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California

California is an important state to ASID. There are eight ASID chapters in California and the state has the most ASID members of any state. Therefore it is important that laws effecting interior designers in California receive close scrutiny to ensure that they actually serve the ASID members.

Overview of California Business and Professional Code Section 5800-5812 – The Certified Interior Design Law

The interior design law in California reserves the title of “Certified Interior Designer” (CID). The CID law delegates the evaluation of interior designers and the ability to award the title to an “interior design organization” which is organized as a 501 (c)(3) not-for-profit. No specific organization is designated to administer this title, and indeed nothing in the law prevents multiple organizations from administering the title.

A stamp is authorized to be issued to all Certified Interior Designers by the “interior design organization”. According to the law this stamp must be used on interior design documents prepared by the CID. It constitutes proof that the certified interior designer passed the chosen examination of the interior design organization and that the individual has either a formal education, interior design experience, or a combination of both.

Certified Interior Designers are explicitly prohibited from claiming or implying that they are “state certified”.

With respect to submitting plans for permit the law states that: *Nothing in this chapter shall preclude certified interior designers or any other person from submitting interior design plans to local building officials.* This means that any person in the state is allowed to submit an interior design plan for consideration by building officials.

It continues to state that local building officials have the ability to use their discretion to accept or reject interior design plans for permit.

The law provides no enforcement mechanism for individuals using the title without authorization. Doing so is simply classified as an “unfair business practice.”

ASID Interpretation

This law essentially provides a franchise framework that allows any non-profit organization to bestow the title of Certified Interior Designer on individual designers. This is a troubling format as no other design profession uses this kind of franchising. Architects, engineers, and landscape architects all have a state





run licensing board. Regulated titles in other states and other professional titles in California are granted to individuals by a state agency or board that has reviewed the applicant's qualifications.

The use of a private non-profit corporation for interior designers conspicuously distances the profession from any sort of state recognition or endorsement.

The only criteria that the state has placed on who may receive this title is that they must have at least eight years of experience as an interior designer, or eight years of formal interior design education, or a combination of both totaling six years. An examination is allowed by law, but no standards for that examination are outlined. There is no standard of quality or competency inherent to the process.

The stamp of a Certified Interior Designer is unable to establish competency due to the previously mentioned shortcomings in the certification process. Therefore, no building official is able to use a Certified Interior Designer's stamp as an assurance that the submitting designer is competent in the codes of the built environment.

The legislature implies a lack of confidence in interior designers through the language that is used. The law states that CIDs are not precluded from submitting plans for the purposes of obtaining permits, but does not explicitly grant them the right to do so either. The language even went so far as to state that this is the same ability that every member of the public has. When coupled with the highlighted discretion of building officials not to accept these plans, there does not seem to be any additional practice rights granted.

The prohibition on claiming or implying "state certification" further severs any indication of confidence by the state in the CID title.

The law gives an overall impression that the legislature had no intention of empowering interior designers.

Impact on ASID Members

There are obviously large shortcomings in this law. Anecdotal reports indicate that the majority of building officials do not accept the CID as a valid credential for submitting plans for permit that involve code effecting work. With out a standard set of practice abilities building a career or business becomes much more uncertain.

ASID members also lack the ability to receive reciprocity in other state. The only interior design organization in California that confers the CID title does not use the NCIDQ as their examination. Every other jurisdiction uses the NCIDQ and interior designer in those jurisdictions enjoy more professional mobility. ASID members from California lack the nationwide professional mobility and





access to additional business opportunities that their counterparts in other states have.

CCIDC

The California Council for Interior Design Certification (CCIDC) is a not-for-profit corporation that has a franchise from the state to award the Certified Interior Design title.

The organization is run by a board of directors, each nominated by stakeholder organizations or as public members. Nominees require approval by the sitting board and executive director. While at one time there was a seat designated for ASID on the board of directors, that individual was prevented by a confidentiality agreement from discussing CCIDC policy and business with the organization that they claimed to represent.

On July 19th, 2010 ASID withdrew from CCIDC. The Society had concerns regarding CCIDC and the benefit that our participation on the board of directors provided for ASID members. The main factors that contributed to this decision were:

1. CCIDC is a private company that is separate from the State. Therefore, it can make decisions based on its own criteria.
2. CCIDC's requirement that each board member sign a non-disclosure agreement is directly opposite of a State Agency which must follow open meeting and transparency laws.
3. To become a board member one must not only be presented by a member organization where applicable but also must be approved by the CCIDC board with no input from the professional design organization represented.
4. Requests to work this out with CCIDC to modify their governance or eliminate/modify the confidentiality agreement were denied.

In 2012 the Certified Interior Design law will receive a routine sunset review. At the same time CCIDC will also be examined by legislators to determine the cost and value provided to the state of California.

