



Arnold Schwarzenegger
GOVERNOR

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

SUMMARY REPORT - FINAL

CALIFORNIA ARCHITECTS BOARD
Landscape Architects Technical Committee

April 25, 2008
Sacramento, CA

LATC Members Present

Andy Bowden
Stephanie Landregan
Steve Lang, Vice Chair

LATC Member Absent

Christine Anderson

Staff Present

Doug McCauley, Executive Officer, California Architects Board
Mary Ann Aguayo, Program Manager, LATC
Don Chang, Legal Counsel, Department of Consumer Affairs (DCA)
Angelica Franco, Licensing Coordinator
Emon Graves, Examination Coordinator
Vickie Mayer, Assistant Executive Officer, California Architects Board
Terri Villareal, Enforcement Coordinator

Guests Present

Brian Clifford, Division of Legislative and Policy Review, DCA
Iris Cochlan, California Architects Board Liaison
Gil DeLuna, Consumer and Community Empowerment Division, DCA
Robert Puleo, Assistant Deputy Director, Division of Legislative and Policy Review, DCA
David Taylor, California Council of the American Society of Landscape Architects
Shayne Wilson, Consumer and Community Empowerment Division, DCA
Richard Zweifel, Associate Dean, College of Architecture and Environmental Design, California Polytechnic State University, San Luis Obispo

**A. Call to Order – Roll Call – Establishment of a Quorum
Chair’s Remarks
Public Comment Session**

The Landscape Architects Technical Committee (LATC) Vice-Chair Steve Lang called the meeting to order at 9:05 a.m. LATC Program Manager Mary Ann Aguayo called roll. Three members of the LATC were present and thus a quorum was established.

Audience members David Taylor, Shayne Wilson, Gil DeLuna, and Richard Zweifel introduced themselves to the LATC.

Stephanie Landregan reviewed the letter from George Gentner that questioned his ability to re-license after a long absence from practicing in California. Don Chang stated that the regulation on relicensure more than five years after landscape architect license expiration is clear. Ms. Landregan suggested the LATC establish a suspended license status. Per Mr. Chang’s recommendation, the LATC agreed to place this item on the agenda for discussion at the next meeting.

B. Approve January 17 and 18, 2008 LATC Summary Report

- **Andy Bowden moved to approve the January 17, 2008 LATC Meeting Summary Report.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

Ms. Landregan requested that staff notate her recommendation for the Council of Landscape Architectural Registration Boards (CLARB) to administer and provide examination validation for the California Supplemental Examination (CSE) in the Strategic Planning Summary Report [Strategic Plan – Professional Qualifications Objective #11].

- **Andy Bowden moved to approve the January 18, 2008 LATC Strategic Planning Summary Report as amended.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

C. Presentation of the 2008 LATC Volunteer Recognition Award

Mr. Lang requested this item be postponed due to the absence of both the LATC Chair Christine Anderson and award recipient. The LATC agreed to postpone the item to the next meeting.

D. Program Manager's Report

Ms. Aguayo introduced Gil DeLuna from the Consumer and Community Empowerment Division at the DCA. Mr. DeLuna reported DCA is seeking to establish an unlicensed activity campaign along with an enforcement component as part of its public awareness campaign. A DCA budget change proposal was submitted and rejected earlier in the month, but they will attempt to resubmit the proposal next year in conjunction with the Contractors State License Board (CSLB) in order to split the costs of administering the program. Mr. DeLuna added that DCA moved forward with the establishment of a toll free hotline, website and is partnering with other agencies to continue their unlicensed activity campaign. Individual programs will be tailored for each board or bureau with an overall message advising the public to verify the license numbers of professionals. The LATC agreed public awareness is good for licensure and also a beneficial way to promote the profession to related associations and landscape architecture students. Mr. DeLuna welcomed the LATC to participate with CSLB to target specific types of enforcement action and participate in the Professionals Achieving Consumer Trust Summit (November 2008) and board development workshops. Ms. Landregan enquired about reserving licensure stamps for professionals only and also as a way to benefit consumer protection. Mr. Chang suggested that this is a good topic for the upcoming conference. The LATC discussed the value of a licensure stamp for professionals and agreed to make this a point of discussion at the upcoming Summit.

Ms. Aguayo introduced Robert Puleo, Assistant Deputy Director from the Division of Legislative and Policy Review at DCA. Mr. Puleo reported that the Division of Legislative and Policy Review evaluates all legislative bills for their impact to DCA and makes recommendations to the State Consumer Services Agency. He encouraged the LATC to forward any concerns they may have for specific legislation to the Division. The Division can also share their bill analyses with LATC but the official DCA position would not be known until it's approved. Mr. Puleo also shared that the Division is available to help the LATC with any of their legislative proposals.

Ms. Aguayo reported the State budget will likely be late and staff is therefore making preparation for the potential budget impasse. There was a 15-day Notice of Modified Text posted to the proposed language for the Certified Access Specialist Program; the modified text was cleanup to the originally proposed language. Staff is working on developing information for the DCA iLicensing program and will be responsive to DCA requests for additional information. The California Council of American Society Landscape Architects provided staff information on their current legislation tracking, which is included in the agenda. Staff's ongoing effort to obtain services for LATC publications is at a standstill because the State mandates the use of State resources for this project, which, in this case is the Office of State Publishing (OSP). Staff will attempt to work with a student intern who has a background in publication development and editing to accomplish publication needs. The LATC agreed that the continued focus on LATC publications is an important effort.

Emon Graves provided an overview of the LATC's Applicant Tracking System (ATS) and the current staff issues with ATS such as a lack of timely score reporting to Landscape Architecture

Registration Examination (LARE) candidates. As a solution, DCA provided a staff person to serve as a liaison in an attempt to alleviate any current and future concerns with ATS.

Ms. Aguayo reported that the CSE score verification workshop took place on April 17-18, 2008 and that the CSE passing score recommendation should be released to staff next week. Mr. Graves updated the recent progress with the Landscape Architectural Accreditation Board (LAAB) and their revision of accreditation standards. The LAAB's survey results on accreditation standards are not available at this time, but will be published in an upcoming LAAB newsletter. Mr. Graves also reported on the score results from the December 2007 LARE. Ms. Landregan requested data on the total number of candidates taking each administration of the LARE. Terri Villareal reported on enforcement activity; the majority of open cases continue to be unlicensed activity violations.

E. Report on Council of Landscape Architectural Registration Boards (CLARB)

Ms. Landregan reported that at their meeting in March 2008 CLARB worked on strategic planning and CLARB leadership appears to be working better with the member boards. She is unable to attend the June CLARB Board meeting and the Region Five Alternate Director will attend in her place. The LATC will need to vote soon on the CLARB Board of Directors and bylaw amendments. CLARB also sent a letter of support to Alaska for a landscape architecture member to be made a voting member on the multi-licensing board. Ms. Aguayo questioned whether CLARB had changed any internal procedures due to the recent breach in examination security. Ms. Landregan stated that CLARB had in fact made internal changes in order to improve examination security. Doug McCauley asked if there was any analysis on the cost of insuring against a security breach versus the cost of developing a second examination. Ms. Landregan confirmed that yes, this was done, and that the cost to insure the examination is greater than developing a second examination.

F. Review of California Architects Board Exemptions and Possible Action on Preliminary Approval to Proposed Legislation for Business and Professions Code (BPC) Section 5616 Exemptions

Mr. McCauley reported that historically, written contract requirements were created for specific individuals that had a moderate understanding of the requirements and not necessarily for professionals who would typically include the requirements in their written contracts. Further, there is no current data that supports that there are any problems or issues with the law as it is currently written. The LATC agreed.

- **Andy Bowden moved to rescind the LATC's prior approval to modify BPC Section 5616 Exemptions.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

G. Delegate Administration and Reviews of the Landscape Architect Registration Examination Graphic Sections C and E to CLARB
1. Review and Approve Proposal

Ms. Aguayo reported that this item was brought back from previous meetings; additional information has been provided including a cost comparison, a task comparison for administering the old and new CSE, and an updated response from CLARB requesting their candidate tracking data.

- **Andy Bowden moved to approve the delegation of the Landscape Architect Registration Examination graphic sections C and E to CLARB.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

2. Review and Preliminary Approval of Proposed Legislation to Amend BPC Section 5651(b) Examination of Applicants

Ms. Aguayo reported the proposed bill language requires landscape architecture reciprocity candidates to meet California's education requirements for licensure, but that California would still administer the application approval process to take the LARE.

- **Stephanie Landregan moved to approve proposed legislation to amend BPC Section 5651(b) Examination of Applicants.**
- **Andy Bowden seconded the motion.**
- **The motion carried 3-0.**

3. Review and Preliminary Approval of Proposed Regulations to Amend California Code of Regulations, Title 16, Division 26, Sections: 2613 Processing Times, 2615 Form of Examinations, 2621 Time and Place of Holding Examinations, 2623 Notification of Examination Results, Inspection of Examinations, 2649 Fees, and Various Other Non-Related Sections for Clean up Purposes

Ms. Landregan questioned the removal of California Code of Regulations (CCR) Section 2623 and its effect on candidates' appeal of their LARE scores. Mr. Chang explained that CCR Section 2623 did at one time allow for appeals specific to California LARE candidates but it was recommended for removal as it is untenable to have non-examiners grade LARE appeals. He advised addressing this issue in the LATC contract with CLARB.

Ms. Landregan pointed out that CCR Section 2616 and the newly proposed CCR Section 2611 seems similar in their examination application timelines. Mr. Chang explained that these two regulations are in fact addressing different criteria – the application for licensure timeline versus the application for examination timeline. Mr. Bowden questioned the removal of CCR Section 2612 and CCR Section 2613. Mr. Chang clarified that the referencing statute to this regulation

no longer exists. Ms. Landregan requested the reordering of CCR Section 2621(a) through (e) and also adding a time limit for the notification of score results. Mr. Chang recommended against a time limit for notification of score results but that staff make it an internal priority to release scores to candidates in a timely manner. The LATC discussed the importance of setting timelines on score reporting. Mr. McCauley suggested monitoring score reporting as a Strategic Plan item.

- **Andy Bowden moved to approve the proposed modifications to California Code of Regulations, Title 16, Division 26, Sections: 2613 Processing Times, 2615 Form of Examinations, 2621 Time and Place of Holding Examinations including amendments, 2623 Notification of Examination Results, Inspection of Examinations, 2649 Fees, and Various Other Non-Related Sections for Clean up Purposes.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

H. Strategic Planning

- 1. Update on July 1, 2007 – June 30, 2008 Strategic Plan – Action Plan**
- 2. Approve July 1, 2008 – June 30, 2009 Strategic and Communications Plans**

Ms. Aguayo presented the proposed changes to the July 1, 2008 – June 30, 2009 Strategic and Communications Plans including staff recommended amendments to the Action Plan. Mr. McCauley suggested adding monitoring of CLARB's score reporting to the Action Plan – Professional Qualifications – Ongoing Responsibilities bullet number six. The LATC agreed. The LATC also discussed the staff recommended amendments to the Action Plan and agreed to move forward with the modifications.

- **Stephanie Landregan moved to approve the July 1, 2008 – June 30, 2009 Strategic and Communications Plans with staff recommendations.**
- **Andy Bowden seconded the motion.**
- **The motion carried 3-0.**

I. Establish a Task Force and Discuss Charge to Review BPC Section 5615 "Landscape Architect"--Practice of Landscape Architecture, as it Relates to Consumer Protection Issues Arising From New and Emergent Landscape Architecture Laws and Practice Areas

Ms. Landregan stated that in addition to emergent laws and practice areas, the stamping issue and new legislation could be areas to consider for the task force. She also volunteered to be on the task force and suggested adding someone outside of the LATC as well. Mr. McCauley mentioned that the task force effort might conflict or be duplicative of the efforts of the American Society of Landscape Architects (ASLA) and encouraged the LATC to utilize the resources of ASLA, the Board, and the DCA Division of Legislative and Policy Review. Ms. Landregan volunteered to

draft a task force plan outline for the next meeting along with a recommendation for membership.

J. Review of Administrative Complaint Process from the Public or Candidates for Licensure

Mr. Graves reviewed the complaint processes and forms used for complaints. Ms. Landregan suggested establishing a complaint process relating to the delegation of the LARE graphic sections C and E to CLARB while also including an agreement in the LATC contract. Ms. Aguayo stated that staff would address, in concert with legal counsel, these issues in the CLARB contract.

K. Update on the 18-Month Conditional Approval of the University of California Berkeley Landscape Architecture Extension Certificate Program

The LATC reviewed the progress letter from the University of California Berkeley (UCB) Landscape Architecture Extension Certificate Program. The UCB Extension Program will submit their final report in July 2008.

L. Report from Sunset Review Subcommittee

The LATC reviewed the Sunset Review Subcommittee update; the next update will be on the October/November 2008 agenda.

M. Election of Officers for July 1, 2008 through June 30, 2009

- **Andy Bowden moved to nominate Steve Lang to serve as Chair of the LATC.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

- **Andy Bowden moved to nominate Stephanie Landregan to serve as Vice-Chair of the LATC.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

N. Review Tentative Schedule and Confirm Future Meetings Dates

Future LATC meetings will be tentatively held:

July 25, 2008, Southern California
November 18, 2008, location to be determined
January 22-23, 2009, Berkeley

Ms. Aguayo identified the new travel procedures printed at the end of the agenda and requested that the members complete the included checklist.

Adjournment

- **Andy Bowden moved to adjourn.**
- **Stephanie Landregan seconded the motion.**
- **The motion carried 3-0.**

The meeting adjourned at 4:10 p.m.