of document preparation, unless also serving as the assigned project manager.

No adopted written policy established how unlicensed personnel's work requiring architect supervision would be initiated and directed by a licensed architect.

3. Principal designation, governance, and actual authority

I was initially asked to provide oversight for all Campus Projects needing an architectural seal. However, the employee directory I received in January 2026 listed me as Senior Architect, with no one listed under my supervision. Likewise, the directory circulated in early August 2026 identified me as "Supervising Arch." However, that designation did not change reporting relationships or decision-making authority. I continued to report to Keith Martin, was given no stewardship over the quality management process, and no team members reported to me.

Keith assigned work, established design standards, approved document release, and requested an architect's seal when he considered it necessary. I could request corrections and recommend improvements, but my authority to direct design and document preparation was limited to projects assigned to me as project manager.

Following repeated discussions involving General Counsel, Risk Management, and department leadership, I drafted a policy distinguishing exempt and non-exempt projects in compliance with statutory definitions. The draft policy was prepared and circulated to leadership but was not adopted.

During my employment, Facilities Planning did not have an established governance structure for its architectural practice. Although an administrative reporting structure and an operational workflow existed, no adopted policy established a licensed principal's authority, supervision requirements for work by unlicensed personnel, criteria for project exemptions, or a process for resolving professional disagreements about document preparation and release. I was regularly pressured to seal drawings for which I had not been given supervisory control, and which were often not in compliance with applicable codes and regulations.

In discussions I participated in, department leadership maintained that BYU was not engaged in the practice of architecture because it did not solicit architectural services outside the university. Leadership relied on that position in declining to designate a principal or implement the proposed architectural governance policy. No principal was identified, and I was denied practical control and management over the unit's architectural practice. This was despite University General Counsel's recommendation, and despite my obligations as a licensed professional architect.

Professional authority was trumped by organizational authority and when I questioned that authority I was belittled, cornered behind closed doors, told I was being insubordinate, and my continued employment was threatened.

Professional responsibility and liability arrangements

During discussions with General Counsel, Risk Management, and department leadership, I sought clarification about professional liability protection for architectural services performed as a BYU employee. University representatives told me that Utah did not require BYU to register as an architectural organization. They also informed me that BYU would not provide professional liability insurance for my architectural services and that I would need to obtain a personal professional liability policy

When I requested written clarification of protections the university would extend to me in this professional role, University representatives stated there was no precedent for BYU naming an employed architect in a lawsuit against the university, and that should be sufficient. No written statement would be provided. This did not resolve my questions about insurance coverage, legal defense, or indemnification for claims arising from my professional services.

These discussions were relevant to the proposed supervisory role because I was expected to review and seal documents prepared by others without corresponding authority over their preparation or written assurance of professional liability protection.

4. Preparation, review, sealing, and permit submission

For internally designed projects, the assigned project manager prepared drawings with student support. Natalie Chipman (unlicensed architectural designer) provided accessibility review, and Keith Martin (unlicensed manager of architectural design) provided managerial approval. Documents brought to me for sealing were to be reviewed for code compliance, correctness, and completeness, often the very day they were intended for submission to the city for permit. My requests for additional time or corrections were met with pressure to maintain the submission schedule.

After sealing, the drawing PDF was provided for inclusion in the permit application. Mykel Davis signed permit applications and continued to be asked to do so after transferring to Major Projects, an adjacent unit within Facilities Planning. Sarah Diehl processed the applications. For consultant-designed projects, consultants handled professional quality management, signing, sealing, and permit applications.

Upon employment, team members were provided with a workflow chart. The chart described a given project assignment, scoping, design, estimating, approvals, document production, review, and construction handoff. It directed project managers to establish an internal Bluebeam review session, followed by final review and sealing by the stamping architect. The chart did not identify a principal, establish that person’s authority, or specify architect direction from the outset of work requiring supervision. No separately adopted governance policy addressing those matters was provided to the team.

When I raised concerns about the proposed classification and handling of one larger project, the unit sought a seal from an architect in another unit who had some familiarity with it. I cannot describe the extent of that architect's supervision, review, or corrections.

5. Project types, scale, and exemption classifications

Campus Projects did not design one- or two-family dwellings during my employment. Many internally handled projects involved project areas under 3,000 square feet without structural changes. These were designated internally as exempt and could be managed and submitted for permit by any project manager without any licensed oversight.

Projects designated either exempt or non-exempt were assigned by Keith Martin, including projects he assigned to himself. I personally observed one larger (+3,000 sf) project being divided into smaller scopes with the stated intention of submitting them as separate exempt projects. I was told this approach had been used on other projects over the years; I did not independently verify those earlier instances, but I did recommended against that practice.

Ground-up projects and projects of substantial size or complexity were assigned to outside architects, usually under the purview of Major Projects. No adopted written criteria established how affected area, structural changes, related scopes, or project complexity would be evaluated when determining exemptions or internal versus external design.

Keith Martin made project assignments, sometimes in consultation with Managing Director Steve Griffiths. No adopted procedure required an assessment of the applicable exemption, the qualifications of the assigned project manager, or the architect supervision needed before design work began. I did not have visibility into whether the Director of Major Projects participated in the assignment process.

References in this summary to "exempt" and "non-exempt" describe internal classifications, which were not always in alignment with statutory definitions.

6. Services to entities other than the university

My firsthand knowledge primarily concerns services performed for BYU campus departments. However, BYU's Facilities Planning webpage identifies both the campus and university affiliates as recipients of design services. I cannot identify from that description alone which affiliates received architectural services, their legal relationship to BYU, or which personnel performed the work.

Individual team members also performed architectural services outside the university. I cannot confirm whether those services were independent of their university employment nor whether they were exempt or non-exempt. I can confirm that BYU Faculty and Staff often sought-out members of BYU Physical Facilities team to perform design and construction services for their personal projects, usually residential in nature.

Questions for Board guidance

1. Do the described activities constitute the practice of architecture when performed internally for university facilities, regardless of whether the university solicits architectural services from the public?
2. If so, does the described organization need to satisfy the exemption in Utah Code § 58-3a-304(1)(f), including employing a licensed principal with responsible charge, or is another exemption applicable? Does a supervisory title satisfy that requirement when corresponding control and management authority have not been implemented?
3. How do architect supervision requirements and project-specific exemptions apply where unlicensed project managers direct document preparation and an architect is generally involved at final review and sealing? How should related project scopes be evaluated when determining whether the alteration or repair exemption applies?
4. How should an organization define and document the authority and professional responsibilities of its employed architects, and which questions concerning liability insurance, legal defense, and indemnification fall within the Division's guidance or should be referred elsewhere?
5. What authority must an employed architect have to require corrections, obtain adequate review time, and withhold a seal when professional requirements have not been satisfied? How should those decisions be addressed when they conflict with managerial instructions?

Supporting materials

- Photo of BYU Facilities Planning reception area listing services provided by the unit.
- BYU Facilities Planning workflow chart.
- January and August 2026 employee directory excerpts.
- Screenshots of BYU's Facilities Planning webpage, documenting its published description of services: https://pf.byu.edu/facilitiesplanning.

BYU Facilities Planning reception area and door plaques for key personnel in Campus Projects

BYU Facilities Planning workflow chart

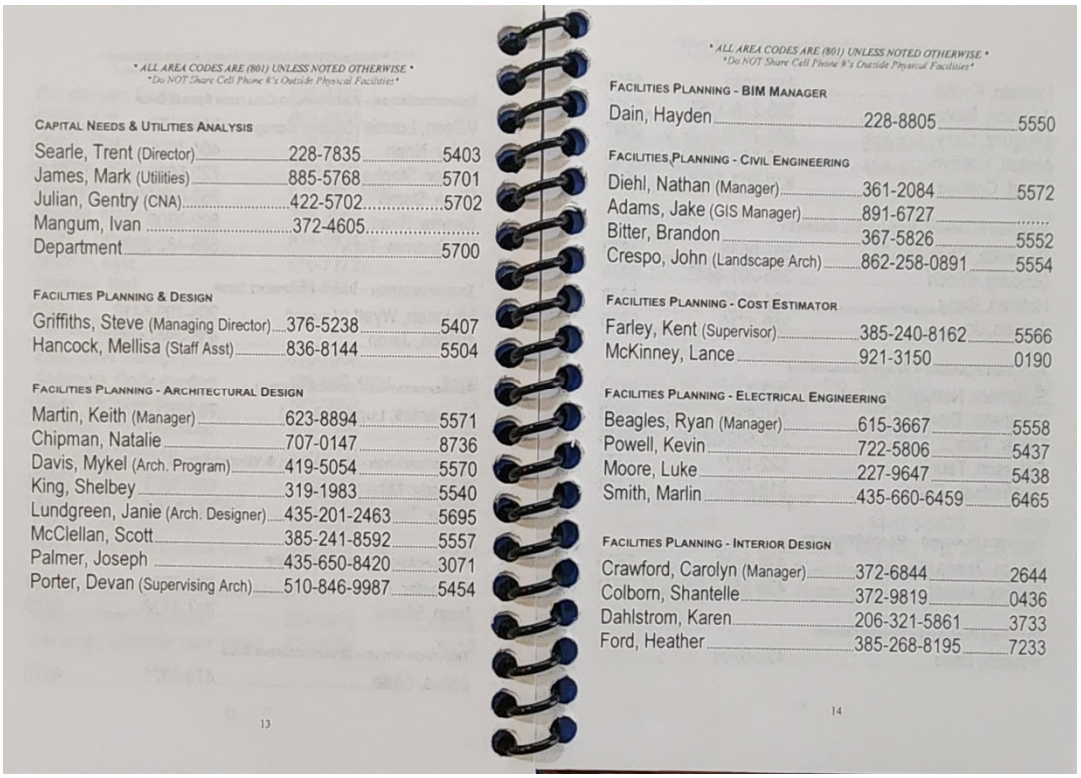
January 2026 employee directory excerpts.

Facilities Planning			
Griffiths, Steve (Managing Dir)	241 BRWB	2-5407	801-376-5238

Facilities Planning - Architectural Design			
Martin, Keith (Manager)	243 BRWB	2-5571	801-623-8894
Chipman, Natalie	245 BRWB	2-8736	801-707-0147
Davis, Mykel (Arch. Program.)	232 BRWB	2-5570	801-419-5054
King, Shelbey	255 BRWB	2-5540	801-319-1983
Lin, Kirsten			801-472-2835
Lundgreen, Janie	249 BRWB	2-5695	435-201-2463
McClellan, Scott	253 BRWB	2-5557	385-241-8592
Palmer, Joseph	231 BRWB	2-3071	435-650-8420
Porter, Devan	251 BRWB	2-5454	510-846-9987

Facilities Planning - BIM Manager			
Dain, Hayden	247 BRWB	2-5550	801-228-8805

August 2026 employee directory excerpts



* ALL AREA CODES ARE (801) UNLESS NOTED OTHERWISE *
Do NOT Share Cell Phone #'s Outside Physical Facilities

CAPITAL NEEDS & UTILITIES ANALYSIS

Searle, Trent (Director)	228-7835	5403
James, Mark (Utilities)	885-5768	5701
Julian, Gentry (CNA)	422-5702	5702
Mangum, Ivan	372-4605	
Department		5700

FACILITIES PLANNING & DESIGN

Griffiths, Steve (Managing Director)	376-5238	5407
Hancock, Mellisa (Staff Asst)	836-8144	5504

FACILITIES PLANNING - ARCHITECTURAL DESIGN

Martin, Keith (Manager)	623-8894	5571
Chipman, Natalie	707-0147	8736
Davis, Mykel (Arch. Program)	419-5054	5570
King, Shelbey	319-1983	5540
Lundgreen, Janie (Arch. Designer)	435-201-2463	5695
McClellan, Scott	385-241-8592	5557
Palmer, Joseph	435-650-8420	3071
Porter, Devan (Supervising Arch)	510-846-9987	5454

13

* ALL AREA CODES ARE (801) UNLESS NOTED OTHERWISE *
Do NOT Share Cell Phone #'s Outside Physical Facilities

FACILITIES PLANNING - BIM MANAGER

Dain, Hayden	228-8805	5550

FACILITIES PLANNING - CIVIL ENGINEERING

Diehl, Nathan (Manager)	361-2084	5572
Adams, Jake (GIS Manager)	891-6727	
Bitter, Brandon	367-5826	5552
Crespo, John (Landscape Arch)	862-258-0891	5554

FACILITIES PLANNING - COST ESTIMATOR

Farley, Kent (Supervisor)	385-240-8162	5566
McKinney, Lance	921-3150	0190

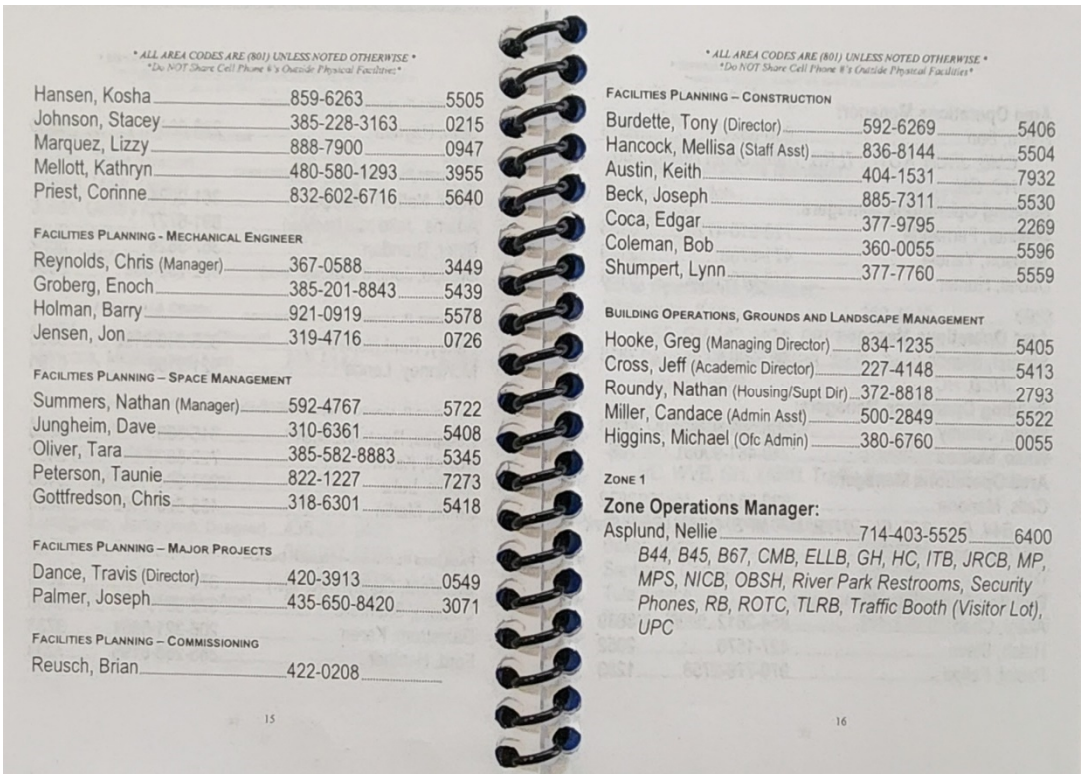
FACILITIES PLANNING - ELECTRICAL ENGINEERING

Beagles, Ryan (Manager)	615-3667	5558
Powell, Kevin	722-5806	5437
Moore, Luke	227-9647	5438
Smith, Marlin	435-660-6459	6465

FACILITIES PLANNING - INTERIOR DESIGN

Crawford, Carolyn (Manager)	372-6844	2644
Colborn, Shantelle	372-9819	0436
Dahlstrom, Karen	206-321-5861	3733
Ford, Heather	385-268-8195	7233

14



* ALL AREA CODES ARE (801) UNLESS NOTED OTHERWISE *
Do NOT Share Cell Phone #'s Outside Physical Facilities

Hansen, Kosha	859-6263	5505
Johnson, Stacey	385-228-3163	0215
Marquez, Lizzy	888-7900	0947
Mellott, Kathryn	480-580-1293	3955
Priest, Corinne	832-602-6716	5640

FACILITIES PLANNING - MECHANICAL ENGINEER

Reynolds, Chris (Manager)	367-0588	3449
Groberg, Enoch	385-201-8843	5439
Holman, Barry	921-0919	5578
Jensen, Jon	319-4716	0726

FACILITIES PLANNING – SPACE MANAGEMENT

Summers, Nathan (Manager)	592-4767	5722
Jungheim, Dave	310-6361	5408
Oliver, Tara	385-582-8883	5345
Peterson, Taunie	822-1227	7273
Gottfredson, Chris	318-6301	5418

FACILITIES PLANNING – MAJOR PROJECTS

Dance, Travis (Director)	420-3913	0549
Palmer, Joseph	435-650-8420	3071

FACILITIES PLANNING – COMMISSIONING

Reusch, Brian	422-0208	

15

* ALL AREA CODES ARE (801) UNLESS NOTED OTHERWISE *
Do NOT Share Cell Phone #'s Outside Physical Facilities

FACILITIES PLANNING – CONSTRUCTION

Burdette, Tony (Director)	592-6269	5406
Hancock, Mellisa (Staff Asst)	836-8144	5504
Austin, Keith	404-1531	7932
Beck, Joseph	885-7311	5530
Coca, Edgar	377-9795	2269
Coleman, Bob	360-0055	5596
Shumpert, Lynn	377-7760	5559

BUILDING OPERATIONS, GROUNDS AND LANDSCAPE MANAGEMENT

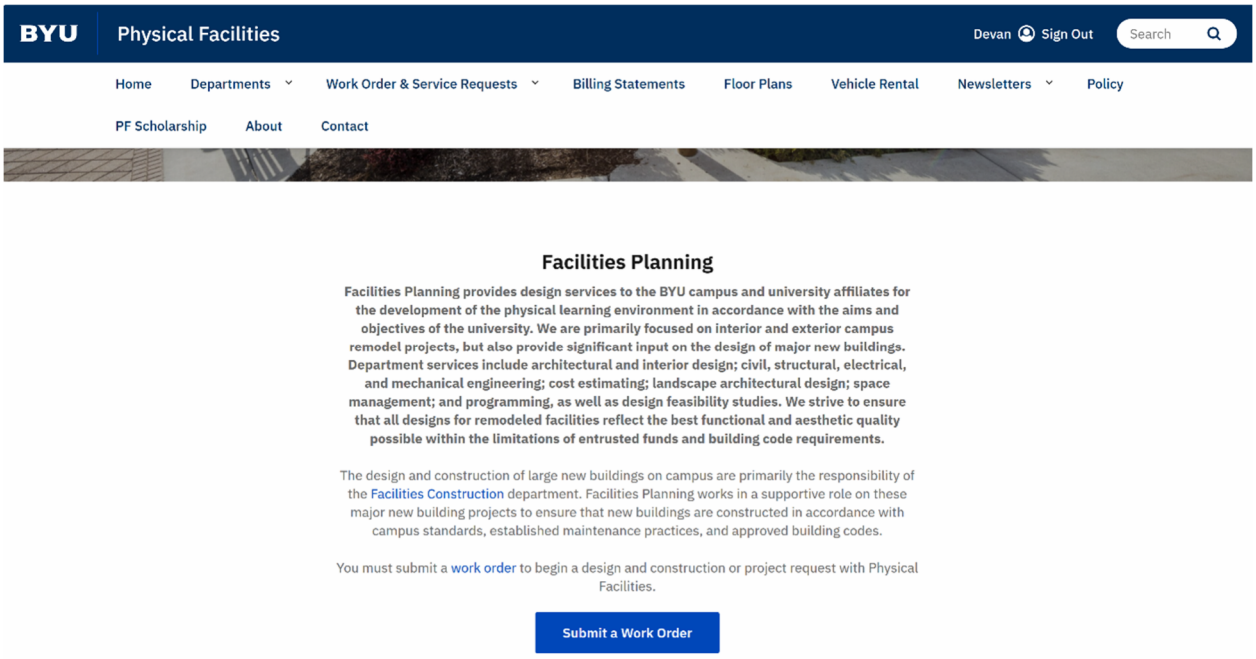
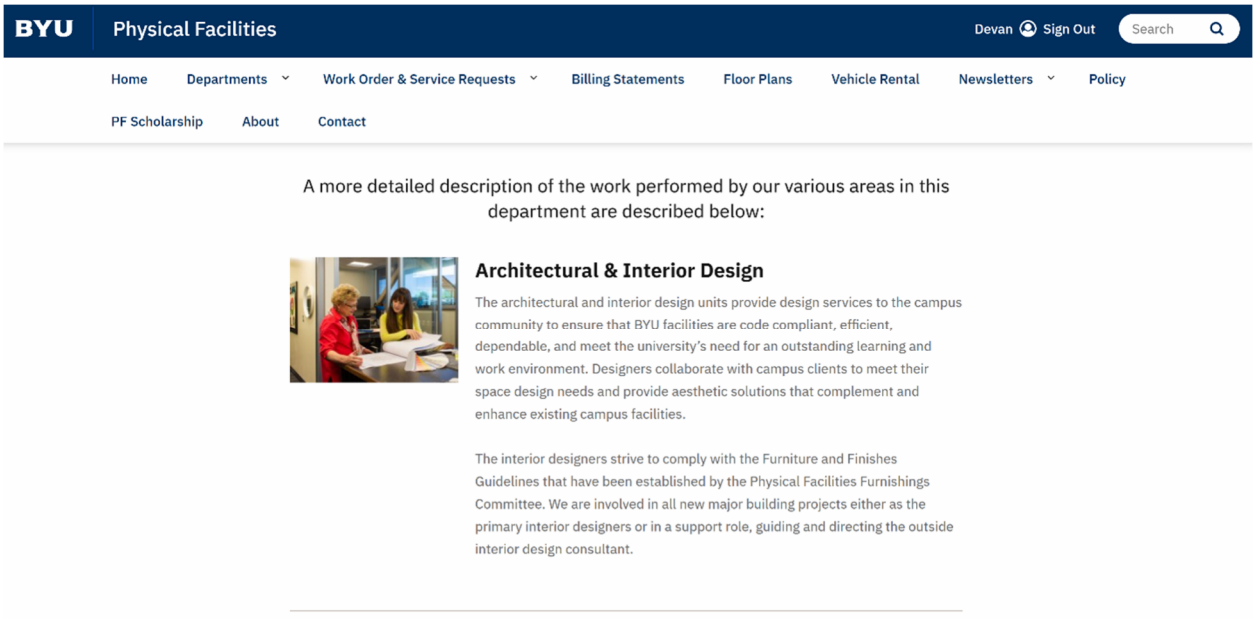
Hooke, Greg (Managing Director)	834-1235	5405
Cross, Jeff (Academic Director)	227-4148	5413
Roundy, Nathan (Housing/Supt Dir)	372-8818	2793
Miller, Candace (Admin Asst)	500-2849	5522
Higgins, Michael (Ofc Admin)	380-6760	0055

ZONE 1

Zone Operations Manager:

Asplund, Nellie	714-403-5525	6400

B44, B45, B67, CMB, ELLB, GH, HC, ITB, JRCB, MP, MPS, NICB, OBSH, River Park Restrooms, Security Phones, RB, ROTC, TLRB, Traffic Booth (Visitor Lot), UPC

16

Screenshots of BYU's Facilities Planning webpage, documenting its published description of services: https://pf.byu.edu/facilitiesplanning.