

NOTICE OF MEETING

April 18, 2017

**California State Polytechnic University, Pomona
College of Environmental Design
3801 West Temple Avenue, Building 7, Gallery
Pomona, CA 91768
(909) 869-2673 or (916) 575-7230 (LATC)**

The Landscape Architects Technical Committee (LATC) will hold a meeting, as noted above. The notice and agenda for this meeting and other meetings of the LATC can be found on the LATC's website: latc.ca.gov. For further information regarding this agenda, please see below, or you may contact Tremaine Palmer at (916) 575-7230.

The LATC plans to webcast this meeting on its website at latc.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be canceled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

For meeting verification, call (916) 575-7230 or access the LATC website at latc.ca.gov.

Agenda

9:00 a.m. – 1:30 p.m.

(or until completion of business)

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Introductory Comments
- C. Public Comment on Items Not on Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on January 17-18, 2017 LATC Meeting Minutes
- E. Program Manager's Report on Administration, Examination, Licensing, and Enforcement
- F. Review and Possible Action to Approve 2017-18 Intra-Departmental Contract with Office of Professional Examination Services (OPES) for California Supplemental Examination (CSE) Development

(Continued)

- G. Update and Possible Action on Council of Landscape Architectural Registration Boards (CLARB) March 27, 2017 Webcast (Mid-Year Review and Draft Changes to Model Law) and Landscape Architect Registration Examination (LARE) Administration and Pass Rates
- H. Discussion and Possible Action on LATC's Draft *Consumer's Guide to Hiring a Landscape Architect*
- I. Discussion and Possible Action to Recommend to the Board to Amend LATC's *Disciplinary Guidelines* and Title 16, California Code of Regulations (CCR) Section 2680 (Disciplinary Guidelines)

10:30 a.m. – 11:30 a.m.

- J. [Public Forum Regarding Educational Requirements for Licensure and Related Areas of Study](#) Followed by Discussion and Possible Action on Strategic Plan Objective to Review Title 16, CCR Section 2620 (Education and Training Credits) to Expand Credit for Education Experience to Include Degrees in Related Areas of Study
- K. Discussion and Possible Action to Recommend to the Board to Amend Title 16, CCR Section 2615 (Form of Examinations) Regarding Reciprocity Requirements
- L. Discussion and Possible Action to Recommend to the Board to Amend Title 16, CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program)
- M. Review and Possible Action on Draft 2017-2018 Strategic Plan
- N. Review and Confirm Future LATC Meeting Dates
- O. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the LATC are open to the public.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the LATC prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Tremaine Palmer at (916) 575-7230, emailing tremaine.palmer@dca.ca.gov, or sending a written request to the LATC. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the LATC in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5620.1)

Agenda Item A

CALL TO ORDER - ROLL CALL - ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

LATC MEMBER ROSTER

Patricia Trauth, Chair

Marq Truscott, Vice Chair

Andrew Bowden

David Allan Taylor, Jr.

Agenda Item B

CHAIR'S PROCEDURAL REMARKS AND LATC MEMBER INTRODUCTORY COMMENTS

LATC Chair Patricia Trauth, or in her absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

Agenda Item C

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Members of the public may address the Committee at this time. The Committee Chair may allow public participation during other agenda items at their discretion.

(The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Agenda Item D

REVIEW AND POSSIBLE ACTION ON JANUARY 17-18, 2017 LATC MEETING MINUTES

The Landscape Architects Technical Committee (LATC) is asked to review and take possible action on the attached January 17-18, 2017 LATC Meeting Minutes.

Attachment:

January 17-18, 2017 LATC Meeting Minutes (Draft)

Meeting Minutes

CALIFORNIA ARCHITECTS BOARD **Landscape Architects Technical Committee**

January 17-18, 2017
Sacramento, California

Landscape Architects Technical Committee (LATC) Members Present

Patricia Trauth, Chair
Marq Truscott, Vice Chair
Andrew Bowden

LATC Member Absent

David Allan Taylor, Jr.

Staff Present

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Gretchen Kjose, Interim Program Manager
Rebecca Bon, Legal Counsel, Department of Consumer Affairs (DCA)
Tremaine Palmer, Special Projects Analyst
Kourtney Nation, Examination Coordinator

Guests Present

Tracy Morgan Hollingworth, California Council of American Society of Landscape Architects
(CCASLA)
Shelly Jones, DCA
Dustin Maxam
Shawn Rohrbacker
Martin Schmidt, Environs, CCASLA
James Schubert, Landscape Architect

A. Call to Order – Roll Call – Establishment of a Quorum

On January 17, 2017, LATC Chair Patricia Trauth called the meeting to order at 10:32 a.m. and Vice Chair Marq Truscott called roll. Three members of LATC were present, thus a quorum was established.

B. Chair's Procedural Remarks and LATC Member Introductory Comments

Ms. Trauth welcomed everyone to the meeting, and stated that she is looking forward to a productive year.

C. Public Comment on Items Not on Agenda

Other than brief introductions, there were no comments from the public.

D. Review and Possible Action on November 4, 2016 LATC Meeting Minutes

Ms. Trauth asked for comments concerning the November 4, 2016 LATC Meeting Minutes. There were no comments from the Committee members.

- **Andrew Bowden moved to approve the November 4, 2016 LATC Meeting Minutes. Marq Truscott seconded the motion. Members Bowden, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 3-0.**

E. Program Manager's Report on Administration, Examination, Licensing, and Enforcement

Gretchen Kjose presented the Program Manager's report. She reported that former Program Manager, Trish Rodriguez, accepted a promotion at the California Board of Pharmacy effective November 18, 2016. She continued that recruitment efforts to fill both the Program Manager and Enforcement Analyst positions are underway.

Ms. Kjose reported that the Landscape Architect Registration Examination (LARE) was administered on December 5-17, 2016, and that examination results would be released in late January 2017. She noted that LATC continues to update the website and publish current "Licensee Search" lists monthly.

Ms. Kjose advised that LATC submitted its Annual Report to DCA on November 30, 2016, which included a summary of regulations, major studies, new program developments, and all final data summaries of licensing and enforcement activities.

Ms. Kjose reported that LATC proposed extending the renewal fee reduction for one more renewal cycle ending June 30, 2019 due to excess months of funds in reserve. She continued that the rulemaking file to implement the extension was sent to DCA in December 2016 for signature, after which it will be forwarded to the Department of Finance and the Business, Consumer Services, and Housing Agency for signatures before being filed with the Office of Administrative Law (OAL). Ms. Kjose added that the regulations should take effect on July 1, 2017 if approved by OAL. She also reported that CCR 2620 (Education and Training

Credits) (a)(13) which expanded eligibility requirements to allow credit for teaching under a landscape architect, took effect on January 1, 2017.

Ms. Kjose updated the Committee on the Strategic Plan objectives to “*Create and Disseminate Consumer’s Guide*” and “*Review Expired License Requirements*”. She reported that the Board met on December 15-16, 2016 in Sacramento, which included a Strategic Planning session on the 16th. She continued that the Board considered a number of enforcement issues, such as enhancing written contract requirements and updating citation regulations.

Ms. Kjose updated the Committee on LATC’s *Disciplinary Guidelines*. She reported that the additional revisions to the *Guidelines* and proposed regulatory language were approved by the Board at its December 15, 2016 meeting, and that LATC staff is updating its *Guidelines* to include the changes recently approved by the Board that are appropriate to LATC.

Ms. Kjose reported that monthly examination development workshops were conducted from August through December 2016 for the purpose of updating the California Supplemental Examination (CSE) and that questions developed were added to the examination item bank and would be incorporated into the CSE beginning in September 2017.

F. Council of Landscape Architectural Registration Boards (CLARB)

Ms. Kjose reported that the LARE was administered on December 5-17, 2016, and that results would be released in mid to late January 2017. She advised that the next LARE administration would be held March 27-April 8, 2017.

Ms. Trauth advised that she had reconsidered and did not wish to be nominated for Region 5 Director at this time. Staff will notify CLARB of her decision.

G. Discuss and Possible Action on Strategic Plan Objective to Review Title 16, California Code of Regulations (CCR) Section 2620 (Education and Training Credits) to Expand Credit for Education Experience to Include Degrees in Related Areas of Study

Ms. Kjose began the discussion by reporting that prior to January 1, 1997 CCR 2620 (Education and Training Credits) included a provision to grant credit for any bachelors or associate degree towards the required six years of training and educational experience, allowed eligibility to applicants with six years of training experience under the direct supervision of a licensed landscape architect in lieu of requiring education, and granted up to one year of training credit for experience as, or under the supervision of, a licensed architect, registered civil engineer, licensed landscape contractor, or certified nursery person.

Ms. Kjose reported that in March 1994, the California Board of Landscape Architects (BLA) began discussing the possibility of increasing the maximum amount of credit allowed for experience as a licensed landscape contractor. She also reported that the BLA reviewed CCR 2620 and determined that, in order to grant additional credit for landscape contractor experience, the education requirements should be changed. Ms. Kjose continued that in November 1994, the BLA finalized revisions to CCR 2620 that would allow up to four years of

training credit for landscape contractor experience and require all applicants to hold either a degree or approved extension certificate in landscape architecture in order to qualify for the licensing examination, and ultimately licensure. She advised that those regulatory amendments took effect on January 1, 1997.

Ms. Kjose reported that in August 2004, LATC established an Education Subcommittee charged with evaluating California's eligibility requirements for taking the national examination to ensure that applicants have appropriate educational and training/work experience before taking the examination. She continued that the Subcommittee was to determine appropriate levels of experience as they relate to public health, safety, and welfare; and successfully preparing applicants for the examination.

Ms. Kjose reported that the Subcommittee met between October 8, 2005 and February 27, 2007. She stated that the Subcommittee discussed the acceptance of various "related" degrees that were recognized by other states and identified by Subcommittee members or LATC staff, but ultimately recommended that, other than a degree in landscape architecture, an accredited degree in architecture should be accepted and credited with one year towards the six-year experience and education requirements. She advised that no other degrees were recommended as acceptable.

Ms. Kjose stated that many states accept related degrees and only require a bachelor's degree combined with a varying number of years of experience to take the licensing examination. She indicated that the number of years of experience required ranges from 4 to 12 years, with an average of 6-8 years.

Ms. Kjose reported that LATC staff has researched the number of states that allow related degrees, any bachelor's degree, and combined years of education and experience. She concluded by indicating that at today's meeting, the Committee is asked to review the information provided and determine if additional degrees should be considered for credit toward California's education requirement.

Ms. Trauth inquired on LATC's reasoning for restricting the education requirement to only landscape architecture and architecture degrees. Ms. Kjose responded that according to the Subcommittee report, the reasoning was to allow landscape contractors to count their experience towards the requirements for becoming licensed landscape architects. She continued that the Subcommittee considered curriculums that were similar to landscape architecture that included critical thinking, technical, and scientific aspects; however, with the low pass rates occurring on the national examination, there was concern as to whether people could pass the examination with a related degree and still have the technical skills needed to be a landscape architect.

Mr. McCauley referenced the Subcommittee Report and stated that the original charge was to ensure LATC's standards were appropriate to protect the public's health, safety, and welfare. He continued that the Board's charge is to make sure standards are appropriate, and that the examination is the only valid measure of a candidate's competence.

Mr. McCauley stated that the world views occupational licensing differently at the National and State level. He noted a White House Report on occupational licensing in which a major theme was looking at the standards for education and experience and determining whether they are

appropriate or represent a barrier that could be problematic. Mr. McCauley also noted a report from the Little Hoover Commission that conveyed the same theme.

Mr. Truscott asked Mr. McCauley how the Board handles reciprocity candidates. Mr. McCauley responded that, in general, the requirement is to hold a license in another state and pass the CSE. He continued that a candidate has to meet a total of eight years of experience (five being education experience) and then, if subject to the requirement, a structured internship program. Vickie Mayer advised that if a candidate has completed eight years of experience, then the internship program is waived provided the candidate has been licensed in another US jurisdiction for at least three years. She continued that reciprocity candidates are able to submit verification of eight years of experience in pre or post-licensure work experience or a combination of both.

Ms. Trauth inquired if the Board has a requirement for education. Ms. Mayer responded that the Board allows experience only for initial licensure. Ms. Trauth inquired if a degree in architecture counts towards a candidate's experience. Ms. Mayer responded yes.

Mr. McCauley stated that the Board's internship program is the Architectural Experience Program, which is robust and prescriptive. He continued that it requires a candidate to attain a specified number of hours in work experience in prescribed practice areas. He stated that it ensures candidates receive the same type of experience regardless of their educational background.

Mr. Bowden stated that some believe the LARE is the means to test competency, but education is important and would not necessarily object to an experience only pathway as long as there are provisions that protect the health, safety, and welfare of the public. He explained that when he received his license, a degree was not required as there was a pathway to licensure with experience only. Mr. Bowden also cautioned the members on accepting any degree; however, he suggested that the Committee research related degrees and include degrees in the field of Earth Science.

Mr. Truscott noted that while instructing at the University of California (UC), Davis last year, he noticed many of the senior class were not United States citizens and would be returning to their countries after graduation, which would diminish the pool of potential landscape architects. He also stated that the LARE is the gate to becoming a landscape architect, and that education is the best way to create quality landscape architects; however, it is not the only way. He expressed the need for additional pathways to qualify for examination.

Mr. Truscott stated that he is in favor of aligning with the Board in licensure requirements, as well as exploring opportunities for candidates to sit for the examination. Ms. Kjose noted that LARE results for the last two years show California candidates' pass rates for Sections 3 and 4 are consistently below the national average. Mr. Bowden stated that the Committee has discussed pass rates in the past and that, in his opinion, allowing experience only for entry to the examination could have an even larger impact on them.

Mr. McCauley noted that pass rates reflect how well a particular pool of candidates performed. He stated that candidates from smaller states might have higher pass rates because large firms compete for a limited number of graduates and guide them through the licensing process. As an aside, Mr. McCauley stated that he conducted a review of the Board's past citations and found no

measurable difference in those issued against individuals who possess a degree in architecture and those who do not. Mr. Bowden commented that the Committee would need to determine how much credit should be given for degrees outside of landscape architecture and how much experience would then be required.

Mr. Truscott inquired if the Committee could discuss the issue further with public comment during the Strategic Planning session. Legal Counsel, Rebecca Bon responded that, although public comment can be made, the purpose of Strategic Planning is to review and implement organizational goals. Mr. McCauley suggested that LATC hold a special public forum to obtain additional input on acceptable related degrees.

Mr. Maxam opined that it is not financially feasible for all individuals to earn a degree in the proper subject, and that it is appropriate to accept related degrees. He indicated that the LARE was not difficult to pass due to his educational background and work experience. He continued that he is in favor of the public forum, and that the Committee should consider degrees in geography, natural resources, environmental sciences, urban planning, and interior design. Mr. Maxam acknowledged the difficulty in selecting related degrees. He stated that the Committee could evaluate a candidate's education, but then that would lead to the Committee's interpretation; and, it may be subjective.

Mr. Maxam suggested, out of concern with the length of the rulemaking process, that the Committee direct staff to prepare proposed language for review at the next meeting. Ms. Mayer commented that staff would need direction from the Committee in order to draft and develop language.

Mr. McCauley reminded the Committee that degree types must be specified in regulation, and that staff cannot be empowered to employ an in-house analysis, approving some degrees and disapproving others. Mr. Truscott stated that he would like to explore a special meeting in order to gain additional input from the industry as a whole. He continued that he was not prepared to make a decision.

Mr. Schubert disagreed with the notion of exclusion or competitiveness being considered as the reason for accepting related degrees. He stated that the conversation should be whether accepting a related degree would still protect the health, safety, and welfare of the public. Mr. Schubert also disagreed with the notion of the LARE being the only means to test competency. He added that a candidate's education is also important. Mr. Rohrbacker expressed the importance of experience criteria, and added that the Board allows an experience only pathway. He continued that engineer requirements are less stringent as well, and that the liability architects and engineers encounter is larger; however, they do not require an educational background.

Mr. Bowden asked Ms. Kjose if staff is able to obtain data on related degrees accepted by other states. She responded that staff would contact other states, but noted that many states do not have their accepted degrees set in regulation.

- **Marq Truscott moved to direct staff to schedule, prepare, and execute a public forum to receive input on specific changes to CCR 2620 (Education and Training Credits) in terms of related degrees before the next scheduled meeting. Andrew Bowden seconded the motion.**

Mr. Schubert stated that workshops are great if there is a turnout that represents the industry. Mr. Maxam stated that he is in favor of the special public forum and that it should consist of a discussion rather than an opportunity to collect information.

Members Bowden, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 3-0.

H. Discuss and Possible Action to Recommend to the Board to Adopt Originally Proposed Language or Approve Modified Text to Amend Reciprocity Requirements of Title 16, CCR Section 2615 (Form of Examinations)

Ms. Kjose reported that in December 2012, the LATC received a letter from a potential candidate regarding California's current reciprocity requirements. She continued that as a result, the LATC began discussing the issue of reciprocity due to numerous requests from potential candidates licensed in other jurisdictions where a degree in landscape architecture or architecture was not required.

Ms. Kjose reported that originally, staff researched reciprocity requirements in other states and found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years) and 28 allow initial/reciprocal licensure on the basis of experience only, with an average of 8 years of required experience.

Ms. Kjose reported that at the February 10, 2015 LATC meeting, the Committee discussed the data presented and LATC's current six-year education and training/experience requirements that candidates must complete for licensure. She continued that the Committee's determination was that a substantial number of years of post-licensure experience in another state would compensate for educational deficiencies, even though they may not have met California's educational experience requirements. Ms. Kjose reported that the Committee suggested a regulatory amendment to allow reciprocity to individuals who do not meet California's education requirement but are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. She continued that LATC directed staff to review the reciprocity requirements of Arizona and New York and draft proposed regulatory language for the Committee's consideration.

Ms. Kjose reported that based on LATC's direction, staff prepared proposed regulatory language to amend CCR 2615 (Form of Examinations). She continued that the proposed amendment included provisions that would require a candidate for reciprocal licensure to either submit verifiable documentation of education and experience equivalent to that required of California applicants at the time of application, or submit verifiable documentation that the candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least 10 of the last 15 years.

Ms. Kjose reported that the Committee approved the proposed regulatory language at its November 17, 2015 meeting, followed by the Board's approval on December 10, 2015. Ms. Kjose noted that during the public comment period, 296 comments were received; of which, 291 were substantially similar, expressing concern that requiring 10 years of post-licensure experience was excessive. She stated that the public comments offered proposed language that would allow reciprocity if the "candidate possesses education and experience equivalent to that required of California applicants at the time of application; or, candidate holds a valid license or registration in good standing, possesses a bachelor's degree from a recognized accredited institution, and has been practicing or offering professional services for at least 2 of the last 5 years; or, candidate holds a valid license or registration in good standing, and has been practicing or offering professional services for at least 6 of the last 10 years."

Ms. Kjose reported that at the Committee's November 4, 2016 meeting, the LATC discussed the proposed regulation and heard from several members of the public expressing opposition to the amount of post-licensure experience that was proposed. She continued that after discussion, the LATC agreed to discuss the topic again at its next meeting with the intent of allowing sufficient time to consider the submitted comments and determine whether changes to the proposed regulatory language is warranted.

Ms. Kjose reported that staff verified that both Arizona and New York accept any baccalaureate degree combined with additional years of experience for initial license and reciprocity candidates. In addition, they accept 10 years of licensed experience in lieu of meeting the examination requirements. She concluded that at today's meeting, the Committee is asked to consider the information presented and determine if changes should be made to the proposed regulatory language attached to this agenda item.

Mr. Truscott expressed difficulty in connecting CCR 2615(c)(1) to an educational requirement. Ms. Kjose stated that CCR 2615(a)(1) has to be taken into consideration. She noted that the authority for CCR 2615(c)(1) comes from BPC section 5651 (Examination of Applicants). Ms. Kjose also noted that the words "experience" and "education" are used interchangeably, stating that the regulations were written under the notion that training consists of education and experience.

Ms. Trauth inquired on why the timeframe of professional services rendered is at least 10 of the last 15 years. Ms. Kjose responded that that is the average required by Arizona and New York. Kourtney Nation added that 10 years was specified in both states' (New York and Arizona) regulations for experience in lieu of education.

Ms. Trauth stated that the issue the Committee had with the proposed language from the last meeting was the "10 of the last 15" years of experience needed to sit for the examination. She inquired if the Committee had any other issues with the terminology. Mr. Bowden stated that, in retrospect, 10 years is excessive. He recommended that the proposed language be changed to 2 of the last 5 years instead of 10 of the last 15 years. Ms. Mayer inquired if his proposal two of the last five years would require post-licensure experience in the jurisdiction in which the license was issued. Mr. Bowden responded yes and stated that if the individual does not have a degree that meets California's education requirement, the reciprocity candidate would have to work in his/her licensing jurisdiction for two of the last five years and pass the CSE.

Ms. Mayer commented that Mr. Bowden's suggestion was not equitable to in-state candidates who are unable to use that pathway to licensure. Mr. McCauley agreed with Ms. Mayer and added that the logic of obtaining licensure through reciprocity should connect with initial licensure. Ms. Mayer asked Mr. Bowden if he meant for experience to be post-licensure experience under one's own firm and practice. Mr. Bowden responded in the affirmative.

Ms. Trauth inquired if the Committee needs to address the issue of education before addressing reciprocity. Ms. Mayer responded that reciprocity candidates may be applying for licensure with different educational backgrounds than what California allows for in-state candidates. She continued that educational requirements, related degrees, and reciprocity are all related.

Ms. Bon stated that the issue is not about fairness or competitiveness in the marketplace, but about setting the same standards for practitioners. Ms. Kjose stated that a person licensed and practicing in their jurisdiction would have acquired some knowledge from practicing. She continued that an initial licensure candidate has not proved their competence to practice safely unlike the reciprocity candidate. Mr. McCauley stated that reciprocity candidates would have to pass the CSE as well.

Mr. McCauley asked Ms. Bon if it is possible to have a slightly different licensing standard for reciprocity and initial licensure candidates while protecting the public. Ms. Bon responded that licensing standards do not have to mirror each other, and that the Committee is able to approach licensure with a variety of methods as long as there is reason and the ability to substantiate them.

Mr. Truscott felt CCR 2615(c)(1) should be separated from CCR 2615(a)(1), so that a candidate who is licensed in another jurisdiction can qualify for licensure by taking and passing the CSE without having to meet California's education and experience requirements. Ms. Bon stated that separating subsections would require restructuring the regulation.

Mr. Maxam stated that the best solution would be to accept a CLARB certificate as a means for reciprocity licensure, because it would remove the LATC from having to decide how to meet specific education criteria. He also stated a concern of how one proves practicing or offering professional services out of state, and that he was under the impression that working under a licensed landscape architect in another state would meet the professional practice requirement.

Mr. Maxam stated that the proposed language, which is based on Arizona's and New York's requirements, is inappropriately applied, because they have additional pathways to licensure. Mr. Rohrbacker expressed his support for Mr. Maxam and inquired if it had been decided that 10 of the last 15 years of practicing or offering professional services would be in lieu of education. Mr. McCauley responded that it was undecided, and that the Committee had directed staff to draft modified language for consideration.

Mr. Maxam stated that it was explained that the education requirement applies to the CSE and in order to take the CSE a candidate has to meet the education and experience requirements. Ms. Kjose concurred, but stated that CCR 2615 (Form of Examinations) (c)(1)(B) would be in lieu of education. Ms. Mayer stated that when the Committee decided 10 years of post-licensure experience, they discussed how a candidate's experience could equate to an amount of education credit.

Mr. Schubert commented that a candidate's professional experience could be good or bad. Mr. Bowden stated that the goal is not to determine the quality of a candidate's professional experience but to determine how much education credit should be granted to a candidate who does not possess education training but has years of experience.

Mr. Truscott stated that reciprocity licensure should be streamlined. He continued that a reciprocity candidate with a CLARB certificate should be able to take the CSE. Mr. Bowden stated that the Committee does not control CLARB's standards, and therefore, the Committee should manage its own reciprocity candidates.

Mr. Bowden opined the possibility of two separate motions: 1) a pathway for candidates who hold a license in another jurisdiction and a degree, and 2) a pathway for candidates who hold a license in another jurisdiction but do not possess a degree. Ms. Bon stated that the motions do not have to be separated, and that CCR 2615 applies the educational requirements for initial licensure to reciprocity licensure. She continued that it is reasonable for the two populations of candidates, initial and reciprocity, to have different methods to obtain licensure.

Mr. McCauley stated that because reciprocity candidates are licensed and practicing in their jurisdiction and passed the national examination, the requirements could be more flexible than for initial licensure applicants.

- **Marq Truscott moved to allow licensees from any U.S. jurisdiction, Canadian Province, or Puerto Rico who have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board to be eligible for licensure upon passing the CSE.**

Chair Trauth seconded the motion.

Messrs. Maxam, Rohrbacker, and Schubert stated that they were in agreement with the motion.

Members Truscott and Chair Trauth voted in favor of the motion. Member Bowden opposed the motion. The motion passed 2-1.

Ms. Mayer stated that the next step would be to modify the proposed language, which may include a 15-day notice and a public comment hearing. Ms. Bon stated that a new rulemaking file might be required in order to achieve the new goal; however, she would need to verify. She continued that either way, new proposed language would need to be presented to the Committee for approval.

Mr. McCauley asked Ms. Bon if the change would require a new rulemaking file, because the issue is germane. Ms. Bon stated that if LATC modifies the proposed language, then it could be part of the initial rulemaking file.

Ms. Kjose commented that if LATC modifies the proposed language in the initial rulemaking file, then staff would have to respond to 296 public comments.

I. Review and Possible Action to Amend Title 16, CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program) and Add CCR Sections 2620.2 (Extension Certificate Programs – Application for Approval), 2620.3 (Suspension or Withdrawal of Approval), and 2620.4 (Annual Reports)

Mr. Bowden asked Ms. Bon if his membership on the UCLA Landscape Architecture Guidance Committee poses a conflict of interest for participation in the discussion and voting on this agenda item. Mr. McCauley asked Mr. Bowden if his membership on the Guidance Committee was uncompensated. Mr. Bowden replied that he is uncompensated. Ms. Bon asked Mr. Bowden how it was handled in the past. Mr. Bowden stated that, in the past, he was covered by the “rule of necessity” due to insufficient LATC members being present. Ms. Bon stated that she has seen this occur before on this issue in order to maintain a quorum, and that based upon the facts and circumstances, Mr. Bowden could participate in the agenda item discussion and vote.

Mr. Truscott began by referencing an email received from Stephanie Landregan, Director of the UCLA Extension Certificate Program, requesting time to review the information in order to participate in the discussion. Mr. Truscott inquired if the Committee should grant Ms. Landregan’s request. Mr. Bowden suggested tabling the topic until the next meeting.

Mr. Bowden inquired why LATC should not review and approve extension certificate programs since that is how they are currently validated. He added that if the Committee does not approve the programs, they would no longer be state validated.

Mr. McCauley stated that initially, LATC did not approve the UC Extension programs. He continued that due to the challenge of keeping the regulations consistent with the Landscape Architectural Accreditation Board’s (LAAB) accreditation standards, staff questioned whether the review and approval process within the UC institutions was practical.

Mr. McCauley stated that LATC accepts and gives credit for associate degrees without accreditation from LAAB, as well as non-approved degree programs. Ms. Kjose stated that the terms “approved” and “non-approved” can be misleading. She continued that LATC would continue to give credit for extension certificate programs, but would no longer set the requirements for approval. She added that parts of CCR 2620.5 (Requirements for an Approved Extension Certificate Program) would remain in place.

- **Marq Truscott moved to table the agenda item until the next scheduled meeting.**

Andrew Bowden seconded the motion.

Members Bowden, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 3-0.

J. Discuss and Possible Action on Draft *Consumer’s Guide to Hiring a Landscape Architect*

Ms. Kjose reported that at the November 4, 2016 meeting, the LATC was asked to review the revised *Consumer’s Guide to Hiring a Landscape Architect* and take action. She continued that

during the meeting, a member of the public expressed concern that the photographs and plant materials depicted in the draft *Guide* show water features, high water use plant pallets, and lawn dominated designs that do not support water conservation. Ms. Kjose reported that the LATC agreed that the publication should contain pictures of compelling low water landscapes with California plant material and asked staff to obtain images. Ms. Kjose stated that staff is continuing to review the images, and that a new draft of the *Guide* would be presented at the next meeting.

K. Review Tentative Schedule and Confirm Future LATC Meeting Dates

Ms. Trauth advised that the next LATC meetings are scheduled for April 5 in Los Angeles; July 13 in Sacramento; and November 1, 2017 in San Diego.

L. Recess

The meeting recessed at 1:59 p.m.

M. Call to Order – Roll Call – Establishment of a Quorum

On January 18, 2017, the meeting was called to order at 8:33 a.m., and the following persons were present:

LATC Members

Patricia Trauth, Chair
Marq Truscott, Vice Chair
Andrew Bowden

Staff

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Gretchen Kjose, Interim Program Manager
Tremaine Palmer, Special Projects Analyst
Kourtney Nation, Examination Coordinator
Stacy Townsend, Licensing Coordinator

Guests

Julie Kolaszewski, Strategic Planner & Facilitator, DCA SOLID
Brianna Miller, Strategic Planner & Facilitator, DCA SOLID
Tracy Morgan Hollingworth, CCASLA

N. Strategic Planning Session

Julie Kolaszewski and Brianna Miller from SOLID facilitated the LATC's strategic planning session and lead the LATC through its review of accomplishments for 2015-2016, its mission, values, and strategic goals, which assisted members in developing objectives for 2017-2018. SOLID will update the Strategic Plan with changes made during this session, and the Committee will review and finalize the plan at its next meeting.

O. Adjournment

The meeting adjourned at 4:23 p.m.

DRAFT

Agenda Item E

PROGRAM MANAGER'S REPORT ON ADMINISTRATION, EXAMINATION, LICENSING, AND ENFORCEMENT

The California Architects Board- and Landscape Architects Technical Committee's (LATC) March 2017 Monthly Report provides a synopsis of current activities and is attached for the LATC's review.

Attachments:

1. Monthly Report (March 2017)
2. California Architects Board March 2, 2017 Meeting Notice



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MEMORANDUM

DATE: April 3, 2017

TO: Board and Landscape Architects Technical Committee Members

FROM: Doug McCauley, Executive Officer

SUBJECT: Monthly Report

The following information is provided as an overview of Board activities and projects as of March 31, 2017.

ADMINISTRATIVE/MANAGEMENT

Board The Board met on March 2, 2017, in Los Angeles at the University of Southern California. The next Board meeting is scheduled for June 15, 2017, in San Francisco.

BreEZe The Department of Consumer Affairs (DCA) has been working with Accenture, LLP to design, configure, and implement an integrated, enterprise-wide enforcement case management and licensing system called BreEZe. This system supports DCA's highest priority initiatives of job creation and consumer protection by replacing aging legacy business systems with an industry-proven software solution that utilizes current technologies to facilitate increased efficiencies for DCA board and bureau licensing and enforcement programs. More specifically, BreEZe supports applicant tracking, licensing, license renewal, enforcement, monitoring, cashiering, and data management capabilities. Additionally, the system is web-based which allows the public to file complaints and search licensee information and complaint status via the Internet. It also allows applicants and licensees to submit applications, license renewals, and make payments online. BreEZe is being deployed department-wide via three separate releases. Release 1 was implemented on October 9, 2013; Release 2 was implemented on January 19, 2016; and Release 3 is planned to begin development in 2016. The Board is currently part of Release 3.

The State Auditor recommended that DCA conduct a cost-benefit analysis for Release 3 boards and bureaus. Absent any contrary finding in that

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analysis, DCA plans to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups. DCA is developing a plan for the boards and bureaus that have not transitioned to the BreEZe system. The path forward will include business process planning, during which existing business processes will be mapped (and potentially re-engineered), use cases developed, and solution requirements will be defined. Next, the Department of Technology's four-stage Project Approval Lifecycle will facilitate business analysis justification, alternatives and cost benefit analysis, solution development framework, and project approval. The final step of the process will be implementation, possibly following an agile or agile-hybrid development methodology. Staff verified in February 2017 that there is no new action on Release 3.

Budget Governor Brown released his proposed 2017-18 state budget on January 10, 2017. The proposed budget eliminates a projected \$2 billion deficit and bolsters the state's "Rainy Day Fund" while continuing to invest in education, health care expansion, and other core programs. There is no fiscal impact on the Board's budget at this time.

Committees Members of all Board committees have been surveyed regarding their interest in continuing to serve. Based upon that information, Board President Matthew McGuinness made appointments. A notification was sent to members thanking them for their contributions and congratulating them on their appointment or reappointment. Dates for 2017 committee meetings are currently being determined via a poll of members.

Legislation Senate Bill 247 (Moorlach) states the intent of the Legislature to enact legislation that would reduce occupational licensing requirements. The bill is currently with the Senate Business, Professions and Economic Development Committee and is set for hearing April 17, 2017.

Assembly Bill 1489 (Brough) is The American Institute of Architects, California Council's (AIACC) bill and proposes two changes to the Architects Practice Act via Business and Professions Code section (BPC) 5536.25: 1) a clarification that an architect is not responsible for damage caused by "construction deviating from a permitted set of plans, specifications, reports, or documents" not authorized or approved in writing by the architect; and 2) an update to the definition of "construction observation services" to clarify that those services do not include inspection, or determining or defining means and methods (the day-to-day activities a contractor employs to complete construction). The bill is currently under consideration by the Senate Business, Professions and Economic Development Committee.

Liaison Program Board members provided their respective liaison reports at the March 2, 2017, Board meeting.

Newsletter The latest issue of the *California Architects* newsletter was published March 13, 2017. The next issue is scheduled for publication in April 2017.

Personnel Peter Merdinger, Staff Services Analyst of the Enforcement Unit announced his plans to retire from State service effective May 2, 2017. Mr. Merdinger has been employed at the Board for 31 years. Recruitment efforts are underway to fill his position.

Social Media In expanding the Board’s social media presence, a new Instagram account was launched on September 20, 2016; the Board currently has 104 followers. The Board currently has 1,056 Twitter followers (up from 882 this time one year ago).

Training The following employees have been scheduled to participate in upcoming training:

4/19/17 Basics of Enforcement (Alicia, Annamarie, Cecilia, and Reanna)

Website In March, staff updated the Board’s website with the latest issue of the Board’s newsletter *California Architects*.

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) The pass rates for ARE 4.0 divisions taken by California candidates between February 1, 2017, and February 28, 2017, are shown below. National pass rates for 2016 have not been released by the National Council of Architectural Registration Boards (NCARB).

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Building Design & Construction Systems	60	34	57%	26	43%
Building Systems	74	44	59%	30	41%
Construction Documents & Services	173	93	54%	80	46%
Programming, Planning, & Practice	133	68	51%	65	49%
Schematic Design	43	34	79%	9	21%
Site Planning & Design	93	64	69%	29	31%
Structural Systems	60	34	57%	26	43%

California Supplemental Examination (CSE) CSE development is an ongoing process. The Intra-Agency Contract Agreement (IAC) with the Office of Professional Examination Services (OPES) for examination development expires on June 30, 2017. Staff is coordinating with OPES in developing a new IAC for fiscal year (FY) 2017/18 that will be presented to the Board at its June 15, 2017, meeting. Development of the CSE based upon the new CSE Test Plan concluded with the launching on March 1, 2017, of the first corresponding examination administrations.

CSE Results: For the period March 1 - 31, 2017, the computer-delivered CSE was administered to 62 candidates, of which 38 (61%) passed and 24 (39%) failed. The CSE has been

administered to 871 candidates during FY 2016/17 (as of March 31, 2017), of which 561 (64%) passed and 310 (36%) failed. During FY 2015/16, the computer-delivered CSE was administered to 976 candidates, of which 661 (68%) passed and 315 (32%) failed.

NCARB Integrated Path to Architectural Licensure (IPAL) Launched in fall 2015, IPAL is an initiative spearheaded by NCARB and designed to provide aspiring architects the opportunity to complete requirements for licensure in a more integrated manner while earning their accredited degree. Programs from three California schools were accepted by NCARB for participation in the inaugural year: NewSchool, University of Southern California, and Woodbury University; to-date there are 21 programs at 17 schools.

The Board sponsored legislation (which became operative on January 1, 2017) that authorizes it to grant students enrolled in an IPAL program early eligibility for the ARE.

During the Board's March, June, and September 2016 and March 2017 meetings the California IPAL schools provided presentations on its respective program that included program details, status updates, and future plans. The Board will periodically invite accepted schools to its future meetings for updates.

Outreach On April 14, 2017, Marccus Reinhardt, Program Manager, of the Examination/Licensing Unit, will be attending the 3rd Annual Architecture, Design & Build Career Fair in San Diego to answer questions regarding licensure requirements. Mr. Reinhardt will be joined by representatives from the AIA San Diego, AIA Palomar, NewSchool, Woodbury University, San Diego Mesa College Design Center, Design Institute of San Diego, Southwestern College, Palomar College, University of San Diego, American Society of Interior Designers, International Interior Design Association, San Diego Green Building Council, American Society of Landscape Architects, and San Diego Architectural Foundation.

ENFORCEMENT PROGRAM

Architect Consultants Building Official Contact Program: Architect consultants were available on-call to Building Officials in March when they received 11 telephone, email, and/or personal contacts. These types of contacts generally include discussions regarding the Board's policies and interpretations of the Act, stamp and signature requirements, and scope of architectural practice.

Education/Information Program: Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In March, there were eight telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for six of the contacts and included inquiries regarding written contract requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

One of the architect consultant contracts expired on January 31, 2017. Staff prepared a Request for Proposal (RFP) for consultant services for three years (February 1, 2017, through January 31, 2020) and submitted it to DCA's Contracts Unit for review on August 23, 2016. The

RFP was released on October 5, 2016, and advertised on the Internet under the Cal eProcure portal. The RFP was also posted on the Board's website and Twitter account, distributed to the Board's e-subscribers, and shared with AIA, Central Valley Chapter, the Asian American Architects and Engineers Association, the National Organization of Minority Architects, and the Board's subject matter experts. The final date for submission of proposals was November 28, 2016. The proposals received in response to the RFP were evaluated (First Phase Evaluation) on November 30, 2016, and one proposer received an overall technical score of 30 or more and proceeded to the Second Phase Evaluation, an oral interview. On December 6, 2016, the Evaluation Committee interviewed the candidate and awarded technical points based on selection criteria contained in the RFP. Robert Lee Chase was selected as the awardee of the contract. The Notice of Intent to Award announcing the consultant selected was posted, as required by law, in the Board's office on December 12, 2016, and the agreement became effective February 1, 2017. The Board ratified the approval of the contract at its March 2, 2017, meeting.

The 2017 Annual Business Meeting of California Building Officials (CALBO) was held March 20-23, 2017, in Newport Beach. This was the 55th annual meeting of the organization. The Board sponsored a vendor table as part of the Exhibitor's Program, which was staffed by Board architect consultants Bob Carter and Bob Chase. There were approximately 320 people representing various building departments throughout the State. The Board had over 15 documented direct contacts. Once again, CALBO leadership extended a special thank you to the Board for participating and continuing its history of support to the organization. In addition, the City and County of San Francisco and the Counties of Orange and San Mateo requested supplies of the Board's *Consumer's Guide to Hiring an Architect* and *Consumer Tips for Design Projects*.

Collection Agency Contract The Board's 2015–2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties. At its November 5, 2015, meeting, the REC reviewed and discussed this objective, and voted to recommend to the Board that it should encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the Executive Officer (EO). The Board approved the REC's recommendation at its December 10, 2015, meeting. Following the meeting, staff identified outstanding accounts that could be referred to a collection agency and obtained quotes for full-service debt collection services, including "skip-tracing," credit reporting, and filing legal actions as appropriate. Staff is currently in the process of securing a contract with a collection agency through the informal solicitation method [Government Code section (GC) 14838.5] to allow the Board to refer unpaid accounts aged beyond 90 days to a collection agency. The collection agency contract is planned to be presented to the Board for review and possible action at its June 2017 meeting.

Enforcement Action(s) Adrienne Bert Ferree (Rancho Palos Verdes) The Board issued a one-count citation that included a \$750 administrative fine to Ferree, architect license number C-18520, for an alleged violation of BPC 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Ferree failed to maintain records of completion of the required coursework for two years

from the date of license renewal and failed to make those records available to the Board for auditing upon request. The citation became final on December 20, 2016.

Kevin L. Fuller (San Francisco) The Board issued a one-count citation that included a \$500 administrative fine to Fuller, architect license C-28634, for an alleged violation of BPC 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Fuller certified false or misleading information on his 2016 License Renewal Application. The citation became final on December 12, 2016.

Rajesh Kumar Narayanan (San Diego) The Board issued a two-count citation that included a \$5,000 administrative fine to Narayanan, dba Concorde Enterprises, an unlicensed individual, for alleged violations of BPC 5536(a) (Practice Without License or Holding Self Out as Architect). The action alleged that on or about July 15, 2015, Narayanan prepared drawings for a residential project located in San Diego, California. Narayanan, without the architect's knowledge, affixed an architect's stamp to the drawings, which read: "LICENSED ARCHITECT," "BAHRAM MAHERONNAGAHS," "No. C 22453," "REN. 6-30-2015" and the legend "STATE OF CALIFORNIA." Architect license number 22453 belongs to Bahram Maheronnaghsh. In addition, on or about August 25, 2015, Narayanan's company, Concorde Enterprises, sent an email advertisement to a prospective client that included the term "Architectural" to describe the company's key capabilities and strengths and the word "Architects" under Narayanan's company name.

On or about August 27, 2015, Narayanan's company profile on the Internet at plus.google.com included the term "Architectural" to describe the services that his company provides. On or about September 5, 2015, Narayanan's company sent an email advertisement to another prospective client that included the terms "Architectural" and "Architecture" to describe the services the company provides. On or about June 16, 2016, Narayanan's company's website, concordeusa.com, described the company's key capabilities and strengths as "Architectural" and described the company's key programs as "Design of Architecture." The website also included a link to a news article in the *Rancho Santa Fe News* where Narayanan was identified as an "Architect." Furthermore, on or about November 15, 2016, Narayanan's company was identified as or listed under "Architects" in advertisements on the Internet at citysearch.com, ehardhat.com, homeyou.com, manta.com, and towncontractors.com.

Narayanan was also previously cited by the Board on March 30, 2015, for offering "Architectural" Designs to the public through his advertisements in the weekly newspaper, *The Coast News*. The citation became final on February 3, 2017.

Allen Kent Smith (San Diego) The Board issued a one-count citation that included a \$1,000 administrative fine to Smith, architect license number C-13393, for an alleged violation of BPC 5558 (Name and Address of Entity Through Which License Holder Provides Architectural Services; Filing Requirements). The action alleged that Smith failed to file with the Board the proper and current name and address of the entity through which he provides architecture services. Smith paid the fine, satisfying the citation. The citation became final on February 28, 2017.

<u>Enforcement Statistics</u>	<u>Current Month</u> March 2017	<u>Prior Month</u> February 2017	<u>FYTD</u> 2016/17	<u>5-FY Avg</u> 2011/12- 2015/16
Complaints				
Received/Opened (Reopened):	29 (0)	18 (0)	209 (1)	295 (3)
Closed:	24	11	204	303
Average Days to Close:	80 days	103 days	122 days	130 days
Pending:	87	82	74*	106
Average Age of Pending:	99 days	98 days	121 days*	164 days
Citations				
Issued:	1	0	20	40
Pending:	9	11	11*	11
Pending AG: †	5	6	6*	3
Final:	4	2	27	36
Disciplinary Actions				
Pending AG:	4	4	4*	3
Pending DA:	0	0	0*	2
Final:	0	0	4	2
Continuing Education (§5600.05)**				
Received/Opened:	2	0	16	68
Closed:	0	1	14	68
Pending:	3	1	3*	26
Settlement Reports (§5588)**				
Received/Opened:	1	1	19	29
Closed:	5	2	27	35
Pending:	1	5	7*	11

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations."

Most Common Violations The majority of complaints received are filed by consumers for allegations such as unlicensed practice, professional misconduct, negligence, and contract violations, or initiated by the Board upon the failure of a coursework audit.

During FY 2016-17 (as of March 31, 2017) 27 citations with administrative fines became final with 43 violations of the provisions of the Act and/or Board regulations. Below are the most common violations that have resulted in enforcement action during the current FY:

- BPC 5536(a) and/or (b) - Practice Without License or Holding Self Out as Architect [37.1%]
- BPC 5536.22(a) - Written Contract [16.3%]
- BPC 5579 - Fraud in Obtaining License [4.7%]
- BPC 5584 - Negligence or Willful Misconduct [2.3%]
- BPC 5586 - Disciplinary Action by a Public Agency [2.3%]
- BPC 5600.05(a)(1) and/or (b) - License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements [18.6%]

- Title 16, California Code of Regulations section (CCR) 160(b)(2) - Rules of Professional Conduct (Willful Misconduct) [7.0%]
- CCR 160(f)(1) - Rules of Professional Conduct (Informed Consent) [4.7%]
- Other Violations [7.0%]

Regulatory Proposals *CCR 152.5 (Contest of Citations, Informal Conference)* - Staff developed proposed regulatory language to amend CCR 152.5 to allow the EO to delegate to a designee, such as the Assistant Executive Officer or the Enforcement Program Manager, the authority to hold an informal conference with a cited person and make a decision to affirm, modify, or dismiss a citation. The proposed regulatory language also contains additional revisions to CCR 152.5, including: changing the deadline for requesting an informal conference for consistency with the deadline for requesting a formal administrative hearing; authorizing the EO or a designee to extend the 60-day period for holding the informal conference for good cause; and clarifying that the decision to affirm, modify, or dismiss a citation is made following (rather than at the conclusion of) an informal conference, and a copy of the decision will be transmitted to the cited person within 30 days after the conference. The REC reviewed and discussed staff's draft proposed regulation to amend CCR 152.5 at its November 8, 2016, meeting, and voted to recommend to the Board that it approve the regulation and authorize staff to proceed with the regulatory change. At its December 15, 2016, meeting, the Board approved the proposed regulation to amend CCR 152.5, authorized staff to proceed with the required regulatory change to amend CCR 152.5, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the Office of Administrative Law (OAL).

CCR 154 (Disciplinary Guidelines) - The Board's 2013 and 2014 Strategic Plans included an objective to review and update the Board's *Disciplinary Guidelines*. The REC reviewed recommended updates to the Board's *Disciplinary Guidelines* in 2013 and 2014. Additionally, at the request of the REC, staff consulted with a representative of AIACC to address a proposed modification to the "Obey All Laws" condition of probation. The representative concurred with the revision and indicated that there was no issue with the proposal. Staff then consulted with the REC Chair who agreed to provide the *Disciplinary Guidelines* with recommended revisions to the Board for consideration at its December 2014 meeting due to the target date established for the Strategic Plan objective. At its December 2014 meeting, the Board approved the proposed revisions to the *Disciplinary Guidelines* and authorized staff to proceed with a regulatory proposal to amend CCR 154 in order to incorporate the revised *Disciplinary Guidelines* by reference. Staff prepared the required regulatory documents for the Board's review and approval at its June 10, 2015, meeting. The Board approved the proposed regulatory language to amend CCR 154 at its June 10, 2015, meeting and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes, if needed.

At its August 6, 2015, meeting, the Landscape Architects Technical Committee (LATC) reviewed recommended updates to LATC's *Disciplinary Guidelines* based on the revisions made to the Board's *Guidelines*. Following the meeting, Legal Counsel advised LATC staff that additional research may be necessary regarding Optional Conditions 9 (CSE) and 10 (Written

Examination) in LATC's *Guidelines*. LATC staff subsequently discussed the matter with Legal Counsel on September 30, 2015. Board staff reviewed Legal Counsel's comments as they relate to the Board's *Disciplinary Guidelines*, and determined the Board's *Guidelines* would also need to be amended. On October 21, 2015, Board and LATC staff sent proposed edits to these conditions to Legal Counsel for review. Legal Counsel notified Board and LATC staff on November 12, 2015, that the proposed edits were acceptable, but substantive, and would require re-approval by the Board.

On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the Board's *Disciplinary Guidelines*, as this method was previously approved by OAL for the 2000 edition of the *Guidelines*. At its December 10, 2015, meeting, the Board reviewed and approved the additional recommended revisions to the Board's *Disciplinary Guidelines* and the proposed regulation to amend CCR 154, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR 154. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR 154 were presented to the Board for consideration at its December 15, 2016, meeting. At the meeting, the Board approved the additional revisions to the *Disciplinary Guidelines* and the proposed regulation to amend CCR 154, authorized staff to proceed with the required regulatory change to amend CCR 154 in order to incorporate the revised *Guidelines* by reference, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with OAL.

Written Contract (BPC 5536.22) A proposal was previously submitted by the Board to the Senate Business, Professions and Economic Development Committee (BP&ED) for possible inclusion in an omnibus bill. The amendment to BPC 5536.22 sought to clarify that the following elements are needed in architects' written contracts with clients for professional services: 1) a description of the project; 2) the project address; and 3) a description of the procedure to accommodate contract changes. BP&ED staff determined that the proposal was substantive and, as such, would need to be included in another bill. At its April 28, 2016, meeting, the REC accepted staff's recommendation to also include a: 1) statement identifying the ownership and/or reuse of instruments of service prepared by the architect; and 2) notification to the client that the architect is licensed by the Board, in the amendment to BPC 5536.22. Staff developed proposed language for BPC 5536.22 to include these two additional elements, and presented it to the REC for consideration at its November 8, 2016, meeting. At the meeting, the REC supported adding the two additional provisions to the written contract requirement, but expressed concerns that the use of the word "complaints" in the proposed language for

subsection (a)(9) could result in frivolous complaints to the Board against architects. The REC ultimately voted to recommend to the Board that it approve the proposed language to amend BPC 5536.22 with the words “concerns about” instead of “complaints concerning” in the proposed subsection (a)(9). The Board considered the REC’s recommendation at its December 15, 2016, meeting, and approved the proposed language to amend BPC 5536.22 with the exception of proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Committee The next LATC meeting is scheduled for April 18, 2017, at California State Polytechnic University, Pomona.

Personnel Brianna Miller was selected to fill the Program Manager position and her first day at the LATC was March 13, 2017. Gretchen Kjose, retired annuitant, is training Ms. Miller until her term ends on April 30, 2017.

Interviews for the Enforcement Analyst position were conducted on March 15, 2017, and Stacy Townsend (current Licensing Coordinator) was selected to fill the position effective April 10, 2017. Recruitment efforts are underway to backfill the Licensing Coordinator position.

Training The following employees have been scheduled to participate in upcoming training:

- 5/23/17 Hiring and Onboarding New Employees (Brianna)
- 5/24-25/17 Performance Management (Brianna)
- 5/30/17 Human Resources Liaison (Brianna)

Website In March, staff published the updated fax number and the public forums announcement, and the updated “Licensee Search” lists to the website.

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE) BPC 139 requires that an Occupational Analysis (OA) be conducted every five to seven years. An OA was completed by OPES for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. The current Intra-Departmental Contract with OPES for examination development expires on June 30, 2017. Staff recruits subject matter experts to participate in examination development workshops to focus on item writing and examination construction. Monthly examination development workshops began on August 25, 2016, and concluded on December 2, 2016. The questions developed have been added to the examination item bank and will be incorporated into the CSE beginning in September 2017.

CSE Results The CSE has been administered to 112 candidates during FY 2016/17 (as of March 31, 2017). Of these candidates, 59 (53%) passed and 53 (47%) failed. During FY 2015/16, the computer-delivered CSE was administered to 132 candidates, of which 94 (71%) passed and 38 (29%) failed.

Landscape Architect Registration Examination (LARE) The next LARE administration will be held from March 27 – April 8, 2017. The candidate application deadline was February 10, 2017. Examination results are released five-six weeks following the last day of administration.

Regulatory Proposals *CCR 2615 (Form of Examinations) – Reciprocity Requirements* - At its meeting on February 10, 2015, LATC directed staff to draft proposed regulatory language to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. At the LATC meeting on November 17, 2015, the Committee approved proposed amendments to CCR 2615(c)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. At its December 10, 2015, meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the corresponding regulations to amend CCR 2615 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

The LATC received extensive input during the public comment period expressing concern about the proposed length of post-licensure experience (at least 10 years, within the past 15 years) to be required of reciprocity candidates who do not meet California's educational requirements (specifically, a degree in landscape architecture). At its November 4, 2016, meeting, LATC reviewed and discussed the public comments, heard from several members of the audience, and directed staff to provide additional research and possible options for its next meeting in January 2017. At its January 17, 2017, meeting, the Committee directed staff to draft proposed regulatory language allowing reciprocity licensure to applicants licensed to practice landscape architecture by any US jurisdiction, Canadian province, or Puerto Rico, upon passing the CSE. This proposed regulatory language will be provided to the LATC for discussion at its next meeting on April 18, 2017.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 2615:

November 17, 2015	Proposed regulatory language approved by the LATC
December 10, 2015	Proposed regulatory language approved by the Board
August 2, 2016	Notice of Proposed Changes in the Regulations submitted to OAL
August 12, 2016	Notice of Proposed Changes in the Regulations published by OAL
September 27, 2016	Public hearing, public comments received during 45-day period

CCR 2620.5 (Requirements for an Approved Extension Certificate Program) – LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and

recommended that the Board authorize LATC to proceed with a regulatory change. At the December 15-16, 2010, Board meeting, the Board approved the regulatory change and delegated authority to the EO to adopt the regulations to amend CCR 2620.5 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed. The regulatory proposal to amend CCR 2620.5 was published by the OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012, LATC meeting, LATC approved the Task Force's recommended modifications to CCR 2620.5, with an additional edit. At the January 24-25, 2013, LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR 2620.5 at their March 7, 2013, meeting.

On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by OAL. The disapproval was based on OAL's determination that the regulatory package did not meet the necessity standard of the GC section 11349.1, subdivision (a)(1). GC 11349(a) defines "necessity" as demonstrating the need for the regulatory change through evidence not limited to facts, studies, and expert opinion. Based on OAL's disapproval, staff worked with DCA Legal Counsel and the Task Force Chair to refine the proposed language and identify appropriate justification that would meet OAL's requirements.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR 2620.5 incorporating Legal Counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipated adopting new standards in early 2016. On December 30, 2014, staff met with the Task Force Chair to discuss proposed changes to CCR 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016. Staff also met with Legal Counsel on January 14, 2015, to discuss justifications to proposed changes and again on January 28, 2015, to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10-11, 2015, meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB confirmed that they are in the process of updating their Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a

public call for input and commentary that took place in the fall of 2014. LAAB met in the summer of 2015 to draft revisions to the Standards. In the fall of 2015, additional public input and comments were received.

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which included several suggested changes to curriculum requirements. LAAB implemented its new Accreditation Standards and Procedures in March 2016, making significant changes to the curriculum requirements beginning in 2017. Staff recommended that LATC review the LAAB Accreditation Standards and Procedures at its January 2017 meeting, and determine how to proceed. Prior to the meeting, Stephanie Landregan, Director of the University of California Los Angeles Extension Certificate program, requested that discussion be postponed until the April 2017 LATC meeting. Her request was granted and this topic was tabled until the April 18, 2017 LATC meeting.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 2620.5:

November 22, 2010	Proposed regulatory language approved by LATC
December 15, 2010	Proposed regulatory language approved by Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted on website
January 9, 2013	Written comment (one) received during 40-day period
January 24, 2013	Modified language to accommodate public comment approved by LATC
February 15, 2013	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Policy Review
March 7, 2013	Final approval of modified language by Board
May 31, 2013	Final rulemaking file submitted to OAL for approval
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff worked with Task Force Chair to draft justifications for proposed changes
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015
February 10, 2015	LATC approved the appointment of a new working group to assist staff
October 8, 2015	LATC received LAAB's suggested revisions to curriculum requirements
March 2016	LAAB implemented its new Accreditation Standards and Procedures

CCR 2649 (Fees) – BPC 128.5 requires agencies within DCA to reduce license or other fees if the fund balance meets or exceeds 24 months in reserve at the end of any FY. The LATC had 24.7 months of funds in reserve at the end of FY 2012-13. To address the fund condition, the LATC initiated fiscal management measures consisting of a negative budget change proposal to reduce LATC's spending authority by \$200,000, and implemented a temporary license renewal fee reduction from \$400 to \$220 for one license renewal cycle, July 1, 2015 through June 30, 2017, with the intention of extending the license renewal fee reduction for an additional renewal cycle if the fund condition did not drop below the 24-month reserve level.

At the end of FY 2015-16, the LATC had 27.4 months of funds in reserve. Based on projections including the current temporary license renewal fee reduction of \$220, at the end of FY 2016-17, there will be approximately 20.6 months of funds in reserve. At the LATC meeting on May 24, 2016, the Committee approved the extension of the license renewal fee reduction through June 30, 2019. To extend the reduction of the license renewal fee, a regulatory change to amend CCR 2649 is necessary. Once the reduction completes its term, the LATC is projected to have 7.1 months of funds in reserve.

This regulatory proposal would amend CCR 2649 subsection (f), to reduce the fee for the biennial renewal of a license from \$400 to \$220 for licenses expiring on or after July 1, 2017 through June 30, 2019.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR 2649:

May 24, 2016	Proposed regulatory language approved by LATC
June 9, 2016	Proposed regulatory language approved by Board
October 14, 2016	Notice of Proposed Changes in the Regulations published by OAL
November 30, 2016	Public hearing, no public comments received
December 14, 2016	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Regulatory Review

Strategic Plan Objectives LATC's Strategic Plan for 2015-2016 contained numerous objectives. Below is a summary of progress made toward the objectives:

Create and Disseminate Consumer's Guide - to educate the public on the differences between landscape architects, landscape contractors, and landscape designers. At its November 17, 2015, LATC meeting, staff presented to the Committee a draft of the *Consumer's Guide to Hiring a Landscape Architect*, which is based on the Board's *Consumer's Guide to Hiring an Architect*. The Committee reviewed the *Guide* and directed staff to continue revisions by adding information conveyed through the Department of Water Resources' Independent Technical Panel regarding water conservation measures and techniques; and a table illustrating the differences and requirements between landscape architects, designers, and contractors. Following discussion, the Committee agreed to create a subcommittee to complete revisions to the *Guide*. At its February 10, 2016, meeting, the Committee reviewed the *Guide* and recommended additional information regarding drought conditions and the Model Water Efficient Landscape Ordinance to be included in the guide. LATC agreed to review the revised draft at its next meeting in May to allow time for the subcommittee and staff to incorporate the recommended edits.

Staff presented the revised *Guide* to the Committee at its May 24, 2016, meeting. The Committee voted to approve the draft of the *Guide* for publication with minor edits to be made to the professional qualifications chart. Staff completed the edits and worked with DCA's Office of Publications, Design & Editing on the design of the *Guide*. Two LATC members reviewed the proposed graphics and design layout and provided images for replacement in the *Guide*. The LATC reviewed the revised design and layout at its November 4, 2016, meeting. At the meeting, a public comment was made expressing concern that the photographs and plant materials

depicted in the *Guide* showed water features, high water use plant pallets and lawn dominated designs that do not support water conservation. The Committee agreed and asked staff to obtain and include graphics of compelling low water landscapes with California plant material for the LATC's consideration. At its January 17, 2017, meeting, staff updated the Committee on images stating they were still being reviewed for consideration and that a draft *Guide* would be available at the next meeting, on April 18, 2017. Completion of this task will address the Strategic Plan objective to "create and disseminate printed document(s) to educate the public on the differences between landscape architects, landscape contractors, and landscape designers."

Expand Credit for Education Experience - to include degrees in related areas of study, i.e., urban planning, environmental science or horticulture, etc., to ensure that equitable requirements for education are maintained. At the November 17, 2015, LATC meeting, the Committee directed staff to agendize this objective at its next meeting. At its meeting on February 10, 2016, the Committee agreed to table the objective until its upcoming Strategic Planning session in January 2017. At its January 17, 2017, meeting, the Committee considered options of granting education credit for related, as well as unrelated, degrees in landscape architecture or architecture. After discussion and receiving public comments, the Committee directed staff to conduct a public forum to receive additional input from the public by the next scheduled meeting, on April 18, 2017. Accordingly, staff scheduled two public forums to take place in northern and southern California, respectively, to enhance accessibility for public participation.

The first public forum was held on March 17, 2017, in Sacramento. Twelve participants attended the forum, which was facilitated by the DCA SOLID office. Participants were advised that the forum was for the sole purpose of gathering public input for consideration by the Committee. Accordingly, the feedback collected ranged from comments of support, opposition, and general feedback toward the expansion of education requirements. LATC staff is also collecting written comments for the Committee's consideration.

A second public forum will take place on April 18, 2017, in Pomona during the LATC meeting. At that time, the Committee will have all provided public feedback for its consideration.

Review Expired License Requirements (CCR 2624 and 2624.1) - to assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements. At the August 6, 2015 LATC meeting, the Committee reviewed the procedures and expired license requirements contained in BPC 5680.2 (License Renewal – Three Years After Expiration) and CCR 2624 and 2624.1, and directed staff to assess whether the Board's procedures and requirements should be considered for use by LATC. At the November 17, 2015, LATC meeting, the Committee reviewed re-licensure requirements of various state landscape architect licensing boards and three DCA licensing boards, and directed staff to research re-licensure procedures for additional state boards and agendize this objective at its next meeting. At its meeting on February 10, 2016, the Committee directed staff to draft proposed language to amend the LATC's relicensure procedures to require an individual whose license has been expired for less than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. At its meeting on May 24, 2016, the Committee voted to amend BPC 5680.2 and repeal CCR 2624 and 2624.1. Prior to the meeting, staff discovered BPC 5680.1 included language that would also need to be

amended. It was noted to the Committee that BPC 5680.1 would be included when presented to the Board for its consideration. At its June 9, 2016, meeting, the Board voted to amend BPC 5680.1 and 5680.2 and repeal CCR 2624 and 2624.1. Staff worked with DCA Legal Counsel to draft the amendment of BPC 5680.1 and 5680.2. Once the amendments to BPC 5680.1 and 5680.2 are passed by the Legislature and signed by the Governor, staff will prepare the rulemaking file to repeal CCR 2624 and 2624.1.

LATC ENFORCEMENT PROGRAM

Disciplinary Guidelines As part of the Strategic Plan established by LATC at the January 2013, meeting, LATC set an objective of collaborating with the Board in order to review and update LATC's *Disciplinary Guidelines*. At its December 2014 meeting, the Board approved the proposed updates to their *Disciplinary Guidelines* and authorized staff to proceed with the required regulatory change in order to incorporate the revised *Disciplinary Guidelines* by reference. At its February 10, 2015, meeting, LATC approved proposed revisions to its *Disciplinary Guidelines* based on the recent Board approval for their *Guidelines*. Staff provided the revised *Disciplinary Guidelines* to the new Deputy Attorney General Liaison for review. He suggested several amendments, which staff added to the *Guidelines*. The amended *Disciplinary Guidelines* and proposed regulatory package were approved by LATC at its August 6, 2015, meeting and by the Board at their September 10, 2015, meeting.

On October 21, 2015, staff sent DCA Legal Counsel suggested edits to the Optional Conditions section in the *Disciplinary Guidelines* for review. Legal Counsel notified staff on November 12, 2015, that the edited portions were sufficient and substantive, and would require re-approval by the Board. On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the *Disciplinary Guidelines*. At its December 10, 2015, meeting, the Board approved the revised *Disciplinary Guidelines* and the proposed regulation to amend CCR 2680, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Board staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR 154 in order to incorporate the revised *Guidelines* by reference. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR 154 were approved by the Board at its December 15, 2016 meeting. Staff is updating its *Guidelines* to include the approved revisions that are appropriate to the LATC. LATC will be presented with the recommended changes at its meeting on April 18, 2017.

<u>Enforcement Statistics</u>	<u>Current Month</u> March 2017	<u>Prior Month</u> February 2017	<u>FYTD</u> 2016/17	<u>5-FY</u> 2011/12 – 2015/16
Complaints				
Received/Opened (Reopened):	4 (0)	3 (0)	17 (0)	26 (0)
Closed:	2	1	13	36
Average Days to Close:	100	33	157 days	360 days
Pending:	12	10	7*	21
Average Age (Pending):	59 days	59 days	116 days*	301 days
Citations				
Issued:	0	0	3***	3
Pending:	0	0	0*	2
Pending AG: †	0	0	0*	2
Final:	1	0	4	2
Disciplinary Actions				
Pending AG:	0	0	0*	1
Pending DA:	0	0	0*	0
Final:	0	0	0	1
Settlement Reports (§5678)**				
Received/Opened:	1	0	3	1
Closed:	0	0	1	1
Pending:	0	0	1*	1

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

*** Data corrected from previous report.

† Also included within "Pending Citations."



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MODIFIED

NOTICE OF BOARD MEETING

March 2, 2017

10:30 a.m. to 3:00 p.m.

(or until completion of business)

University of Southern California (USC)

850 Bloom Walk, Verle Annis Gallery (Harris Hall)

Los Angeles, CA 90089-0291

(213) 740-2723 (USC) or (916) 575-7221 (Board)

The California Architects Board will hold a Board meeting, as noted above. The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: cab.ca.gov. For further information regarding this agenda, please see below or you may contact Mel Knox at (916) 575-7221.

The Board plans to webcast this meeting on its website at cab.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources or technical difficulties. The meeting will not be canceled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Agenda

- A. Call to Order/Roll Call/Establishment of a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Public Comment on Items Not on the Agenda
(The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)
- D. Review and Possible Action on December 15–16, 2016 Board Meeting Minutes
- E. Executive Officer's Report
 1. Update on Board's Administrative/Management, Examination, Licensing, and Enforcement Programs
 2. Board Member Liaison Reports on Organizations and Schools

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

916-574-7220 T
916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

(Continued)

- F. Discuss and Possible Action on Proposed Legislation:
 - 1. Senate Bill 247 (Moorlach) [Occupational Licensing Requirements]
 - 2. The American Institute of Architects, California Council Proposal on Construction Observation; Business and Professions Code (BPC) Section 5536.25 (Liability; Damages Caused by Subsequent, Unauthorized, or Unapproved Changes or Uses of Plans, Specifications, Reports or Documents; Construction Observation Services)
 - 3. California Council for Interior Design Certification Sunset Review Report and Proposed Amendments to BPC Section 5800 (Definition of “Certified Interior Designer”)
- G. Review and Possible Action on Draft 2017–2018 Strategic Plan
- H. National Council of Architectural Registration Boards (NCARB)
 - 1. Review of 2017 NCARB Regional Summit Agenda
 - 2. Discuss and Possible Action on NCARB Resolution 2017-A (*NCARB Bylaws* Amendment – Membership Requirements)
 - 3. Consider and Take Action on Candidates for 2017 NCARB and Region VI Officers and Directors
 - 4. Presentation on University of Southern California’s Integrated Path to Architectural Licensure by Michael Hricak, Lecturer and Charles Lagreco, Associate Professor
- I. Review and Possible Action on Architect Consultant Contract for February 1, 2017 Through January 31, 2020
- J. Update on Landscape Architects Technical Committee January 17–18, 2017 Meeting
- K. Review of Future Board Meeting Dates
- L. Closed Session
 - 1. Review and Possible Action on December 15, 2016 Closed Session Minutes
 - 2. Pursuant to Government Code Section 11126(c)(3), the Board will Deliberate on Disciplinary Matters
- M. Reconvene Open Session
- N. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

(Continued)

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting [Government Code sections 11125 and 11125.7(a)].

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mel Knox at (916) 575-7221, emailing mel.knox@dca.ca.gov, or sending a written request to the Board. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5510.15)

Agenda Item F

REVIEW AND POSSIBLE ACTION TO APPROVE 2017-18 INTRA-DEPARTMENTAL CONTRACT WITH OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) FOR CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) DEVELOPMENT

The Department of Consumer Affairs' (DCA) OPES is charged with providing professional psychometric services to DCA boards and bureaus, which include all aspects of the examination validation process (i.e., occupational analyses, examination development, test scoring and statistical analyses, and national examination reviews).

The Landscape Architects Technical Committee's current Intra-Departmental Contract with OPES for development of the CSE will expire on June 30, 2017. A new contract (attached) is needed for fiscal year (FY) 2017-18 for continued examination development.

At today's meeting, the Committee is asked to review and take possible action on the new contract with OPES for examination development for FY 2017-18.

Attachment:

Intra-Departmental Contract with OPES for FY 2017-18

INTRA-DEPARTMENTAL CONTRACT

CONTRACT NUMBER IAC #75730	AMENDMENT NUMBER
--------------------------------------	------------------

- This Contract is entered into between the Board/Bureau/Divisions named below
REQUESTING BOARD/BUREAU/DIVISION'S NAME
California Architects Board/Landscape Architects Technical Committee (Committee)
PROVIDING BOARD/BUREAU/DIVISION'S NAME
Office of Professional Examination Services (OPES)
- The term of this Contract is: **July 1, 2017 through June 30, 2018**
- The maximum amount of this Contract is: **\$34,160**
- The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Contract:

**California Supplemental Exam
Written Examination Development**

Exhibit A – Scope of Work	1 Page
• Attachment I - Project Plan	1 Page
• Attachment II - Roles and Responsibilities	3 Pages
Exhibit B – Budget Detail and Payment Provision	1 Page
• Attachment I - Cost Sheet - Global Costs	2 Pages
Exhibit C – General Terms and Conditions	1 Page
Exhibit D – Special Terms and Conditions	1 Page

IN WITNESS WHEREOF, this Contract has been executed by the parties hereto.

DEPARTMENT OF CONSUMER AFFAIRS		Department of Consumer Affairs Contracts Unit Use Only
<small>REQUESTING BOARD/BUREAU/DIVISION'S NAME</small> California Architects Board/Landscape Architects Technical Committee		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small>	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Douglas R. McCauley, Executive Officer		
<small>ADDRESS</small> 2420 Del Paso Road, Suite 105 Sacramento, CA 95834		
<small>BUDGET OFFICER'S SIGNATURE</small> 		
DEPARTMENT OF CONSUMER AFFAIRS		
<small>PROVIDING BOARD/BUREAU/DIVISION'S NAME</small> Office of Professional Examination Services		
<small>BY (Authorized Signature)</small> 	<small>DATE SIGNED</small> 3/16/17	
<small>PRINTED NAME AND TITLE OF PERSON SIGNING</small> Heidi Lincer, Chief		
<small>ADDRESS</small> 2420 Del Paso Road, Suite 265 Sacramento, CA 95834		
<small>BUDGET OFFICER'S SIGNATURE</small> 		

EXHIBIT A

SCOPE OF WORK

1. The Office of Professional Examination Services (OPES) agrees to provide the following services:

Develop new items for the Landscape Architects Technical Committee California Supplemental Exam (CSE) and establish the passing score for one new form.

2. The Landscape Architects Technical Committee (Committee) agrees to provide the following services:

See attached: I. Project Plan
II. Roles and Responsibilities

3. The project representatives during the term of this agreement will be:

Requesting Committee:

Name: Douglas R. McCauley
Phone: (916) 575-7231
Fax: (916) 575-7285

Office of Professional Examination Services:

Name: Heidi Lincer
Phone: (916) 575-7240
Fax: (916) 419-1697

Direct all agreement inquiries to:

**Department of Consumer Affairs
Contracts Unit:**

Address: 1625 North Market Blvd. Suite S-103
Sacramento, CA 95834
Phone: (916) 574-7277
Fax: (916) 574-8658

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75730
PROJECT PLAN
for
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA SUPPLEMENTAL EXAM
WRITTEN EXAMINATION DEVELOPMENT
FISCAL YEAR 2017-18

Project Objectives: *Develop new items for the Landscape Architects Technical Committee California Supplemental Exam (CSE) and establish the passing score for one new form.*

Proposed Completion Date: June 30, 2018

Committee Contact: Brianna Miller
(916) 575-7231

OPES Contact: Brian Knox Raul Villanueva
(916) 575-7273 (916) 575-7255

MAJOR PROJECT EVENTS	TARGET DATE	RESPONSIBILITY
1. Item Writing Workshop > Recruit for 2-day item writing workshop > Prepare for workshop > Conduct workshop > Update item bank	Aug. 24-25, 2017	Committee OPES OPES OPES
2. Item Review Workshop > Recruit for 2-day item review workshop > Prepare for workshop > Conduct workshop > Develop item bank	Sept. 8-9, 2017	Committee OPES OPES OPES
3. Item Writing Workshop > Recruit for 2-day item writing workshop > Prepare for workshop > Conduct workshop > Update item bank	Oct. 5-6, 2017	Committee OPES OPES OPES
4. Item Review Workshop > Recruit for 2-day item review workshop > Prepare for workshop > Conduct workshop > Update item bank	Oct.27-28, 2017	Committee OPES OPES OPES
5. Exam Construction Workshop > Recruit for 2-day workshop > Prepare for workshop > Conduct workshop > Develop examination	Nov.17-18, 2017	Committee OPES OPES OPES
6. Passing Score Workshop > Recruit for 2-day workshop > Prepare for workshop > Conduct workshop > Develop passing score	Dec. 8-9, 2017	Committee OPES OPES OPES
7. Exam Production: Convert Exam to PSI > Edit and review of final CSE items > Submit exam to PSI for launch > PSI launch of exam	June 2018	OPES OPES OPES

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75730

ROLES AND RESPONSIBILITIES

for

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

**CALIFORNIA SUPPLEMENTAL EXAM
WRITTEN EXAMINATION DEVELOPMENT**

FISCAL YEAR 2017-18

The purpose of licensing examinations is to identify persons who possess the minimum knowledge, skills and experience necessary to perform tasks on the job safely and competently. The content of the examination should be based upon the results of an occupational analysis of practice to ensure the examination assesses the most critical competencies of the job.

The examination development process is conducted in several workshops and requires a total of 60 licensed Landscape Architects to serve as expert consultants. In licensure examination development work, expert consultants are known as subject matter experts (SMEs). A minimum of eight to ten SMEs are needed for each workshop. The SMEs in each workshop should be unique to ensure objectivity in all aspects of examination development.

Item writing and/or item review, examination construction, and passing score processes are included in examination development services to be provided.

ROLE OF THE COMMITTEE

The primary role of the Landscape Architects Technical Committee (Committee) is to recruit a representative sample of SMEs for development of the examination.

The selection of SMEs critically affects the quality and defensibility of an examination program. The SMEs selected to participate in an examination development workshop panel should:

- Reflect the profession in terms of geographical location, practice specialty area, ethnicity, and gender
- Be currently working in the field and have up-to-date skills
- Maintain a current license in good standing that is not retired nor inactive

Additionally, roughly half of the SMEs in each workshop should have received their license within the past five years to ensure entry-level perspective is maintained.

In addition, the Committee has the responsibility to acquire any reference materials to be used by the SMEs in the development of examination items.

Due to potential conflict of interest, undue influence, and/or security considerations, board members, committee members, and instructors shall not serve as SMEs for, nor participate in, any aspect of licensure examination development or administration, pursuant to DCA Policy OPES 11-01.

ROLE OF THE OFFICE OF PROFESSIONAL EXAMINATION SERVICES

The Office of Professional Examination Services (OPES) will use a content validation strategy to link the examination to the results of an occupational analysis of practice. During the workshops, OPES will work with the SMEs to develop items, review items, construct one form examination, and establish the passing score for one examination.

Following each workshop, OPES and Committee staff will review the performance of each SME to determine those who should be invited back. The Committee agrees to recruit SMEs in such a manner as to build a competent pool of representative, productive participants.

SECURITY

OPES has implemented a variety of controls to ensure the integrity, security, and appropriate level of confidentiality of licensure examination programs. These controls include prohibiting certain items, such as electronic devices, in all workshops.

SMEs are required to provide valid identification, allow for personal belongings to be secured in the reception area during workshops, and sign one or more agreements accepting responsibility for maintaining strict confidentiality of licensing examination material and information to which they have access.

Any person who fails to comply with OPES' security requirements will not be allowed to participate in licensure examination workshops. In addition, any person who subverts or attempts to subvert any licensing examination will face serious consequences which may include loss of licensure and/or criminal charges, per Business and Professions Code section 123.

OPES will notify the Committee if any subject matter expert during a workshop violates policy or whose presence is disruptive. OPES reserves the right to immediately dismiss any SME whose presence poses a security risk. OPES will take steps to manage disruptive behavior; however if said behavior persists and/or prevents other SMEs from completing their tasks, OPES may dismiss the person from the workshop.

SUMMARY OF EVENTS

- Committee recruits two panels of SMEs to serve as item writers for two workshops.
- OPES works with SMEs to develop items.
- Committee recruits two panels of SMEs to serve as item reviewers for two workshops. The reviewers should be different SMEs than the item writers.
- OPES works with SMEs to review items. Final revisions are made to the items and the bank of new items is edited and prepared for the exam construction workshop.
- Committee recruits a panel of SMEs to participate in one exam construction workshop.
- OPES works with the SMEs to select items from item bank of new and existing items and constructs the examination form.
- Committee recruits one panel of SMEs at least half of whom are licensed five years or less, to serve as judges in the passing score workshop. The passing score SMEs must be different SMEs than the item writers or item reviewers to ensure objectivity of the passing score ratings.
- OPES works with SMEs to establish the passing score. OPES analyzes the ratings and prepares a report of findings.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. For services satisfactorily rendered and upon receipt and approval of the invoices, the Landscape Architects Technical Committee (Committee) agrees to compensate the Office of Professional Examination Services (OPES) for services rendered and expenditures incurred.
- B. Invoices shall include the agreement number and shall be submitted on a quarterly basis for the cost of services completed as identified in Exhibit B, Attachment I; any related travel expenses will be billed as actuals. Signed/approved invoices from the Committee will be due to OPES fifteen (15) working days from the date of invoice billings. OPES will then submit the approved invoices to the Department of Consumer Affairs for processing and payment. Invoices will be submitted to:

Douglas R. McCauley
California Architects Board/Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
- C. The Committee will reimburse OPES for the partial performance (e.g. workshop preparation, rescheduling) of any services provided by OPES if the Committee does not demonstrate in good faith their roles/responsibilities as defined by Attachment II – Roles and Responsibilities.

2. Budget Contingency Clause

- A. It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to OPES or to furnish any other considerations under this Agreement and OPES shall not be obligated to perform any provisions of this Agreement.
- B. If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to OPES to reflect the reduced amount.

3. Payment

- A. Costs for this Agreement shall be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.
- B. Nothing herein contained shall preclude advance payments pursuant to Article 1, Chapter 3, Part 1, Division 3, Title 2 of the Government Code of the State of California.

4. Cost

- A. Costs for this Agreement shall be subject to any collective bargaining agreements negotiated in Fiscal Year 2005/2006 or thereafter.

INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75730
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA SUPPLEMENTAL EXAM
WRITTEN EXAMINATION DEVELOPMENT COSTS
FISCAL YEAR 2017-18

1.	Item Writing Workshop	\$ 4,370
2.	Item Review Workshop	\$ 4,208
3.	Item Writing Workshop	\$ 4,370
4.	Item Review Workshop	\$ 4,208
5.	Exam Construction Workshop	\$ 4,610
6.	Passing Score Workshop	\$ 4,208
7.	Exam Production	\$ 2,706
	Administrative Support	\$ 5,480
	TOTAL	\$34,160

Index/PCA/Object Code 6000/60000/427.10

**INTRA-AGENCY CONTRACT AGREEMENT (IAC) #75730
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**CALIFORNIA SUPPLEMENTAL EXAM
EXAMINATION DEVELOPMENT COSTS**

FISCAL YEAR 2017-18

	Test Validation Staff				Editor		Support Staff		Totals	GRAND TOTAL
	\$72		Overtime \$102		\$67		\$52			
	Hours	Cost	Hours	Cost	Hours	Cost	Hours	Cost		
1. Item Writing Workshop										
Prepare for item writing workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	16	\$ 1,152	4	\$ 408	6	\$ 402	2	\$ 104	\$ 2,066	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,370
2. Item Review Workshop										
Prepare for item review workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	8	\$ 576	12	\$1,224			2	\$ 104	\$ 1,904	
Develop item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,208
3. Item Writing Workshop										
Prepare for item writing workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	16	\$ 1,152	4	\$ 408	6	\$ 402	2	\$ 104	\$ 2,066	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,370
4. Item Review Workshop										
Prepare for item review workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	8	\$ 576	12	\$1,224			2	\$ 104	\$ 1,904	
Update item bank	16	\$ 1,152							\$ 1,152	
										\$ 4,208
5. Exam Construction Workshop										
Prepare for exam construction workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	8	\$ 576	12	\$1,224	6	\$ 402	2	\$ 104	\$ 2,306	
Develop examination	16	\$ 1,152							\$ 1,152	
										\$ 4,610
6. Passing Score Workshop										
Prepare for passing score workshop	16	\$ 1,152							\$ 1,152	
Conduct 2-day workshop	8	\$ 576	12	\$1,224			2	\$ 104	\$ 1,904	
Develop passing score	16	\$ 1,152							\$ 1,152	
										\$ 4,208
7. Exam Production: Convert CSE Exam to PSI										
Edit and review of final CSE items	24	\$ 1,728			6	\$ 402			\$ 2,130	
Submit exam to PSI for launch	8	\$ 576							\$ 576	
										\$ 2,706
Administrative Support										
Technical oversight (40 hours @ \$76/hour)									\$ 3,040	
Cost oversight (40 hours @ \$61/hour)									\$ 2,440	
										\$ 5,480
GRAND TOTAL	288	\$20,736	56	\$5,712	24	\$1,608	12	\$624	\$34,160	\$34,160

EXHIBIT C

GENERAL TERMS AND CONDITIONS

1. **Approval:**

This Contract is not valid until signed by both parties.

2. **Payment:**

Costs for this Contract shall be computed in accordance with State Administrative Manual Section 8752 and 8752.1.

EXHIBIT D

SPECIAL TERMS AND CONDITIONS

1. Mutual Cooperation

The Office of Professional Examination Services (OPES) is entering into a partnership where mutual cooperation is the overriding principle.

2. Evaluation

OPES and the Landscape Architects Technical Committee (Committee) reserve the right to evaluate progress, make midcourse corrections as needed, and to negotiate changes to the agreement as necessary to ensure a high quality examination program. This may affect the cost of the analysis.

3. Examination Criteria

The primary responsibility of OPES is to develop examinations that are psychometrically sound, legally defensible and job related.

4. Good Faith Agreement

In good faith, OPES believes the project steps accurately describe the work to be performed and that the costs are reasonable. This agreement will remain in effect until the work is completed.

Agenda Item G

UPDATE AND POSSIBLE ACTION ON COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB) MARCH 27, 2017 WEBCAST (MID-YEAR REVIEW AND DRAFT CHANGES TO MODEL LAW) AND LANDSCAPE ARCHITECT REGISTRATION EXAMINATION (LARE) ADMINISTRATION AND PASS RATES

CLARB held its mid-year update on March 27, 2017. Topics included the current regulatory environment and the revised Model Law.

CLARB's Model Law will be considered for adoption at the Annual Meeting on September 14-16, 2017 (Attachment G.1). CLARB's existing "Preamble to Model Law and Model Regulations" is included for reference to ascertain changes in the proposed Model Law language (Attachment G.2).

The LARE was administered March 27 - April 8, 2017. Results will be released in May 2017. The next LARE administration will be held on August 7-19, 2017. National and California pass rates for the December 5-17, 2016 LARE administration are attached (Attachment G.3).

CLARB's Annual Meeting and Conference will be held September 14-16, 2017 in Boise. Staff is submitting the mandatory request to participate in out-of-state business, which requires approval from the Governor's Office.

Attachments:

1. CLARB Model Law (Draft February 2017)
2. Existing CLARB Preamble to Model Law and Model Regulations
3. LARE California and National Pass Rates

Model Law

Council of Landscape Architectural Registration Boards

February 2017

DRAFT

CLARB

Introduction

What Landscape Architects Do

Since the 1800s, landscape architecture has encompassed analysis, planning, design, management, and stewardship of the natural and built environment through science and design. Landscape architects create well-planned, livable communities, leading the way by creating neighborhood master plans, designing green streets, managing storm-water runoff, and planning high-utility transportation corridors.

Landscape architecture includes iconic and neighborhood places, local parks, residential communities, commercial developments, and downtown streetscapes. Larger well-known examples include Central Park and the Highline in New York City, the U.S. Capitol grounds in Washington, D.C., the Oklahoma City National Memorial, and Chicago's Millennium Park.

Why Landscape Architects Must Be Licensed

The practice of landscape architecture includes keeping the public safe from hazards, protecting natural resources, and sustainably managing the natural and built environment surrounding our homes and communities. It requires a breadth of knowledge and training in many substantive areas of science, engineering, and aesthetics. The adverse risks and consequences of negligent, unqualified, unethical, or incompetent persons engaging in landscape architectural design services without the requisite education and training are significant—sometimes irreparable—economically, environmentally, and in terms of public safety, health, and welfare.

At stake are hundreds of millions of dollars' worth of infrastructure and site improvements every year, and the safety of persons and property these improvements affect. Licensure of landscape architects permits consumers to manage these risks, and reduce exposure for liability from hazardous and defective design.

To properly serve and protect the public these risks and consequences and the potential for harm must be minimized and prevented. The public interest is best served when qualified, licensed professionals carry out these responsibilities safely in accordance with rigorous and essential professional standards, and when other non-qualified individuals are prevented from providing such services to the public. Moreover, licensing is necessary and appropriate given landscape architecture's technical nature—and consumer/public inability to accurately and reliably assess the competence of such providers.

Without regulatory standards, consumers have no mechanism to ensure they can rely on a professional to produce design and technical documentation meeting minimum standards of competence.

How the CLARB Model Law Promotes Public Protection

The CLARB Model is a resource for legislatures and licensing boards addressing issues related to the public-protection mission of regulation.

This Model Law promotes uniformity in licensing laws (affording predictability, commercial efficiency, and enhanced trust in the profession), establishes minimal standards of competence for those practicing landscape architecture, and facilitates professional mobility and portability through a licensure transfer process.

How CLARB Member Boards Benefit from the Model Law

Member Boards should review and use the Model Law in the context of regulatory and language issues unique to each jurisdiction.

The Model Law includes the following sections:

- Article I – Title, Purpose and Definitions
- Article II – Board of (Profession)
- Article III – Licensing
- Article IV – Discipline
- Article V – Mandatory Reporting
- Article VI – Other

The Model Law is intended to be fluid, subject to regular review and periodic changes, when necessary. Revisions are generally stimulated by societal shifts, evolution of practice and technological advancements. Proposed revisions will be presented to CLARB members for consideration.

The language included in this Model Law version is framed with a single, stand-alone board structure in mind—i.e., for circumstances in which the promulgating Board's role is limited to serving/regulating one design discipline, not multiple related design disciplines. When this Model Law is used by Boards serving or regulating more than one professional discipline, its language will require adaptation/modification to accommodate that composite board structure/approach and the specific design professions governed.

Article I - Title, Purpose, and Definitions

Section 101. Title of Act.

This Act is called the “[State] Landscape Architecture Practice Act.”

Section 102. Legislative Declaration.

- A. The practice of Landscape Architecture in [State] is declared a professional practice affecting public health, safety, and welfare and subject to regulation and control in the public interest. The public interest requires that Landscape Architecture merit and receive public confidence and that only qualified persons practice Landscape Architecture in [State]. This Act will be liberally construed to carry out these objectives and purposes.
- B. This legislation regulates the Landscape Architecture profession. Any restriction on competition is outweighed by protecting the public interest. The regulatory structure calls for Licensees and Public Members to serve on the Board, recognizing the need for practitioners’ professional expertise in serving the public interest.

This Act provides active State oversight and Supervision through its enactment, promulgation of enabling regulations, appointment and removal of Board members by the (Governor), legal representation of the Board by the [State] Attorney General, legislative appropriation of monies to support the Board, periodic legislative sunset review, application to the Board of ethics laws, mandatory Board-member training, and judicial review.

Section 103. Statement of Purpose.

This Act’s purpose is to promote, preserve, and protect public health, safety, and welfare by licensing and regulating persons, whether in or outside [State], who practice Landscape Architecture in [State]. This Act creates the Board of Landscape Architecture whose members, functions, and procedures will be established in accordance with the Act.

Section 104. Practice of Landscape Architecture.

The practice of Landscape Architecture means the application of mathematical, physical and social-sciences principles in Landscape Architectural consultation, evaluation, planning, and design; it includes preparing, filing, and administering plans, drawings, specifications, permits, and other contract documents involving projects that direct, inform or advise on the functional use and preservation of natural and built environments.

Sections 102 and 103

One of the most important sections of a practice act is the legislative declaration and statement of purpose. These essential sections express the foundation and need for regulation of the profession with affirmative statements of the Act’s legislative intent. The “liberal construction” directive provides guidance to the judiciary when addressing language ambiguities in the statutes and regulations.

The guiding principles of legislation to regulate a profession include delegation of authority from the legislative to the executive branch through board appointments and authorization to regulate.

To provide an efficient and effective regulatory process, boards are populated with persons with knowledge of and expertise in the profession. For balance, boards also include members of the public with no direct connection to the profession regulated.

Section 104

The definition of the scope of practice provides the basis for the regulatory system and is used to identify work for which a license is necessary.

Those operating within the scope of practice must be licensed under the eligibility criteria. Eligibility criteria are provided in the regulations.

The scope of practice is purposefully defined using broad terms to allow interpretative opportunities and to recognize the interplay among the related design professions. When necessary, and using Board-member expertise, specificity can be clarified in regulations.

Section 105. Activities Not Subject to the Act .

This Act does not apply to:

- A. Persons licensed to practice Landscape Architecture in another State while serving in the U. S. military; provided services occur during military service.
- B. Persons licensed to practice Landscape Architecture in another State while performing official duties as a federal government employee.
- C. Persons training for the practice of Landscape Architecture under a Licensee's direct Supervision.

Section 106. Definitions.

Words and phrases used in this Act have the meanings stated below, unless the context otherwise requires:

- A. **Adjudicatory Proceeding or Hearing** — formal processes of an administrative determination in which the Board adjudicates allegations of violations of law and, if appropriate, renders sanctions, all in accord with applicable procedural and substantive standards to protect rights.
- B. **Applicant** — a Person who submits an application to the Board for licensure to practice Landscape Architecture in [State] under this Act.
- C. **Approved Educational Program** — an educational program for Landscape Architects approved by the Board.
- D. **Approved Program of Continuing Education** — an educational program offered by an Approved Provider of Continuing Education.
- E. **Approved Provider of Continuing Education** — any professional association or society, university, college, corporation, or other entity approved by the Board to provide educational programs designed to ensure continued Competence in the practice of Landscape Architecture.
- F. **Board** — the legislatively created Board granted the authority to enforce the [State] Landscape Architects Practice Act.
- G. **Business Entity** — any firm, partnership, sole proprietorship, association, limited liability company, or corporation organized by and registered in [State] to provide or offer Landscape Architectural services.

Section 105

CLARB understands there exists significant overlap in scopes of practice of the design professions. This section statutorily recognizes that certain activities are not subject to the Act.

The Model Law purposefully avoids use of the term "exemptions," the concept of activities being included within the scope of practice, but not subject to licensure, undermines the need for regulation.

Section 106(C), (D), (E), and (P)

Specific references to programs and other standards of practice and ethics are not referenced in the Model Law. Such specifics are instead included in regulations created using Board members' expertise.

The legal reasons specific references are included in regulations instead of in the Model Law are related to delegation of authority and prohibitions of recognizing private-sector programs as a prerequisite to licensure in the statute.

Section 106

Definitions identify terms used consistently throughout the Model Law. Note that capitalized words or phrases can be found in the Model Law's definition section.

Throughout the document defined terms are capitalized.

- H. **Certificate of Authorization** — a certificate issued by the Board to a Business Entity permitting it to offer or provide Landscape Architectural services.
- I. **CLARB** — the Council of Landscape Architectural Registration Boards.
- J. **Client** — a Person, group, or corporation that enters into an agreement with a licensed Landscape Architect or Business Entity to obtain Landscape Architectural services.
- K. **Competence** — applying knowledge and using affective, cognitive, and psychomotor skills required by Landscape Architects to deliver safe Landscape Architectural care in accord with accepted practice standards.
- L. **Consultation** — providing advice to or receiving advice from another professional, or both, related to the practice of Landscape Architecture, to assist a Licensee.
- M. **Continuing Education** — training designed to ensure continued Competence in the practice of Landscape Architecture.
- N. **Continuing Education Contact Hour** — a 50-minute clock-hour of instruction, not including breaks or meals.
- O. **Conviction** — conviction of a crime by a court with jurisdiction, including a finding or verdict of guilt—regardless of whether adjudication of guilt is withheld, not entered on admission of guilt, or involves deferred conviction, deferred prosecution, deferred sentence, a no consent plea, a plea of *nolo contendere*, or a guilty plea.
- P. **Examination** — an examination approved by the Board.
- Q. **Felony** — a criminal act defined by [State] laws, the laws of any other State, province, or federal law.
- R. **Good Standing** — a License not restricted in any manner and that grants Licensee full practice privileges.
- S. **Inactive License** — an inactive category of licensure affirmatively elected by a Licensee in Good Standing who is not engaged in the active practice of Landscape Architecture, to maintain such License in a nonpractice status.
- T. **Landscape Architect** — a Person licensed by the Board under this Act.

- U. **Landscape Architecture** — the practice of the profession as defined under this act.
- V. **License** — an authorization granted by the Board to practice Landscape Architecture.
- W. **Licensee** — a Person licensed by the Board under this Act.
- X. **Person** — any individual, firm, Business Entity, partnership, association, joint venture, cooperative, corporation, or other combination acting in concert, or as a Principal, trustee, fiduciary, receiver, or a representative, or as successor in interest, assignee, agent, factor, servant, employee, director, or officer of another Person.
- Y. **Principal** — an individual who is a Landscape Architect and is in Responsible Charge of a Business Entity’s Landscape Architectural practice.
- Z. **Public Member** — a Person that is not and has never been a Licensee, or the spouse of a current or former Licensee, or a Person with material financial interest in providing Landscape Architectural services, or engaged in activity directly related to Landscape Architecture.
- AA. **Responsible Charge** — the direct control and personal Supervision of the practice of Landscape Architecture.
- BB. **Seal** — a symbol, image, or information in the form of a rubber stamp, embossed seal, computer-generated data, or other form acceptable to the Board applied or attached to a document to verify document authenticity and origin.
- CC. **State** — any State, commonwealth, the District of Columbia, other insular U.S. territories, and Canadian provinces.
- DD. **Supervision** and Supervision-related terms are defined as follows:
 - (i) Supervising (Professional) — a Licensee who assumes responsibility for professional Client care given by a Person working under Licensee’s direction.
 - (ii) Direct control and personal Supervision — Supervision by a Landscape Architect of another’s work in which supervisor is directly involved in all practice-related judgments affecting public health, safety and welfare.

Section 106(Z)

The definition of Public Member is intended to preclude those involved with or related to persons in the profession of Landscape Architecture from serving in this role.

When a composite board approach is considered, the definition of public member will be reassessed and expanded to preclude other design professionals from serving as public members.

Section 201

This section recognizes and legislatively affirms that certain authority is delegated from the legislative branch to the board. A clear articulation authorizing the board to enforce the practice act in the interest of public protection provides added emphasis of legislative intent. This designation is important in times of added judicial and political scrutiny and in light of the recent U.S. Supreme Court ruling regarding antitrust liability and state action defense.

Article II - Board of Landscape Architecture

Section 201. Delegation of Authority.

Enforcing this Act is the Board of Landscape Architecture's ("the Board") responsibility. Under the State's active oversight and Supervision, the Board has all duties, powers, and authority granted by, or necessary to enforce, this Act, and other duties, powers, and authority it is granted by law.

Section 202. Board Composition.

Landscape Architect Board Option

- A. The Board will consist of [Number] members; at least [Number] will be public representative(s), and the remainder will be Licensees qualified under Section 203 of this Act. This Board member composition ensures the necessary expertise to efficiently and effectively regulate the profession, using professionals acting on the public's behalf and bound by applicable ethics and public-service laws.

Composite Board Option

- B. The Board will consist of [Number] members appointed under Section 204 and comprised of the following:
- (i) Two (2) Public Members as defined by this act.
 - (ii) Two (2) Landscape Architects as defined in Section 203.
 - (iii) Two (2) [Profession] as defined in...*[citation to relevant practice act referencing resident, licensed in Good Standing, other licenses in Good Standing, licensed for a specified period of time]*.
 - (iv) Two (2) [Profession] as defined in...*[citation to relevant practice act referencing resident, licensed in Good Standing, other licenses in Good Standing, licensed for a specified period of time]*.
 - (v) Two (2) [Profession] as defined in...*[citation to relevant practice act referencing resident, licensed in Good Standing, other licenses in Good Standing, licensed for a specified period of time]*.
 - (vi) Two (2) [Profession] as defined in...*[citation to relevant practice act referencing resident, licensed in Good Standing, other licenses in Good Standing, licensed for a specified period of time]*.
 - (vii) *[Intended to include two (2) members from each professions under the Board's jurisdiction.]*
- C. In addition to these qualifications, each Board member shall during the appointed period comply with Section 203(b), (c), (d), and (e).

Section 202

With respect to states' rights and differing current regulatory structures, CLARB provides two board models in this Model Law. The language included in this version of the Model Law works with a single, stand-alone board structure.

Language in various parts of the Model Law require modification if a different board structure is used.

The remaining portions of the Model Act do not include the multiple scopes and licensure eligibility criteria factors. Regardless of the type of board structure, the board composition includes persons with expertise of the represented design professions and public members.

Section 202(A) identifies a stand-alone board option with Landscape Architects and public members involved in regulation of the profession.

Section 202(B) identifies a composite board option and includes equal representation of the design professions regulated by the board. Public members are also included on the composite board.

Related design professions on a composite board may include, but are not limited to, architects, engineers, landscape architects, land surveyors, geologists, and interior designers.

- D. This Board member composition ensures the necessary expertise to efficiently and effectively regulate the professions using professionals acting on the public's behalf and bound by applicable ethics and public-service laws.

Section 203. Qualifications for Board Membership.

- A. Each Landscape Architect Board member must during their Board tenure:
 - i) Be a resident of [State] for at least one (1) year.
 - ii) Be a Licensee in Good Standing.
 - iii) Maintain in Good Standing any other professional License they hold.
 - iv) Have been licensed as a Landscape Architect for at least three (3) years.
- B. Each Public Member of the Board must be a resident of [State] and at least 21 years of age.
- C. Each Board member shall maintain eligibility to serve on the Board by avoiding relationships that may interfere with the Board's public-protection mission. Board members shall be especially cognizant of conflict-of-interest issues including, for example, participation in [State] or national professional associations.
- D. Board members are barred from being an officer of or holding any leadership position (being a voting member of the governing Board) in a State or national professional association_during the Board member's appointed term. .
- E. Each Board member shall annually attest to completing coursework or training hours and content approved by Board policy. Coursework or training must address relevant regulatory issues such as the Board's role, Board members' roles, conflicts of interest, administrative procedures, enforcement, and immunity.

Section 203

Expertise of board members is essential to effective and efficient decision-making.

This section identifies eligibility criteria to serve on the board.

All board members serve the public interest when undertaking and acting within the scope of board duties and responsibilities.

Section 204

Government oversight is intended in the regulatory structure. Legislative enactment creating and delegating authority, Governor appointments, and removal authority assists in providing necessary governmental oversight.

Section 204. Board Member Appointment and Oversight by Governor.

The Governor shall appoint members of the Board in accordance with Article II of this Act and the [State] constitution. In addition, the Governor can remove Board members with or without cause.

Section 205. Terms.

- A. Except as provided in subsection B below, Board members are appointed for four-year terms. Board members appointed to fill vacancies occurring before a former member's full term expires shall serve the remaining portion of that unexpired term.
- B. Board-member terms must be staggered so no more than [Number/Percentage] member terms expire in any year. Each member shall serve until a qualified successor is appointed, unless such member resigns or is removed from the Board under Article II Section 207 of this Act.
- C. Board members can serve for up to three (3) consecutive full terms. Completing the remainder of an unexpired term is not a "full term".

Section 206. Board Member Vacancies.

- A. Any vacancy in Board membership for any reason, including expiration of term, removal, resignation, death, disability, or disqualification, must be filled by the Governor or appointing authority as prescribed in Article II Section 204 of this Act as soon as practicable.
- B. If a vacancy is not filled within six (6) months, the Board may appoint an individual qualified under Section 203 to temporarily fill the vacancy until the Governor (or appointing authority) approves the temporary Board member or appoints a new member.

Section 207. Removal of Board Member.

The Board may remove a Board member on an affirmative vote of three quarters ($\frac{3}{4}$) of members otherwise eligible to vote, and based on one or more of the following grounds:

- A. Board member's refusal or inability to perform required duties efficiently, responsibly, and professionally.
- B. Misuse of a Board-member position to obtain, or attempt to obtain, any financial or material gain, or any advantage personally or for another, through the office.
- C. A final adjudication (by a court or other body with jurisdiction) that the Board member violated laws governing the practice of Landscape Architecture.
- D. Conviction of a crime other than a minor traffic offense.

Section 205

This section identifies a four-year term of appointment and limits service to three consecutive full terms. CLARB understands and appreciates the institutional knowledge and continuity of volunteers and attempts to balance longevity with the need for an infusion of new representation.

Section 206

This section addresses how a vacancy is filled by Governor appointment. CLARB identified and understands the value of a fully constituted board, but recognizes that vacancies may exist for months and years. To provide an incentive for the appointing authority to fill vacancies and keep boards fully populated, this section authorizes the board to fill a position that remains vacant for over six (6) months.

Section 207

This section authorizes the Board to remove Board members under specified conditions following identified procedures.

Section 208. Organization of the Board.

- A. The Board shall elect from its members a Chairperson, Vice-Chairperson, and such other officers appropriate and necessary to conduct its business. The Chairperson shall preside at all Board meetings and perform customary duties of the position and other duties assigned by the Board.

The Chairperson may establish Board committees to further Board business, and may designate Board members as committee members.

- B. Officers elected by the Board serve terms of one (1) year starting the day of their election and ending when their successors are elected. Officers may serve no more than [Number] consecutive one-year terms in each elected office.

Section 209. Executive Director and Employees of Board.

- A. The Board shall employ an Executive Director who is responsible for performing administrative functions and such other duties the Board directs, under its oversight.
- B. The Board may employ persons (in addition to the Executive Director) in positions or capacities necessary to properly conduct Board business and fulfill Board responsibilities under this Act.

Section 210. Compensation of Board Members.

Each Board member is paid a *per diem* amount for each day the member performs official Board duties, and is reimbursed for reasonable and necessary expenses of discharging such official duties.

Section 211. Meetings of Board.

- A. Frequency. The Board shall meet at least once every three months to transact its business, and at such additional times as the Board's Chairperson or two-thirds (2/3) of the Board's voting members determine.
- B. Location. The Board shall determine the location and format for each meeting and provide notice to the public as required by [citation to open meetings laws].
- C. Remote Participation. The Board, consistent with [State] law and related regulations, may provide for remote participation in Board meetings by members not present at the meeting location.

Section 211

This section specifies that the Board shall meet a minimum number of times annually. CLARB recognizes that boards must meet often enough to transact business on a regular basis and to ensure that applicants' and respondents' issues are timely addressed. Technology provides a means for boards to meet regularly if it is difficult for a board to meet face-to-face on a frequent basis.

- D. Notice. Notice of all Board meetings will be given in the manner prescribed by [State]’s applicable open-meetings laws.
- E. Quorum. A majority of Board members is a quorum for convening and conducting a Board meeting and all Board actions will be by a majority of a quorum, unless more are required under this Act or Board regulation.
- F. Access by Public. All Board meetings must be conducted in accordance with [State]’s open-meeting law.
- G. Record of Meetings of the Board. A record of all Board meetings must be maintained in accordance with [State]’s open-records law.

Section 212. Regulations Governing Licensure and Practice.

The Board shall make, adopt, amend, and repeal regulations necessary for the proper administration and enforcement of this Act. Such regulations must be promulgated in accordance with [State]’s Administrative Procedures Act.

Section 213. Powers and Duties Delegated to Board.

- A. Under active State oversight and Supervision, the Board shall regulate the practice of Landscape Architecture in [State] and is responsible for conducting all of its activities in connection therewith. The powers and duties of this Section 213 are in addition to other powers and duties delegated to the Board under this Act. Once licensed by the Board, Licensees cannot divest the Board of jurisdiction by changing their licensure status or relinquishing licensure. Moreover, persons never licensed by the Board who engage in the unlawful practice of Landscape Architecture in [State] are subject to the Board’s jurisdiction.
- B. Licensure. The Board is authorized to issue licenses to, and renew licenses for:
 - (i) Persons qualified to engage in the practice of Landscape Architecture under this Act.
 - (ii) Businesses qualified to engage in the practice of Landscape Architecture under this Act.
- C. Standards. The Board is authorized to establish and enforce:
 - (i) Minimum standards of practice and conduct for Landscape Architects.
 - (ii) Standards for recognizing and approving programs for Landscape Architect education and training.

Section 212

One of the most important authorities delegated from the legislature to the Board is rulemaking by regulation. Statutes are intended to be general in nature while regulations add specifics.

Using its expertise and public representation perspectives, boards create regulations that add specificity to the statute. Expertise is needed to provide practice-specific details to the regulations.

As practice evolves, regulations are more flexible and easier to amend than are statutes.

Section 213

This section is the heart of the authority delegated by the legislature to the Board. CLARB determined that this section must be robust and specify the breadth of the authority of the Board to engage in all actions necessary to effectively and efficiently regulate the profession in the interest of public protection.

Additional commentary is provided throughout this section to highlight some of the important authority delegated to the Board.

- (iii) Standards, educational program criteria, or other mechanisms to ensure the continuing Competence of Landscape Architects.

D. Enforcement. The Board is authorized to enforce this Act and its regulations relating to:

- (i) The conduct or Competence of licensed Landscape Architects practicing in [State], and the suspension, revocation, other restriction of, or action against, any License issued by the Board.
- (ii) The assessment and collection of fines, costs, and attorneys' fees:
 - a. Against Persons licensed by the Board (irrespective of their licensure status, whether active, inactive, expired, lapsed, surrendered or disciplined) relative to acts, omissions, complaints, and investigations that occurred during the licensure period.
 - b. Against Persons who engage in the unlawful practice of Landscape Architecture as defined under this Act.
- (iii) With probable cause that an Applicant or Licensee has engaged in conduct prohibited under this Act or its regulations, the Board may issue an order directing Applicant or Licensee to submit to a mental or physical examination or chemical dependency evaluation. Every Applicant or Licensee is deemed to consent to undergo mental, physical, or chemical-dependency examinations, when ordered by the Board to do so in writing, and to waive all objections to the admissibility of the examiner's or evaluator's testimony or reports on the grounds that such testimony or reports constitute a privileged or confidential communication.
- (iv) The Board may investigate and inspect any Licensee, whether Licensee is a Person or a Business Entity, at all reasonable hours to determine a violation of the laws or regulations governing the practice of Landscape Architecture.

The Board, its officers, investigators, inspectors, and representatives shall cooperate with all agencies charged with enforcement of laws of the United States, [State], and all other States relating to the practice of Landscape Architecture.

- (v) The Board can subpoena persons and documents in connection with its complaint investigations before commencing, and during, any formal Adjudicatory Proceeding to take depositions and testimony as in civil cases in [State]

courts. Any Board member, Hearing officer, or administrative law judge has power to administer oaths to witnesses at any Hearing the Board conducts, and any other oath the Board is authorized by law to administer.

- (vi) The Board may conduct its authorized investigations, inquiries, or Hearings before any Board member(s). The findings and orders of such member(s) are deemed to be the findings and orders of the Board when approved and confirmed as set forth in Section 211(e) of Article II of this Act.
- (vii) The Board may report any violation of this Act or its regulations that implicates criminal law to the Attorney General or State's Attorney who shall without delay institute appropriate proceedings and investigations in the proper court for prosecution as required by law. This does not require the Board to so report the potential application of criminal law if the Board reasonably believes the public interest is adequately served by a suitable written notice or warning. Any decision by the Board to issue a written notice or warning must be made in Consultation with legal counsel, the State's Attorney or other appropriate law enforcement entity.
- (viii) The Board may seek declaratory, injunctive, and other appropriate remedies from a court with jurisdiction.

E. Recovery of Costs and Assessment of Fines.

- (i) The Board may assess against a respondent reasonable costs (e.g., attorneys' fees, investigation and prosecution costs) of any Adjudicatory Proceeding through which respondent is found to have violated any law or regulation governing the practice of Landscape Architecture. The assessment of reasonable costs must be formalized in a Board order directing payment of the costs to the Board, and issued together with the Board's final decision.

This authorization to assess costs exists so long as the Board operates in good faith and succeeds on any portion of the administrative prosecution, and even if some counts are not substantiated.

- (ii) In the case of a Person or Business Entity, the Board may issue an order for recovery of reasonable costs authorized under this Section 213 to the corporate owner, if any, and to any Licensee, officer, owner, or partner of the practice or Business Entity:

Section 213(E)

This section authorizes the board to assess fines and costs as administrative sanctions of disciplined respondents. Differentiating costs (reimbursement of out-of-pocket expenses related to administrative prosecution of respondents) and fines (monetary assessments intended to deter future conduct) is important. Both cost assessments and fines are important tools used when negotiating resolution of complaints.

- a. found to have knowledge of, or
 - b. who should have reasonably known of, or
 - c. who knowingly participated in, a violation of any provision of this Act or any regulation issued hereunder.
- (iii) When the Board issues an order to pay costs, and timely payment of the costs is not made to the Board as directed in its final decision and order, the Board may enforce the order in the [State] Courts in the county where the Adjudicatory Proceeding occurred. The Board's right of enforcement is in addition to other rights the Board has concerning Persons directed to pay costs, including denial of licensure.
- (iv) In any action for recovery of costs, the Board's final decision and order is conclusive proof of the validity of the order and terms of payment.
- (v) The Board may assess administrative fines against a respondent not exceeding \$[dollars] for each count adjudicated a violation of law or regulation governing the practice of Landscape Architecture. Assessment of fines must be formalized in a Board order directing payment of such fines to the Board, and issued together with the Board's final decision. The Board is authorized to assess additional fines for continued violation(s) of any Board order.

This authorization to assess fines exists so long as the Board operates in good faith and succeeds on any portion of the administrative prosecution, even if some counts are not substantiated.

F. Expenditure of Funds. The Board may receive and expend funds from parties other than [State], in addition to its (Annual/Biennial) appropriation, provided:

- (i) Such funds are awarded to pursue a specific objective the Board is authorized to accomplish under this Act, or is qualified to accomplish by reason of its jurisdiction or professional expertise.
- (ii) Such funds are expended to pursue the specific objective for which they were awarded.
- (iii) Activities connected with, or occasioned by, spending the funds do not interfere with the Board's performance of its duties and responsibilities and do not conflict with the Board's exercise of its powers under this Act.
- (iv) Funds are segregated in a separate account.

- (v) The Board provides periodic written reports to [state]'s Governor detailing its receipt and use of the funds, provides sufficient information for governmental oversight, and notes that such reports are deemed a public record under applicable law.

G. Fees for Services. In addition to fees specifically provided for under this Act, the Board shall establish nonrefundable fees, including (but not limited to) the following:

- i) Applications.
- ii) Examination administration.
- iii) Renewals.
- iv) Board publications.
- v) Data maintained by the Board, which may include mailing lists, Licensee lists, or other information requested under applicable open-records laws.
- vi) Copies of audiotapes, videotapes, computer discs, or other media used for recording sounds, images or information.
- vii) Temporary, duplicate or replacement licenses or certificates.
- viii) Notices of meetings.
- ix) Returned checks.
- x) Other fees deemed necessary by the Board.

The Board shall publish a list of established fees and deposit and expend the fees it collects in accord with [State] statutes.

H. Other Powers and Duties of the Board. The Board is granted other powers and duties necessary to enforce regulations issued under this Act including, but not limited to, the following:

- (i) The Board may belong to professional organizations, societies, and associations that promote improvement of Landscape Architecture practice standards for protection of public health, safety, and welfare, or whose activities support the Board's mission.
- (ii) The Board may establish a Bill of Rights concerning the landscape-architectural services Client's may expect to receive.
- (iii) The Board may collect, and participate in collecting, professional demographic data.

I. Oversight of Board through Annual Report. To provide continued oversight, the Board shall file with the Governor an annual report on the Board's activities, including reference to the Board's effectiveness and efficiencies. The annual report shall, through statistics, at minimum, identify the number of Licensees, Applicants, renewals, complaints, and disposition of such complaints, the number of Board meetings, and all financial data relevant to Board operations.

Section 213(G)

This section identifies that the board is able to charge fees for various services and documents to offset expenses of board operations.

Section 213(H)(ii)

This section authorizes the board to establish a Code of Conduct intended to provide clients and licensees with what to expect of the relationship. Information that may be included: how the practitioner is regulated and by whom, how a complaint can be filed, how billing and payment occur; expected work product, time period to completion, and other contractual details.

Section 213(I)

This section identifies the oversight intended through the statute by setting expectations regarding reporting. It references an annual report filed by the Board including its contents.

Section 214 Source of Data

When making determinations under this Act, and to promote uniformity and administrative efficiencies, the Board may rely on the expertise of, and documentation and verified data gathered and stored by, not-for-profit organizations sharing the Board's public-protection mission.

Article III. - Licensing.

Section 301. Unlawful Practice.

- A. Unless this Act provides otherwise, it is unlawful to engage or offer to engage in the practice of Landscape Architecture unless the acting party is licensed as a Landscape Architect under this Act.
- B. No Person offering services may use the designation *Professional Landscape Architect*, *Registered Landscape Architect* or *Licensed Landscape Architect*, or any other designation, words, or letters indicating licensure as a Landscape Architect, including abbreviations, or hold himself or herself out as a Landscape Architect unless licensed by the Board.
- C. Providing any service defined under this Act as the practice of Landscape Architecture to a Client in [State] through digital, telephonic, electronic, or other means, regardless of the service provider's location, constitutes the practice of Landscape Architecture in [State] and requires the service provider's licensure under this Act.
- D. Providing any service defined under this Act as the practice of Landscape Architecture by a service provider located in [State] through digital, telephonic, electronic, or other means, regardless of the location of the Client receiving such services, constitutes the practice of Landscape Architecture in [State] and requires the service provider's licensure under this Act.
- E. Any Person who, after Hearing, is found by the Board to have unlawfully engaged in the practice of Landscape Architecture is, in addition to any other authorized remedies, subject to a fine imposed by the Board not exceeding \$[dollars] for each offense, and the imposition of costs described in this Act.
- F. Nothing in this Act prevents members of other professions from engaging in the practice for which they are licensed by the State. However, such other professionals shall not hold themselves out as licensed Landscape Architects or refer to themselves by any title, designation, words, abbreviations, or other description stating or implying they are engaged in, or licensed to engage in, the practice of Landscape Architecture.

Section 214

This section authorizes the Board to rely on the private sector for certain services to promote efficiencies and uniformity. It recognizes the existence of CLARB-like organizations and that such associations can provide a wealth of services and products consistent with the Board's public-protection mission.

Section 301

This section addresses the fact that practice and use of titles are limited to licensees and that unlicensed persons are prohibited from practicing landscape architecture or using titles that confuse the public.

Section 301(C) and (D)

These sections recognize that electronic practice and other means of technology affect professional practice and need regulation through statute. Sections (C) and (D) establish where practice occurs and that the Board has authority over such modalities of practice.

Section 301(E)

This section establishes jurisdiction/authority of the Board to administratively prosecute unlicensed persons. This authority is essential to the Board's ability to protect the public and not rely solely on criminal prosecutions.

Section 302. Qualifications for Licensure.

- A. Initial Licensure: To obtain an initial License to practice Landscape Architecture an Applicant must substantiate each item below to the Board's satisfaction:
- (i) Submission of a completed and signed application in the form determined by the Board.
 - (ii) Possession of good moral character as determined by the Board.
 - (iii) Payment of all fees specified by the Board.
 - (iv) Documentation of United States citizenship or other recognized/permitted immigration status as required under [State] law or, in the absence of [State] law, applicable federal law.
 - (v) Completion of an Approved Education Program.
 - (vi) Completion of experience under Supervision requirements established by the Board.
 - (vii) Successful completion of the licensure Examination, as administered and graded in accordance with the Council of Landscape Architectural Registration Boards (CLARB) standards at that time.
- B. Licensure Transfer / Licensure by Endorsement: To obtain a License to practice Landscape Architecture, an Applicant licensed in another jurisdiction must substantiate each item below to the Board's satisfaction:
- i) Submission of a completed and signed application in the form determined by the Board.
 - ii) Possession of good moral character as determined by the Board. and
 - iii) Payment of all fees specified by the Board.
 - iv) Documentation of United States citizenship or other recognized/permitted immigration status as required under [State] law or, in the absence of [State] law, applicable federal law.
 - v) Possession—when initially licensed as a Landscape Architect—of all qualifications necessary to have been eligible for licensure in this State at that time.
 - vi) Demonstration that Applicant's professional licenses, in any State, are in Good Standing, or demonstration of Applicant's CLARB Certification.

Section 302

This section sets forth the eligibility criteria for licensure, both initial licensure (section (A)) and licensure through transfer program (section (B)). CLARB elected to include the licensure eligibility criteria for both applicants under the same section for ease of reference. All persons previously licensed by another jurisdiction must proceed under subsection (B).

Section 302(A)(B)

This section recognizes the important need for reasonable mobility and portability of programs in times of increased scrutiny of regulatory systems and requirements.

The CLARB Certificate program can be used to provide most of the required information for Initial Licensure or reciprocal licensure. Licensure eligibility criteria have been vetted through this program, thus alleviating the need to undertake duplicate assessments. Program requirements are designed to meet the licensure eligibility criteria required by most member boards.

C. Examinations and Examination Attempts

- i) Consistent with Article II section 214, the Board is authorized to use and rely on any Examination determined by the Board to assess necessary entry-level Competence. Such Examinations must be administered often enough to meet the Applicant population's needs, as determined by the Board.
- ii) The Board can limit the number of examination attempts by issuing a rule addressing such limits based on industry standards for high-stakes licensure Examination.

Section 303. Qualifications for Certificate of Authorization

Architecture must obtain a Certificate of Authorization before doing business in [State]. No Business Entity may provide Landscape Architectural services, hold itself out to the public as providing Landscape Architectural services, or use a name including the terms *Landscape Architect*, *professional Landscape Architect*, or *registered Landscape Architect*, or confusingly similar terms, unless the Business Entity first obtains a Certificate of Authorization from the Board. To obtain a Certificate of Authorization a Business Entity must meet the following criteria:

- (i) At least one Principal is designated as in Responsible Charge for the activities and decisions relating to the practice of Landscape Architecture, is licensed to practice Landscape Architecture by the Board, and is a regular employee of, and active participant in, the Business Entity.
- (ii) Each Person engaged in the practice of Landscape Architecture is licensed to practice Landscape Architecture by the Board.
- (iii) Each separate office or place of business established in this State by the Business Entity has a licensed Landscape Architect regularly supervising and responsible for the work

This requirement does not apply to offices or places of business established to provide construction-administration services only.

- B. Business Entities shall apply to the Board for a Certificate of Authorization on a Board-prescribed form, providing Principals' names and addresses and other information the Board requires. The application must be accompanied by an application fee fixed by the Board, and must be renewed per the Board's renewal requirements.

Section 302(C)

This section authorizes the Board to determine what examination is necessary to assess entry-level competence as part of the licensure application process. Under Article II section 214, the Board is already authorized to rely on outside private entities for certain services so long as they share the Board's public-protection mission.

This section also authorizes the Board to promulgate rules related to limits on examination attempts.

The Applicant shall notify the Board in writing within 30 days of any change in the status of registered principals, the firm's name or address, or a branch office address or designated Licensee. If a Principal changes, the Applicant shall provide details of the change to the Board within 30 days after the effective change date.

- C. If the Board finds the Business Entity is in compliance with this section's requirements, it shall issue a Certificate of Authorization to such Business Entity designating the Business Entity as authorized to provide Landscape Architectural services.
- D. No Business Entity issued a Certificate of Authorization under this section is relieved of responsibility for the conduct or acts of its agents, employees or principals by reason of its compliance with this section, nor is any individual practicing Landscape Architecture relieved of responsibility and liability for services performed by reason of employment or relationship with such Business Entity. This section does not affect a Business Entity and its employees performing services solely for the benefit of the Business Entity, or a subsidiary or affiliated business entity. Nothing in this section exempts Business Entities from other applicable law.

Section 304. Qualifications for Practice under Disaster Declaration

Disaster Declaration. Any Person licensed to practice Landscape Architecture in another State or Province who provides services within the scope of their License and in response to a disaster declared by the governor or other appropriate authority of [State] may, on prior written notice to the Board, provide such services in [State] without a License issued by the Board for the duration of the declared emergency. Any practitioner providing services under this Section 304 submits to the Board's jurisdiction and is bound by [State] law. The Board retains authority to remove, revoke, rescind, or restrict this disaster-declaration practice privilege without Hearing by majority vote of its members.

Section 305. Requirement of Continuing Competence.

The Board shall by regulation establish requirements for continuing Competence, including determination of acceptable Continuing Education program content. The Board shall issue regulations necessary to the stated objectives and purposes of Continuing Education and to enforce this Section 305 to ensure Licensees' continuing Competence.

Section 304

This section addresses the temporary practice privileges of licensees in other states to come into the state and practice for a limited time corresponding with a declared disaster. This language is consistent with the EMAC legislation that allows temporary practice under declared emergencies.

Section 306. Requirements for Licensure Renewal.

- A. To maintain licensure, each Licensee shall renew such License when and in the manner established by the Board.
- B. To renew licensure, each Licensee shall provide documentation satisfactory to the Board of successful completion of at least 12 Continuing Education Contact Hours of an Approved Program of Continuing Education per year.
- C. To maintain licensure, each Business Entity shall renew its License when and in the manner established by the Board.

Section 307. Nonrenewal of Licensure; Requirements for Reinstatement of Expired License.

- A. Failure to renew a License by the designated renewal date as prescribed under applicable law, this Act, and its regulations will result in License expiration, which terminates authority to practice Landscape Architecture in [State].

Applicants for reinstatement of an expired License must substantiate by documentation satisfactory to the Board that Applicant meets the following criteria:

- i) When no more than 120 days have passed since the License expiration date, an Applicant for License reinstatement shall submit to the Board:
 - (1) A written petition for License reinstatement addressed to the Board.
 - (2) A completed and signed application for License reinstatement.
 - (3) Documentation of successful completion of all applicable licensure-renewal requirements.
 - (4) A written and signed attestation by Applicant that Applicant has not practiced Landscape Architecture at any time during the period of License expiration.
 - (5) All applicable fees, including a late fee determined by the Board that does not exceed three times the Board's initial licensure application fee.
 - ii) When more than 120) days have passed since the License expiration date, an Applicant for License reinstatement shall meet the requirements set forth in this Section 307(A)(i) and Section 302 of Article III of this Act. However, any application under this Section 307 is deemed an application for License reinstatement.
- B. The Board may impose additional reasonable License-reinstatement requirements necessary to fulfill its public-protection mission.

- C. The Board may also consider relevant extenuating circumstances submitted with any petition and application for License reinstatement in which Applicant demonstrates hardship, so long as the Board maintains its public-protection mission in considering the petition and application.

Section 310. Inactive License.

The Board shall by regulation establish procedures for issuing an Inactive License to a Licensee in Good Standing, under which the Applicant is exempted from licensure renewal requirements, but is not authorized to engage in the practice of Landscape Architecture while inactive.

Reinstatement of an Inactive License to active status will occur under procedures established by the Board and include an application for License reinstatement, payment of a reinstatement fee not to exceed two (2) times the initial licensure fee, and an attestation by Applicant that Applicant has not practiced Landscape Architecture while inactive.

Article IV Discipline.

Section 401. Grounds; Penalties; Reinstatement of License Following Board Discipline.

- A. The Board may refuse to issue or renew, or may suspend, revoke, reprimand, restrict or otherwise limit the License of, or fine, any Person or Business Entity, whether or not licensed, under the [State] Administrative Procedures Act or the procedures in Article IV, Section 402 of this Act, on one or more of the following grounds as determined by the Board:
 - (i) Unprofessional conduct as determined by the Board.
 - (ii) Unethical conduct as determined by the Board.
 - (iii) Practice outside the scope of practice authorized under this Act or its regulations.
 - (iv) Conduct in violation of this Act or its regulations, including failure to cooperate with the Board's inspection or investigative processes within a reasonable time.
 - (v) Incapacity or impairment, for whatever reason, that prevents a Licensee from engaging in the practice of Landscape Architecture with reasonable skill, Competence, and safety to the public.

Section 401

This section delineates the grounds for administrative discipline of respondents found to have violated the Act. CLARB has elected to specify the grounds to ensure adequate scope of authority for the Board to protect the public through enforcement proceedings.

- (vi) Adjudication resulting in a finding of mental incompetence by regularly constituted authorities.
- (vii) Conviction of a Felony as defined under [State/Province] or federal law.
- (viii) Violation of any law, rule, or regulation of [State], any other State, or the federal government, pertaining to any aspect of the practice of Landscape Architecture.
- (ix) Misrepresentation of a fact by an Applicant or Licensee:
 - a) In securing or attempting to secure the issuance or renewal of a License.
 - b) In any statement regarding the Landscape Architect's skills or value of any service/treatment provided, or to be provided.
 - c) Using any false, fraudulent, or deceptive statement in connection with the practice of Landscape Architecture including, but not limited to, false or misleading advertising.
- (x) Licensee Fraud related to the practice of Landscape Architecture, including engaging in improper or fraudulent billing practices.
- (xi) Engaging in, or aiding and abetting any Person engaging in, the practice of Landscape Architecture without a License, or falsely using the title Landscape Architect, or a confusingly similar title.
- (xii) Failing to conform to accepted minimum standards of practice or failing to maintain a Landscape Architectural Business Entity at accepted minimum standards.
- (xiii) Attempting to use the License of another.
- (xiv) Failing to pay costs assessed in connection with a Board Adjudicatory Proceeding, or failing to comply with any stipulation or agreement involving probation or settlement of such Proceeding, or any order entered by the Board in such Proceeding.

- (xv) Conduct that violates the security of any Examination or Examination materials including, but not limited to:
- (a) Removing from the Examination setting any Examination material without appropriate authorization.
 - (b) Unauthorized reproduction by any means of any portion of the actual Examination.
 - (c) Aiding by any means the unauthorized reproduction of any portion of the actual Examination.
 - (d) Paying, or using professional or paid examination-takers, for the purpose of reconstructing any portion of the Examination.
 - (e) Obtaining Examination questions or other Examination material, except by appropriate authorization before, during, or after an Examination administration.
 - (f) Using or purporting to use any Examination question or material that was improperly removed, or taken from, any Examination.
 - (g) Selling, distributing, buying, receiving, or having unauthorized possession of any portion of a future, current, or previously administered Examination.
 - (h) Communicating in any manner with any other examinee during the administration of an Examination.
 - (i) Copying answers from any other examinee or permitting one's answers to be copied by any other examinee.
 - (j) Examinee's possession during the administration of any Examination any books, equipment, notes, written or printed materials, or data of any kind, other than the Examination materials provided, or otherwise authorized to be in the examinee's possession during any Examination.
 - (k) Impersonating any examinee or having any Person take any Examination on the examinee's behalf.
- (xvii) Failure of a Licensee or Applicant to report to the Board any information required under Article VI of this Act.
- (xviii) Having had any right, credential, or license to practice a profession in this or another State subjected to adverse action or denial of right to practice. In such case, a certified copy of the record of the adverse action or denial of right to practice is conclusive evidence of such disciplinary action or denial.

Section 401(A)(xvi)

This section ensures that violations of examination agreements, including examination breaches and security protocols, constitute grounds for discipline. For the benefit of the public, and the integrity of licensure and examination processes, this authority is essential.

- B. The Board may defer discipline or other action regarding any impaired Licensee who enters into a binding agreement, in a form satisfactory to the Board, under which Licensee agrees not to practice Landscape Architecture and to enter into, and comply with, a Board-approved treatment and monitoring program in accordance with Board regulations.

This Section 310(B) does not apply to any Licensee convicted of, or who pleads guilty or *nolo contendere* to, a Felony, or to Licensee Convictions in another State or federal court relating to controlled substances or sexual misconduct.

- C. Subject to a Board order, any Person whose License to practice Landscape Architecture in [State] is suspended or restricted under this Act (whether by formal agreement with or by action of the Board), has the right, at reasonable intervals, to petition the Board for License reinstatement. The petition must be in writing and in the form prescribed by the Board.

After investigation and Hearing, the Board may grant or deny the petition, or modify its original findings to reflect circumstances changed sufficiently to warrant granting or denying the petition or modifying the findings and order. The Board may require petitioner to pass one or more Examination(s) or complete Continuing Education in addition to that required for licensure renewal, or impose any other sanction, condition, or action appropriate for reentering into the practice of Landscape Architecture and public protection.

- D. The Board, after Consultation and concurrence with the [(County) District Attorney or [State] Attorney General], may issue a cease-and-desist order to stop any Person from engaging in the unlawful practice of Landscape Architecture or from violating any statute, regulation, or Board order. The cease-and-desist order must state the reason for its issuance and explain the Person's right to request a Hearing under the [State] Administrative Procedures Act. This provision does not bar criminal prosecutions by appropriate authorities for violations of this Act.

- E. Final Board decisions and orders after a Hearing are subject to judicial review under the [State] Administrative Procedures Act, unless otherwise provided by law.

Section 402. Summary Suspension.

The Board may, without a Hearing, temporarily suspend a License for up to 60 days when the Board concludes a Landscape Architect violated any law or regulation the Board is authorized to enforce, and if continued practice by the Landscape Architect portends imminent risk of harm to the public (notwithstanding [State]’s Administrative Procedures Act). The suspension takes effect on written notice to the Landscape Architect specifying the law or regulation allegedly violated. When the Board issues the suspension notice, it shall schedule and notify the Licensee of an Adjudicatory Proceeding to be held under the [State] Administrative Procedures Act within [number] days after the notice is issued.

Article V. - Mandatory Reporting.

Section 501. Requirement to Report.

Any Applicant, Licensee or Person with knowledge of conduct by any Person that may be grounds for disciplinary action under this Act or its regulations, or of any unlicensed practice under this Act, shall report such conduct to the Board.

Section 504. Reporting Other Licensed Professionals.

Any Applicant, Licensee or Person shall report to applicable licensing Boards conduct by a Licensee that is, or may be, grounds for disciplinary action under applicable law, if the conduct must by law be reported to such licensing boards.

Section 505. Reporting by Courts.

The administrator of any court with jurisdiction shall report to the Board any court judgment or other determination that an Applicant for licensure by the Board or a Licensee is mentally ill, mentally incompetent, guilty of a Felony, guilty of violating federal or State narcotics laws or controlled substances act, or guilty of crimes reasonably related to the practice of Landscape Architecture, or that appoints a guardian of Applicant or Licensee, or commits Applicant or Licensee under applicable law.

Section 506. Self-Reporting by Applicant for Licensure and Licensee.

An Applicant for licensure by the Board or a Licensee shall self-report to the Board any personal conduct or action that requires a report be filed under Article IV of this Act.

Section 402

This section authorizes the Board to suspend a license immediately without a hearing under identified circumstances that create imminent harm to the public. Such respondents are provided with a hearing within an identified period of time under administrative procedures.

Section 507. Reporting Deadlines; Forms.

All reports required by this Act must be submitted to the Board no later than 30 days after the reportable conduct or action occurs. The Board may provide forms for reports required by Article VI of this Act and may require that reports be submitted on the forms. The Board may issue regulations to ensure prompt and accurate reporting as required by Article VI of this Act.

Section 508. Immunity for Reporters.

Any Person who in good faith submits a report required under Article VI of this Act, or who otherwise reports, provides information, or testifies in connection with alleged violations of this Act, is immune from liability or prosecution. Notwithstanding laws to the contrary, the identity of Persons submitting mandated reports is not disclosable, except as required in connection with an Adjudicatory Proceeding initiated by the Board or other proceeding in courts with jurisdiction.

Article VI Other.

Section 701. Severability.

If any provision of this Act is declared unconstitutional or illegal, or the applicability of this Act to any Person or circumstance is held invalid by a court with jurisdiction, the constitutionality or legality of the Act's other provisions and the Act's application to other persons and circumstances, is not affected, and those provisions remain in full force and effect, without the invalid provision or application.

Section 702. Effective Date.

This Act is effective on [date].

MODEL LAW

Approved September 2002, Amended September 2004

A. Purpose of the Act

In order to protect public health, safety and welfare, this Act regulates the title and practice of landscape architecture in [jurisdiction]. No person or business entity may engage in the practice of landscape architecture nor use the designation of Landscape Architect, Landscape Architecture, or Landscape Architectural, nor advertise any title or description tending to convey the impression that he or she is a landscape architect, unless the person or business entity is authorized in the manner hereinafter provided and thereafter complies with all the provisions of this Act. The practice of landscape architecture shall be deemed a privilege granted by the board, based on the qualifications of the individual as evidenced by a license.

[Commentary: This act provides for the licensure of individuals as landscape architects and requires that business entities be authorized by the board to offer landscape architectural services. By requiring certificates of authorization for business entities, the act ensures that a licensed landscape architect is responsible for a business entity's landscape architectural work.]

B. Definitions

Board – The board regulating Landscape Architects in [jurisdiction].

Business Entity – A firm, partnership, association, limited liability company or corporation.

Certificate of Authorization – A certificate issued by the board to a business entity permitting them to offer or provide landscape architectural services.

Landscape Architect – A person who complies with all provisions of this Act and is licensed by the board to engage in the practice of landscape architecture.

License – An authorization granted by the board to practice landscape architecture.

[Commentary: The following definition of Practice of Landscape Architecture contains three sections. The first paragraph broadly defines the practice of landscape architecture as the application of landscape architectural knowledge and skill. This section should be included in all definitions as it provides the basis for the boards' interpretation of landscape architectural practice and gives the board discretion in interpreting the scope of the profession. The subsequent sections add clarifying language in increasingly more specific levels. Although it is recommended that the first section stand alone these additional levels may be added depending on the statutory structure of the jurisdiction.]

Practice of Landscape Architecture – Any service where landscape architectural knowledge training, and experience are applied.

[Commentary: The second section lists some of the professional skills that are part of the practice of landscape architecture. It is recommended that the first section stand alone; however, depending on the statutory structure of the jurisdiction, the following may be desirable to amplify the scope of the profession.]

The practice of Landscape Architecture applies the principles of mathematical, physical and social sciences in consultation, evaluation, planning, design (including, but not limited to, the preparation and filing of plans, drawings, specifications and other contract documents) and administration of contracts relative to projects principally directed at the functional and aesthetic use and preservation of land.

[Commentary: The third section lists some of those services that are a part of the practice of landscape architecture.]

These services include, but are not limited to:

1. Investigation, selection and allocation of land and water resources for appropriate uses;
2. Formulation of feasibility studies, and graphic and written criteria to govern the planning, design and management of land and water resources;
3. Preparation, review and analysis of land use master plans, subdivision plans and preliminary plats;
4. Determining the location and siting of improvements, including buildings and other features, as well as the access and environs for those improvements;
5. Design of land forms, storm water drainage, soil conservation and erosion control methods, site lighting, water features, irrigation systems, plantings, pedestrian and vehicular circulation systems and related construction details.

C. Board Structure, Operations and Powers

1. Composition – The Board of Landscape Architects shall be composed of....

[Commentary: Every jurisdiction organizes its regulatory boards according to the laws of the jurisdiction. The Model Law suggests two possible structures -- one for a separate board and one for a joint board. Each structure has positive and negative features. Generally speaking, the separate board structure provides for the maximum involvement by landscape architects in the regulatory process while the joint board structure is less expensive and provides for more interaction between related professions.]

[Alternative 1: Separate or single board – This board represents a single profession only. All staff and resources are applied directly to functions associated with the specific profession. Recommended size: no less than 5 members. Majority of members are licensed landscape architects with no less than one public member.]

[Alternative 2: Joint board – This board shares staff and resources, and regulates

Model Law

multiple professions. Each profession should be equally represented, in addition to a small number of public members. Board size may vary according to number of professions represented.]

2. Board Member Qualifications – All board members shall be citizens of [country] and residents of [jurisdiction]. Landscape Architect members shall hold a valid license from [jurisdiction] to practice landscape architecture and shall have been licensed as a landscape architect for at least five years prior to their appointment. Public members shall be persons who are not by education or experience involved in the practice of landscape architecture, are not related in any way to a landscape architect, and do not have a financial interest in the practice of landscape architecture.
3. Appointment Process – Members shall be appointed by the Governor [or other means]. Members shall hold office for staggered terms of [number] years, with terms expiring on [date] of each year, or until their successor is appointed. Any vacancy occurring other than by expiration of a term shall be filled by appointment by the Governor [or other means] for the unexpired term. No member shall serve more than [number] successive full terms on the board.
4. Officers and Quorum – The board shall elect a Chair and Vice-Chair. A majority of the total number of board members shall constitute a quorum.
5. Powers and Duties of the Board –
 - a. The board shall promulgate regulations to govern the practice of landscape architecture, consistent with [jurisdiction's] Constitution, its laws and this Act, and with the purpose of protecting the public health, safety, and welfare.
 - b. The board shall establish the qualifications required for licensure to practice landscape architecture.
 - c. The board shall issue a license to qualified applicants for the practice of landscape architecture.
 - d. The board shall establish qualifications for business entities to offer or provide landscape architectural services and issue a certificate of authorization for such services.
 - e. The board shall levy and collect fees for services related to this Act.
 - f. The board shall maintain active membership in the Council of Landscape Architectural Registration Boards (CLARB), or its successor, and shall take all steps necessary to maintain the confidentiality and security of examination materials.
 - g. The board shall meet at least once per year.
 - h. The board shall keep a record of its proceedings and activities.

- i. The board may revoke, suspend, or refuse to renew a license or certificate of authorization for just causes as enumerated in the regulations of the board.
- j. The board shall receive complaints concerning the conduct of any person or business entity whose activities are regulated by this Act.
- k. The board shall enforce the statutes and regulations pertaining to the practice of landscape architecture, including investigation of alleged violations of statutes or regulations, and refer suspected criminal violations to appropriate law enforcement authorities. The board shall take appropriate disciplinary action if warranted, including imposing a fine for any statutory or regulatory violation not to exceed [\$_____].

D. Exemptions

1. Nothing in this Act shall prohibit any architect, professional engineer, or land surveyor registered under the statutes of [jurisdiction] from providing services for which they are licensed.
2. Nothing in this Act shall prohibit a nurseryman, gardener, landscape designer, or landscape contractor from preparing planting plans or installing plant material provided the project scope does not impact the public health, safety or welfare.
3. Nothing in this Act shall prohibit individuals from making plans, drawings or specifications for any property owned by them and for their own personal use.

Notwithstanding the provisions of this section, any person exempted under this section shall not make use of the title “landscape architect”, or other similar words or titles, which imply licensure as a landscape architect, unless licensed pursuant to the provisions of this Act.

E. Unlawful Acts and Enforcement

1. It shall be unlawful for any person or business entity to:
 - a. Practice landscape architecture without holding a valid license or certificate of authorization as required by statute or regulation.
 - b. Use the terms “landscape architect,” “landscape architecture,” or “landscape architectural” to denote a standard of professional competence without being duly licensed.
 - c. Use any titles, words, letters, or abbreviations to denote a standard of professional competence that may reasonably be confused with landscape architect or landscape architecture without being duly licensed.
 - d. Perform any act or function that is restricted by statute or regulation to persons holding a license to practice landscape architecture, without being duly licensed.
 - e. Offer landscape architectural services without a license or certificate of authorization to practice landscape architecture.
 - f. Materially misrepresent facts in an application for licensure or certificate of authorization.
 - g. Willfully refuse to furnish the board with information or records required pursuant to statute or regulation.

Model Law

- h. Procure, or assist another to procure, through theft, fraud or other illegal means questions or answers to the Landscape Architect Registration Examination, or its successor.
- i. Violate any statute or regulation governing the practice of landscape architecture regulated pursuant to this Act.

Any person who willfully engages in any unlawful act enumerated in this section shall be guilty of a *[high level of misdemeanor]*. The third or subsequent conviction for violating this section shall constitute a *[low level of felony]*.

2. In addition to the criminal penalties provided for in subsection 1 above, the board, without need to comply with *[the jurisdiction's Administrative Process Act]*, shall have the authority to enforce the provisions of subsection 1 of this section and may institute proceedings in equity to enjoin any person, partnership, corporation or other entity from engaging in the unlawful acts enumerated in this section.
3. In addition to the criminal penalties provided for in subsection 1 above, the board may also make application to the district court, without giving bond, for civil enforcement of a violation of any statute or regulation in accordance with this Act. The board may assess civil fines and costs, after proper notice and an opportunity to be heard, against any person or business entity for a violation of statute, regulation, or order enforceable by the board in an amount not to exceed \$5,000 for the first violation, \$10,000 for the second violation and \$15,000 for the third violation and each subsequent violation. All civil fines or costs assessed and collected under this section shall be remitted to the *[jurisdiction]* treasurer and credited to the *[jurisdiction]* general fund *[(jurisdiction's) literary fund, or other requirement]*.

F. Applicability to Local Jurisdictions

[Commentary: In some jurisdictions, state law supersedes local law and therefore this section may not be needed. In other jurisdictions, this section may be useful as a means to address barriers to landscape architectural practice at the local level.]

1. No municipal, city, local or other ordinance, policy or action shall reduce or limit the scope of professional practice defined by this act.

MODEL REGULATIONS

Amended September, 2004

I. Purpose

These regulations are promulgated by the Board of Landscape Architects under [*cite act or statutes*] for the purpose of protecting the public health, safety and welfare. These regulations contain the information necessary to become licensed as a landscape architect, or offer landscape architectural services as a business entity. These regulations also contain the standards of practice for landscape architects and possible sanctions to be rendered for failure to adhere to these standards.

II. Severability

If any provision or application of these regulations is found to be invalid for any reason, such invalidity shall not affect other provisions or applications of these regulations which can be given effect without the invalid provision or application, and therefore, the provisions of these regulations are declared to be severable.

III. Compliance with ADA (For U.S. jurisdictions)

The board and the [*jurisdiction*] support and fully comply with the provisions of the Americans with Disabilities Act (ADA), 42 USC Section 12101 et seq. Contracts between the board, examination vendors, and examination administrators contain the necessary provisions for compliance with the ADA. Requests for accommodations must be in writing and received by the board at least 45 days before examination. The board may require a report from medical professionals along with supporting data confirming the nature and extent of the disability. It is the responsibility of the applicant to provide the required information in a timely manner. The costs of providing such information are the responsibility of the applicant. The board shall determine what, if any, accommodations will be made.

[**Commentary:** *Canadian provinces should replace this section with the appropriate reference to Canadian standards.*]

IV. Definitions

As used in these regulations, the following terms shall have the following meanings unless the context or subject matter clearly requires a different interpretation. Any reference to gender throughout these regulations is intended to be gender neutral; i.e., “he” shall mean “he or she”.

Applicant – An individual who has submitted an application for licensure to the board.

CLARB – The Council of Landscape Architectural Registration Boards, or its successor.

Applicant Record – Verified documentation of an individual’s education, experience, examination, licensure and professional conduct. The board may accept information compiled by CLARB in a Council Record as sufficient documentation.

Model Regulations

CLARB Certificate – Certification by CLARB that a landscape architect has met the minimum standards of education, examination, experience and professional conduct established by the Council and is thereby recommended for licensure in all member jurisdictions.

CLARB Standards of Eligibility – Standards for education, experience, examination and professional conduct that are approved by CLARB's member boards and adopted by the board as the minimum standards for licensure.

CLARB Uniform Continuing Education Standards -- Standards for content, structure and duration of continuing education that are approved by CLARB's member boards and adopted by the board as the minimum standards for licensure renewal.

Direct control and personal supervision – That degree of supervision by a landscape architect overseeing the work of another whereby the supervisor has been directly involved in all judgments affecting the health, safety and welfare of the public.

Licensure examination – The licensure examination for landscape architects prepared by CLARB and accepted by the board.

Principal – An individual who is a landscape architect and is in charge of a business entity's landscape architectural practice.

Responsible charge – The direct control and personal supervision of the practice of landscape architecture.

Seal – A symbol, image, or information in the form of a rubber stamp, embossed seal, computer generated data, or other form acceptable to the board that is applied or attached to a document to verify authenticity of the document's origin.

V. Fee Schedule

[Commentary: Insert a list of fees charged by the Board. It is recommended that fees that originate from outside of the Board, such as exam fees, be listed as "cost to the Board plus" \$XX "administrative fee." Such language eliminates the need to amend the regulations each time an external fee changes. It also prevents those situations where a Board may be forced to subsidize a fee if it cannot change the regulations in time to account for a fee increase.]

VI. Requirements for Licensure

A. Standards

To be granted a license, an applicant must be of good moral character and must demonstrate to the satisfaction of the board that the applicant has:

1. Satisfied the education and experience requirements established by the board.

Model Regulations

2. Successfully completed the licensure examination where the examination, administration and grading were conducted in accordance with CLARB standards at that time, and
3. A history of acceptable professional conduct as verified by employers and registration boards.

Applicants shall meet applicable entry requirements at the time the application is submitted to the board.

[Commentary: An important benefit of licensure for landscape architects is the ability of the licensed professionals to move easily from jurisdiction to jurisdiction. This movement provides for greater selection for the public, increased competition among qualified professionals and greater mobility for licensees. The current practice of listing specific standards for licensure in the regulations makes it difficult to establish uniform standards and virtually ensures standards will vary from jurisdiction to jurisdiction.

To provide for ease of reciprocity, the Model Regulations include references to the national standards for licensure adopted by CLARB's member boards. All laws that use this reference will therefore always have the same standards. As the national standards change over time, the standards in each of these jurisdictions will be automatically updated, thereby ensuring reciprocity.

It is preferred that references to the CLARB Standards of Eligibility indicate the most recent edition; however, in some jurisdictions, it may be required that a specific publication date be included. In such cases, it will be necessary to revise the Regulations when the standards are changed so that all jurisdictions maintain equivalent requirements.]

B. Application Procedures

1. An applicant who is not licensed in any other jurisdiction shall submit an application to the board accompanied by the appropriate fee. Such application shall include the information required by the Applicant Record. The Board may accept a CLARB Council Record as the application for licensure. If the applicant has not passed the licensure examination, the applicant shall complete the examination process. Alternatively, at the discretion of the board, applicants may be admitted to the licensure examination upon demonstrating to the satisfaction of the board that they have successfully completed the education and professional conduct requirements for licensure. In such cases, the board shall establish deadlines for submission of an application for examination and shall provide instructions for examination administration. The board may permit an applicant to apply on other forms prescribed by the board.
2. An applicant who is licensed in another jurisdiction shall submit an application to the board accompanied by the appropriate fee. The board may accept as such application a Council Certificate furnished by CLARB. The board may permit an applicant to apply, without a CLARB Certificate, using other forms prescribed by the board.

Model Regulations

3. Applicants who have been found ineligible for any reason may request further consideration by submitting written evidence of additional qualifications, education or experience. No additional fee will be required provided the requirements for licensure are met within one year from the date the original application was received by the board. After that period, a new application will be required.
4. The board may make further inquiries and investigations with respect to the qualifications of the applicant, to confirm or clarify information submitted. The board may also require a personal interview with the applicant.
5. Failure of an applicant to comply with a written request from the board within 60 days of receiving the notice, except where the board has determined ineligibility for a specified period of time, may be sufficient cause for disapproving the application.

[Commentary: Traditionally, applicants have applied to take the L.A.R.E. as the final step in fulfilling the requirements for licensure (education, experience and examination.) the Model Regulations stipulate that applicants should apply to the member board after having completed all requirements. This approach utilizes the Council Record as the licensure application thereby centralizing the record keeping process, establishing uniform application forms and processes and freeing member boards from these administrative tasks.]

C. Issuance of a License

Upon review by the board of the applicant's satisfactory completion of all the licensure requirements, the board will issue a license. Each license issued by the board will be valid until the expiration date noted on the license.

VII. Requirements for a Certificate of Authorization for Business Entities

A. Standards

A business entity formed for the purpose of offering to provide or providing landscape architectural services is required to obtain a certificate of authorization from the board. Each business entity shall meet the following requirements:

1. Each business entity shall designate one or more licensed landscape architects as being in responsible charge of the landscape architectural services and decisions of the firm. In the case of multiple offices, each office shall have a designated landscape architect in responsible charge of that office.
2. Each landscape architect designated as being in responsible charge of the business entity's landscape architectural activities and decisions shall file a notarized affidavit of responsibility with the board.

B. Application Procedures

A business entity shall submit an application to the board, accompanied by the appropriate fee. The application shall be on forms prescribed by the board and shall contain the following information:

Model Regulations

1. Name and address of each partner, manager, officer, member, director or shareholder, indicating the professional status of each and their jurisdiction's license number.
2. Name and address of each landscape architect designated as being in responsible charge of the business entity's landscape architectural activities and decisions.
3. Affidavit of responsibility from each landscape architect designated as being in responsible charge of the business entity's landscape architectural activities and decisions.
4. A copy of the business entity's articles of incorporation, partnership agreement, limited liability operating agreement, or other document forming the business entity, and any amendments.

C. Issuance of Certificate of Authorization

Upon satisfactory completion of all application requirements, the board will issue a certificate of authorization. A certificate of authorization issued by the board shall be displayed at the business entity's principal place of business where the public can readily view it.

VIII. Renewal, Reinstatement and Replacement

A. Change of Address

Any change of address shall be reported to the board in writing within thirty days of the change.

B. Expiration and Renewal of a License

1. Prior to the expiration date shown on the license, a landscape architect shall submit a renewal application and required fee to the board. The landscape architect must certify continued compliance with the Standards of Practice and Conduct and continuing education requirements as defined in these regulations. Upon satisfactory completion of all renewal requirements, the license shall be renewed for a two-year period.
2. Failure to receive a renewal notice and application shall not relieve the landscape architect of the responsibility to renew. If a renewal notice is not received, the landscape architect may submit a copy of the license, the required fee, and a signed statement indicating that the landscape architect continues to comply with the Standards of Practice and Conduct and continuing education requirements.
3. The board may deny renewal of a license for the same reasons it may refuse initial licensure or discipline a landscape architect.
4. If the renewal application and fee are not submitted to the board within 30 days following the expiration date noted on the license, a late renewal fee shall be required, unless reinstatement is required as noted below.

C. Reinstatement of a License

1. If a license has been expired for six months or more, but less than four years, the landscape architect shall be required to submit a new application, which shall be

Model Regulations

evaluated by the board to determine if the applicant meets the renewal requirements. A reinstatement fee will also be required. In addition, the applicant must complete all delinquent professional development hours for one renewal cycle.

2. If the license has been expired for four years or more, the applicant will be required to submit a new application, meet current entry requirements, and submit the new application fee in addition to the reinstatement fee. The board may require the applicant to submit to all or parts of the licensure examination and/or complete all delinquent professional development hours required for at least one renewal cycle.
3. The board may deny reinstatement of a license for the same reasons it may refuse initial licensure or discipline a landscape architect.
4. The date the renewal application and fee are received in the board office shall determine whether the license shall be considered for renewal or reinstatement.
5. A license that has been reinstated shall be regarded as having been continuously licensed without interruption.

D. Expiration and Renewal of a Certificate of Authorization

1. Prior to the expiration date shown on the certificate of authorization, a business entity shall submit an application for renewal and the required fee to the board. The application shall contain the following information:
 - a. The name and address of each partner, manager, officer, member, director or shareholder indicating the professional status of each; and
 - b. The name and address of each landscape architect designated as being in responsible charge of the business entity's landscape architectural activities and decisions. If the designated landscape architect is not the same as indicated on the previous filing, the landscape architect shall file an affidavit of responsibility with the renewal application.

Upon satisfactory completion of all renewal requirements, the certificate of authorization shall be renewed for a two-year period.

2. A certificate of authorization not renewed by the last day for the period for which it was issued is not valid after that date. Any renewal application postmarked after the last day will be returned.
3. Any changes in the names and addresses of the partners, managers, officers, members, directors or shareholders, or the designated landscape architect, occurring between filing intervals shall be reported to the board within thirty days following such a change.
4. An application for a new certificate of authorization is required from a business entity in the following situations:
 - a. The name of the business entity is changed.
 - b. The business entity has failed to timely renew the certificate of authorization in accordance with these regulations.

F. Replacement of a Certificate

Model Regulations

Any landscape architect may obtain replacement for a lost, destroyed or damaged current certificate upon submission of a fee and a written statement indicating the nature of the loss, destruction or damage.

IX. Continuing Education Standards

- A. Continuing education, if required by the member board, shall be completed in accordance with the standards adopted by the board. The board may adopt the standards set forth in the CLARB Uniform Continuing Education Standards.

[Commentary: Since many boards have adopted continuing education requirements, this optional wording is included here to provide for the uniform application of such requirements. It is preferred that the regulations refer to the most recent edition of the CLARB standards.]

B. Exemptions

A landscape architect may be exempt, upon board review and approval, from continuing education requirements in any of the following situations:

1. The new landscape architect's first renewal period is less than two years from the original date of licensure.
2. A landscape architect is called to active duty in the armed forces for a period of time exceeding 120 consecutive days in a calendar year. This individual may be exempt from obtaining one-half of the required continuing education during that renewal period.
3. A landscape architect experiences physical disability, illness, or other extenuating circumstances that prevents the landscape architect from practicing landscape architecture. The landscape architect shall provide supporting documentation for the board's review and approval. If the landscape architect elects to return to practice, the landscape architect shall complete all professional development hours required for one renewal cycle, in addition to those required for the next licensure renewal.

C. Records

Each landscape architect shall maintain:

1. A log showing the subject and type of activity claimed, the sponsoring organization, location, duration and instructor's or speaker's name.
2. Documentation sufficient to prove completion of the activity claimed, such as attendance verification records, completion certificates or other documents;
3. Records for at least four (4) years; and
4. Copies of all records that may be requested by the board for audit verification purposes.

D. Audit

Upon request, each landscape architect shall provide proof of satisfying the continuing education requirements. If the landscape architect fails to furnish the

Model Regulations

information as required by the board or if the information is not sufficient to satisfy the requirements, the license shall not be renewed.

E. Disallowance

If the board disallows one or more continuing education activities claimed, the board may, at its discretion, allow the landscape architect up to 120 days after notification to substantiate the original claim or to complete other continuing education activities sufficient to meet the minimum requirements.

X. Standards of Practice and Conduct

A. Competence

1. In practicing landscape architecture, a landscape architect shall act with reasonable care and competence and shall apply the technical knowledge and skill that is ordinarily applied by landscape architects of good standing practicing in the same locality.
2. In designing a project, a landscape architect shall take into account all applicable construction laws, zoning codes and other applicable laws or regulations. A landscape architect shall not knowingly design a project in violation of such laws and regulations.
3. A landscape architect shall undertake to perform professional services only when the landscape architect, together with those whom the landscape architect may engage as consultants, is qualified by education, training and experience in the specific technical areas involved.
4. No person shall be permitted to practice landscape architecture if, in the board's judgment, such person's professional competence is substantially impaired by physical or mental disabilities.

B. Conflict of Interest

1. A landscape architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed and agreed to in writing by all interested parties.
2. If a landscape architect has any business association or direct or indirect financial interest that is substantial enough to influence the landscape architect's judgment in connection with the performance of professional services, the landscape architect shall fully disclose this in writing to the client or employer. If the landscape architect's client or employer objects to such association or financial interest, the landscape architect shall either terminate such association or interest or offer to give up the commission or employment.
3. A landscape architect shall not solicit or accept compensation from material or equipment suppliers in return for specifying or endorsing their products.
4. When acting as the interpreter of landscape contract documents and the judge of contract performance, a landscape architect shall render decisions impartially, favoring neither party to the contract.

Model Regulations

C. Full Disclosure

1. A landscape architect shall disclose whenever he/she is being compensated for making public statements concerning landscape architectural issues?
2. A landscape architect shall accurately represent to a prospective or existing client or employer the landscape architect's qualifications and clearly define the scope of his/her responsibility in connection with work for which the landscape architect is claiming responsibility.
3. If a landscape architect becomes aware of a decision made by his/her employer or clients against the landscape architect's advice, that violates applicable construction laws, zoning codes or other applicable regulations and that will, in the landscape architect's judgment, materially and adversely affect the public health, safety and welfare, the landscape architect shall:
 - a. Report the decision to the local authorities or other public official charged with the enforcement of such laws and regulations;
 - b. Refuse to consent to the decision; and
 - c. In circumstances where the landscape architect reasonably believes that other such decisions will be made notwithstanding his/her objection, then the landscape architect shall terminate services with reference to the project. In the case of a termination in accordance with this paragraph of this rule, the landscape architect shall have no liability to the client on account of such termination.
4. A landscape architect shall not deliberately make a materially false statement or deliberately fail to disclose a material fact requested in connection with an application for licensure or renewal.
5. A landscape architect shall not assist in the application for licensure of a person known by the landscape architect to be unqualified in respect to education, examination, experience or character.
6. A landscape architect possessing knowledge of a violation of these rules by another landscape architect shall report such knowledge to the board.

D. Compliance with Laws

1. A landscape architect shall not, in the practice of landscape architecture, knowingly violate any criminal law.
2. A landscape architect shall neither offer nor make any payment or gift to any governmental official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the landscape architect is interested.
3. A landscape architect shall comply with the laws and regulations governing professional practice in any jurisdiction.

E. Professional Conduct

1. A landscape architect shall not sign nor seal drawings, specifications, reports or other professional work for which the landscape architect does not have direct control and personal supervision and over which the landscape architect has no legal authority. However, in the case of portions of professional work prepared by

Model Regulations

the landscape architect's consultants registered under this or another professional registration law of this jurisdiction, the landscape architect may sign or seal that portion of the professional work if the landscape architect has reviewed such portion, has coordinated its preparation, and intends to be responsible for its adequacy.

2. A landscape architect shall neither offer nor make any gifts, other than gifts of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of an existing or prospective client in connection with a project in which the landscape architect is interested.
3. A landscape architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.

F. Seal Requirements

1. All final professional documents, including maps, plans, designs, drawings, specifications, estimates and reports issued by a landscape architect shall contain a seal, signature and date whenever they are presented to a client or public or governmental agency. A landscape architect's license must be in full force and effect in order to seal documents.
2. A seal shall contain the following information:
 - a. Jurisdiction of licensure
 - b. Landscape architect's name
 - c. License number
 - d. The words "Landscape Architect"
 - e. Any other information required by the board.
3. A signature shall be:
 - a. A handwritten message containing the name of the person who applied it; or
 - b. A digital signature that is an electronic authentication process attached or logically associated with an electronic document. The digital signature must be:
 - (1) Unique to the person using it
 - (2) Capable of verification
 - (3) Under the sole control of the person using it
 - (4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.A digital signature that uses a process approved by the board is presumed to meet the criteria set forth in subsection b. above.
4. For the purpose of sealing printed drawings, specifications, and contract documents, each landscape architect shall obtain an embossing seal and a reproducible facsimile of a design approved by the board to be used in accordance with these regulations on documents prepared by or under the supervision of a landscape architect. *[A facsimile of the seal design should be included in these regulations.]*
5. The seal or reproducible facsimile shall be applied on all original drawings to produce legible reproduction on all copies or prints made from said drawings.

Model Regulations

This provision does not in any manner modify the requirements of paragraph X.F.4.

6. No landscape architect shall affix his/her seal or signature to documents that were developed by others not under the direct control and personal supervision of the landscape architect.

XI. Sanctions and Disciplinary Actions

- A. Complaints – The board shall receive written complaints against any regulant. The board shall cause the complaint to be investigated within a reasonable time period. The board will hear the findings and action will be recommended or taken.
- B. Hearings – The accused regulant shall have a right to a hearing in accordance with *[the jurisdiction's Administrative Process Act – this refers the regulant to the specific procedures for the hearing process.]*
- C. Disciplinary Actions – The board may suspend or revoke a license, or fine a regulant, if the board finds that:
 1. The license was obtained or renewed through fraud or misrepresentation;
 2. The landscape architect has been found guilty by the board, or a court of competent jurisdiction, of any material misrepresentation in the course of professional practice, or has been convicted of any felony or misdemeanor that, in the judgment of the board, adversely affects the landscape architect's ability to perform satisfactorily as a landscape architect;
 3. The landscape architect is guilty of professional incompetence or negligence;
 4. The landscape architect has abused drugs or alcohol to the extent that professional competence is adversely affected;
 5. The landscape architect has violated any of the Standards of Practice and Conduct, as defined in these regulations.
 6. The landscape architect has violated any *[statutory provisions dealing with landscape architects, cited here]* or any provision of these regulations.

End

Landscape Architect Registration Examination (LARE)

California and National Pass Rates

LARE Sections

- 1 - Project and Construction Administration
- 2 - Inventory and Analysis
- 3 - Design
- 4 - Grading, Drainage and Construction Documentation

2014	March 31-April 12							August 18-30							December 1-13							Total										
	California			National				Diff.	California			National				Diff.	California			National				Diff.	California			National				Diff.
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%	Total	Pass	%	Total	
1	46	33	72%	351	260	74%	-2%	59	40	68%	303	203	67%	1%	53	39	74%	296	219	74%	0%	158	112	71%	950	682	72%	-1%				
2	47	26	55%	326	222	68%	-13%	46	32	70%	271	192	71%	-1%	58	40	69%	314	223	71%	-2%	151	98	65%	911	637	70%	-5%				
3	28	22	79%	275	215	78%	1%	34	17	50%	251	175	70%	-20%	37	28	76%	250	180	72%	4%	99	67	68%	776	570	73%	-5%				
4	48	28	58%	338	210	62%	-4%	46	24	52%	271	159	59%	-7%	37	14	38%	301	163	54%	-16%	131	66	50%	910	532	58%	-8%				

2015	April 6-18							August 3-15							November 30 - December 13							Total										
	California			National				Diff.	California			National				Diff.	California			National				Diff.	California			National				Diff.
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%	Total	Pass	%	Total	
1	61	41	67%	420	327	77%	-10%	42	27	64%	258	185	72%	-8%	77	62	81%	373	283	76%	5%	180	130	72%	1051	795	76%	-3%				
2	64	37	58%	380	269	70%	-12%	45	32	71%	286	208	73%	-2%	66	42	64%	349	258	74%	-10%	175	111	63%	1015	735	72%	-9%				
3	50	37	74%	343	260	75%	-1%	39	22	56%	285	208	73%	-17%	47	28	60%	317	228	72%	-12%	136	87	64%	945	696	74%	-10%				
4	50	25	50%	348	201	57%	-7%	53	35	66%	301	201	67%	-1%	52	32	62%	346	218	63%	-1%	155	92	59%	995	620	62%	-3%				

2016	April 4-16							August 1-13							December 5-17							Total										
	California			National				Diff.	California			National				Diff.	California			National				Diff.	California			National				Diff.
	Total	Pass	%	Total	Pass	%	Total		Pass	%	Total	Pass	%	Total	Pass		%	Total	Pass	%	Total	Pass	%		Total	Pass	%	Total	Pass	%	Total	
1	78	53	68%	426	307	72%	-4%	52	38	73%	327	229	70%	3%	88	56	64%	435	309	71%	-7%	218	147	68%	1188	844	71%	-3%				
2	78	44	56%	420	302	72%	-16%	77	52	68%	323	249	77%	-9%	85	54	64%	387	290	75%	-11%	240	150	63%	1130	841	74%	-11%				
3	65	43	66%	377	271	72%	-6%	55	39	71%	254	201	79%	-8%	81	48	59%	363	269	74%	-15%	201	130	65%	994	741	75%	-10%				
4	54	19	35%	370	226	61%	-26%	59	35	59%	281	180	64%	-5%	77	43	56%	423	279	66%	-10%	190	97	51%	1074	685	64%	-13%				

Agenda Item H

DISCUSS AND POSSIBLE ACTION ON LATC'S DRAFT *CONSUMER'S GUIDE TO HIRING A LANDSCAPE ARCHITECT*

As part of its 2015-2016 Strategic Plan, the Landscape Architects Technical Committee (LATC) identified an objective to “Adopt new methods and identify new resources to effectively educate consumers regarding health, safety, and welfare issues.” Over the last year, staff and Committee members worked in collaboration on the development of a new *Consumer's Guide to Hiring a Landscape Architect*.

At its November 17, 2015 meeting, staff presented a draft *Guide*, which was based on the Board's *Consumer's Guide to Hiring an Architect*. Following discussion, the Committee created a subcommittee to complete revisions to the *Guide*. During discussion at its February 10, 2016 meeting, the Committee suggested editions to the *Guide* including a chart for professional qualifications within the profession, as well as information on drought conditions and the Model Water Efficiency Landscape Ordinance. The subcommittee worked with staff to revise the *Guide* and create a chart on the professional qualifications of landscape architects, landscape contractors, and other related professions. At its May 24, 2016 meeting, the Committee approved the *Guide* with minor edits to be made to the professional qualifications chart. Staff completed the edits and worked with the Department of Consumer Affairs' Office of Publications, Design & Editing to design and incorporate graphics into the *Guide*.

At the November 4, 2016 meeting, the LATC was asked to review the revised *Guide* and take action. During the meeting, a member of the public expressed concern that the photographs and plant materials depicted in the draft *Guide* show water features, high water use plant pallets, and lawn dominated designs that do not support water conservation. The LATC agreed that the publication should contain pictures of compelling low water landscapes with California plant material and asked staff to obtain additional images.

At the January 17-18, 2017 meeting, the Committee was updated on staff's efforts to secure additional images with the plan to have a new draft for the Committee's consideration at its next meeting.

At today's meeting, the Committee is asked to review and take possible action on the revised *Guide*.

Attachment:

Draft Consumer's Guide to Hiring a Landscape Architect

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD



CONSUMER'S
GUIDE TO HIRING A
**LANDSCAPE
ARCHITECT**







TABLE OF CONTENTS

INTRODUCTION	3
THE PRACTICE OF LANDSCAPE ARCHITECTURE	4
LANDSCAPE ARCHITECTURE ISSUES IN CALIFORNIA	5
SHOULD I HIRE A LANDSCAPE ARCHITECT FOR MY PROJECT?	6
FINDING AND SELECTING A LANDSCAPE ARCHITECT	8
BASIC PROJECT CRITERIA	9
MAKING THE FINAL DECISION	12
THE CONTRACT FOR DESIGN SERVICES	13
MANDATORY ITEMS FOR THE WRITTEN CONTRACT	14
ADDITIONAL RECOMMENDED ITEMS IN THE WRITTEN CONTRACT	14
KEEPING RECORDS	16
FINANCIAL ISSUES	17
CONSTRUCTION HINTS	17
WHAT TO DO IF A PROBLEM OCCURS WITH YOUR PROJECT	18
PRE-CONSTRUCTION MECHANICS' LIENS	18
MECHANICS' LIENS	19
WHAT CONSTITUTES A COMPLAINT?	19
HOW TO FILE A COMPLAINT	19
HOW WILL LATC RESPOND?	20
LATC CONTACT INFORMATION	21





INTRODUCTION

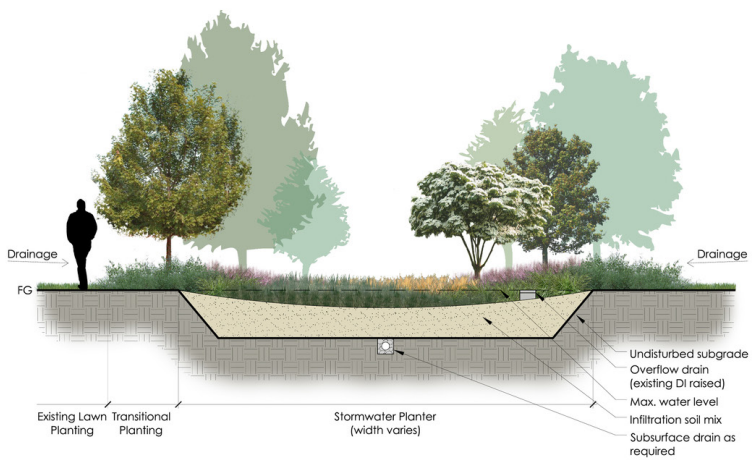
Are you thinking about hiring a landscape architect? Consumers and businesses often wish to construct or modify landscapes for the purpose of preservation, development, and enhancement. The best approach is to hire a landscape architect to plan, design, and observe the construction of these projects. Working with a landscape architect helps ensure that your project is designed properly.

The Landscape Architects Technical Committee (LATC) examines, licenses, and regulates more than 3,500 landscape architects in California. Its mission is to protect the public.

LATC has produced this *Consumer's Guide to Hiring a Landscape Architect* to help consumers understand the sometimes complex and technical nature of landscape architectural services. It provides information on:

- What types of projects require a landscape architect.
- How to find and select a landscape architect.
- What the written contract between you and your landscape architect should contain.
- How to manage budgeting and construction of your project.

By following the suggestions contained in this guide and carefully planning and thoroughly discussing your project beforehand with your landscape architect, you will help ensure a successful project.



THE PRACTICE OF LANDSCAPE ARCHITECTURE

California law defines the practice of landscape architecture as professional services for the purpose of landscape preservation, development, and enhancement such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation. Any person who uses the title of landscape architect or advertises to provide landscape architectural services in California must be licensed as a landscape architect by LATC.

Obtaining a landscape architect's license requires an individual to demonstrate competence by passing a national examination, a California Supplemental Examination (CSE), as well as providing evidence of at least six years of a combination of education and experience. Applicants are tested for competence in the following areas:

- Investigation, selection, and allocation of land and water resources for appropriate uses.
- Feasibility studies.
- Formulation of graphic and written criteria to govern the planning and design of land construction programs.
- Preparation review and analysis of master plans for land use and development.

- Production of overall site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans, and construction details; specifications; cost estimates and reports for land development.
- Collaboration in the design of roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects.
- Field observation and inspection of land area construction, restoration, and maintenance.

LANDSCAPE ARCHITECTURE ISSUES IN CALIFORNIA

While designing aesthetic and functional landscapes is second nature to landscape architects, they also play a crucial role in environmental issues in California—including fire safety, erosion control, and drought tolerance.

Our state is prone to periods of drought, yet the public demands areas of thriving vegetation. Landscape architects utilize water conservation ordinances such as the California Model Water Efficient Landscape Ordinance (MWELO) to ensure that new and renovated landscapes meet current water-saving mandates. Landscape architects use technical skills related to site detailing, landform, plant material selection, and irrigation to develop beautiful and safe environments throughout the state.

Urban growth into the natural habitats of California has led to the destruction of property and loss of life due in part to the prevalence of wildfires. California experiences more than 10,000 wildland fires per year. These fires assist the natural landscapes in revitalizing and recycling aging plant material. Landscape architects develop vegetation management zones and minimum safety distances to assist in fire safety for property owners. California’s expansive natural environments have created scenarios where large-scale grading is also required. Landscape architects are educated and tested on grading, drainage, and slope stabilization.

SHOULD I HIRE A LANDSCAPE ARCHITECT FOR MY PROJECT?

For a successful project, it is generally recommended that you hire a landscape architect; however, not every project requires a landscape architect's services. California law provides that persons who are not licensed as landscape architects may provide some landscape design and related services such as preparation of:

- Plans, drawings, and specifications for the selection, placement, or use of plants for single-family dwellings.
- Drawings for the conceptual design and placement of tangible objects and landscape features.
- Any plans, drawings, or specifications for any property owned by that person.

Additionally, when determining whether you need a licensed landscape architect, architect, or civil/structural engineer, consider whether existing state laws pertaining to public health, safety, welfare issues, and/or local environmental and geographical conditions (such as snow loads, winds, earthquake activity, tidal action, flood hazard zones, and soil conditions) might need to be considered.

The table on the following page provides information on the qualifications of the different landscape professionals in California.

Professional Qualifications and Requirements of Landscape Architects, Landscape Contractors, Architects, Civil Engineers, Irrigation Consultants, Nurserypersons, and Unlicensed Practitioners*

	POSTSECONDARY EDUCATION	EXPERIENCE	NATIONAL EXAMINATION	STATE EXAMINATION
Landscape Architect	Four-year professional degree in landscape architecture	Two years**	Landscape Architect Registration Examination	California Supplemental Examination–Landscape Architect
Landscape Contractor	Not required	Four years	None	Contractors State Licensing Board (CSLB) Exam CSLB License Exam–Landscape Contractor (C-27)
Architect	Five-year professional degree in architecture or equivalent education and/or experience	Eight years (can be supplemented by education)**	Architect Registration Examination	California Supplemental Examination–Architect
Civil Engineer	Three years engineering education or equivalent education and/or experience	Three years engineering experience or equivalent experience and/or education	Fundamentals of Engineering	California Civil Exams in Seismic Principles and on Engineering Surveying
Irrigation Consultant	Three years of irrigation-related experience or education in an irrigation-related field	Three years actively engaged as independent irrigation consultant, technician, or water resource manager	General Landscape/Turf Exam #1 & 2, Landscape/Turf Specialty Irrigation Exam	None
Nursery-person	Not required	18 months full-time at a California nursery	None	California Certified Nursery Pro Examination
Unlicensed	None	None	None	None

*Information regarding the exempt area of practice can be found in the Landscape Architects Practice Act, Business and Professions Code Section 5641 et seq. and in the LATC’s Permitted Practices in California chart available online at latc.ca.gov/laws_regs/permittedpractices.shtml.

**One year required to be under the direct supervision of a licensed practitioner.



FINDING AND SELECTING A LANDSCAPE ARCHITECT

Start by obtaining the names of several landscape architects from more than one source. You can ask for recommendations from people you know or check online for California landscape architects, landscape architectural firms, and professional associations. You can also receive more information about the practice of landscape architecture and referrals from professional associations, such as the American Society of Landscape Architects (ASLA) and its local chapters. More information about ASLA is available online at asla.org.

Landscape architects often specialize in areas such as master planning, environment planning, site planning, residential design, public facilitation and mediation, historic preservation, and visual analysis. You may find it to your advantage to contact several landscape architects to inquire about the types of projects they have experience with and what services they provide.

After receiving referrals and recommendations from various sources, you will need to determine which landscape architect will be able to provide the type of services you need at a cost that is within your budget. The following information will assist you with this process.

BASIC PROJECT CRITERIA

Prior to selecting a landscape architect, you should define basic criteria for your project and prepare to share this information with the landscape architects you are considering. The basic criteria for your project should include, but not necessarily be limited to:

- Desired size, appearance, and functional requirements of your project.
- Services you expect the landscape architect to perform.
- Proposed total budget including fees, permits, construction costs, and contingencies.
- How the project will be financed and, if known, by whom.
- Important milestone dates such as anticipated starting and completion dates of your project.

Request for Information/Qualifications

To make sure you hire a qualified landscape architect for your project, you should request that the landscape architect provide information about their qualifications and experience. After reviewing this information, you may want to interview a number of landscape architects to determine their understanding of your project and your compatibility. During the selection process, you may want to ask some or all of the following questions:

General Information

- How long have you been in business?
- How many persons are employed by your firm, and do you have the available staff to take on my project?
- Do you have a valid California landscape architect's license? If so, what is your license number? Licenses can be verified online at latc.ca.gov/consumers/search.
- How have you kept current in your practice?
- Do you intend to use consultants for this project? If so, who do you propose to use? What are their qualifications? What has been your experience with them? Are they insured?

- What percentage of your practice involves the type of work required for my project?
- Do you carry insurance? If so, what type(s)? How long have you carried each type and what are the policy limits?

Experience

- Have you recently completed similar types of work required for my project?
- What were your most recent project(s)?
- May I see examples of your previous projects that are similar to my project (sketches, photos, plans)?
- May I have the names, addresses, and phone numbers of the clients for these previous similar projects for references on your work?
- What was the actual construction cost versus budgeted cost for these projects?

Services

- What services did you provide for these clients during the design, bidding, and construction phases?
- What services do you propose to provide for my project during each of these phases?
- Which services are “basic” and which are “extra or additional” services?
- Who will provide these services, you or your employees? If your employees will be providing the services, will you be directly supervising them?
- What services will not be provided? What services will be provided by others?
- What does construction observation services entail? How often will you be on site?
- What is your role during site visits and during construction?
- At the conclusion of the project, will I receive a record copy of all plans? Who retains ownership of the plans once the project is completed?

Fees

- How will your fees for my project be determined and what services do the fees cover?
- Will you provide opinions of probable construction costs for my project?
- If consultants (civil, structural, mechanical, electrical, geotechnical, testing and inspection, architecture, etc.) are necessary, are their fees included in your “basic” services fee or are they separate services?
- What additional costs (e.g., permit and other governmental fees) or services (e.g., time spent obtaining necessary permits and other approvals) do you anticipate for my project?
- How do you establish your fees for additional services and reimbursable expenses?
- Will there be a charge for redesign if it is necessary to meet the construction budget?
- Will there be additional charges for changes required by the building department or other government agency?
- How are additional charges computed for design changes requested by me or requested by a contractor?
- Will you provide a list of the hourly service fees?

Time

- Can you meet my proposed schedule?
- What happens in the event that the project does not meet the proposed schedule?
- Is overtime for your employees covered in your set fee amount or is that an additional fee?

Disputes

- How will we handle any dispute that may arise between us?

MAKING THE FINAL DECISION

It is wise to check the references that each landscape architect gives you and ask the following questions:

- Did the landscape architect adhere to required schedules and budgets?
- Were you pleased with the landscape architect's services and your working relationship with him or her?
- Did the landscape architect listen to your concerns and attempt to resolve them?
- Would you hire the landscape architect again?
- What problems surfaced during the project? How were they handled? Were they resolved to your satisfaction?
- Did the landscape architect have a productive relationship with the landscape contractor and others involved in the construction of your project?

If possible, visit the projects the landscape architects have used as examples of their services.

Although the LATC does not maintain a referral service and cannot recommend landscape architects, it can advise if a landscape architect is currently licensed and whether the LATC has taken any enforcement and/or disciplinary action against that landscape architect. You can contact the LATC by phone at (916) 575-7230 or visit online at **latc.ca.gov**.



THE CONTRACT FOR DESIGN SERVICES

California law requires that any landscape architect who agrees to provide landscape architectural services to a client must have a written contract. The contract must be signed by the landscape architect and client prior to commencing services, unless the client knowingly states in writing that the services can be started before the contract is signed, or the client states in writing, after being informed about the statutory provision, that he or she does not require a written contract. Although there are these few exceptions to the requirement for a written contract, the LATC recommends that you always insist upon a written contract with the landscape architect to document the terms and conditions that will govern your relationship. Many landscape architects prepare their own contracts or have them prepared by an attorney; others use standard form agreements published by ASLA.

Whatever contract is used for professional services, it is a legal document that binds you and the landscape architect to certain obligations for the life of the project and, in some cases, beyond project completion. It should include the specific services that you and the landscape architect have agreed upon and the conditions under which these services are to be rendered. Otherwise, issues could arise that may be both expensive and time consuming to resolve.

Review the contract carefully. It is your responsibility, along with the landscape architect's, to understand the provisions included within it and to follow them. You have the right to question and negotiate changes in the terms of the contract before signing it, even if it is a printed standard form. Because it is a binding legal document, you may wish to have your legal counsel review the contract before you sign it. You should retain an original copy of the signed contract. In addition, you should not make agreements with other parties regarding your project without first notifying the landscape architect.

MANDATORY ITEMS FOR THE WRITTEN CONTRACT

Business and Professions Code Section 5616 (Landscape Architecture Contract—Contents, Notice Requirements) requires that a written contract for landscape architectural services contain, at a minimum, the following items:

1. A description of services to be provided by the landscape architect to the client.
2. A description of any basis of compensation applicable to the contract, including the total price that is required to complete the contract and method of payment agreed upon by both parties (e.g., hourly rate, flat fee, percentage of construction cost).
3. A notice that reads: “Landscape architects are licensed by the state of California.”
4. The name, address, and license number of the landscape architect and the name and address of the client.
5. A description of the procedure that the landscape architect and the client will use to accommodate additional services.
6. A description of the procedure to be used by either party to terminate the contract.

ADDITIONAL RECOMMENDED ITEMS IN THE WRITTEN CONTRACT

Beyond those items required by law for landscape architects, the LATC recommends that a contract for landscape architectural services be as clear and complete as possible in defining the goals and the expectations of both parties for the project. Since this venture is a collaboration of client and landscape architect, the contract should clearly define the client’s responsibilities as well as those of the landscape architect.

Basic client responsibilities generally include providing the following:

- Project information and decisions in a relevant and timely manner.

- Property-related information including legal descriptions, boundary and topographic surveys showing existing conditions, soils testing and reports, unless otherwise defined or authorized in the agreement.
- Description of desired project requirements, especially related to size, uses, and appearance.
- Definition of critical project milestones such as funding cycles, third-party approvals, and anticipated or required completion/occupancy dates.

A basic contract could be expanded to include some or all of the following:

- The address of the project and, if applicable, the project's title.
- A narrative description of the project, including any unique or special requirements.
- The project schedule with critical time frames for events such as funding cycles, third-party approvals, completion of design services, start and completion of construction, etc.
- An estimated construction budget and a description of what it includes.
- A provision for fee and construction budget cost escalation or contingencies for changes in the project scope during design and construction phases or for delays to schedules.
- An understanding of when the client's approval must be given in order for the landscape architect to proceed to the next phase.
- An itemized listing and description of the landscape architect's basic services and the proposed fee.
- A definition of additional services and procedures for authorization and compensation.
- A definition of reimbursable expenses and the procedures for authorization and compensation.
- A definition of the procedure for documenting all changes in project scope, cost, and schedule.
- A listing of the project consultants, if known, that may be needed (i.e., engineering, geotechnical, architect, etc.) and the procedure for hiring and compensating them.
- A schedule of when fee payments are due and in what amounts.

- A definition of the amount of any required retainer fee and how and when it will be applied to the total fee for services.
- How final payment is computed if the contract is terminated.
- A clarification of who is responsible for keeping project account records and when they may be reviewed.
- Whether construction observation services are included and a description of the intent and scope of these services; and if they are part of basic or additional services.
- Whether assistance with bidding and/or establishing a contract between a contractor and owner will be provided, and if it is part of basic or additional services.
- A clarification of who owns, can use or reuse the project documents, including electronic files, upon completion of the project or if the landscape architecture contract is terminated.
- A procedure for handling disputes between the parties should the need arise (for example, arbitration, mediation, or civil action). Be aware a landscape architect has a right to file a mechanics' lien in the event the agreed-upon fees are not paid (see page 19).

KEEPING RECORDS

It is important to keep the written contract and a written record of all verbal communication with the landscape architect related to the project. Do not assume the landscape architect will interpret everything you discuss with him or her the same way you do. When you have a meeting or discussion with the landscape architect about your project, write the landscape architect a memo or e-mail confirming your understanding of that meeting or discussion. These memos can help to prevent misunderstandings from occurring and may prove invaluable should a problem or dispute occur. Include the date and time of your conversation in the memo or e-mail, as well as the date you write it.

You may also want to maintain written documentation about the progress of the project. Photographs or videos taken at regular intervals with the date taken notated can be very useful in establishing a historical record of the project.

Keep detailed financial records by ensuring the landscape architect provides detailed invoices. Also keep records of the date and amount of each payment you make. Require the landscape architect to obtain your written approval at designated phases and before additional costs are incurred.

Make sure that you receive a copy of all documents you sign, and keep a copy of all documents you give to the landscape architect.

FINANCIAL ISSUES

Before you sign the written contract, clearly establish the total amount of money (including contingency funds) you are willing to pay for the design and construction of your project, the frequency of progress payments you will make to the landscape architect, and the amounts and schedule for these payments. Make sure this fee schedule is recorded accurately in the written contract, and that you make each payment to the landscape architect as called for in the contract. If you have obtained a loan for your project, ensure that it covers both the cost of the landscape architect's services and the construction cost.

Payment schedules should reflect the services to be provided on your project. Be wary of excessive advances or retainer fees to begin services. Make the final payment when the services are complete in accordance with the contract and you are satisfied with the services the landscape architect has provided you.

Careful planning and discussion with the landscape architect regarding services and payments, along with accurate record keeping, will develop open communication and lead to a successful working relationship.

CONSTRUCTION HINTS

Unless you are experienced in construction, you might consider hiring a licensed contractor. The Contractors State License Board can be contacted at (800) 321-2752 or **cslb.ca.gov** to verify a contractor's license and access consumer information.

A building permit does not guarantee that the plans the landscape architect gives you are sufficient for construction. Discuss the plans with the landscape architect and contractor to ensure they are suitable for bidding and construction purposes.



WHAT TO DO IF A PROBLEM OCCURS WITH YOUR PROJECT

You have a right to receive competent and professional service from the landscape architect you have hired. However, even if you have read and followed this guide and have done everything possible to prevent problems, you may still encounter difficulties.

In the event a problem should arise, you should first discuss the problem thoroughly and calmly with the landscape architect. If you believe the landscape architect is violating your written contract, review the contract and other relevant documentation with the landscape architect. If your contract has a dispute resolution procedure, you should comply with it or take civil action as appropriate. You may also file a complaint with LATC.

PRE-CONSTRUCTION MECHANICS' LIENS

Design professionals have a right to record a mechanics' lien before construction begins. A pre-construction mechanics' lien is a remedy available only to architects, landscape architects, professional engineers, and land surveyors who provide services during the planning phase of a private work project under a written agreement with the owner. The lien is on the property for which the project is planned and may not be recorded until a building permit or other governmental approval associated with the project has been obtained in connection with the services rendered by the design professional. Pre-construction mechanics' liens may be converted to regular mechanics' liens within 30 days of commencement of the work of improvement.

MECHANICS' LIENS

Once construction commences, a landscape architect may have the right to record a mechanics' lien against your property for any unpaid fees. A mechanics' lien is a remedy available to certain persons who bestow labor, services, materials, etc. to a private project. The law governing mechanics' liens is very complex. In the event of a dispute with your landscape architect that results in the recording of a mechanics' lien, you may wish to consult legal counsel.

WHAT CONSTITUTES A COMPLAINT?

The LATC investigates alleged violations of the provisions of the Landscape Architects Practice Act (Act). The LATC has the authority to receive and investigate complaints against landscape architect licensees and discipline violators accordingly. Do not hesitate to call or write the LATC about any questions or concerns you may have. The LATC may take action against landscape architects for:

- Fraud or misrepresentation in obtaining a license.
- Impersonation or use of an assumed or corporate name.
- Aiding or abetting unlawful practice.
- Signing another individual's plans or permitting the misuse of their name.
- Fraud or deceit in the practice of landscape architecture.
- Negligence or willful misconduct.
- Failure to accurately represent qualifications.
- Gross incompetence.

Disciplinary and enforcement actions may include license revocation, license suspension, license probation, citations, civil injunctions, and/or referral to local district attorneys for criminal prosecution.

The LATC may also investigate complaints about unlicensed individuals attempting to provide landscape architectural services.

HOW TO FILE A COMPLAINT

You may contact LATC at the address listed in this booklet. If you contact LATC via phone, you will be sent a complaint form with instructions for filing a complaint against a landscape architect or unlicensed person.

Further complaint information and forms are available on LATC's website at **latc.ca.gov**. Complete the form and return it to LATC along with any evidence to support your complaint. If you submit a letter, fully describe your complaint. Submit copies of all documentation that you believe will substantiate your complaint. Keep the originals of these documents, as well as a copy of your complaint letter. Include your name, address, and phone number so that LATC may contact you if more information is required.

You have the right to remain anonymous by requesting it at the time you file your complaint. However, anonymity may add some difficulty or may prevent LATC from fully investigating your complaint and/or prosecuting the case.

HOW WILL LATC RESPOND?

You are encouraged to notify LATC as early as possible so that its staff can help you resolve the problem.

After LATC receives your complaint, you will be formally notified of its receipt and that LATC has begun the review process. If necessary, you will be asked to provide additional information. If LATC believes the complaint has merit, it will begin the investigation by evaluating the professional and/or technical aspects of your complaint. A letter will be sent to the landscape architect or unlicensed individual approximately 10 days after receipt of your complaint requesting a response to the allegations.

LATC may only take action where there is a violation of the Act. If your complaint concerns something outside the LATC's jurisdiction, you will be notified if another state or local agency might be able to assist you. If you are seeking recovery of money for alleged damages, you should consider other avenues of redress (i.e., arbitration, small claims court, civil, or criminal action) as LATC does not have the authority to recover monetary damages for you. The Department of Consumer Affairs has several publications available at **dca.ca.gov** concerning small claims court.

LATC gives the highest priority to complaints involving a person's life, health, safety, or welfare.



LATC CONTACT INFORMATION

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Landscape Architects Technical Committee

CALIFORNIA ARCHITECTS BOARD

Public Protection Through Examination, Licensure, and Regulation

(916) 575-7230

www.latc.ca.gov



Agenda Item I

Discussion and Possible Action to Recommend to the Board to Amend LATC's *Disciplinary Guidelines* and Title 16, California Code of Regulations (CCR) Section 2680 (Disciplinary Guidelines)

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "amend regulations to incorporate the updated *Disciplinary Guidelines* to maintain consistent decisions in disciplinary cases." The LATC's *Disciplinary Guidelines* were last updated in 2000. The California Architects Board's (Board) Strategic Plan similarly contains an objective to update its *Disciplinary Guidelines*. The Board and LATC have been collaborating their efforts to complete the objectives to increase efficiencies.

Board staff consulted with Department of Consumer Affairs (DCA) legal counsel and Deputy Attorney General (DAG) liaison and reviewed the *Disciplinary Guidelines* for both the Board for Professional Engineers, Land Surveyors, and Geologists and the Contractors State License Board to determine potential changes needed to the *Guidelines*. The proposed changes were reviewed by the Board's Regulatory and Enforcement Committee in 2013 and 2014 and the Board on December 10, 2014 and June 10, 2015.

LATC staff worked in conjunction with the Board on the *Disciplinary Guidelines* and incorporated edits approved by the Board that were applicable to the LATC. Revised versions of the LATC's *Disciplinary Guidelines* (based on the Board's changes) were approved by the LATC on February 10, 2015 and August 6, 2015.

Following the August 2015 approval, DCA legal counsel advised staff that additional research may be necessary regarding Optional Conditions relating to the California Supplemental Examination and written examination in the *Guidelines*. LATC staff subsequently discussed the matter with legal counsel on September 30, 2015. Board staff reviewed legal counsel's comments as they relate to the Board's *Disciplinary Guidelines*, and determined the Board's *Guidelines* would also need to be amended.

On October 21, 2015, Board and LATC staff sent proposed edits to these conditions to legal counsel for review. Legal counsel notified Board and LATC staff on November 12, 2015, that the proposed edits were acceptable, but substantive, and would require re-approval by the Board. At its December 15, 2016 meeting, the Board voted to approve the Board's *Disciplinary Guidelines*.

LATC staff began incorporating the edits approved by the Board into the latest draft of the LATC *Guidelines* and found there were some differences between the two documents that needed further review by legal counsel. A draft of the revised *Guidelines* will be provided to the LATC at a future meeting.

Once revisions to the *Guidelines* are approved, a regulatory change to update CCR section 2680 (Disciplinary Guidelines) will also be necessary as this section incorporates by reference the latest edition of the *Guidelines*.

Agenda Item J

PUBLIC FORUM REGARDING EDUCATIONAL REQUIREMENTS FOR LICENSURE AND RELATED AREAS OF STUDY FOLLOWED BY DISCUSSION AND POSSIBLE ACTION ON STRATEGIC PLAN OBJECTIVE TO REVIEW TITLE 16, CCR SECTION 2620 (EDUCATION AND TRAINING CREDITS) TO EXPAND CREDIT FOR EDUCATION EXPERIENCE TO INCLUDE DEGREES IN RELATED AREAS OF STUDY

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "Review California Code of Regulations (CCR), section 2620 to expand credit for education experience to include degrees in related areas of study." Currently, credit is granted for degrees or approved extension certificates in landscape architecture and architecture degrees accredited by the National Architectural Accreditation Board. Below is background information on the development of current training and educational credit outlined in CCR 2620 (see attachment J.1) and a summary of the LATC's prior evaluation of alternative degrees.

Background Information

Prior to January 1, 1997, CCR 2620 included a provision to grant credit for any bachelors or associates degree towards the required six years of training experience, allowed eligibility to applicants with six years of training experience under the direct supervision of a licensed landscape architect in lieu of requiring education, and also granted up to one year of training credit for experience as, or under the supervision of, a licensed architect, registered civil engineer, licensed landscape contractor or certified nursery person. In March 1994, the California Board of Landscape Architects (BLA) began discussing the possibility of increasing the maximum amount of credit allowed for experience as a licensed landscape contractor. The BLA reviewed CCR 2620 and determined that, in order to grant additional credit for landscape contractor experience, the education requirement should be changed. In November 1994, the BLA finalized revisions to CCR 2620 that would allow up to four years of training credit for landscape contractor experience and require all applicants to hold either a degree or approved extension certificate in landscape architecture in order to qualify for the licensing exams, and ultimately licensure. These regulatory changes took effect on January 1, 1997.

In August 2004, LATC formed an Education Subcommittee charged with evaluating California's eligibility requirements for the national Landscape Architect Registration Examination (LARE) to ensure that applicants have appropriate educational and training/work experience before the examination is taken. Specifically, the Subcommittee was to determine appropriate levels of experience as they relate to: 1) public health, safety, and welfare; and 2) successfully preparing applicants for the examination. The Subcommittee met between October 8, 2005 and February 27, 2007.

The Subcommittee discussed the acceptance of various "related" degrees that are either recognized by other states or were identified by Subcommittee members and/or LATC staff. Consideration of accepting degrees related to landscape architecture was a result of the following: 1) Joint

Legislative Sunset Review Committee previously raised concerns regarding the fact that, prior to 1997, California applicants could receive educational credit for holding any type of bachelor's degree with a four-year curriculum; 2) Board grants educational credit for designated degrees related to architecture and unrelated degrees; 3) review of the neighboring and larger landscape architectural licensing jurisdictions (New York, Florida, Texas, Arizona, Hawaii, Nevada, New Mexico, Oregon, and Washington) revealed that at least six out of those nine jurisdictions recognize degrees related to landscape architecture; and 4) at the time, Council of Landscape Architectural Registration Boards (CLARB) allowed applicants to sit for the licensing examination with any type of bachelor's degree, plus three years of diversified experience under the direct supervision of a licensed landscape architect.

After extensive review of the research material and discussion at the June 17, 2005 meeting, the Subcommittee recommended that LATC accept accredited bachelor's degrees in architecture and civil engineering to satisfy the education requirement for examination eligibility with a caveat of conducting further research on other related degree programs. At the December 2, 2005 meeting, the Subcommittee discussed the additional research and agreed to recommend acceptance of accredited professional degrees in architecture and civil engineering (undergraduate and graduate degrees), as those degrees emphasize the acquisition of critical thinking and technical skills that are necessary to address health, safety, and welfare issues and are essential to the practice of landscape architecture. Also at this meeting, the Subcommittee agreed to recommend one-year of educational credit be granted for completion of these degree programs. One year of educational credit was agreed upon because the Subcommittee determined the curricula examined for such degree programs did not include sufficient specific exposure to landscape architecture related topics, but did address a certain measure of critical thinking and technical skills that are necessary to address health, safety, and welfare issues.

The Subcommittee determined that there was not clear and/or comparable rationale for granting similar credit for other related degree programs based on their insufficient curriculum and/or lack of accreditation standards. For example, urban design and horticulture degrees were considered and not included in this recommendation because they are either non-accredited or the coursework is not specifically related to the practice of landscape architecture.

The Education Subcommittee's findings and recommendations were approved by the LATC on May 9, 2006 and presented to the California Architects Board (Board) at its meeting on June 7, 2006. At this meeting, the Board questioned education credit parity between architects and landscape architects. As a result of the Board's parity question, the Education Subcommittee reconvened on November 8, 2006 and agreed to research the parity issue as it pertained to education curriculum for architects and civil engineers. At its February 27, 2007 meeting, the Subcommittee discussed the education curriculum research and decided to revise their earlier recommendation and recommend acceptance of accredited professional degrees in architecture, but not in civil engineering. Along with its earlier determination as to critical thinking and technical skills, the Subcommittee also noted that there were similar curriculum elements in the architectural degree programs in comparison to the landscape architecture programs and that it would warrant educational credit. The Education Subcommittee's final recommendations (see attachment J.2) were approved by the LATC on May 4, 2007 and the Board on June 15, 2007. As a result, CCR 2620 was amended to allow credit for an accredited degree in architecture.

In July 2016, Department of Consumer Affairs legal counsel reviewed Business and Professions Code section 5650 (Examinations - Qualifications, Application, Fee) and determined that it does

not impose a degree requirement. Instead, what it does impose is an experience requirement and allows a “degree from a school of landscape architecture approved by the board” to count as four years toward California’s six-year experience requirement. Therefore, the LATC is not bound by statute to keep the current education requirement in place.

Below displays the changes in qualifying educational credit:

<u>Education Allowed</u>	<u>Maximum Credit Allowed</u>	<u>Time Period Accepted</u>
Approved degree in Landscape Architecture	4 years	Always
Non-approved degree in Landscape Architecture	3 years	Always
Associate degree in Landscape Architecture	1 year	Always
Approved extension certificate in Landscape Architecture	2 years	Always
Any bachelor’s degree	2 years	Prior to January 1, 1997
Any associate degree	1 year	Prior to January 1, 1997
Accredited degree in architecture	1 year	After March 7, 2012
Partial completion of approved degree	1 year	After March 7, 2012
Partial completion of extension certificate	1 year	After March 7, 2012

A chart of degrees currently accepted by all CLARB jurisdictions is included as Attachment J.3. Of CLARB’s 52 member board jurisdictions, 31 grant educational credit for accredited engineering degrees and 28 grant educational credit for any bachelor’s degree. These jurisdictions require candidates to have additional experience credit in combination with their alternative degree to be eligible for licensure. Among these jurisdictions, 12 grant credit for engineering degrees at the discretion of the licensing board and 9 grant credit for any bachelor’s degree in the same way. Of the jurisdictions that specify the amount of additional credit required in combination with an engineering degree, the average is 6 years (ranging from 2 to 10 years). Of the jurisdictions that specify the amount of additional credit required in combination with any bachelor’s degree, the average is 5 years (ranging from 4 to 10 years).

At the January 17, 2017 LATC meeting, the Committee directed staff to hold a public forum to receive input on changes to CCR 2620 in terms of related degrees before the next scheduled LATC meeting. In an effort to increase accessibility to the public, staff scheduled two forums: one in Northern California (Sacramento) on March 17, 2017, and another at today’s meeting in Southern California (Pomona). A public forum announcement was emailed to current California licensees, interested parties, deans of California landscape architecture schools, CLARB member board executives, and American Society of Landscape Architects members. The notification advised that interested parties could either provide comment via the public forums or by submitting a written statement to the LATC. Twelve individuals participated in the March forum and their comments have been consolidated and provided for the Committee’s review (Attachment J.4). Also attached are written comments submitted to the LATC (Attachment J.5) and a list of degrees that are considered, by other licensing jurisdictions, related to landscape architecture (Attachment J.6).

At today’s meeting, the LATC will hold its second public forum to obtain public comment regarding related degrees. Thereafter, the Committee is asked to review the information and comments provided and determine if additional degrees should be considered for credit towards California’s education requirement.

Attachments:

1. CCR Section 2620 (Education and Training Credits)
2. Education Subcommittee Final Report: The Evaluation of Education and Experience Requirements to Examine for Licensure (January 2010)
3. Degrees Accepted by CLARB Jurisdictions for Initial Licensure
4. Comments Received at March 17, 2017 Public Forum
5. Written Comments Received Through April 17, 2017
6. Requirements for Initial Licensure With Related Degrees Accepted by CLARB Jurisdictions

California Code of Regulations, Title 16, Division 26

2620 Education and Training Credits

The Board's evaluation of a candidate's training and educational experience is based on the following table:

Experience Description	Education Max. Credit Allowed	Training and/or Practice Max. Credit Allowed
(a) Experience Equivalent:		
(1) Degree in landscape architecture from an approved school.	4 years	
(2) Degree in landscape architecture from a non-approved school.	3 years	
(3) Extension certificate in landscape architecture from an approved school.	2 years	
(4) Associate degree in landscape architecture from a community college which consists of at least a 2-year curriculum.	1 year	
(5) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a 4-year curriculum.	4 years	
(6) Associate degree from a college specified in subdivision (a)(4) and an extension certificate as specified in subdivision (a)(3) of this section.	3 years	
(7) Partial completion of a degree in landscape architecture from an approved school.	1 year	
(8) Partial completion of an extension certificate in landscape architecture from an approved school where the applicant has a degree from a university or college which consists of a four-year curriculum.	1 year	

Experience Description	Education Max. Credit Allowed	Training and/or Practice Max. Credit Allowed
(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.	1 year	
(10) Self employment as, or employment by, a landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		5 years
(11) Self employment as, or employment by, a licensed architect or registered civil engineer in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		1 year
(12) Self employment as a California licensed landscape contractor or a licensed landscape contractor in another jurisdiction where the scope of practice for landscape contracting is equivalent to that allowed in this state pursuant to Business and Professions Code Section 7027.5 and Cal. Code Regs. Title 16, Section 832.27 shall be granted credit on a 100% basis		4 years

(b) Education credits

- (1) Candidates shall possess at least one year of educational credit to be eligible for the examination.
- (2) A degree from a school with a landscape architecture program shall be defined as one of the following:
 - (A) Bachelor of Landscape Architecture.
 - (B) Bachelor of Science in landscape architecture.
 - (C) Bachelor of Arts in landscape architecture.
 - (D) Masters degree in landscape architecture.
- (3) The maximum credit which may be granted for a degree or combination of degrees from an approved school shall be four years of educational credit.
- (4) A degree from a school with a landscape architecture program shall be deemed to be approved by the Board if the landscape architectural curriculum has been approved by

the Landscape Architectural Accreditation Board (LAAB) as specified in its publication: "Accreditation Standards And Procedures" dated February 6, 2010 or the Board determines that the program has a curriculum equivalent to a curriculum having LAAB accreditation.

- (5) For purposes of subdivisions (a)(7) and (8), "partial completion" shall mean that the candidate completed at least 80 percent of the total units required for completion of the 4-year degree or extension certificate program.
- (6) Except as provided in subdivisions (a)(7) and (8), no credit shall be granted for academic units obtained without earning a degree or extension certificate under categories of subdivisions (a)(1), (2), (3) or (4) of this section.
- (7) A candidate enrolled in a degree program where credit earned is based on work experience courses (e.g., internship or co-op program) shall not receive more than the maximum credit allowed for degrees under subdivisions (a)(1), (2) or (3) of this section.
- (8) Except as specified in subdivision (a)(5) and (6) of this section, candidates with multiple degrees shall not be able to accumulate credit for more than one degree.
- (9) The Board shall not grant more than four years of credit for any degree or certificate or any combination thereof for qualifying educational experience.

(c) Training Credits

- (1)(A) Candidates shall possess at least two years of training/practice credit to be eligible for the examination.
 - (B) At least one of the two years of training/practice credit shall be under the direct supervision of a landscape architect licensed in a United States jurisdiction, and shall be gained in one of the following forms:
 1. After graduation from an educational institution specified in subdivisions (a)(1), (2), (3) or (4) of this section.
 2. After completion of education experience specified in subdivisions (a)(7) and (8) of this section.
 - (C) A candidate shall be deemed to have met the provisions of subdivision (c)(1)(B) if he or she possesses a degree from a school specified in subdivision (a)(1) and has at least two years of training/practice credit as a licensed landscape contractor or possesses a certificate from a school specified in subdivision (a)(3) and has at least four years of training/practice credit as a licensed landscape contractor.
- (2) Candidates shall be at least 18 years of age or a high school graduate before they shall be eligible to receive credit for work experience.
 - (3) A year of training/practice experience shall consist of 1500 hours of qualifying employment. Training/practice experience may be accrued on the basis of part-time employment. Employment in excess of 40 hours per week shall not be considered.

(d) Miscellaneous Information

- (1) Independent, non-licensed practice or experience, regardless of claimed coordination, liaison, or supervision of licensed professionals shall not be considered.
- (2) The Board shall retain inactive applications for a five (5) year period. Thereafter, the Board shall purge these records unless otherwise notified by the candidate. A candidate who wishes to reapply to the Board, shall be required to re-obtain the required documents to allow the Board to determine their current eligibility.

Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.



Landscape Architects Technical Committee

THE EVALUATION OF
EDUCATION AND EXPERIENCE REQUIREMENTS
TO EXAMINE FOR LICENSURE

January 2010

Credits and Contact Information

The Landscape Architects Technical Committee would like to thank the Education Subcommittee volunteers for all their time, effort, and long-term commitment to the report.

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Approved January 2010

Table of Contents

Executive Summary	1
List of Recommended Changes as Approved by Landscape Architects Technical Committee and California Architects Board	
Other Eligibility Issues Reviewed and Retained	
Intent of Recommendations	
Examples of Impacts	
Background/History	5
History of Statutory and Regulatory Law	
The Practice of Landscape Architects	
Associated Professions	
Architects	
Civil Engineers	
Landscape Contractors	
Landscape Designers	
The Landscape Architects Technical Committee's Actions	
Current Licensure Standard and Recommended Changes	11
Statutory Law	
Regulatory Law	
Education and Experience Requirement Comparison	15
Landscape Architecture Examination	
Comparison with 'Model' Requirements used by CLARB for Examination Eligibility	
Synopsis of Current Paths to Qualify for Exam/Licensure	
Other CLARB Member Boards	
Other Board Requirements for Examination Eligibility	
California Architects Board	
Board of Professional Engineers and Land Surveyors	

California Board for Geologists and Geophysicists
Contractors State Licensing Board

Education **21**

Education Equivalences

Accredited Universities

Extension Certificate Programs

Community Colleges

Out of State

Foreign Education in Landscape Architecture

Experience **25**

Types of Experience

When is experience gained?

How is experience verified?

Is an Internship Required?

Experience Summary

Conclusion **27**

Improving Access to Licensure

Growth and Demand in the Profession

History of Licensees Chart

Appendices & Notes **31**

Appendix A--Approved Recommendations and Justification

Appendix B—Related Studies

October 2004 - Landscape Architects Body of Knowledge (LABOK)

December 2006 - DCA Office of Examination Resources, California Validation Report

2006 - Thompson Prometric National Task Analysis

Appendix C—Meeting Notes Summaries

Notes

EXECUTIVE SUMMARY

The Landscape Architects Technical Committee (LATC) formed an Education Subcommittee in 2004 in response to the Joint Legislative Sunset Review Committee's recommendation to further evaluate California's eligibility requirements and access to landscape architecture licensure in California. The intent of the evaluation was to ensure that applicants have appropriate educational and training/work experience prior to taking the required examination. Specifically, the Subcommittee was to determine appropriate levels of landscape architecture education and training preparation as related to public health, safety, and welfare in California and successfully preparing applicants for the examination.

As part of its charge, and with the assistance of LATC staff, the Educational Subcommittee also provides a comparative analysis of several related discipline's eligibility requirements as part of their assessment and basis for recommendations that were then vetted, modified and approved by the LATC and the California Architects Board (CAB):

- ∞ Council of Landscape Architectural Regulatory Boards (CLARB's) national eligibility requirements
- ∞ Eligibility requirements of neighboring and larger licensing jurisdictions
- ∞ Eligibility requirements of other design professional boards (CAB and Board for Professional Engineers and Land Surveyors)
- ∞ Eligibility requirements pertaining to the type and duration of training/work experience
- ∞ Any additional licensure requirements of other jurisdictions that may pertain to the subcommittee's charge including requirements for reciprocity
- ∞ Curricula of California landscape architectural programs with specific attention to licensing examination subject matter

List of Recommended Changes as Approved by Landscape Architects Technical Committee and California Architects Board

The following are the summary recommendations that were initiated by the Education Subcommittee with subsequent review and approval by the LATC and CAB. They were developed in response to the Joint Legislative Sunset Review Committee's findings regarding increasing access to landscape architecture licensure.

- ∞ Accept accredited professional architecture degree as meeting the education requirement for eligibility
- ∞ Based on a transcript review of major and support courses, grant credit for partial completion of an accredited landscape architecture degree allowing minimum “education” eligibility for examination
- ∞ Allow early eligibility to begin examination, prior to meeting work experience requirements, for candidates with an accredited degree or approved extension certificate in landscape architecture
- ∞ Develop and implement a candidate education/ experience tracking system and reciprocity candidate tracking system to collect objective data regarding preparation and success for examination
- ∞ Revise certificate of applicant’s experience form to include more specific information regarding the preparation recommended for California examination and licensure
- ∞ Develop and communicate additional student/ candidate/educator/employer information regarding examination and California licensure

Other Eligibility Issues Reviewed and Retained

The LATC thoroughly assessed the full spectrum of education and experience requirements and determined that the following should remain unchanged.

- ∞ Retain the six-year education/experience requirements
- ∞ Retain credit for associate degrees in landscape architecture
- ∞ Retain current reciprocity requirements
- ∞ Not implement a rolling time clock to limit the number of years for a candidate to obtain licensure
- ∞ Not allow licensure with work experience alone
- ∞ Not provide credit for teaching and research experience

As a result of the review, it was determined that further outcome assessment regarding candidate examination success and preparation would be needed to determine if additional modification to the eligibility requirements may be warranted. The Subcommittee recommended that additional candidate tracking procedures be implemented to provide the necessary data.

Intent of Recommendations

The LATC anticipates that implementing the recommendations will improve access to qualified individuals interested in becoming landscape architects. Examples of expanded eligibility access include:

- ∞ Applicants with an accredited degree in architecture will be determined to have met the educational access component for examination eligibility
- ∞ Applicants who can demonstrate successful completion of a majority of an accredited landscape architecture degree, will be determined to have met the minimum educational access component for examination eligibility
- ∞ Candidates will be allowed access to the multiple choice sections of the national licensure examination upon graduation thereby encouraging a clear and continuous path to licensure
- ∞ LATC will be better able to identify specific correlations with education and work experience preparation requirements with examination success
- ∞ Information guide(s) will identify preparation expectations for licensure success in California for candidates, educators and students
- ∞ Candidates and employers will be better able to identify on-the-job duties that relate to LARE and California examination

BACKGROUND/HISTORY

History of Statutory and Regulatory Law

With the roots of the profession in North America dating back to 1860, California became the first U.S. jurisdiction to regulate the practice of landscape architecture in 1953 with the formation of the Board of Landscape Architects (BLA). In 1997, the BLA was sunset by the California Legislature and restructured in 1998 as the Landscape Architects Technical Committee (LATC) under the California Architects Board (CAB). Today, 49 states, two Canadian provinces, and Puerto Rico regulate the practice of landscape architecture. California has both a practice act, which precludes unlicensed individuals from practicing landscape architecture, and a title act, which restricts the use to the title “landscape architect” to those who have been licensed by the LATC.

There are currently more than 20,000 licensed landscape architects in the United States. The LATC licenses more than 3,700 landscape architects, who are responsible for the design and planning of millions of dollars worth of public sector, private development, and residential projects.

The Practice of Landscape Architects

Landscape architecture is a profession that involves planning and designing the use, allocation and arrangement of land and water resources through the creative application of biological, physical, mathematical, and social processes. Based on environmental, physical, social and economic considerations, landscape architects produce overall guidelines, reports, master plans, conceptual plans, construction contract documents, and construction oversight for landscape projects that create a balance between the needs and wants of people and the limitations of the environment. Specific services include city planning and development, environmental restoration, regional landscape planning, urban/town planning, park and recreation planning, ecological planning and design, landscape design, code research and compliance, cost analysis, and historic preservation. The decisions and performance of landscape architects affect the health, safety, and welfare of the client, as well as that of the public and environment. Therefore, it is essential that landscape architects meet minimum standards of competency.

The LATC's regulation of the practice of landscape architecture protects both direct consumers of landscape architectural services and the public at large – the millions of people who use or visit the spaces designed by landscape architects.ⁱ

The California Business and Professions Code defines the practice of landscape architecture as:

§ 5615. "Landscape Architect" — Practice of Landscape Architecture

"Landscape architect" means a person who holds a license to practice landscape architecture in this state under the authority of this chapter.

A person who practices landscape architecture within the meaning and intent of this article is a person who offers or performs professional services, for the purpose of landscape preservation, development and enhancement, such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation. Landscape preservation, development and enhancement is the dominant purpose of services provided by landscape architects. Implementation of that purpose includes: (1) the preservation and aesthetic and functional enhancement of land uses and natural land features; (2) the location and construction of aesthetically pleasing and functional approaches and settings for structures and roadways; and, (3) design for trails and pedestrian walkway systems, plantings, landscape irrigation, landscape lighting, landscape grading and landscape drainage.

Landscape architects perform professional work in planning and design of land for human use and enjoyment. Based on analyses of environmental physical and social characteristics, and economic considerations, they produce overall plans and landscape project designs for integrated land use.

The practice of a landscape architect may, for the purpose of landscape preservation, development and enhancement, include: investigation, selection, and allocation of land and water resources for appropriate uses; feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation review, and analysis of master plans for land use and development; production of overall site plans, landscape grading and landscape drainage plans, irrigation plans, planting plans, and construction details; specifications; cost estimates and reports for land development; collaboration in the design of roads, bridges, and structures with respect to the functional and aesthetic requirements of the areas on which they are to be placed; negotiation and arrangement for execution of land area projects; field observation and inspection of land area construction, restoration, and maintenance.

This practice shall include the location, arrangement, and design of those tangible objects and features as are incidental and necessary to the purposes outlined herein. Nothing herein shall preclude a duly licensed landscape architect from planning the development of land areas and elements used thereon or from performing any of the services described in this section in connection with the settings, approaches, or environment for buildings, structures, or facilities, in accordance with the accepted public standards of health, safety, and welfare."ⁱⁱ

Associated Professions

Architects

Architects are licensed by CAB. They research, plan, design, and administer building projects for clients, applying knowledge of design, construction procedures, zoning and building codes, and building materials. They consult with clients to determine functional and spatial requirements of new structure or renovation, and prepare information regarding design, specifications, materials, color, equipment, estimated costs, and construction time. They also plan the layout of the project and integrate engineering elements.

The California Business and Professions Code defines the practice of architecture as:

§ 5500.1 Practice of Architecture Defined

"(a) The practice of architecture within the meaning and intent of this chapter is defined as offering or performing, or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures.

(b) Architects' professional services may include any or all of the following:

- (1) Investigation, evaluation, consultation, and advice.
- (2) Planning, schematic and preliminary studies, designs, working drawings, and specifications.
- (3) Coordination of the work of technical and special consultants.
- (4) Compliance with generally applicable codes and regulations, and assistance in the governmental review process.
- (5) Technical assistance in the preparation of bid documents and agreements between clients and contractors.
- (6) Contract administration.
- (7) Construction observation."

Under the Landscape Architects Practice Act, a licensed architect is exempt from the provisions of the Landscape Architects Practice Act except that an architect may not use the title "landscape architect" unless he or she holds a landscape architect license as required.

Civil Engineers

Civil engineers are licensed by the Board for Professional Engineers and Land Surveyors. They plan, design, and direct civil engineering projects, such as roads, railroads, airports, bridges, harbors, channels, dams, irrigation systems, pipelines, and power plants; analyze reports, maps, drawings, blueprints, tests, and aerial photographs on soil composition, terrain, hydrological characteristics, and other topographical and geologic data to plan and design a project. They calculate costs and determine feasibility of projects based on analysis of collected data, applying knowledge and techniques of engineering, and advanced mathematics.ⁱⁱⁱ

The California Business and Professions Code defines the practice of civil engineer as:

§ 6701. Professional Engineer Defined

"Professional engineer,' within the meaning and intent of this act, refers to a person engaged in the professional practice of rendering service or creative work requiring education, training and experience in engineering sciences and the application of special knowledge of the mathematical, physical and engineering sciences in such professional or creative work as consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction for the purpose of securing compliance with specifications and design for any such work."

§ 6702. Civil engineer defined

"Civil engineer" as used in this chapter means a professional engineer in the branch of civil engineering and refers to one who practices or offers to practice civil engineering in any of its phases."

Under the Landscape Architects Practice Act, a licensed professional engineer is exempt from the provisions of the Landscape Architects Practice Act except that a licensed engineer may not use the title "landscape architect" unless he or she holds a landscape architect license as required.

Landscape Contractors

Landscape contractors are licensed by the Contractors State License Board, and must install their own designs or the design work of landscape architects. Landscape contractors cannot prepare independent landscape plans they do not install. A landscape contractor constructs, maintains, repairs, installs, or subcontracts the development of landscape systems and facilities for public and private gardens and other areas. In connection therewith, a landscape contractor prepares and grades plots and areas of land for the installation of any architectural, horticultural and decorative treatment or arrangement.

California Code of Regulations

Title 16, Division 8, Article 3. Classifications: C27 - Landscaping Contractor

"A landscape contractor constructs, maintains, repairs, installs, or subcontracts the development of landscape systems and facilities for public and private gardens and other areas which are designed to aesthetically, architecturally, horticulturally, or functionally improve the grounds within or surrounding a structure or a tract or plot of land. In connection therewith, a landscape contractor prepares and grades plots and areas of land for the installation of any architectural, horticultural and decorative treatment or arrangement."

Under the Landscape Architects Practice Act, a licensed landscape contractor may design systems and facilities for work to be performed and supervised by that landscape contractor. A licensed landscape contractor may not use the title "landscape architect" unless he or she holds a landscape architect license.

Landscape Designers

A landscape designer is unlicensed and may only prepare plans, drawings, and specifications for the selection, placement, or use of plants for single-family dwellings; and drawings for the conceptual design and placement of tangible objects and landscape features. Due to limitations provided in the Landscape Architects Practice Act regarding unlicensed practitioners, they may not prepare construction documents, details, or specifications for tangible landscape objects or landscape features or prepare grading and drainage plans for the alteration of sites. Unlicensed individuals may not use the title “landscape architect,” “landscape architecture,” “landscape architectural,” or any other titles, words or abbreviations that would imply or indicate that he or she is a landscape architect.

Landscape Architects Technical Committee Actions

During the 1996 Joint Legislative Sunset Review Committee (JLSRC) review, it was recommended that Department of Consumer Affairs (DCA) review the six-year education and experience requirement to determine if it is justified. This review did not occur due to the sunset of the Landscape Architects Board in 1998.

The JLSRC 2004 Recommendations and the 2004 LATC Strategic Plan directed the LATC to identify examination eligibility issues, propose solutions and report to DCA and the Legislature if changes should be made to this requirement. The Strategic Plan further directs the LATC to, if necessary, modify examination eligibility requirements under California Code of Regulations (CCR), Title 16, Division 26, Section 2620, and prepare “guidelines” for meeting examination experience requirements.^{iv}

An Education Subcommittee was formed August 2004 and charged with evaluating California’s eligibility requirements for the national Landscape Architects Registration Examination (LARE) to ensure that applicants have appropriate educational and training/work experience before the examination is taken. Specifically, the Subcommittee’s charge was to determine appropriate levels of experience as they relate to: 1) public health, safety and welfare in California, and 2) successfully preparing applicants for the examination. The Subcommittee met between October 8, 2005 and February 27, 2007. After subsequent meetings with the LATC and the California Architects Board (CAB), the recommendations were shared with the California Council of the American Society of Landscape Architects and approved by the LATC on May 4, 2007 and CAB on June 15, 2007. A summary of the meeting notes is included in Appendix C.

CURRENT LICENSURE STANDARD AND RECOMMENDED CHANGES

Statutory Law

California Business and Professions Code Section 5650-Examinations-Qualifications, Application, Fee states:

“Subject to the rules and regulations governing examinations, any person, over the age of 18 years, who has had six years of training and educational experience in actual practice of landscape architectural work shall be entitled to an examination for a certificate to practice landscape architecture. A degree from a school of landscape architecture approved by the board shall be deemed equivalent to four years of training and educational experience in the actual practice of landscape architecture. Before taking the examination, a person shall file an application therefore with the executive officer and pay the application fee fixed by this chapter.”

Regulatory Law

California Code of Regulations are stated below with the impact of the LATC recommended changes in ~~strike-out~~/ underline format:

§ 2615. Form of Examinations.

(a) (1) A candidate who has a combination of six years of education and training experience as specified in section 2620 shall be eligible and may apply for the Landscape Architect Registration Examination.

(2) Notwithstanding subdivision (a)(1), a candidate who has a Board approved degree in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from a Board approved school in accordance with section 2620(a)(3) shall be eligible and may apply for the multiple choice sections of the Landscape Architect Registration Examination.

(b) A candidate shall be deemed eligible and may apply for the California Supplemental Examination upon passing all sections of the Landscape Architect Registration Examination.

(c) All candidates applying for licensure as a landscape architect shall pass all sections of the Landscape Architect Registration Examination or a written examination substantially equivalent in scope and subject matter required in California, as determined by the Board, and the California Supplemental Examination subject to the following provisions:

~~(a)~~ (1) A candidate who is licensed as a landscape architect in a U.S. jurisdiction, Canadian province, or Puerto Rico by having passed a written examination substantially equivalent in scope and subject matter required in California as determined by the board shall be eligible for licensure upon passing the California Supplemental Examination.

~~(b)~~ (2) A candidate who is not a licensed landscape architect and who has received credit from a U.S. jurisdiction, Canadian province, or Puerto Rico for a written examination substantially equivalent in scope and subject matter required in California shall be entitled to receive credit for the corresponding sections of the Landscape Architect Registration Examination, as determined by the Board, and shall be eligible for licensure upon passing any remaining sections of the Landscape Architect Registration Examination and the California Supplemental Examination.

2620. Education and Training Credits-Operative on

~~January 1, 1997~~

The Board's evaluation of a candidate's training and educational experience is based on the following table:

Experience Description	Education Max. Credit Allowed	Training and/or Practice Max. Credit Allowed
(a) Experience Equivalent:		
(1) Degree in landscape architecture from an approved school.	4 years	

Experience Description	Education Max. Credit Allowed	Training and/or Practice Max. Credit Allowed
(2) Degree in landscape architecture from a non-approved school.	3 years	
(3) Extension certificate in landscape architecture from an approved school.	2 years	
(4) Associate degree in landscape architecture from a city/community college which consists of a least a 2-year curriculum.	1 year	
(5) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a 4-year curriculum.	4 years	
(6) Associate degree from a college specified in subdivision (a)(4) and an extension certificate as specified in subdivision (a)(3) of this section.	3 years	
<u>(7) Partial completion of a degree in landscape architecture from an approved school.</u>	<u>1 year</u>	
<u>(8) Partial completion of an extension certificate in landscape architecture from an approved school where the applicant has a degree from a university or college which consists of a four-year curriculum.</u>	<u>1 year</u>	
<u>(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.</u>	<u>1 year</u>	
(7) Self employment as, or employment by, a landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		5 years
(8) Self employment as, or employment by, a licensed architect or registered civil engineer in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		1 year
(9) Self employment as a California licensed landscape contractor or a licensed landscape contractor in another jurisdiction where the scope of practice for landscape contracting is equivalent to that allowed in this state pursuant to Business and Professions Code Section 7027.5 and Cal. Code Regs. Title 16, Section 832.27 shall be granted credit on a 100% basis.		4 years

(b) Education Credits.

- (1) Candidates shall possess at least one year of educational credit to be eligible for the examination.
- (2) A degree from a school with a landscape architecture program shall be defined as one of the following:
 - (A) Bachelor of Landscape Architecture.
 - (B) Bachelor of Science in landscape architecture.
 - (C) Bachelor of Arts in landscape architecture.
 - (D) Masters degree in landscape architecture.

(3) The maximum credit which may be granted for a degree or combination of degrees from an approved school shall be four years of educational credit.

(4) A degree from a school with a landscape architecture program shall be deemed to be approved by the Board if the landscape architectural curriculum has been approved by the Landscape Architectural Accreditation Board (LAAB) as specified in its publication: "Accreditation Standards for Programs in Landscape Architecture" dated February 26, 1990 or the Board determines that the program has a curriculum equivalent to a curriculum having LAAB accreditation.

(5) For purposes of subdivisions (a)(7) and (8), "partial completion" shall mean that the candidate completed at least 80 percent of the total units required for completion of the 4-year degree or extension certificate program.

~~(3)~~ ~~No~~ Except as provided in subdivisions (a)(7) and (8), no credit shall be granted for academic units obtained without earning a degree or extension certificate ~~under categories of subsection (a)(1), (2), (3) or (4) of this section.~~

~~(4)~~ A candidate enrolled in a degree program where credit earned is based on work experience courses (e.g., internship or co-op program) shall not receive more than the maximum credit allowed for degrees under subdivision (a)(1), (2) or (3) of this section.

~~(5)~~ Except as specified in subdivision (a)(5) and (6) of this section, candidates with multiple degrees shall not be able to accumulate credit for more than one degree.

~~(6)~~ The Board shall not grant more than four years of credit for any degree or certificate or any combination thereof

for qualifying educational experience.

(c) Training Credits

(1)(A) Candidates shall possess at least two years of training/practice credit to be eligible for the examination.

(B) At least one of the two years of training/practice credit shall be under the direct supervision of a landscape architect licensed in a United States jurisdiction, and shall be gained in one of the following forms:

1. After graduation from an educational institution specified in subdivision (a)(1), (2), (3), ~~or~~ (4) or (9) of this section.

2. After completion of education experience specified in subdivision under (a)(7) and (8) of this section.

(C) A candidate shall be deemed to have met the provisions of subdivision (c)(1)(B) if he or she possesses a degree from a school specified in subdivision (a)(1) and has at least two years of training/practice credit as a licensed landscape contractor or possesses a certificate from a school specified in subdivision (a)(3) and has at least four years of training/practice credit as a licensed landscape contractor.

(2) Candidates shall be at least 18 years of age or a high school graduate before they shall be eligible to receive credit for work experience.

(3) A year of training/practice experience shall consist of 1500 hours of qualifying employment. Training/practice experience may be accrued on the basis of part-time employment. Employment in excess of 40 hours per week shall not be considered.

(d) Miscellaneous Information

(1) Independent, non-licensed practice or experience, regardless of claimed coordination, liaison, or supervision of licensed professionals shall not be considered.

(2) The Board shall retain inactive applications for a five (5) year period. Thereafter, the Board shall purge these records unless otherwise notified by the candidate. A candidate who wishes to reapply to the Board, shall be required to re-obtain the required documents to allow the Board to determine their current eligibility.^v

EDUCATION AND EXPERIENCE REQUIREMENT COMPARISON

In California, the LATC is the governing body over the practice of landscape architecture. In keeping with its highest priority of protection of the public, the LATC has established licensure eligibility and professional qualifications minimums that candidates must meet through a combination of preparation requirements. They include direct experience in the discipline, landscape architectural education and demonstration of knowledge through examination.

Landscape Architecture Examination

There are two separate examinations that candidates must successfully complete as a part of the licensure process in California. The first is the Landscape Architects Registration Examination (LARE). The LATC maintains a contract with the Council of Landscape Architects Registration Boards (CLARB) for them to develop, administer and grade the LARE. The LATC is a member of CLARB. CLARB is the sole provider for the LARE that is used by all 48 member boards throughout the United States and Canada.

The second examination is the California Supplemental Examination developed and administered by the LATC. This examination consists of 100 multiple-choice questions designed to assess a candidate's landscape architecture knowledge specific to California. The LARE must be successfully completed in order to be *eligible* for the California Supplemental Examination.

The LARE is an inter-related, multi-section examination consisting of five interdependent sections covering landscape architecture competencies. There are three multiple-choice sections (A,B and D) and two graphic response sections (C and E) that require a drafted solution.

- ∞ Section A - Project and Construction Administration
- ∞ Section B - Inventory, Analysis and Program Development
- ∞ Section C - Site Design
- ∞ Section D - Design and Construction Documentation
- ∞ Section E - Grading, Drainage and Stormwater Management

As developed by CLARB and employed by the LATC in the execution of its regulatory duties the LARE *“is designed to determine whether applicants for landscape architectural licensure possess sufficient knowledge, skills and abilities to provide landscape architectural services without endangering the health, safety and welfare of the public.”*

In 2004, CLARB computerized all multiple-choice sections and began administering them at centralized testing centers. As an efficiency measure in 2009, the LATC enacted regulatory changes to allow the ability to further contract the administration of the graphic sections of the LARE to CLARB. CLARB now administers all five sections of the LARE for California.

Comparison with ‘Model’ Requirements used by CLARB for Examination Eligibility

CLARB member licensing jurisdictions enforce their own eligibility requirements or delegate the responsibility to CLARB, who applies established model law identifying eligibility requirements to evaluate prospective applicants.

- ∞ Hold a four or five year Landscape Architectural Accreditation Board [LAAB] or Canadian Society of Landscape Architects Accreditation Council [LAAC] accredited undergraduate degree in landscape architecture, or a LAAB or LAAC accredited graduate degree program in landscape architecture (or will complete by the exam administration date), or
- ∞ Hold a **National Architectural Accrediting Board [NAAB]** accredited degree in architecture, and have completed (or will complete by the exam administration date) one year of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect, or
- ∞ Hold a Accreditation Board for Engineering and Technology [ABET] accredited degree in engineering, and have completed (or will complete by the exam administration date) one year of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect, or
- ∞ Hold a non-accredited undergraduate degree in landscape architecture, or a non-accredited graduate degree program in landscape architecture, and have completed (or will complete by the exam administration date) one year of diversified experience in landscape architecture under the direct supervision of a licensed landscape architect, or
- ∞ Hold a bachelor's degree in any subject and have completed (or will complete by the exam administration date) three years diversified experience in landscape architecture under the direct supervision of a licensed landscape architect, or
- ∞ Have applied to and been approved by a CLARB member board.

A side-by-side examination eligibility comparison between California education and experience requirements used by the LATC and model law used by CLARB was carried out in December 2008. This comparison identified the differences between the two standards. CLARB accepts applicants with no experience if they have an accredited landscape architecture degree. Unaccredited landscape architecture degrees, accredited architecture or civil engineering degrees are all accepted with only one year of experience under a landscape architect. CLARB also accepts any bachelor degree with three years experience under the direction of a landscape architect.

In contrast, along with the recommended educational preparation of an accredited landscape architectural degree (four or five years), the LATC accepts candidates with a variety of other educational preparations including an associate degree with five years experience under the direction of a landscape architect or a certificate from a University of California Extension Program with four years experience under a landscape architect. In California, the UC Extension Program has two landscape architecture programs and four two-year colleges that offer associate degrees in landscape architecture. These programs are somewhat unique to California and provide a significant number of California citizens with access to an education in landscape architecture. The table below identifies the comparison:

Synopsis of Current Paths to Qualify for Exam/Licensure

LATC			CLARB	
Education	Max Ed Credit		Education	Education + Experience Combinations equals <u>five</u> credits
Accredited LA Degree	4	A	Accredited LA Degree	no experience required
				Education + Experience Combinations equals <u>six</u> credits
				2 yrs as or under LA

After degree is awarded, one year training/experience under LA is required except for pattern E.		B	1 yr as or under LA 1 yr as or under an Arch		
		C	1 yr as or under LA 1 yr as or under CE		
		D	1 yr as or under LA 1 yr holding C-27 license		
		E	2 yrs holding C-27 license		
	Unaccredited LA Degree (includes approved Foreign degrees)	3	F	3 yrs as or under LA	Unaccredited LA Degree
		G	2 yrs as or under LA 1 yr as or under Arch		
		H	2 yrs as or under LA 1 yr as or under CE		
		I	2 yrs as or under LA 1 yr holding C-27		
		J	1 yr as or under LA 2 yrs holding C-27		
		K	1 yr as or under LA 1 yr holding C-27 1 yr as or under Arch		
		L	1 yr as or under LA 1 yr holding C-27 1 yr as or under CE		
		Approved Extension Certificate in LA	2	M	4 yrs as or under LA
After Certificate is awarded, one year training/experience under LA is required except for pattern V.		N	3 yrs as or under LA 1 yr as or under Arch		
		O	3 yrs as or under LA 1 yr as or under CE		
		P	2 yrs as or under LA 2 yrs holding C-27		
		Q	2 yrs as or under LA 1 yr as or under Arch 1 yr holding C-27		
		R	2 yrs as or under LA 1 yr as or under CE 1 yr holding C-27		
		S	1 yr as or under LA 3 yrs holding C-27		
		T	1 yr as or under LA 2 yrs holding C-27 1 yr as or under Arch		
		U	1 yr as or under LA 2 yrs holding C-27 1 yr as or under CE		
		V	4 yrs holding C-27		
		Approved Extension Certificate in LA + 4 yr degree in any Subject	4	A	2 yrs as or under LA
After Certificate is awarded, one year training/experience under LA is required except for pattern E.		B	1 yr as or under LA 1 yr as or under an Arch		
		C	1 yr as or under LA 1 yr as or under CE		
		D	1 yr as or under LA 1 yr holding C-27 license		
		E	2 yrs holding C-27 license		
		Associate LA Degree	1	W	5 yrs as or under LA
		X	4 yrs as or under LA 1 yr as or under Arch		
		Y	4 yrs as or under LA 1 yr as or under CE		
		Z	4 yrs as or under LA 1 holding C-27		
		AA	3 yrs as or under LA 2 yrs holding C-27		
		BB	3 yrs as or under LA 1 yr holding C-27 1 yr as or under Arch		
		CC	3 yrs as or under LA 1 yr holding C-27 1 yr as or under CE		
		DD	2 yrs as or under LA 3 yrs holding C-27		
		EE	2 yrs as or under LA 2 yrs holding C-27 1 yr as or under Arch		

			FF	2 yrs as or under LA 2 yrs holding C-27 1 yr as or under CE		
			GG	1 yr as or under LA 4 yrs holding C-27		
			HH	1 yr as or under LA 3 yrs holding C-27 1 yr as or under Arch		
			II	1 yr as or under LA 3 yrs holding C-27 1 yr as or under CE		
not accepted					Accredited Arch Degree	1 yr as or under LA
not accepted					Accredited CE Degree	1 yr under LA
not accepted					Any Bachelors Degree	3 yr under LA

Other CLARB Member Boards

In 2002, the LATC discussed the need to review its current eligibility requirements for appropriateness, as well as compare the requirements of other CLARB member jurisdictions and other design profession boards. At that time, staff research revealed that California’s requirements were comparable to other licensing jurisdictions. For example, 45 licensing jurisdictions recommended that applicants have a degree in landscape architecture as a primary means of satisfying the educational requirement for the examination. Of those that did not specifically require a degree in landscape architecture, a range of between eight and twelve years of work experience was required.

In addition, the LATC assessed that California candidates are offered flexibility in meeting the educational requirement, as accredited and unaccredited bachelors and masters’ degrees, extension certificates, and associate degrees in landscape architecture are recognized. Further, the extension certificate programs allow individuals the opportunity to more easily transition into a landscape architectural career by offering evening course schedules. Candidates are also able to satisfy the experience requirements with self-employment as a licensed landscape contractor, and self-employment, or employment by, a licensed architect or registered civil engineer. Therefore, upon reviewing its requirements, the LATC assessed that they remain appropriate for California, and that a more thorough evaluation should be conducted once data becomes available through the candidate tracking process.

As a part of the examination eligibility review process, the LATC Education Subcommittee evaluated the acceptance of various “related” degrees that are either recognized by other states or were identified by Subcommittee members and/or LATC staff. Consideration of accepting degrees related to landscape architecture was a result of the following: 1) the Joint Legislative Sunset Review Committee (JLSRC) previously raised concerns regarding the fact that, prior to 1997, California applicants could receive educational credit for holding any type of bachelors degree with a four-year curriculum; 2) CAB grants educational credit for designated degrees related to architecture;

3) a review of California’s neighboring and the larger landscape architectural licensing jurisdictions (New York, Florida, Texas, Arizona, Hawaii, Nevada, New Mexico, Oregon, and Washington) revealed that at least six out of those nine jurisdictions recognize degrees that are related to landscape architecture; and 4) model law used by CLARB to determine eligibility currently allows applicants to sit for the licensing examination with any type of bachelors degree, plus three years of diversified experience under the direct supervision of a licensed landscape architect.

In addition, a survey sent out by LATC staff in May 2005 to the neighboring and larger landscape architectural licensing jurisdictions confirmed that: 1) many of the states accept various related degrees; 2) a few of the states accept any degree; and 3) most of the states that accept non-landscape architecture degrees accept architecture and civil engineering degrees.

Other Board Requirements for Examination Eligibility

California Architects Board

To be eligible to begin the examination and licensure process, candidates seeking an architect license must provide verification of at least five years of education and/or architectural work experience. Candidates can satisfy the five-year requirement as follows:

- 1) Providing verification of a three-year, five-year, or six-year professional degree in architecture through a program that is accredited by NAAB or Canadian Architectural Certification Board (CACB).
- 2) Providing verification of at least five years of educational equivalents. Candidates are granted educational equivalents in various amounts pursuant to the Board's Table of Equivalents:

- ∞ A maximum of four years for a non-accredited professional degree in architecture
- ∞ Various amounts for other degrees and for units earned toward degrees, including: an undergraduate degree in architecture, a degree in a field related to architecture or in another field of study, and, to a limited extent, units earned toward some degrees
- ∞ Work experience under the direct supervision of a licensed architect^{vi}

Board for Professional Engineers and Land Surveyors

To obtain a license as an engineer in training and civil engineer, applicants must:

- ∞ Have completed three years of course work in a Board-approved engineering curriculum (any curriculum approved by the Engineering Accreditation Commission [EAC] of the Accreditation Board for Engineering and Technology [ABET]) or three years or more of engineering-related work experience anywhere in the world.
- ∞ Successfully pass the first division of the examination.
- ∞ The applicant shall be eligible to sit for the first division of the examination after satisfactory completion of three years or more of college or university education in a board-approved engineering curriculum or after completion of three years or more of board-approved experience.

The applicant for registration as a professional engineer shall comply with all of the following:

- ∞ Furnish evidence of six years or more of qualifying experience in engineering work satisfactory to the board evidencing that the applicant is competent to practice the character of engineering in the branch for which he or she is applying for registration.
- ∞ The applicant must successfully pass the second division of the examination. The applicant for the second division of the examination shall successfully pass the first division examination or shall be exempt therefrom.

Contractors State License Board

To obtain a C-27 landscape contractor's license a candidate must pass the written Law and Business Examination and a specific trade examination if required. Examination eligibility

requires candidates to document at least four full years of journey-level or higher experience in the classification for which he or she is applying. This experience must have occurred within the last ten years. The Contractors State License Board may grant up to three years of credit toward the four-year requirement for completed education and/or apprenticeship programs.^{vii}

EDUCATION

Education Equivalences

The LATC determined that in order to best ensure the critical thinking skills necessary to appropriately provide public health and safety protection, landscape architects should continue to be required to have both a formal education and direct experience. Fortunately, in comparison with many other member boards, California provides a number of recognized, as well as non-traditional opportunities to obtain formal education in landscape architecture. The LATC offers candidates flexibility in meeting the educational requirement for a landscape architectural degree by accepting bachelors, masters, or associate degrees, as well as approved extension certificate programs in landscape architecture.

As of January 2010, there are five accredited and four unaccredited landscape architecture bachelor and master degree programs in California. Additionally, there are two LATC approved UC Extension Programs, as well as four associate degree programs in landscape architecture from various community colleges. The following list illustrates the range of opportunities available within California to fulfill the education requirement:

Accredited Undergraduate Programs:

- ∞ California Polytechnic State University, San Luis Obispo (BLA)
- ∞ California State Polytechnic University, Pomona (BSLA)
- ∞ University of California, Davis (BSLA)

Accredited Graduate Programs:

- ∞ California State Polytechnic University, Pomona (MSLA)
- ∞ University of California, Berkeley (MLA)

Unaccredited Undergraduate Programs:

- ∞ University of California, Berkeley (BLA)

Unaccredited Graduate Programs:

- ∞ University of Southern California (MLA) (undergoing accreditation candidacy)
- ∞ New School of Architecture and Design, San Diego (MLA)

University of California Extension Programs:

- ∞ University of California, Berkeley
- ∞ University of California, Los Angeles

Associate Degree Programs:

- ∞ Mesa College, San Diego (AS)
- ∞ Mira Costa College, Oceanside (AA)
- ∞ Modesto Junior College, Modesto (AS)
- ∞ Southwestern College, Chula Vista (AS)
- ∞ West Valley College, Saratoga (AS)

Accredited Universities

The Landscape Architecture Accrediting Board (LAAB) recognized by the Council for Higher Education Accreditation, accredits educational programs leading to first professional degrees at the master's or bachelor's level. Therefore, in addition to assessing how well a program meets its own specific and institutional educational mission and objectives, LAAB evaluates all programs against standards that ensure programs contain the essential educational components leading to entry-level professional competence. These standards are developed by community-of-interest consensus and are regularly reviewed and assessed.

Accreditation has four constituencies: the public, the students, the institution, and the profession. To the public and to students, accreditation assures that the program has been independently reviewed and found to meet professional higher-education standards. It also assists in transfer of credit and acceptance into other programs. To the institutions, accreditation provides a consultative peer review and stimulus to continually improve their educational offerings. To the profession, accreditation provides the opportunity for participation in establishing entry-level skills.

A degree in landscape architecture from an accredited school is granted four years of educational credit towards licensure. Some programs offered by California schools lead to a degree in landscape architecture although they are not accredited. The latter are granted three years of educational credit. The LAAB does not currently review extension or community college programs in landscape architecture.

Extension Certificate Programs

Candidates for licensure receive credit for University of California Extension Programs that are approved by the LATC. To gain approval, these programs are reviewed by site teams appointed by the LATC. The teams conduct site visits to determine the program's compliance with California Code of Regulations Section 2620.5, Requirements for an Approved Extension Certificate Program.

Candidates who successfully complete an extension program in landscape architecture are granted two years of educational credit. Extension program certificate holders receive four years of educational credit when combined with a four-year degree in any subject, and three years of educational credit when combined with an associate degree in landscape architecture.

Community Colleges

Candidates with an associate degree in landscape architecture are granted one year of educational credit.

Out of State

Candidates' education degrees awarded outside of California are verified via the Accredited Programs in Landscape Architecture list and the Historical List of Programs Accredited by the LAAB.

Foreign Education in Landscape Architecture

Foreign education transcripts are submitted by the candidate to an approved foreign evaluation service for a general evaluation of the courses equating the degree to an accredited master or bachelor degree in the United States. Foreign education determined equivalent to an accredited master or bachelor degree in landscape architecture in the United States receive four years of educational credit. No credit is provided for unaccredited or other foreign degrees.^{viii}

EXPERIENCE

Through its examination eligibility review, the LATC has determined that maintaining flexibility in the combination of formal landscape architecture education with directed work experience, provides the greatest access to licensure *and* preparation for examination.

Types of Experience

Education and work experience credits are combined to achieve the required total of six years credit towards eligibility to examine for the landscape architect license. There are multiple training/experience variations for a candidate to qualify in California; however, the LATC requires candidates to have completed a minimum of one year education credit and two years of recognized work experience.

One year of training consists of 1,500 hours of qualifying employment. Training received under the following circumstances receives credit as indicated:

- ∞ Employment by a licensed landscape architect equals up to five years credit
- ∞ Self-employment as or employment by a licensed architect equals up to one year credit
- ∞ Self-employment as or employment by a registered civil engineer equals up to one year credit
- ∞ Self-employment as a licensed landscape contractor equals up to four years credit^{ix}

When is experience gained?

Candidates must possess a minimum of two years of training credits to be eligible for the examination. At least one year of training must be gained post graduation and under direct supervision of a landscape architect licensed in a United States jurisdiction. There is an exception to this post graduation requirement for candidates qualifying with experience as a self-employed landscape contractor and holding an extension certificate, master or bachelor degree in landscape architecture.

How is experience verified?

Candidates submit a Certification of Applicant's Experience and Qualifications signed under penalty of perjury from each licensed supervisor verifying the candidate's training and experience. The certifying person must have supervised the candidate directly and have knowledge of the candidate's qualifications. The certifying individual must hold a valid license to practice landscape architecture, architecture and/or civil engineering.

Is an internship required?

There is no internship requirement for landscape architects at this time. The current work experience requirements shall be weighted with the same value as internships required for architects and civil engineers.

Experience Summary

As with the educational requirement, there are numerous variations of training experience permitted to achieve the minimum requirement. The LATC review and subsequent adjustment of California examination eligibility requirements has determined that at this time, the flexibility in training and education allowances that are provided, recognize a variety of personal and economic circumstances, and thereby offer wide access to licensure while maintaining the necessary assurances for public health, safety and well being.

CONCLUSION

Improving Access to Licensure

In 2004, the JLSRC recommended that the Department of Consumer Affairs review the six-year education and experience requirement to determine if it is justified. The LATC formed the Education Subcommittee to research and respond to this request. The results are presented here and suggest opening up entry to the LARE for applicants with partially completed landscape architect degrees and those with accredited degrees in architecture. All recommendations were based on current knowledge. In attempt to improve candidate success and retention rates, the LATC also recommends allowing candidates to sit for the multiple-choice sections of the LARE before acquiring the required experience.

The LATC thoroughly assessed the full spectrum of education and experience requirements and assessed that the following should remain unchanged. Some requirements were determined to be adequate, while others could not be assessed due to insufficient data. To counter this deficiency in the future, the LATC began collecting data and plans to interpret information as it becomes available and determine the best course of action.

- ∞ Retain the six-year education/experience requirements
- ∞ Retain credit for associate degrees in landscape architecture
- ∞ Retain current reciprocity requirements
- ∞ Not implement a rolling time clock to limit the number of years for a candidate to obtain licensure
- ∞ Not allow licensure with work experience alone
- ∞ Not provide credit for teaching and research experience

In addition to specific changes to the LATC education and experience requirements, outcomes of the review include several projects that have been identified for completion in the LATC strategic plan:

- ∞ Development of a tracking system for candidate data that will allow assessments to demonstrate whether experience and type of education reflect on the success of California candidates taking the LARE.
- ∞ Revision of the certificate of applicants experience form to provide both the candidate and the employer a better understanding of the experience required to pass the examinations.
- ∞ Development of criteria and recommend curriculum for an associate degree in landscape architecture.
- ∞ Development of a candidate/educator/employer expectations guide with the intent to improve examination success rates.

The guide will be used in conjunction with the LATC's strategic and communication plan objectives to communicate and provide outreach to university faculty, students, and practitioners in the field that mentor future licensees. By communicating required criteria, faculty, students and mentors will be able to better focus their efforts and assignments towards candidates' success.

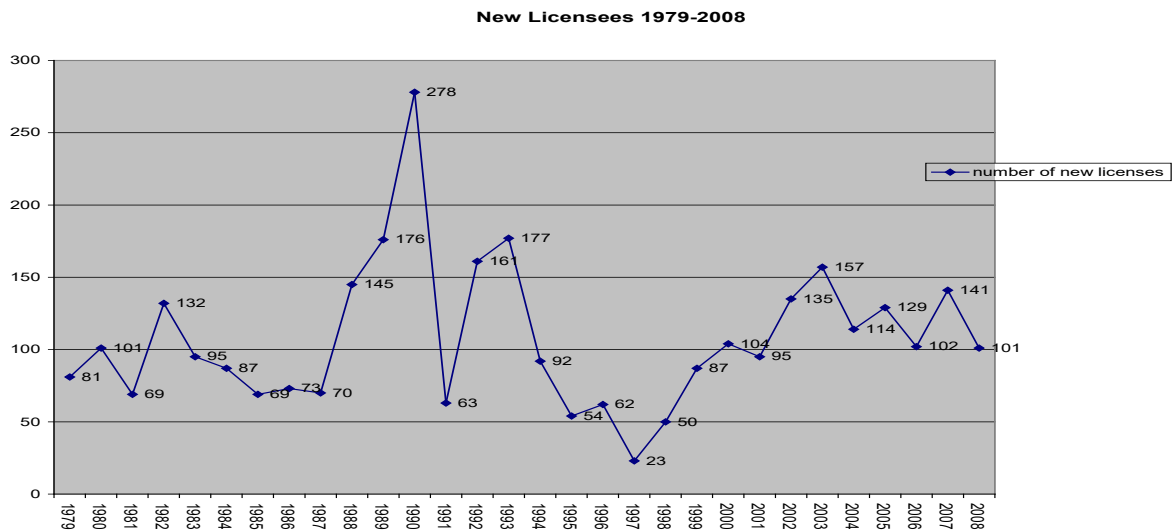
Draft regulatory language incorporating the recommended changes to examination eligibility is prepared. Once the regulatory language is approved by the LATC and CAB, the State’s rulemaking process will ensue.

Growth and Demand in the Profession

The future holds the promise of new developments and challenges for the ever-broadening practice of landscape architecture. According to the December 11, 2008 of *U.S. News & World Report*, landscape architecture is projected to grow 18 to 26 percent by 2016 and is listed as one of the top thirty careers in 2009. *Outside* magazine (May 2008 issue) called landscape architecture one of the 50 best jobs in the United States in 2008.

With environmental concerns becoming increasingly important, landscape architects are being called upon to solve complex problems. Rural concerns are attracting landscape architects to farmland preservation, small town revitalization, landscape preservation, energy resource development, and water conservation. Trends in computer technology have streamlined plan preparation and consultant communication and coordination for the practice.

History of Licensees Chart



See endnote^x

In comparison, the total number of licensed landscape architects has continued to increase as indicated.

Year - # of licensees:

- ∞ 2009 – 3706
- ∞ 2008 – 3501
- ∞ 2007 – 3438
- ∞ 2006 – 3338
- ∞ 2005 – 3289
- ∞ 2004 – 3189

Landscape architects who develop strong technical skills, such as computer design; communication skills; and knowledge of environmental codes and regulations will capture the best opportunities. Those with additional training or experience in urban planning increase their prospects for employment in landscape architecture firms that specialize in site planning, as well as landscape design.

The future also promises increased cooperation among landscape architects and other design professionals. As interest in the profession continues to grow, an increasing number of students desire to study the profession. Nearly 60 universities and colleges in the United States and Canada now offer accredited baccalaureate and post-graduate programs in landscape architecture.

During the past decades, landscape architects have responded to the increased demand and professional responsibilities with new skills and expertise. More and more businesses appreciate the profession and the value that it brings to a project. The public praises the balance achieved between the built and natural environments.^{xi}

APPENDICES & NOTES

A - Approved Recommendations & Justification	32
B - Related Studies	40
C – Education Subcommittee Meeting Summaries	44
Notes	46

APPENDICES & NOTES

Appendix A

Approved Recommendations and Justification - Approved by the California Architects Board (CAB) and the Landscape Architects Technical Committee (LATC)

After reviewing the multiple studies addressed and referenced within this report, the following recommendations were approved by the LATC on May 4, 2007, and received final CAB approval on June 15, 2007.

I. Accept Accredited Professional Architecture and Civil Engineering Degrees

The LATC Education Subcommittee discussed the acceptance of various “related” degrees that are either recognized by other states or were identified by Subcommittee members and/or LATC staff. Consideration of accepting degrees related to landscape architecture was a result of the following: 1) the Joint Legislative Sunset Review Committee (JLSRC) previously raised concerns regarding the fact that, prior to 1997, California applicants could receive educational credit for holding any type of bachelors degree with a four-year curriculum;^{xii} 2) CAB grants educational credit for designated degrees related to architecture and unrelated degrees;

3) a review of the neighboring and larger landscape architectural licensing jurisdictions (New York, Florida, Texas, Arizona, Hawaii, Nevada, New Mexico, Oregon, and Washington) revealed that at least six out of those nine jurisdictions recognize degrees related to landscape architecture;^{xiii} and 4) CLARB currently allows applicants to sit for the licensing examination with any type of bachelors degree, plus three years of diversified experience under the direct supervision of a licensed landscape architect.

In addition, a survey sent out by LATC staff in May 2005 to the landscape architectural licensing jurisdictions^{xiv} listed above confirmed that: 1) many of the states accept various related degrees; 2) a few of the states accept any degree; and 3) most of the states that accept non-landscape architecture degrees accept architecture and civil engineering degrees.

After extensive review of the research material and discussion at the June 17, 2005 meeting, the Subcommittee gave preliminary approval to accept accredited bachelor degrees in architecture and civil engineering to satisfy the education requirement for examination eligibility with a caveat of conducting further research on other related degree programs. At the December 2, 2005 meeting, the Subcommittee discussed the additional research^{xv} and agreed to recommend acceptance of accredited professional degrees in architecture and civil engineering (undergraduate and graduate degrees), as those degrees emphasize the acquisition of critical thinking and technical skills that are necessary to address health, safety, and welfare issues and are essential to the practice of landscape architecture. The Subcommittee agreed to recommend one-year of educational credit be granted for completion of these degree programs.

The Subcommittee felt there was not clear and/or comparable rationale for granting similar credit for other related degree programs based on their insufficient curriculum and/or lack of accreditation standards. For example, urban design and horticulture degrees were considered and not included in this recommendation because they are either non-accredited or the coursework is not specifically related to the practice of landscape architecture. One year of educational credit was agreed upon because the Subcommittee determined the curricula examined for such degree programs did not include sufficient specific exposure to landscape architecture related topics, but did address a certain measure of critical thinking and technical skills that are necessary to address health, safety and welfare issues related to the practice of landscape architecture.

The LATC presented the Final Findings and Recommendations to CAB at its meeting on June 7, 2006. At this meeting, CAB questioned education credit parity between architects and landscape architects. As a result of

CAB's parity question, the Education Subcommittee reconvened on November 8, 2006 and agreed to research the parity issue as it pertained to education curriculum for architects and civil engineers. At its February 27, 2007 meeting, the Subcommittee discussed the education curriculum research ^{xvi} and decided to revise their earlier recommendation and recommend acceptance of accredited professional degrees in architecture and not in civil engineering. Along with their earlier belief in critical thinking and technical skills, the Subcommittee also believed there were similar curriculum elements in the architectural degree programs in comparison to the landscape architecture programs and that it would warrant educational credit. Accredited professional degrees in architecture would receive one-year of educational credit.

Recommendation:

- *The Subcommittee recommends that the LATC accept accredited professional degrees in architecture towards satisfying the education requirement for examination eligibility and that one year of credit be granted for completion of such program.*

2. Grant Credit for Partial Completion of an Accredited Landscape Architecture Degree

At the March 4, 2005 Education Subcommittee meeting, it was noted that the LATC had previously granted credit for partial completion of accredited and unaccredited degrees in landscape architecture and that CAB currently grants credit for partial completion of various degree programs (i.e., accredited and unaccredited architecture degrees and related degrees with a four-year curriculum). During the June 17, 2005 meeting, some Subcommittee members voiced an interest in granting credit for partial completion of accredited degrees in landscape architecture; however, it was noted that they would need to take a closer look at how credit would be determined. At the December 2, 2005 meeting, the Subcommittee examined the issue further ^{xvii} and determined that one year of educational credit should be granted for partial completion of an accredited degree in landscape architecture. In addition, the Subcommittee determined that an applicant applying for examination under such circumstances must demonstrate that he/she has completed at least 80% of the total units required for the degree.

In addition to the former regulatory provision granting educational credit for partial completion of degree programs, the Subcommittee recognized that CAB accepts partial completion of various degree programs (i.e., architecture degrees and related degrees) and that granting educational credits would provide an expanded avenue to licensure.

Recommendation:

- *The Subcommittee recommends that the LATC grant credit for partial completion of an accredited degree in landscape architecture, that one year of educational credit be granted for such, and that an applicant demonstrate that he/she has completed at least 80% of the total units required for such degree program.*

3. Allow Early Eligibility for Examination with an Accredited Degree or Approved Extension Certificate in Landscape Architecture

At the June 17, 2005 Education Subcommittee meeting, it was noted that, under Council of Landscape Architectural Registration Boards (CLARB) current standards, candidates are allowed to take the multiple-choice sections of the LARE with either an accredited undergraduate or graduate degree in landscape architecture and no work experience. A number of CLARB member jurisdictions follow this standard and allow candidates to sit for the multiple-choice sections of the LARE upon receipt of an accredited degree in landscape architecture (a total of nine states were examined by the Subcommittee and staff, and four states allow candidates to sit for the examination under such circumstances ^{xviii}). At the meeting, the Subcommittee indicated that they were open to considering this option for California candidates and directed staff to obtain additional background information from CLARB to assist with a recommendation with respect to this issue. The background information ^{xix} was reviewed and evaluated by two Subcommittee members and a recommendation to allow this option for California candidates was presented to the Subcommittee on December 2, 2005. The Subcommittee discussed the benefits of offering this option to candidates, and in the absence of contrary data relative to pass rates, supported allowing candidates to sit for the multiple-choice sections of the LARE prior to meeting the experience requirement for examination. No quantifiable evidence regarding pass-rate success was found to support either position, but the Subcommittee felt this option would encourage graduates to continue the path to licensure immediately after attaining their accredited degree. At the November 8, 2006 meeting, the Subcommittee agreed to also allow candidates with an approved extension certificate plus four-year degree to qualify for the multiple-choice sections of the examination based on the belief that extension certificate holders are equally qualified for early eligibility as accredited degree holders.

Recommendations:

- *The Subcommittee recommends that the LATC allow candidates with an accredited degree in landscape architecture or approved extension certificate plus four-year degree to sit for the three multiple-choice sections of the LARE (Sections A, B, and D) prior to meeting training/work experience requirements.*
- *If this option is approved, the Subcommittee recommends that the LATC closely monitor the success of these candidates on the examination via the proposed Candidate Education/Experience Tracking Chart (discussed under Recommendation 4).*

4. Implement a Candidate Education/Experience Tracking System and Reciprocity Candidate Tracking System

At the October 8, 2004 meeting, the Subcommittee directed staff to gather information pertaining to the most recent 100 individuals that became licensed in California and develop a chart to determine if there was a correlation between a candidate's number of attempts to pass each section of the licensing examination and: 1) the landscape architecture program attended; 2) the type of degree earned, and 3) the type of training/work experience earned. This request was made to assist the Subcommittee with its evaluation of California's eligibility requirements for examination. After a review of this information^{xx}, it was noted by the Subcommittee that candidate data should be tracked on an ongoing basis so that the data is more readily available for future evaluation of eligibility requirements. It was also noted by the Subcommittee that similar

information pertaining to reciprocity candidates should be tracked. At the December 2, 2005 meeting, the Subcommittee reviewed and approved the final Candidate Education/Experience Tracking Chart and the Reciprocity Candidate Tracking Chart.^{xxi} The Subcommittee felt the candidate education/experience tracking charts would allow the LATC to analyze existing and future regulatory related decisions. The LATC would like the tracking to begin immediately, excluding candidates' names and social security numbers from the charts.

Recommendation:

- *The Subcommittee recommends that LATC staff implement a Candidate Education/Experience Tracking System and Reciprocity Candidate Tracking System and collect data by utilizing tracking charts.*

5. Revise Certificate of Applicant's Experience Form

As part of the Subcommittee's charge, the eligibility requirements pertaining to the type and duration of training/ work experience were reviewed and discussed. The Subcommittee reviewed the current certificate of applicant's experience form, which is completed by a candidate's supervisor(s) to meet the training/work experience requirement for examination eligibility.

After discussion, the Subcommittee felt that, in an effort to aid candidates/employers with acquiring/providing appropriate knowledge and work experience for success on the examination, the form should be expanded to include a list or description of specific practice categories that are tested on the examination. This modification, as well as the new Candidate/Education/ Employer Brochure, would therefore be important tools in further ensuring success on the examination (discussed under Recommendation 6).

Staff obtained samples of employment verification forms from other regulatory boards, which will assist with revising the LATC's certificate of applicant's experience form that will be developed in the future.

Recommendation:

- *The Subcommittee recommends that the LATC revise the certificate of applicant's experience form to include specific practice categories that are tested on the LARE.*

6. Develop Candidate/Educator/Employer Information

The Subcommittee discussed the need to create relatively detailed candidate/educator/employer information that discusses preparation for examination/licensure and recommends appropriate work experience in order to be successful on the examination. The brochure would assist candidates, educators and employers to ensure that candidates successfully prepare for examination and licensure as well as understand what is expected for their success. The candidate/educator/employer information would be made available by hardcopy, the LATC's website and email.

Recommendations:

- *The Subcommittee recommends that the LATC develop Candidate/Educator/Employer Information.*
- *The Subcommittee recommends that the LATC reference CAB's Comprehensive Intern Development Program Handbook when developing such information.*

7. Retain Six-Year Education/Experience Requirement

At the June 17, 2005 Subcommittee meeting, it was noted that: 1) the six-year combined education and experience requirement under Business and Professions Code Section 5650 has been in effect since 1953; 2) a review of the requirements of other states revealed that they have similar requirements with respect to combined education and experience ^{xxii}; 3) the traditional route to licensure in California, and in most other states, has been to obtain an accredited degree in landscape architecture and two years of experience under the direct supervision of a licensed landscape architect; 4) there appear to be no past or present issues with respect to the six-year requirement; and 5) the combination of education and experience appears to provide the greatest protection to the public's health, safety, and welfare.

Recommendation:

- *The Subcommittee recommends that the six-year combined education/experience requirement be retained at this time.*

8. Retain Existing Credit for Associate Degrees in Landscape Architecture

A thorough review of California associate degree curricula ^{xxiii} was conducted by the Subcommittee at its March 4, 2005 meeting. Although some discrepancies were noted between the programs with respect to subject areas and required units, it was determined the LATC should not assume the responsibility of reviewing associate degree programs and that the discrepancies were not serious enough to reconsider the one year of educational credit currently granted for completion of such programs. The LATC noted: 1) education is a necessary component of licensure, 2) all criteria for landscape architecture requirements cannot be met solely with experience, and 3) one year of educational credit for an associate degree in landscape architecture provides an additional opportunity for licensure.

In the past, the California Community Colleges Chancellor's Office requested that LATC examine certification of their landscape architecture programs. The LATC determined as a consequence of the number of programs, variety, and indeterminate curricular approval and oversight, it was not practical for the LATC to review community college programs for purposes of educational eligibility standards.

At the February 27, 2007 Subcommittee meeting, as part of CAB's parity question and discussion on education credits, the Subcommittee agreed the LATC should monitor the success of candidates receiving educational credit and qualifying for the licensing examination with an associate degree.

Recommendations:

- *The Subcommittee recommends that the LATC should not take on the responsibility of reviewing associate degree programs at this time.*
- *The Subcommittee recommends that one year of educational credit continue to be granted for completion of an associate degree in landscape architecture.*
- *If this option is approved, the Subcommittee recommends that the LATC closely monitor the success of these candidates on the examination via the proposed Candidate Education/Experience Tracking Chart (discussed under Recommendation 4).*

9. Retain Current Reciprocity Requirements

At the June 17, 2005 meeting, the Subcommittee reviewed and discussed California, Nevada, Texas and Washington's current requirements for reciprocity^{xxiv} to determine if changes to California reciprocity requirements should be considered.

Currently, a reciprocity applicant must: 1) hold a current license in another U.S. jurisdiction, Canadian province, or Puerto Rico; 2) have passed a written examination equivalent to that which is required in California at the time of application; and 3) have passed the California Supplemental Examination if, at the time of application, it is required of all California applicants.

However, it was noted by the Subcommittee that changes to the current requirements could potentially present barriers for out-of-state candidates wanting to gain licensure in California and that, to date, there have not been any issues or problems identified. At the December 2, 2005 meeting, the Subcommittee confirmed its recommendation to retain California's current requirements for reciprocity and institute a reciprocity tracking system as part of Recommendation 4.

Recommendations:

- *The Subcommittee recommends that the LATC retain its current requirements for reciprocity.*
- *The Subcommittee instead recommends that LATC staff track reciprocity candidate information via the proposed Reciprocity Candidate Tracking Chart (discussed under Recommendation 4) and, once enough data is gathered, bring this issue back for the LATC to reconsider its position.*

10. Rolling Time Clock for Examination Candidates

At the June 17, 2005 Subcommittee meeting, it was noted that Texas and Washington have implemented a five-year time limit for candidates to complete the examination process and become licensed. It was also noted that CAB plans to adopt a five-year “rolling time clock” that applies only to examination scores. Finally, it was noted by LATC staff that, presently, most California landscape architectural candidates complete the examination process within a five-year period and that, currently, there does not appear to be a problem with respect to this issue. However, the Subcommittee agreed to recommend a tracking system to monitor this issue as part of Recommendation 4.

Recommendations:

- *The Subcommittee recommends that the LATC not implement a “rolling time clock” for examination candidates at this time.*
- *The Subcommittee instead recommends that LATC staff track candidates’ number of attempts to pass each section of the LARE via the proposed Candidate Education/ Experience Tracking Chart (discussed under Recommendation 4) at this time and, after two years, gather data from CAB and other CLARB member jurisdictions and have the LATC reassess whether implementing a “rolling time clock” would be appropriate at that time.*

11. Eligibility for Examination with Experience Only

At the March 4, 2005 Subcommittee meeting, it was noted that a limited number of states allow candidates to sit for the examination with specified work experience alone (and no education). Data relative to pass rate differences between candidates with university level education in landscape architecture and those without has not been available. As comparative background, CAB allows architectural candidates to sit for its licensing examinations with work experience alone (and no education).^{xxv} CAB has also recently implemented the national Intern Development Program (IDP) and Comprehensive IDP that require new candidates to obtain appropriate levels of work experience in specified areas of practice. Upon considering this information, reviewing eligibility requirements for the other states that require licensing, and the absence of pass-rate data, the Subcommittee agreed to maintain requiring appropriate educational experience, obtaining appropriate work experience, and then testing for minimal competency through the LARE. The Subcommittee felt that some form of formal education provides basic knowledge of landscape architecture and experience alone was not equivalent to that knowledge.

Recommendations:

- *The Subcommittee recommends that candidates not be allowed to sit for the examination with work experience alone at this time and notes that education of some form is required to succeed.*
- *The LATC recommends tracking data from reciprocal candidates and LARE success rates, then bringing this matter back for future consideration once enough data is gathered. In addition, data from other states should be analyzed if it is available.*

12. Credit for Teaching and/or Research

At the March 4, 2005 Subcommittee meeting, it was noted that a few states accept teaching and/or research experience towards fulfilling examination requirements^{xxvi}. However, the Subcommittee felt teaching and/or research experience does not provide the same skills that are acquired while working under a licensed professional. Additionally, teaching and/or research experience varies significantly, thus making it difficult to

assess the equivalent relationship to the practice of landscape architecture and the health, safety and welfare of the public.

Recommendation:

- *The Subcommittee recommends that credit not be granted for teaching and/or research experience at this time.*

APPENDICES & NOTES

Appendix B

Related Studies

October 2004 – Landscape Architects Body of Knowledge

The Landscape Architecture Body of Knowledge (LABOK) study was designed to address the core competencies that help define the landscape architecture profession and the fundamental body of knowledge that should be expected of all graduates from accredited landscape architecture degree programs. The approach used to answer these two questions consisted of several iterative steps that required input from incumbents in the field of landscape architecture. During these steps both detailed knowledge and competency statements identifying the components of the Body of Knowledge for consideration by the academic community or for post-graduation on-the-job learning were developed.

The LABOK Task Force was established in response to these questions raised through the Landscape Architectural Accreditation Board's regular review of accreditation standards. The Task Force consisted of representatives of the American Society of Landscape Architects (ASLA), the Canadian Society of Landscape Architects (CSLA), the Council of Educators in Landscape Architecture (CELA), the Council of Landscape Architectural Registration Boards (CLARB), and the Landscape Architectural Accreditation Board (LAAB). The Task Force authorized The Chauncey Group International to perform the Body of Knowledge study described in this part of the report. Chauncey Group's role was to facilitate the multiple interactions with landscape architect subject matter experts and/or incumbents in the field.

By building upon the information from the earlier task analysis for landscape architects and input from the Task Force, then augmenting that information through consultation with multiple panels of subject matter experts, the Task Force developed a survey that covered the body of knowledge thoroughly. The distribution of the survey reached the varied groups desired and resulted in a strong indication of the knowledge and competencies that are required upon graduation from a degree program and those that should be developed on the job. It was necessary for each of the contributing organizations to carefully examine the data and make the most efficient use of the information that is available. As suggested in the cover letter to the survey respondents, this information may be used to make curricula determinations, to guide the development of continuing education activities, and to continue strong requirements for licensure through the regulatory bodies. Based on the apparent high agreement among the various subgroup responses and the process used to develop the Body of Knowledge in this study, it is reasonable to conclude that the goals of the study were obtained.^{xxvii}

2006 - Thompson Prometric National Task Analysis

The Council of Landscape Architecture Registration Boards contracted with Thomson Prometric to conduct a job analysis in order to maintain the currency of the Landscape Architects Registration Examination. Job analysis refers to procedures designed to obtain descriptive information about the tasks performed on a job and/or the knowledge, skills, or abilities thought necessary to adequately perform those tasks. The specific type of job information collected for a job analysis is determined by the purpose for which the information will be used. For purposes of developing workplace certification examinations, a job analysis should identify important tasks, knowledge, skills, and/or abilities. The use of job analysis (also known as task analysis, practice analysis, or role delineation) to define the content domain is a critical component in establishing the content validity of certification examinations. Content validity refers to the extent to which the content covered by an examination overlaps with the important components (tasks, knowledge, skills, or abilities) of a job. A well-designed job analysis should include the participation of a representative group of subject-matter experts who reflect the diversity within the job. Diversity refers to regional or job context factors and to subject-matter expert factors such as length and type of experience, gender, and race/ethnicity. Demonstration of content validity is accomplished through the judgments of subject-matter experts. The process is enhanced, when feasible, by the inclusion of large numbers of subject-matter experts who represent the diversity within the relevant areas of expertise. The job analysis involved a multi-method approach that included meetings with subject-matter experts and the conduct of a survey.

On November 12-13, 2004, a panel of landscape architects, selected by CLARB, attended a meeting with the primary purpose of developing an updated survey for distribution in first quarter, 2005. Prior to the meeting, participants received a Job Analysis Procedures Manual and selected information from the 1998 Job Analysis report and the Landscape Architecture Body of Knowledge Study.

The first topic of discussion at the meeting was a general description of the successful licensee. The group then talked about the places where a licensee might work and gave examples of what they might do. The task force agreed that it was important to keep all approaches to practice in mind when we proceed to design the job analysis tool. The key issue is maintaining health, safety and welfare within the practice. The group then turned their attention to defining the major domains for the survey. Following the identification of the domains, the full group assigned the tasks from the 1998 survey to the new domains. Teams were then recruited to work on specific domains to review, edit, and/or delete the tasks. The next activity was to review the knowledge statements that appeared in the 1998 survey. Each of the task force members was asked to indicate whether the knowledge topic appeared in the 2004 LABOK study. Only those knowledge statements that were not included in the LABOK were added to the survey. The development of the skills list and the background questions completed the work of the group at the meeting.^{xxviii}

The contents of the proposed survey were shared with CLARB staff for initial review. Following approval of the components, Thomson Prometric staff created the survey using Web-based software. The survey was shared with the development committee for initial review. Their suggestions were incorporated and the revised survey was presented to a pilot

group to take. The responses and individual comments were shared with CLARB staff and final revisions to the survey were made.

In early May, the survey was officially closed and the data analysis begun. Preliminary results were shared with CLARB staff in preparation for the meeting to develop the test specifications. Decisions about the appropriate subgroup analyses were made prior to the meeting.

The completion of the job analysis process consisted of a review of the job analysis results. A committee reviewed the background questions and began the review of the tasks. The respondents were offered opportunities to suggest additional tasks. The whole panel reviewed these and suggested additional examples for current tasks or noted those that are emerging topics. Following the review of the tasks, the committee proceeded to the review of the knowledge statements and the skills.^{xxix}

December 2006 – Department of Consumer Affairs Office of Examination Resources, California Validation Report

The Landscape Architects Technical Committee requested the Office of Examination Resources conduct a validation study to identify critical job activities performed by landscape architects licensed in California. The occupational analysis is part of the LATC's comprehensive review of the practice of landscape architecture. The purpose of the occupational analysis is to define practice for California licensed landscape architects in terms of actual job tasks that new licensees must be able to perform safely and competently. The result of the occupational analysis serves as a basis for the examination program for landscape architects in California.

OER followed testing standards and guidelines to develop a legally defensible examination outline for landscape architects in California and implemented a content validation strategy to describe the content of the landscape architect profession. OER conducted interviews with California licensed landscape architects, researched the profession, analyzed material prepared by CLARB, facilitated four focus groups California licensees, and sent a questionnaire surveying all California licensed landscape architects.

The initial two focus groups reviewed and refined task and knowledge statements of the landscape architecture profession in California. Based on these specific task and knowledge statements of the profession, Office of Examination Resources was able to develop a comprehensive survey to be sent to landscape architects throughout the state. The third focus group reviewed and approved the survey results and links specific job tasks with knowledge statements in order to construct the examination outline. The final focus group evaluated the examination outline for concurrence and to prepare for the development of examination questions.^{xxx}

APPENDICES & NOTES

Appendix C

Meeting Note Summaries

May 9, 2006 – Landscape Architects Technical Committee

- Voted on the preliminary approval of the Education Subcommittee's response to the JLSRC recommendations.
- Approved retaining the six-year education/experience requirement.
- Approved maintaining eligibility for examination with current education requirements.
- Approved initiate tracking upon candidacy.
- Suggestions were made to look into accrediting standards and determining how schools are measured in order to clarify subject relationship to examination topics and into education standards as it relates to health, safety and welfare concerns.^{xxxix}

June 7, 2006 – California Architects Board

- The LATC's recommendations regarding the eligibility requirements for examination were presented to CAB.
- All recommendations were approved under the condition that the LATC review recommendation 1, Accept Accredited Professional Architecture and Civil Engineering Degrees, and provide an analysis to CAB on parity of the requirements to apply for examination between licensure of architects versus landscape architects prior to the recommendations moving forward. As a result of the preliminary approval, Strategic Planning objectives to 1) begin identifying variables that impact LARE pass rates by tracking and maintaining data, and 2) investigating potential reasons for low examination pass rates and develop an appropriate response to issue to the JLSRC were initiated.^{xxxix}

August 25, 2006 - Landscape Architects Technical Committee

- Discussed CAB's action and various related issues identified. The LATC voted to reconvene the Education Subcommittee in order to fully address all issues that were identified as a result of the proposed changes.^{xxxix}

November 8, 2006 – Education Subcommittee

- Met to discuss the renewed charges from the LATC, review existing reports and documentation, and develop a plan of action. Staff was tasked with: 1) incorporating revisions to the Report, 2) updating CCR 2620 – Education and Training Credits to reflect the discussion, 3) providing curriculum data for accredited degrees in architecture and civil engineering and documenting data to compare the two, and 3) revising the charts outlining education and experience credits given to architects and landscape architects, and drafting narrative explaining the differences.
- Finalize the Issues and Recommendations Report to proceed with preparing a draft report for the LATC and CAB to approve for forwarding to the DCA and the Legislature.^{xxxix}

January 16, 2007 – Education Subcommittee

- Held a teleconference and reviewed additional information illustrating the parity of educational requirements to architects and civil engineers.
- Expanded the information substantiating the recommendations and began a review of CCR 2620.
- Remaining agenda items to review: curriculum comparison for landscape architects with those of architects and civil engineers, completion of a review and proposed changes to CCR 2620, and a table of contents for the report to the Legislature were postponed.^{xxxix}

February 27, 2007 – Education Subcommittee

- Finalized recommendations to the LATC.
- Reconfirmed that education is a critical qualification in combination with work experience and examination.
- Recommendations were to: 1) maintain the educational credit requirement, 2) continue one year of educational credit for an associate degree in landscape architecture, 3) continue four years of educational credit for foreign education equivalent to an accredited master or bachelor degree in landscape architecture in the United States, 4) maintain two years of educational credit for an approved extension certificate in landscape architecture, 5) institute one year of educational credit for an accredited degree in architecture, 6) not grant educational credit for a degree in civil engineering, and 7) not grant experience credit for foreign/international experience.^{xxxvi}

May 4, 2007 - Landscape Architects Technical Committee

- Approved the Subcommittee's recommended response and recommendations.^{xxxvii}

June 15, 2007 – California Architects Board

- The parity issue and the recommendations were presented and approved by CAB. The full report to DCA and to the Legislature, containing the approved recommendations, will be presented for approval once complete.^{xxxviii}

NOTES

NOTES

- ⁱ Landscape Architects Technical Committee 2003 Sunset Review Report response. Vol. 1, tab #4
- ⁱⁱ Landscape Architects Technical Committee, "Landscape Architects Practice Act with Rules and Regulations 2007", includes amendments through October 3, 2007. Vol. 3, tab #56
- ⁱⁱⁱ Professional Engineers Act (Business and Professions Code Section 6700-6799), includes amendments made during the 2009 legislative session (Effective January 1, 2010, unless otherwise noted), Vol. 3, #55
- ^{iv} 2004 Joint Legislative Sunset Review Committee Recommendations. Vol. 1, tab #5
- ^v Landscape Architects Technical Committee, "Landscape Architects Practice Act with Rules and Regulations 2007", includes amendments through October 3, 2007. Vol. 3, tab #56
- ^{vi} California Architects Board, "Architects Practice Act"; effective January 1, 2009. Vol. 3, tab #57
- ^{vii} <http://www.cslb.ca.gov/Contractors>, accessed November 2008, © 2008 State of California, Contractors State Licensing Board. Vol. 3, tab #39
- ^{viii} See endnote 5.
- ^{ix} See endnote 5.
- ^x Landscape Architects Technical Committee's April 20, 2009, meeting agenda item C.3-C.4, Vol. 3, tab #58
- ^{xi} See endnote 5.
- ^{xii} 2005 Outline of Landscape Architecture Eligibility Requirements (AZ, CA, FL, HI, NV, NM, NY, OR, TX, and WA) – Examination/Licensure Requirements (Landscape Architects): Snapshot. (3/05, D.1), Vol. 2, tab #24
- ^{xiii} See endnote 12.
- ^{xiv} Council of Landscape Architectural Registration Boards (CLARB) member board jurisdictions; Arizona State Board of Landscape Architects; Florida Board of Landscape Architecture; Hawaii Board of Professional Engineers, Architects, Surveyors & Landscape Architects; Nevada State Board of Landscape Architects; New Mexico Board of Landscape Architects; New York State Board for Landscape Architects; Oregon State Landscape Architects Board; Texas Board of Architectural Examiners and Washington Department of Licensing, Landscape Architecture Division - 2005 Survey Results; Examination/Licensure Eligibility Requirements. (6/05, C), Vol. 2, tab #20
- ^{xv} Accrediting Boards for Architecture, Civil Engineering and Planning - 2005 Description, course outlines, number of years and units required to earn an accredited Planning degree in all seven California accredited planning degree programs. (12/05, D.1), Vol. 2, tab #17
- ^{xvi} Comparison of Curriculum for Accredited Degrees in Architecture and Civil Engineering (2/07, C.4) Vol. 2, tab #27
- ^{xvii} Transcripts and Course Requirements for Three Accredited Undergraduate Landscape Architecture Degree Programs. (12/05, D.2), Vol. 2, #28
- ^{xviii} 2005 Survey Results; Examination/Licensure Eligibility Requirements, see endnote 17.
- ^{xix} Council of Landscape Architectural Registration Boards (CLARB) - 2005 Information provided from the Council of Landscape Architectural Registration Boards (CLARB) regarding member board jurisdictions allowance of early eligibility to take the multiple-choice sections of the Landscape Architectural Registration Examination (LARE) (12/05, D.3), Vol. 2, tab #29
- ^{xx} Comparison of Education, Experience and Exam results of last 100 California Landscape Architects covering 11/2003 - 12/2004. (3/05, G), Vol. 2, tab #32
- ^{xxi} Final Candidate Education/Experience Tracking Chart and Reciprocity Candidate Tracking Chart. (12/05, C), Vol. 2, tab #33
- ^{xxii} 2005 Outline of Landscape Architecture Eligibility Requirements (AZ, CA, FL, HI, NV, NM, NY, OR, TX, and WA) – Detailed Comparison of Examination/Licensure Requirements (Landscape Architects). (3/05, D.3), Vol. 2, tab #24
- ^{xxiii} California Community Colleges; Mesa, Modesto Junior, Southwestern and West Valley - 2005 Description, course outline and units required to earn an Associate Degree in Landscape Architecture in California. (3/05, E), Vol. 2, tab #35
- ^{xxiv} Detailed Comparison of Examination/Licensure Requirements (Landscape Architects), see end note 22
- ^{xxv} Examination/Licensure Requirements (Landscape Architects): Snapshot, see endnote 13
- ^{xxvi} Examination/Licensure Requirements (Landscape Architects): Snapshot, see endnote 13
- ^{xxvii} American Society of Landscape Architects, Landscape Architecture Body of Knowledge Study Report, published October 28, 2004, All Rights Reserved. Vol. 1, tab #8
- ^{xxviii} Council of Landscape Architecture Registration Boards, performed by Thompson Prometric, Job Analysis 2006. Vol. 3, tab #37
- ^{xxix} 1996 Joint Legislative Sunset Review Committee Findings and Recommendations, Vol. 1, tab #5
- ^{xxx} California Department of Consumer Affairs, Office of Examination Resources, Validation Report Landscape Architects Technical Committee, December 2006, Vol. 3, tab #60fr
- ^{xxxi} Landscape Architects Technical Committee, May 9, 2006, Summary Report, Vol. 3, tab #46
- ^{xxxii} California Architects Board's June 7, 2006, Minutes, Vol. 3, tab #47
- ^{xxxiii} Landscape Architects Technical Committee's August 25, 2006, Summary Report-Final, Vol. 3, tab #48
- ^{xxxiv} Education Subcommittee's November 8, 2006, Meeting Minutes, Vol. 3, tab #59
- ^{xxxv} Education Subcommittee's teleconference January 16, 2007, Summary Report-Draft, Vol. 3, tab #50
- ^{xxxvi} Education Subcommittee's February 27, 2007, Summary Report-Draft, Vol. 3, tab #51

xxxvii Landscape Architects Technical Committee's May 4, 2007, Summary Report-Final, Vol. 3, tab#52
xxxviii California Architects Board's June 15, 2007, Minutes, Vol. 3, tab#53

Degrees Accepted by CLARB Jurisdictions for Initial Licensure

(as of 1/11/17)

Jurisdiction	Accredited Architecture Degree Accepted	Accredited Engineering Degree Accepted	Any Bachelors Degree Accepted	Non Accredited LA Degree Accepted
Alberta	Yes	Yes	Yes	Yes
Arizona	Yes	Yes	Yes	Yes
Arkansas	Yes	Yes	Yes	Yes
British Columbia	Yes	Yes	Yes	Yes
Colorado	Yes	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes	Yes
Florida	Yes	Yes	Yes	Yes
Georgia	Yes	Yes	Yes	Yes
Hawaii	Yes	Yes	Yes	Yes
Idaho	Yes	Yes	Yes	Yes
Iowa	Yes	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes	Yes
Maine	Yes	Yes	Yes	Yes
Maryland	Yes	Yes	Yes	Yes
Mississippi	Yes	Yes	Yes	Yes
Montana	Yes	Yes	Yes	Yes
Nebraska	Yes	Yes	Yes	Yes
Nevada	Yes	Yes	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes	Yes
New York	Yes	Yes	Yes	Yes
Oklahoma	Yes	Yes	Yes	Yes
Ontario	Yes	Yes	Yes	Yes
Oregon	Yes	Yes	Yes	Yes
Pennsylvania	Yes	Yes	Yes	Yes
South Carolina	Yes	Yes	Yes	Yes
Utah	Yes	Yes	Yes	Yes
Virginia	Yes	Yes	Yes	Yes
Washington	Yes	Yes	Yes	Yes
Delaware	Yes	Yes	No	Yes
Rhode Island	Yes	Yes	No	Yes
California	Yes	No	No	Yes
Alaska	No	No	No	Yes
Illinois	No	No	No	Yes
New Jersey	No	No	No	Yes
Alabama	No	No	No	No
Indiana	No	No	No	No
Kansas	No	No	No	No
Kentucky	No	No	No	No
Massachusetts	No	No	No	No
Michigan	No	No	No	No
Minnesota	No	No	No	No
Missouri	No	No	No	No
North Carolina	No	No	No	No
Ohio	No	No	No	No
Puerto Rico	No	No	No	No
South Dakota	No	No	No	No
Tennessee	No	No	No	No
Texas	No	No	No	No
West Virginia	No	No	No	No
Wisconsin	No	No	No	No
Wyoming	No	No	No	No

*Training experience is also required by all states that accept the degrees above.

Comments Received at March 17, 2017 Public Forum

Comments in Support of Expanding Degree Requirements

1. The current California licensure standard for landscape architects needs to be updated. The current regulation is limiting fair competition per the North Carolina Case and Little Hoover Commission discussion. These compel us to re-evaluate licensing practices that have no benefit to the public or to the profession.
2. The population of licensees prior to 1997 is nearing retirement, thereby creating a crisis in the workforce to replace those individuals.
3. LATC should meet the same education standards as California architects, engineers, and standards set forth by the Council of Landscape Architectural Registration Boards (CLARB).
4. LATC should consider options for accepting any degree. The issue with accepting related degrees is: how do you define what is related a degree (if the LATC limits related degrees)?
5. Every time a new degree is granted, the Committee would need to visit the requirements.
6. Design studio may be the only education component that is different in course work between landscape architect degree and related degrees.
7. Currently, training experience makes up the educational difference between associate degrees and bachelor degrees.
8. By limiting education are we placing barriers/limitations to innovation?
9. The LATC should consider alternate pathways to reduce barriers.
10. Align the California Landscape Architect Practice Act with that of other states.
11. We should move toward consistency with engineers and architects practice acts by expanding pathways to licensure.
12. The LATC should consider alternate pathways for degrees accepted.
13. The LATC should include related degrees in its qualification requirements. This increases access to the profession.

Comments in Opposition of Expanding Degree Requirements

1. Opposed to broadening the education requirements, because it would affect consumer protection.

2. My number one question is: Is this being pushed by a vocal minority or is it being asked by the majority of the public? This proposal may be trading access and expediency for quality. The knowledge and skills are acquired via education.
3. You cannot have reduced knowledge and still maintain competence. Where is the line between passing the test and ensuring quality?
4. Landscape architects should be taught grading and draining and not typography. This is a big example of the differences between accredited versus related degrees.

Suggestions

1. It is difficult to make comparisons between LATC and CAB because CAB requires applicants to complete a structured internship (Architectural Experience Program) and LATC does not. Education, experience, and examination process need to be synonymous in order to compare.
2. LATC should slow down and take time to address this issue and review the revised Model Law to be adopted by CLARB.
3. If the LATC considers related degree programs, at the very least, the programs need to be accredited and the LATC must determine equivalency.
4. CLARB *Determinants of Success Research Study* identified that the higher the level of education obtained by exam candidates, the better they did on the first two sections of the Landscape Architect Registration Examination (LARE).
5. This issue needs to be looked at holistically with regard to licensure qualification and examinations. If changes happen to licensure requirements, you need to look at how it impacts internships, examinations, etc.
6. If we are looking at related degrees, it should be done by an accredited institution.
7. Associate degrees in landscape architecture are currently accepted. Licensure requirements should be based on minimum competency.
8. With regard to the LARE, people pass sections 1-3 pretty quickly. However, section 4 is more difficult to pass because it pertains to grading and drainage.
9. We should start advocating more at the community college level to start offering programs.

General Comments

1. LATC should look up the course work associated with suggested degrees to make determinations.
2. LATC should apply more weight for accredited degrees.

3. Science based degrees could be considered related.
4. Interactions between professions candidates will deal with on the job counts for something.
5. LATC should consider an applicant's course work on a case by case basis versus identifying specific degrees.

Nation, Kourtney@DCA

From: LATC@DCA
Sent: Wednesday, March 01, 2017 8:30 AM
To: Nation, Kourtney@DCA
Subject: FW: Entry level education requirements for landscape architects in California

Follow Up Flag: Follow up
Flag Status: Completed

From: Jim Rios [mailto:jimr@riosdesign.com]
Sent: Tuesday, February 28, 2017 6:08 PM
To: LATC@DCA
Subject: Entry level education requirements for landscape architects in California

Kourtney,

As a licensed landscape architect who graduated from an accredited university in 1984 and who passed the UNE in 1989,

I would like to offer my opinion on the matter of **Entry level education requirements for Landscape Architects is California.**

Unfortunately, I won't be able to attend the public forum that are to be held in Los Angeles and Sacramento.

I agree with the current requirements of a combination of 6 years credit for education & training experience before qualifying to take the licensing examination.

I think that those that have received a related degree such as architecture, engineering, planning should be given 2 years credit for their education and still need 4 years of apprenticeship to qualify to take the license exam.

However, I am adamantly opposed to giving any educational credit for those that have a degree in an unrelated field. They should pass through the current requirements to take the licensing exam.

I have noticed that groups such as the APLD, Association of Professional Landscape Designers, have been making moves to try to expand the scope of work that the Business and Profession Code allows them.

Meetings and conversations with that group have made it perfectly clear that they wish to be granted the ability to prepare Construction Documents without having to prove competence at any level, including the passing of the licensing examination. The public perception does not distinguish between Landscape Architect and Landscape Designer and they tend to form a judgement on the whole group based on what they see from the other.

I feel that the high standards need to be maintained for those that wish to practice in the field of Landscape Architecture and represent themselves as Landscape Architects.

Respectfully submitted,

Jim Rios

Landscape Architect #2979, CID, CLIA



Rios Design Studio, LLC

"Conservation by Design"

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VIA EMAIL

March 15, 2017

Patricia Trauth, Chair
Landscape Architect's Technical Committee

Re: LATC Announcement of Public Forums, March 17, 2017 and April 5, 2017

Dear Chair Trauth, Committee Members, and LATC Staff:

Thank you for this opportunity to address the education issues raised by the LATC at its February 2017 meeting and also proposed in The Notice of Public Forums.

1. Should LATC continue reviewing the Extension Programs?

First it should be noted that the Extension programs were founded by the Board of Landscape Architecture on the principle that the citizens of California might need additional, focused training for specific careers that required specialized technical expertise. This venue has been an alternate pathway for 40 years. California's Universities do not allow individuals to return for a second Bachelor's degree, and access to Master degree programs is impacted. These Extension Programs were the first "alternative pathway" provided by the BLA and a source of pride.

Fast forward to the most recent Sunset Review (2014), the Extension programs as presented to the Sunset Committee were notable in their uniqueness in addressing alternative paths to licensure.

From the LATC 2014 Sunset Review Information re: Education Requirements for Licensure

The University of California Extension Certificate Program Task Force: One of the pathways to licensure is successful completion of the extension certificate program, currently established within the University of California system and approved by the LATC. The University of California Extension Certificate Program Task Force is charged with: 1) reviewing extension certificate programs in landscape architecture; 2) conducting site visits of the program to determine their compliance with the requirements of California Code of Regulations section (CCR) 2620.5 (Requirements for an Approved Extension Certificate Program); 3) making recommendations to the LATC regarding the continued approval of the extension certificate programs and; 4) developing procedural documents for review of the programs. The Task Force is composed of seven members consisting of four current and former LATC members and three educators.

Any change to this charge should be addressed by a reconvened or new Education Subcommittee. The reports by the last two California Extension Certificate Program Task Force indicated that the Approved Extension Certificate Programs met or exceed expectations. This review is above and beyond University Accreditation, which does not review or accredit PROFESSIONAL education. With the education credit received for an Approved Extension Certificate Program being equal to an accredited BSLA, BLA and MLA, changes to the method that assures comity (i.e., using the basis of the LAAB accreditation) should only be addressed by an education committee of both Extension and

University academics, practitioners and members of the LATC. At present, California is the only state providing this alternative educational path, addressing adult learners, and providing an evening alternative to working adults.

It should also be noted that California's landscape architecture departments and programs may have the most diverse student bodies in the nation.

2. Should LATC accept degrees in related areas of study?

The question, of should the LATC accept degrees in related areas of study, is quite complex. Landscape Architecture Programs have courses that are common to the related fields of planning, urban design, architecture, geography, horticulture and engineering. Yet Landscape Architecture, as well as each of those fields, considers themselves separate disciplines.

An "area of study" has courses, when combined, provide synthesis and depth. It is the full curriculum as an "area of study" that is important in degrees leading to a professional license. Professional programs weave in the health, safety and welfare concerns into courses.

The question goes beyond sufficient overlap, course content, and curriculum focus. Also the areas of study or concentrations vary from university to university. A reconvened or new Education Subcommittee, who can make defensible decisions on these academic relationships, should make this assessment.

3. Other Education and Training concerns

In CCR 2620, changes were made to allow credit for a partial degree. This was a recommendation from the Education Committee, and at the time, the *Gainful Employment Act* did not exist. With the *Gainful Employment Act*, completion of a degree is a high metric used for Universities to qualify to offer Federal Financial Aid. By providing credit to students who fail to complete, or students who chose not to complete their capstone, thesis or final year, can harm Universities' completion numbers that are key to continued access to Federal loans, scholarships and grants. While reviewing all of CCR 2620, I would request that a revived or new Education Subcommittee review this partial degree credit's value as a pathway vs. the potential harm to federal funding for Universities.

We look forward to presenting to the LATC in Sacramento and at the rescheduled April meeting in Los Angeles.

Sincerely,



Stephanie V. Landregan, F.A.S.L.A
Director, UCLA Extension
Landscape Architecture Program



Eddie Chau
Program Director, UC Berkeley Extension
Landscape Architecture Program

15 March 2017

To: Landscape Architects Technical Committee
Department of Consumer Affairs
2420 Del Paso Road, Suite 105
Sacramento, CA 95834

Re: Proposed revision to the educational requirements for licensure

To the Committee,

As Professor and Chair of the Department of Landscape Architecture and Environmental Planning at UC Berkeley I would like express my deepest concern regarding the proposed change in the educational requirements for landscape architecture licensure in California.

Allowing access to licensure from a larger range of educational backgrounds is not in the best interests of the consumers of California. As stated by the American Society of Landscape Architects: "Licensure is a critical government function necessary to ensure the protection of the public from unqualified or incompetent individuals who engage in professional practice. The fundamental function for any form of professional regulation, including the licensing of landscape architects, is to protect the public health, safety, and welfare. As such, landscape architects are licensed in all 50 states." (<https://www.asla.org/NewsListingDetails.aspx?id=49436><https://www.asla.org/NewsListingDetails.aspx?id=49436>) Licensure and its long-standing requirements for specialized education have served the people of California very well in providing safe and healthy public and private places for recreation, habitat restoration, community gathering, mobility, and humane housing.

I urge the committee to consider not only the current issues regarding health, safety and welfare but also the urgency to address issues of the future. Landscape architects have a proven track record in professional practice in addressing issues of drought, climate change, energy, walkable cities, urban heat island effects, green infrastructure, and sea level rise. As these issues will increasingly and palpably impact the health, safety, and welfare of Californians, diminished specialized educational

requirements for licensure will, inevitably, not prepare landscape architects to meet these complex problems. To build a sustainable, thriving future landscape for the consumers of California requires the dedicated, substantive, and up-to-date education that programs in landscape architecture and the closely related field of architecture can provide. The complexity of creating a sustainable California landscape cannot be underestimated, and to provide licensure without suitable and essential education is well short of meeting the current and future necessary expertise to ensure the health, safety, and welfare of Californians.

In diminishing the educational requirements for landscape architecture licensure does a disservice to the people of California who have been able to rely on the professional expertise of landscape architects very well in the past. This professional expertise will prove even more critical in confronting the challenges issues in the built environment in the decades to come. I urge the committee to maintain the educational requirements for licensure in the interest of the future of California.

With best regards,

A handwritten signature in blue ink that reads "Louise A. Mozingo". The signature is written in a cursive, flowing style.

Louise A. Mozingo
Professor & Chair
Department of Landscape Architecture & Environmental Planning
Director, Center for Resource Efficient Communities
California Landscape Architecture License #3337

Nation, Kourtney@DCA

From: LATC@DCA
Sent: Thursday, March 16, 2017 10:47 AM
To: Nation, Kourtney@DCA
Subject: FW: Forums to discuss education requirements

From: Chris Brown [<mailto:chris@floorassociates.com>]
Sent: Thursday, March 16, 2017 10:34 AM
To: LATC@DCA
Subject: Forums to discuss education requirements

I will be unable to attend the scheduled forums to discuss the entry level education requirements, however, I wanted to voice my strong opinion that the current rules are too restrictive with regard to practicing professionals that have demonstrated professional experience and/or degrees in related fields in addition to professional experience.

I strongly support revising the statute to accept degrees in related areas of study such as civil engineering in combination with demonstrated experience practicing landscape architecture.

Best regards,



Christopher Brown, FASLA | LEED-AP BC+D
Partner
California LA #5767
1425 N. 1st Street, STE 200 | Phoenix, AZ 85004 -1632
chris@floorassociates.com | d 602.445.7136 c 602.321.2818
www.floorassociates.com

Christine A. Anderson, PLA #3377, ASLA
9030 Folkstover Ct.
Elk Grove, CA 95624

March 22, 2017

Patricia Trauth, Chair
Landscape Architects Technical Committee

VIA EMAIL

RE: LATC Announcement of Public Forums

Dear Chair Trauth, Committee Members and Staff

Thank you for giving me the opportunity to comment on the education and training requirements for landscape architectural licensing in California. I am a licensed landscape architect, former member of the LATC, former education subcommittee member, and currently president-elect of the Council of Landscape Architecture Registration Boards (CLARB).

Many of us are beginning to realize that occupational licensure is under greater scrutiny nationally and as a result it will be very important to reduce perceived unnecessary friction in the licensure process. However, I would first ask for the committee to consider: what is the problem they are trying to solve? I have not heard yet that there is a problem. In fact, during the first public forum held in Sacramento, it was demonstrated that very few applicants request reciprocity holding alternative degrees. If that is the case, why is the LATC considering a wholesale change to educational requirements given such a small number of applicants if this issue could be solved through an appeals process with a technical expert?

As with any wide-ranging change, it is important to slow down and take a thoughtful, data-driven approach to the deliberation of education requirements. Taking a deeper dive into the education requirements has many implications to other areas of the Practice Act and could create unintended consequences that may worsen the problem. There is no way to “silo” the discussion of education without also discussing experience and examination (the other “two legs of the stool”). I would also encourage the committee to seek input from CLARB, the Council of Educators in Landscape Architecture (CELA) and the Landscape Architecture Accrediting Board (LAAB) on these issues to further inform their process as there are studies, new approaches, and

Christine A. Anderson, PLA #3377, ASLA
9030 Folkstover Ct.
Elk Grove, CA 95624

data currently being created and collected, such as CLARB's draft model law, which should inform the committee's work.

As a former member of the LATC's education subcommittee, I can say without question that we worked tirelessly over a period of 5 years to develop new education and experience guidelines to address perceived barriers to entry into the profession. Through our exhaustive research, we found that there was a disparity of education and experience requirements on a jurisdiction-by-jurisdiction basis making comparisons difficult. There was also a significant lack of data to support claims made to reduce the education or experience requirements, with two key exceptions at the time: CLARB's Task Analysis and the LABOK study. *[It should be noted that CLARB's task analysis was recently updated (2016) and should be used to inform the committee's work.]* The comparison of these two studies is fascinating. The education subcommittee found that even formal, accredited Landscape Architecture education is "a narrow slice of the services that landscape architects perform". In addition, many "related degree programs" do not have a formal accrediting body, further weakening their educational disposition. While it seems as though the ink is barely dry on the original education subcommittee's work, it may be time to reconsider it IF the committee fully articulates that it is fundamental to the problem they are trying to solve. After all, it has been 8 years, two rounds of LAAB accreditation and Extension program approvals, and one task analysis update since the adoption of the subcommittee's findings. But I would caution the committee that the work is tedious and difficult, particularly in light of limited resources. The education subcommittee ended up making 13 separate recommendations to the committee, each of which were carefully considered by 7 subcommittee members and many rounds of stakeholder conversations.

On the heels of the subcommittee's work, CLARB completed the Determinants of Success (2011) further supporting many of the subcommittee's findings. Within this study, there were three key conclusions that should be used to inform the LATC's work in this area. "Based on the findings of this study, candidates should consider the following actions to optimize their performance on the L.A.R.E.:

1. Obtaining a landscape architecture degree from an LAAB- or CSLA- accredited institution.
2. Taking the L.A.R.E. closer to college graduation rather than waiting to gain more years of experience in landscape architecture.
3. Gaining diversified experience in the years spent working in landscape architecture..."

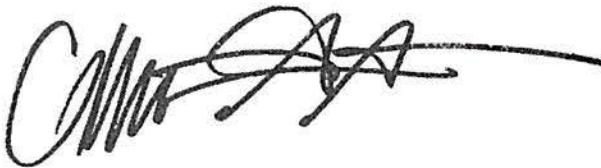
**Christine A. Anderson, PLA #3377, ASLA
9030 Folkstover Ct.
Elk Grove, CA 95624**

I implore the committee to thoroughly review the Determinants of Success study, coupled with an ongoing dialog with CLARB staff to ensure updated information. I would also urge that the committee defer a final decision until the committee had an opportunity to fully explore the potential benefits and risks of alternative approaches to educating future landscape architects.

I completely understand the desire of this committee to have laws that are synchronous with the California Architects Board (CAB). But the two cannot be compared "apples to apples". CAB's educational requirements are a direct result of their experience requirements and CAB's experience requirement can only be held as either/or because of the existence of NCARB's structured internship program. While that system is admirable, it also has many drawbacks, one of which is length of internship/experience before entry into examination, which creates a barrier in and of itself. CLARB and the LATC has no such structured internship in part because of the perceived burden it might put on state board staff resources. I would encourage the LATC to study this issue carefully before deciding on "experience only" or alternative education paths supported with experience to the licensing exam. Once again I appeal to the committee to thoroughly review these internship/experience programs to ensure that the LATC is not creating unintended consequences for future licensure candidates.

Finally, I will tell you that the CLARB Board of Directors just approved a draft model law to move forward to the membership for final vetting and approval. As an insider, I can tell you that there are changes in the model law that would significantly impact this conversation. However, the new model law will not be voted on by the membership until the Fall. As a result, I strongly encourage the LATC to postpone any decision until the new model law is adopted, reconvene or reform the education subcommittee, and establish a thorough data gathering and fact finding directive that is based on the goals of ensuring the protection of the people of the State of California.

Sincerely,

A handwritten signature in black ink, appearing to read 'Christine A. Anderson', with a long horizontal flourish extending to the right.

Christine A. Anderson PLA #3377, ASLA

Christine A. Anderson, PLA #3377, ASLA
9030 Folkstover Ct.
Elk Grove, CA 95624

April 3, 2017

Dear Landscape Architects Technical Committee,

I write this letter to express my concerns regarding the barriers for qualified individuals to enter the landscape architecture profession due to the current licensing eligibility requirements. The current options for working professionals with related experience and education to enter the landscape architecture profession are severely limited for people living and working in the San Diego area. The lack of an accredited four-year program in the area, an unbalanced education credit system, and the absence of an accredited extension certificate program creates inequitable burdens for San Diegans to become eligible for the licensure exam.

As a student of landscape design, I have learned how the field of landscape architecture was founded by people from diverse backgrounds including engineers, architects, and planners. Landscape architecture is truly the most interdisciplinary professional design field. Landscape architects must be generalists by nature, understanding and coordinating everything from electrical systems to water quality and endangered species protections. The unique necessity to understand many areas of study required in the practice of landscape architecture is recognized by nearly every landscape architectural organization including the ASLA and LATC.

However, in Southern California, and more specifically in San Diego, the options available for people to take the licensure exam are severely limited. Those who have not attended a four year program out of high school, find a very difficult path to meet the eligibility requirements. In the San Diego region, there are no accredited four year program options available. So qualified individuals with related degrees wanting to move into landscape architecture after gaining other related career experience, are faced with a difficult path to licensure. Engineers, architects, and planners all have specific qualifications that transfer over to the practice of landscape architects, however the current requirements do not reflect an equivalent value for these degrees and if you do not have access to an accredited extension program, you get no credit for your degree.

In addition, the current eligibility requirements provide someone with a bachelor's degree in Landscape Architecture four years of education credit towards the total 6 years education and training requirement. There are currently only three accredited four-year programs in California. Two are located in Northern California and the one option in Southern California is located in Pomona, 120 miles north of San Diego making this an impractical option for those already living and working in the southern part of the state. For those with families, already in a career, or owning a home while pursuing the move into the landscape architecture profession, this is just not an option.

While there is one accredited college in the San Diego area, people with a four-year degree in a related field and this two-year associates degree are given only one year of credit towards the total six years education and training requirement. Comparatively, someone with a bachelor's degree in Landscape Architecture from California Polytechnic University receives all four years of education credit even though one third of the classes required for the degree are general education classes. It is unbalanced that someone with a four year degree plus an associate's degree in Landscape Architecture only receives one year of education credit.

As someone with a bachelor's degree in Planning, a closely related field, several of the courses I took are directly comparable to coursework that is part of a landscape architecture curriculum and at least ten percent of the courses required for a bachelor's degree in Landscape Architecture are planning related but I do not receive any credit for this coursework. Similarly, someone with a bachelor's degree in Architecture only receives one year of credit compared to the full 4 years given to someone with a bachelor's degree in Landscape Architecture even though the similar general education course that would have been taken and the many courses that would overlap in content.

The University of California Berkley, extension program website identifies that a multidisciplinary and comprehensive education is required to successfully work in landscape architecture. The website for the extension program at the University of California in Los Angeles similarly declares that the field of landscape architecture requires multidisciplinary education and an understanding of not only design but environmental systems, sustainability, water conservation, and land use policy.

This concept is not reflected in the current Landscape Architect Registration Examination eligibility requirements. Options for eligibility for professionals working in San Diego is limited due to the lack of four-year landscape architecture programs available in San Diego and the Southern California region. In addition, the amount of education credit awarded for related degrees and the lack of an accredited extension program in San Diego, mean people with extensive experience working in related fields find it difficult to meet the eligibility requirements to transition into the profession.

Frederick Law Olmstead who worked and studied in many different fields until his contribution to the design of Central Park would not have been eligible to practice landscape architecture today. John Nolen attended the Wharton School of Finance and Economics at the University of Pennsylvania and worked in city planning before becoming a landscape architect. Cerda was originally trained as a civil engineer and is considered a major figure in city planning although his contribution to landscape architecture and the urban greening movement cannot be denied. It was these people with different perspectives and career experiences that contributed to our understanding of what landscape architecture is today. I am extremely pleased to hear that you are considering some of the barriers that qualified individuals wishing to move into the landscape architecture field face and how those limitations can affect progress in the practice of landscape architecture in the region.

Respectfully,

Darren Genova

James H. Curtis, ASLA
California License No. 1961
1634 Marguerite Avenue
Corona Del Mar, CA 92625

April 8, 2017

Ms. Patricia Trauth, Chair
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834

Via E-Mail: latc@dca.ca.gov

Re: LATC Announcement of Public Forums | March 17, 2017 and April 18, 2017

Dear Chair Trauth, Committee Members, and LATC Staff:

I am writing to you to voice my concerns about two issues that are before you. I very much appreciate this opportunity to address the education and licensure issues that were raised during the LATC meeting in February 2017 and prior to your scheduled public forum at California State Polytechnic University, Pomona on April 18, 2017.

1. Should LATC continue reviewing the Extension Programs?

Currently, California is the only state that has an alternative educational path through extension programs that addresses the needs of working adults. These extension programs provide a proven route to careers in Landscape Architecture through affordable evening classes. As a long-time instructor in the UCLA Extension Landscape Architecture Program, I have had the pleasure of helping to launch the careers of many students who have become successful landscape architects in private and public practice and volunteer environmental conservancy organizations. In short, they have made California a better place for all of us.

The last two California Extension Certificate Program Task Force Reports indicated that the Approved Extension Certificate Programs met or exceeded expectations. Since the education credit received for an Approved Extension Certificate Program is considered to be equal to that of an accredited BSLA, BLA or MLA program, changes to the review and accreditation method, which assures comity (that is, based on the LAAB accreditation) should only be addressed by an education committee of both Extension and University academics, practitioners and members of the LATC.

As in the past, changes to the education requirements should be carefully considered and thoughtfully implemented with the help of educators and practitioners. A reconvened or new Education Subcommittee must assess and approve any change to the landscape architecture education requirements prior to any policy change.

Chair Trauth, Committee Members, and LATC Staff
LATC Announcement of Public Forums
April 8, 2017
Page 2 of 2

2. Should LATC accept degrees in related areas of study?

Educations programs for landscape architecture and those for related fields including planning, urban design and architecture and to a lesser degree programs, in geography, horticulture and engineering have similar structures and overlapping coursework, but they are separate and different “areas of study.” Although they share areas of knowledge and practice, landscape architecture and each of these fields are distinct disciplines with different missions, concerns, requirements and licensure criteria.

An “area of study” is a curriculum with a set of values and a range of courses that provides synthesis and depth, a way of thinking about the world – the environment and design in the case of landscape architecture. It is the entire curriculum that is important to a degree that leads to professional licensure. Unlike the programs of the related fields, a professional landscape architecture program weaves in the health, safety and welfare concerns that are specific to licensure as a landscape architect.

Current California law provides many “pathways” to licensure; additional ones must be carefully considered and thoughtfully implemented with the help of educators and practitioners. A reconvened or new Education Subcommittee must assess and approve degrees in related “areas of study” prior to any policy change to enable the LATC to make defensible decisions based upon their academic and professional relationships to landscape architecture.

Thank you for taking the time to consider my concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Curtis". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

James H. Curtis, ASLA
California License No. 1961

Requirements for Initial Licensure

Education	Years of Training	States
LAAB-accredited degree	N/A (degree only)	ID, MS, UT
	1	AL, FL, LA, WV (MLA)
	2	AL, AR, CA, CO, CT, DE, GA (18 MO), HI (MLA), IL, KY, ME, MD, MA, MT, NV, NM, PA, RI, SC, SD, TX, WV (BLA), WI
	3	HI (BLA), IN, IA, KS (MLA), MN (MLA), MO, NH, OH, OK, OR, TN, VT, VA, WA, WY
	4	KS (BLA), MN (BLA), NJ, NY, NC
Non-accredited B.L.A. or M.L.A.	1	NE
	2	HI (MLA), LA, RI
	3	CA, CO, FL, HI (BLA), ME, MT
	4	AR, IA, MD, NM, OR, VA
	5	AZ, MS, NH, SC
	6	DE, NY
	9	AL
	board determined	CT, GA, ID, IL, NV, NJ, OK, PA, UT, WA
Related 4-year degree <i>*see reverse for related fields</i>	2	RI
	3	CO, FL, NE, NV
	4	AR, MD, MT, OR
	5	CA (NAAB), HI, ME, MS, NH, NM, SC
	6	DE, VA
	7	NY, WA
	board determined	AZ, CT, GA, ID, IA, OK, PA, UT
Any 4-year degree	3	NE
	4	LA, MT
	5	CO, FL, HI, ME, MS
	6	MD, OR, VA
	7	SC, WA
	board determined	AZ, AR, CT, GA, ID, IA, NV, NH, NM, NY, OK, PA, UT
Extension certificate in landscape architecture	4	CA
AA/AS in LA	4	NV
	5	CA
Any AA/AS	6	MT
N/A (training only)	Average = 8 years	AL, AZ, AR, CO, CT, FL, HI, ID, IA, LA, ME, MD, MA, MI, MS, MT, NV, NM, NY, OK, OR, PA, RI, UT, VY, VA, WA, WV

Requirements for CLARB Certification

Education	Years of Training
LAAB-accredited degree	3
Non-accredited B.L.A. or M.L.A.	4
NAAB-accredited B.Arch. or M. Arch.	4
ABET-accredited degree in Civil Engineering	4
Any Bachelor's degree	6

Related Degrees Accepted by CLARB Jurisdictions

Related Degree Field	States
Architecture (non-accredited)	AZ, NV, SC
Engineering (non-accredited)	NV, SC
Horticulture	NV
Horticultural Science	SC
Landscape Architectural Technology	WA
Landscape Design	AZ
Urban Planning	SC
Any design related degree	MD
NAAB accredited B. Arch. or M. Arch.	AZ, AR, CA, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA
ABET accredited engineering degree	AZ, AR, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA

Agenda Item K

DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD TO AMEND TITLE 16, CCR SECTION 2615 (FORM OF EXAMINATIONS) REGARDING RECIPROCITY REQUIREMENTS

The Landscape Architects Technical Committee (LATC) began discussing the issue of reciprocity with other jurisdictions at its May 2013 meeting and included objectives to review this matter in subsequent Strategic Plans.

The primary issue with reciprocity is that the Committee has received requests for reciprocal licensure from individuals licensed in jurisdictions where a degree in landscape architecture or architecture was not a requirement for initial licensure, as it is in California.

At the March 20, 2014 LATC meeting, Department of Consumer Affairs' legal counsel advised the Committee that a regulatory amendment would be necessary to allow reciprocity for applicants who have not met California's current education requirements.

Staff researched reciprocity requirements in other states and found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years); and 28 allow initial/reciprocal licensure on the basis of experience alone, with an average of 8 years required (see attachments K.1, K.2 and K.3).

At the February 10, 2015 LATC meeting, the Committee discussed the data presented and the LATC's current six-year education and training/experience requirements that candidates must complete for licensure. The Committee also noted that candidates can qualify for the examination with an associate degree in landscape architecture (one year of educational credit) and five years training/experience. Once a candidate has successfully passed the examinations (national and California Supplemental Examination [CSE]), he/she is deemed to be competent for entry level practice. During the discussion, LATC noted that licensed professionals continue to learn and gain expertise with each year of practice. Its determination was that a substantial number of years of post-licensure experience in another state would demonstrate an individual's competence to practice safely, even though they may not have met California's educational experience requirements. The Committee suggested a regulatory amendment to allow reciprocity to individuals who may not meet California's education requirement but are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. LATC directed staff to review the reciprocity requirements of Arizona and New York and draft proposed regulatory language for the Committee's consideration.

Based on the LATC's request, staff prepared proposed regulatory language to amend California Code of Regulations (CCR) section 2615. The proposed amendment included provisions that require a candidate for reciprocal licensure to either submit verifiable documentation of education and experience equivalent to that required of California applicants at the time of application **or**

submit verifiable documentation that the candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least 10 of the last 15 years.

At the November 17, 2015 LATC meeting, the Committee approved proposed regulatory language for CCR section 2615. Staff prepared and submitted the initial rulemaking package to the Office of Administrative Law (OAL) and the Notice of Proposed Changes in the Regulations was published by OAL on August 12, 2016, thereby beginning the 45-day public comment period. On September 27, 2016, a public hearing was held and the public comment period officially ended.

During the public comment period, 296 comments were received; of which, 291 were substantially similar, expressing concern that borrowing precedent from Arizona and New York is out of context because these states have a multitude of paths to licensure not available in California, including varying degrees and combinations of experience. Specifically, the commenters believe that requiring reciprocity applicants to verify 10 years of post-licensure experience was excessive. They offered proposed language that would allow reciprocity if the “candidate possesses education and experience equivalent to that required of California applicants at the time of application; or, candidate holds a valid license or registration in good standing, possesses a bachelor’s degree from a recognized accredited institution, and has been practicing or offering professional services for at least 2 or the last 5 years; or, candidate holds a valid license or registration in good standing, and has been practicing or offering professional services for at least 6 of the last 10 years.” These comments were provided for the LATC’s review and consideration. As part of the formal rulemaking process under the Administrative Procedure Act, agencies are required to respond to any comments received during the public comment period as part of the rulemaking file.

At its November 4, 2016 meeting, the LATC discussed the proposed regulation and heard from several members of the public in attendance who expressed opposition to the amount (10 years) of post-licensure experience being proposed. After discussion, the LATC agreed to agendaize this topic for its next meeting with the intent of allowing additional time to consider the submitted comments, and determine whether changes to the proposed language are warranted.

After the November 4, 2016 LATC meeting, staff verified that both Arizona and New York accept any baccalaureate degree combined with additional years of experience for initial license and reciprocity candidates and also accept 10 years of licensed experience in lieu of meeting their examination requirements.

At its January 17, 2017 meeting, the LATC again discussed the public comments received on the originally proposed regulatory language to amend CCR section 2615 and voted to amend the proposed language to allow licensees from any U.S. jurisdiction, Canadian Province, or Puerto Rico who have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board to be eligible for licensure upon passing the CSE.

Based on the Committee’s request, staff prepared proposed regulatory language to amend CCR section 2615 (see attachment K.4) to allow reciprocity licensure by meeting the practice and experience requirements provided by Business and Professions Code section 5651.

While consulting with legal counsel, staff confirmed that pursuant to Government Code section 11346.4, the one-year deadline to finalize the pending regulatory proposal is

August 12, 2017 which is not sufficient time to complete the required review/approval process through the control agencies. If the adoption, amendment, or repeal of the regulation is not completed within one year of publication of the notice, a new notice of the proposed action must be issued. Therefore, legal counsel recommended initiation of a new rulemaking file after the LATC and Board have approved the proposed regulatory language.

At today's meeting, the Committee is asked to review and take possible action on the attached proposed regulatory language to amend CCR section 2615.

Attachments:

1. Requirements for Initial Licensure
2. Landscape Architects - Initial Licensure and State Specific Reciprocity Requirements
3. National Landscape Architects - Eligibility and Reciprocity Requirements
4. Proposed Regulatory Language to Amend CCR Section 2615 (Form of Examinations)

Requirements for Initial Licensure

Education	Years of Training	States
LAAB-accredited degree	N/A (degree only)	ID, MS, UT
	1	AL, FL, LA, WV (MLA)
	2	AL, AR, CA, CO, CT, DE, GA (18 MO), HI (MLA), IL, KY, ME, MD, MA, MT, NV, NM, PA, RI, SC, SD, TX, WV (BLA), WI
	3	HI (BLA), IN, IA, KS (MLA), MN (MLA), MO, NH, OH, OK, OR, TN, VT, VA, WA, WY
	4	KS (BLA), MN (BLA), NJ, NY, NC
Non-accredited B.L.A. or M.L.A.	1	NE
	2	HI (MLA), LA, RI
	3	CA, CO, FL, HI (BLA), ME, MT
	4	AR, IA, MD, NM, OR, VA
	5	AZ, MS, NH, SC
	6	DE, NY
	9	AL
	board determined	CT, GA, ID, IL, NV, NJ, OK, PA, UT, WA
Related 4-year degree <i>*see reverse for related fields</i>	2	RI
	3	CO, FL, NE, NV
	4	AR, MD, MT, OR
	5	CA (NAAB), HI, ME, MS, NH, NM, SC
	6	DE, VA
	7	NY, WA
	board determined	AZ, CT, GA, ID, IA, OK, PA, UT
Any 4-year degree	3	NE
	4	LA, MT
	5	CO, FL, HI, ME, MS
	6	MD, OR, VA
	7	SC, WA
board determined	AZ, AR, CT, GA, ID, IA, NV, NH, NM, NY, OK, PA, UT	
Extension certificate in landscape architecture	4	CA
AA/AS in LA	4	NV
	5	CA
Any AA/AS	6	MT
N/A (training only)	Average = 8 years	AL, AZ, AR, CO, CT, FL, HI, ID, IA, LA, ME, MD, MA, MI, MS, MT, NV, NM, NY, OK, OR, PA, RI, UT, VY, VA, WA, WV

Requirements for CLARB Certification

Education	Years of Training
LAAB-accredited degree	3
Non-accredited B.L.A. or M.L.A.	4
NAAB-accredited B.Arch. or M. Arch.	4
ABET-accredited degree in Civil Engineering	4
Any Bachelor's degree	6

Related Degrees Accepted by CLARB Jurisdictions

Related Degree Field	States
Architecture (non-accredited)	AZ, NV, SC
Engineering (non-accredited)	NV, SC
Horticulture	NV
Horticultural Science	SC
Landscape Architectural Technology	WA
Landscape Design	AZ
Urban Planning	SC
Any design related degree	MD
NAAB accredited B. Arch. or M. Arch.	AZ, AR, CA, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA
ABET accredited engineering degree	AZ, AR, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA

Landscape Architects - Initial Licensure and State Specific Reciprocity Requirements

	Initial Licensure					Reciprocity
	Required Years Combined Training and Educational Experience	Credit for Years of Education	Credit for Years of Training	Allow Education Only	Allow Years of Training Only	State Specific Requirements for Reciprocity
AL	6	4 - 5	1 - 2	No	Yes, 8	Must offer reciprocity with AL
AK	8 - 12	1 - 6	2 - 12	No	No	Course in arctic engineering and accepts CLARB certification
AZ	8	4 - 5	3 - 4	No	Yes, 8	Accepts CLARB certification
AR	6 - 8	4	2 - 4	No	Yes, 7	Accepts CLARB certification
CA	6	1 - 4	2 - 5	No	No	
CO	6	1 - 4	2 - 6	No	Yes, 6	
CT	6 - 8	4	2 - 8	No	Yes, 8	CLARB certification required
DE	6	2 - 4	2 - 4	No	No	CLARB certification required
DC	N/A	N/A	N/A	N/A	N/A	
FL	5 - 6	4	1 - 6	No	Yes, 7	
GA	5.5	4	1.5	Yes, BA plus MA in LA	No	Must offer reciprocity with GA
HI	6 - 12	4	2 - 12	No	Yes, 12	
ID	4 - 8	4	8	LA degree	Yes, 8	Accepts CLARB certification
IL	6	4	2	No	No	Accepts CLARB certification
IN	7	4	3	No	Yes, 8 prior to 2003	Accepts CLARB certification
IA	7 - 8	4	3 - 4	No	Yes, 10	
KS	8	4 - 5	3 - 4	No	Yes, 8 prior to 1993	
KY	6	4	2	No	Yes, 7 prior to 1994	
LA	5 - 6	2 - 4	1 - 4	No	Yes, 6	No provision for reciprocity
ME	6 - 12	3 - 4	2 - 12	No	Yes, 12	Accepts CLARB certification
MD	6 - 8	2 - 4	2 - 8	No	Yes, 8	Must offer reciprocity with MD
MA	6	4	2 - 6	No	Yes, 6	Must offer reciprocity with MA
MI	7	1 - 5	6 - 7	No	Yes, 7	CLARB certification required
MN	8	4 - 5	3 - 4	No	No	CLARB certification required
MS	4 - 7	2 - 4	5 - 7	Yes, BA or MA	Yes, 7	Accepts CLARB certification
MO	7	4	3	No	No	
MT	2 - 8	2 - 5	2 - 8	No	Yes, 8	
NE	5 - 7	4	1 - 3	No	No	CLARB certification required
NV	6 - 8	2 - 4	2 - 4	No	Yes, 6	
NH	7 - 8	3 - 4	3 - 5	No	No	Accepts CLARB certification
NJ	8	4	4	No	No	
NM	6 - 10	4	2 - 10	No	Yes, 10	
NY	8	2 - 4	4 - 12	No	Yes, 12	
NC	8 - 10	4	4 - 10	No	No	
ND	N/A	N/A	N/A	N/A	N/A	
OH	7	4	3	No	No	Accepts CLARB certification
OK	7	4	3	No	Yes, at the board's discretion	Must offer reciprocity with OK
OR	7 - 10	4	3 - 6	No	Yes, 11	
PA	6 - 7	1 - 5	1 - 6	No	Yes, 8	
RI	6	4	2	No	Yes, 6	
SC	6 - 9	4	2 - 5	No	No	
SD	5	4	1	No	No	CLARB certification required
TN	7	4	3	No	No	CLARB certification required
TX	6	4	2	No	No	Accepts CLARB certification
UT	4 - 8	4 - 5	8	Yes, BA or MA	Yes, 8	
VT	7	3 - 4	3 - 9	No	Yes, 9	Accepts CLARB certification
VA	6 - 8	3 - 4	3 - 6	No	Yes, 8	Accepts CLARB certification
WA	7	2 - 4	3 - 8	No	Yes, 8	
WV	4 - 6	4 - 5	1 - 2	No	Yes, 10	Accepts CLARB certification
WI	6 - 7	2 - 4	2 - 5	No	No	
WY	7	4	3	No	No	Accepts CLARB certification

National Landscape Architects - Eligibility and Reciprocity Requirements

State - Acronym	Initial Education/Experience Requirements	Reciprocity Requirements	Education Experience Required for Purposes of Reciprocity
Alabama - AL	6 years combined education and experience which may include up to 5 years credit for education. In lieu of education, 8 years experience if that experience began prior to August 1, 2012.	Passed a test prepared by CLARB and is from a state with similar qualifications for licensure that also offers reciprocity with AL.	Yes, unless 8 years of practice experience was gained or began prior to August 1, 2012.
Alaska - AK	8 to 12 years combined education and experience, plus a course in arctic engineering.	Licensed in a state that the board determines meets the requirements of law or, have a CLARB certificate. Must also complete an arctic engineering course.	Yes
Arizona - AZ	8 years of active education or experience or both (not more than 5 years credit for education).	Must meet the minimum experience requirements or have CLARB certification. In lieu of meeting education, training and examination requirements, applicants may submit proof of licensure for at least 10 of the last 15 years.	No
Arkansas - AR	Accredited degree in LA plus 2 years experience; or a degree in a field related to LA plus 4 years experience; or 7 years experience satisfactory to the board.	Holds a current, valid license issued under standards equivalent to AR at the time of original licensure. May submit a valid CLARB certificate.	No
California - CA	6 years combined education and experience. Minimum one year education and minimum one year experience under landscape architect post graduation. Multiple pathways.	Licensed in another jurisdiction and meets initial eligibility requirements for California candidates.	Yes
Colorado - CO	Accredited degree in LA plus 2 years experience or 6 years practical experience or a combination of education and experience to meet the 6 year requirement. Educational credit is given for non-accredited programs.	Holds a current, valid license in another jurisdiction with eligibility requirements substantially equivalent to CO.	No
Connecticut - CT	Accredited degree in LA plus 2 years of experience or 8 years experience.	CLARB certification or licensure in another state with standards substantially similar or higher than CT.	No
Delaware - DE	Accredited degree in LA plus 2 years experience or 2 years coursework in LA from an accredited school plus 4 years experience.	Proof of licensure in good standing in another state or territory and passage of a uniform national licensing exam for landscape architecture.	Yes
District of Columbia - DC	N/A	N/A	N/A
Florida - FL	Accredited degree in LA plus 1 year of experience, or 7 years experience and/or education credit.	Licensure by Endorsement if the applicant has passed a licensing exam substantially equivalent to that used by FL or who holds a valid LA license in a state or territory with substantially identical criteria to the requirements in FL at the time of issuance.	No
Georgia - GA	BA/BS degree in LA plus 18 months of training or post graduate degree in LA.	Legally registered/licensed by another jurisdiction where licensure requirements are substantially equivalent to GA and where the same privilege is extended to GA licensees.	Yes
Hawaii - HI	MA in LA plus 2 years experience or undergraduate degree in LA plus 3 years experience or undergraduate degree in pre-LA or Arts and Sciences plus 5 years experience, or 12 years experience. Applicants with 15 years experience do not have to pass the L.A.R.E.	Current licensure in a jurisdiction where the requirements for licensure at the time the license was issued are satisfactory to the Board. Must pass the national licensing exam and the HI supplemental exam.	No
Idaho - ID	Graduation from a college or school of LA approved by the board or 8 years experience.	Licensure in another jurisdiction whose requirements are substantially equivalent to ID or CLARB certification	No

Illinois - IL	Approved professional degree in LA plus 2 years experience.	Licensure in another state which has substantially equivalent requirements and/or CLARB certification.	Yes
Indiana - IN	Accredited degree in LA plus 3 years of experience or, before January 2003, at least 8 years experience.	Licensed in another jurisdiction with substantially equivalent requirements as IN and/or CLARB certification.	Yes, unless 8 years of practice experience was gained before January 2003.
Iowa - IA	4 year accredited degree in LA plus 3 years experience, 4 year non-accredited degree in LA plus 4 years experience, or 10 years experience.	Licensure in another jurisdiction whose requirements are substantially equivalent to IA.	No
Kansas - KS	Accredited 5 year degree in LA plus 3 years experience or accredited 4 year degree in LA plus 4 years experience.	Licensure in another jurisdiction whose requirements are substantially equivalent to KS.	Yes, unless licensed in their home state before January 1993, may use 8 years experience in lieu of education.
Kentucky - KY	Accredited degree in LA plus 2 years experience.	Licensed in a jurisdiction where the requirements at the time of licensing were equal to those required in KY at the time of application.	Yes
Louisiana - LA	Professional degree from an accredited school or a degree which the commission has declared to be substantially equivalent plus at least 1 year experience, or 6 years experience.	No provision for reciprocity.	No
Maine - ME	Accredited degree in LA plus 2 years experience other than as a principal or 5 years as a principal, or non-accredited degree plus 3 years experience other than a principal or 5 years experience as a principal, or bachelors degree in a non-related field plus 5 years experience, or 3 years experience under the supervision of a licensed LA plus 5 years experience as a principal, or 12 years experience other than as a principal at least 6 of which was under the supervision of a licensed LA.	Current and valid license from another jurisdiction where the requirements for licensure are equivalent to the requirements in ME or CLARB certification issued after examination.	No
Maryland - MD	Accredited degree plus 2 years experience, or design-related degree plus 4 years experience, or non-related degree plus 6 years experience, or 8 years experience.	Licensed in another jurisdiction with substantially equivalent requirements as MD and which offers reciprocity to MD licensees.	No
Massachusetts - MA	Accredited degree and 2 years experience or, 6 years experience	Licensed in another jurisdiction whose requirements are at least substantially equivalent to MA provided the jurisdiction extends the same privilege to MA licensees.	No
Michigan - MI	7 years of education and/or work experience. BS/BA degree equals 4 years of the 7 year requirement; MA equals 5 years of the 7 year requirement.	Must meet the minimum experience requirements or have CLARB certification.	No
Minnesota - MN	5 year accredited degree in LA plus 3 years experience or, 4 year accredited degree in LA plus 4 years experience or, related degree plus MA/Ph.d. in LA plus 3 years experience.	CLARB certification.	Yes
Mississippi - MS	Accredited degree in LA or one that is accepted by a CLARB recognized accreditation body. In lieu of education, 7 years experience in LA suitable to the board. A degree in a curriculum other than LA qualifies for 2 years credit toward the 7 year requirement.	Licensed by another jurisdiction recognized by CLARB and/or CLARB certification. An applicant without CLARB certification must meet the education and/or experience requirements.	No
Missouri - MO	Accredited degree in LA plus 3 years experience.	Must meet the minimum education and experience requirements.	Yes
Montana - MT	Accredited MA degree in LA plus 2 years experience or, non-accredited MA degree in LA and 3 years experience or, BA/BS degree plus 4 years experience or AA degree plus 6 years experience, or 8 years experience.	Verification of licensure in another jurisdiction disclosing the laws and regulations in effect at the time of licensure, verification from CLARB of having passed all sections of the LARE. The board determines whether the education and experience requirements for original licensure are substantially equivalent to those in MT.	No

Nebraska - NE	Accredited degree in LA or, non-accredited degree plus 1 year experience or, any bachelors degree plus 3 years experience.	Licensure in another jurisdiction and has CLARB certification.	Yes
Nevada - NV	Accredited or approved BA/MA degree in LA plus 2 years experience or, an AA in LA or BA in a related field plus 4 years experience or, an accredited BA in architecture or civil engineering plus 3 years experience or, any combination of education and experience the Board deems acceptable. A MA degree in a related field counts as 1 year of experience.	Licensure in another jurisdiction and actively engaged in the practice of LA for 2 or more years or fulfilled the education and experience requirements of NV.	No
New Hampshire - NH	Accredited degree in LA and 3 years experience or, non-accredited degree in LA or related field and 5 years experience.	Licensure in another jurisdiction whose requirements are substantially equivalent to those in NH or, CLARB certification accompanied by verification of licensure in the other jurisdiction.	Yes
New Jersey - NJ	Accredited or approved degree in LA plus 4 years experience of which at least 2 years must have been full time.	Licensure in another jurisdiction where the standards for licensing met the standards in NJ at the time of initial licensure, and passed the national examination or holds CLARB certification.	Yes
New Mexico - NM	Accredited degree in LA plus 2 years experience or, non-accredited degree in LA plus 4 years experience or, BA or MA in a related field plus 5 years experience, or 10 years practical experience in LA at least 1 of which must have been under the direct supervision of a licensed LA (each year of completed study in an accredited LA program counts as 1 year experience and a baccalaureate degree in any field counts as 2 year experience toward the 10 year requirement).	Licensure in another jurisdiction with standards as stringent or higher than NM and meet the qualifications of a licensed LA in NM.	No
New York - NY	Accredited or approved degree in LA plus experience to equal at least 8 years total or, 12 years experience in LA. Each complete year of study satisfactory to the board counts as 2 years toward the 12 year requirement, not to exceed 8 years of credit.	Licensure in another jurisdiction provided the applicant's qualification met the requirements in NY at the time of initial licensure.	No
North Carolina - NC	Accredited degree in LA plus 4 years experience or, 10 years education and experience in any combination in LA.	Licensure in a jurisdiction whose requirements are deemed equal or equivalent to NC. Applicant must provide proof of education, experience and examination.	Yes
North Dakota - ND	N/A	N/A	N/A
Ohio - OH	Accredited degree in LA plus 3 years experience.	Licensure in another jurisdiction whose qualifications at the time of licensure were substantially equal to the requirements in OH and CLARB certification.	Yes
Oklahoma - OK	Accredited or approved degree in LA plus 3 years experience. The board may accept "broad experience" in LA as meeting the educational requirements.	Licensure in another jurisdiction with requirements substantially equivalent to OK and where reciprocity is granted for OK licensees.	No
Oregon - OR	Accredited degree in LA plus 3 years experience or, non-accredited in LA or related field plus 4 years experience or, degree in any field plus 6 years experience or, 11 years experience.	Must meet the same requirements as OR applicants.	No
Pennsylvania - PA	Accredited or approved degree in LA plus 2 years experience or, accredited or approved degree in LA plus 1 year of graduate school in LA plus 1 year experience or, 1 year of study in an approved program in LA plus 6 years of combined education and experience or, 8 years experience actual experience in LA. The board waives the examination requirements for individuals with a degree in LA and 10 years experience and for individuals with 15 years experience in LA.	Must meet the education and experience requirements and hold a current license in LA in another jurisdiction.	No

Rhode Island - RI	Accredited BS/MA degree in LA or, at the discretion of the board, a BS/MA degree in a field related to LA or completion of a non-accredited program, plus 2 years experience in LA or 1 year experience in LA plus 1 year experience in a related field. In lieu of a degree, 6 years experience.	Licensure in another jurisdiction with equal standards to those in RI and that grants equal rights to RI licensees, provided that the applicant passed a comparable examination and demonstrates comparable education and experience.	No
South Carolina - SC	Accredited degree in LA plus 2 years experience or, non-accredited degree in LA or a related field plus 5 years experience.	Licensure in another jurisdiction with substantially equivalent requirements to those in SC at the time of initial licensure.	Yes
South Dakota - SD	Accredited degree in LA and completion of a council record from CLARB. Experience requirements are those required by CLARB.	Must meet the minimum education and experience requirements or have CLARB certification.	Yes
Tennessee - TN	Accredited degree in LA plus 3 years experience.	Comity - must have accredited degree in LA plus 3 years experience, current CLARB certification and be licensed in another jurisdiction.	Yes
Texas - TX	Professional degree from a program accredited by the LAAB plus 2 years experience.	Licensed in another jurisdiction with requirements substantially equivalent to those in TX, or where the jurisdiction has entered into an agreement with the Board that has been approved by the Governor of TX. Applicants must have passed the LARE or an equivalent exam approved by CLARB as conforming to CLARB's standards or as being acceptable in lieu of the LARE, and have 2 years of post licensure experience or have CLARB certification.	Yes
Utah - UT	Degree in LA or no less than 8 years experience. Each year of education counts as 1 year of experience.	No provisions for reciprocity cited in law or rules.	No
Vermont - VT	Accredited degree in LA plus 3 years experience or 9 years experience under a licensed LA. Up to 1 year of that experience may be under the supervision of an architect, professional engineer or land surveyor. Credits from an accredited degree program may be substituted for no more than 3 of the 9 year requirement.	Licensure in another jurisdiction with substantially equal requirements as VT or CLARB certification.	No
Virginia - VA	Accredited degree in LA plus 3 years experience or, non-accredited degree in LA plus 4 years experience or, any bachelors degree plus 6 years experience or, 8 years experience.	Licensed in a jurisdiction whose requirements were at least as rigorous as those in VA at the time of original licensure (must have passed an examination) or CLARB certification.	No
Washington - WA	Accredited degree in LA or an equivalent degree in LA as determined by the board plus 3 years experience, or 8 years LA experience, 6 of which must have been under the supervision of a licensed LA. Up to 2 years of experience may be granted for postsecondary education courses in LA if the courses are equivalent to those offered in accredited degree programs.	Licensure in another jurisdiction if the applicant's qualifications and experience are equivalent to the requirements of WA.	No
West Virginia - WV	Accredited degree in LA plus 2 years experience, or accredited graduate degree in LA plus 1 year experience, or, prior to December 31, 2006, 10 years experience in LA, 6 of which must have been under the supervision of a licensed LA or a person having similar qualifications as a LA. After January 1, 2007, 10 years of experience under the supervision of a licensed LA or a person having similar qualifications.	Licensure in another jurisdiction with substantially equivalent requirements to those in W.VA., or CLARB certification.	No
Wisconsin - WI	Accredited degree in LA or an equivalent degree plus 2 years experience, or 7 years training and experience in LA including at least 2 years of coursework in LA or an area related to LA and 4 years practical experience.	Licensed in another jurisdiction with similar requirements to those in WI.	Yes
Wyoming - WY	Accredited degree plus 3 years experience.	Licensed in a jurisdiction with substantially equal requirements to those in WY or CLARB certification.	Yes

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED REGULATORY LANGUAGE**

Proposed language to amend California Code of Regulations section 2615 as follows:

§ 2615 Form of Examinations

(a)(1) A candidate who has a combination of six years of education and training experience as specified in section 2620 shall be eligible and may apply for the Landscape Architect Registration Examination.

(2) Notwithstanding subdivision (a)(1), a candidate who has a Board-approved ~~degree~~ in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from a Board-approved school in accordance with section 2620(a)(3) shall be eligible and may apply for Sections 1 and 2 of the Landscape Architect Registration Examination (LARE). Such candidates shall not be eligible for Sections 3 and 4 of the LARE until the candidate has a combination of six years of education and training experience as specified in section 2620.

A candidate's score on the LARE shall not be recognized in this State if at the time the candidate took the LARE, the candidate was not eligible in accordance with California laws and regulations for the examination or sections thereof.

(b) A candidate shall be deemed eligible and may apply for the California Supplemental Examination upon passing all sections of the Landscape Architect Registration Examination.

(c) All candidates applying for licensure as a landscape architect shall pass all sections of the Landscape Architect Registration Examination or a written examination substantially equivalent in scope and subject matter required in California, as determined by the Board, and the California Supplemental Examination subject to the following provisions:

(1) ~~A~~ For the purposes of this regulation, a candidate who is licensed as a landscape architect in a U.S. jurisdiction, Canadian province, or Puerto Rico by having passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board shall be deemed to have met the job experience requirements of Business and Professions Code section 5651, and shall be eligible for licensure upon passing the California Supplemental Examination.

(2) A candidate who is not a licensed landscape architect and who has received credit from a U.S. jurisdiction, Canadian province, or Puerto Rico for a written examination substantially equivalent in scope and subject matter required in California shall be entitled to receive credit for the corresponding sections of the Landscape Architect Registration Examination, as determined by the Board, and shall be eligible for licensure upon passing any remaining sections of the Landscape Architect Registration Examination and the California Supplemental Examination.

Authority cited: Section 5630, Business and Professions Code. Reference: Sections 5650 and 5651, Business and Professions Code.

Agenda Item L

DISCUSSION AND POSSIBLE ACTION TO RECOMMEND TO THE BOARD TO AMEND TITLE 16, CCR SECTION 2620.5 (REQUIREMENTS FOR AN APPROVED EXTENSION CERTIFICATE PROGRAM)

The University of California, Los Angeles (UCLA) and University of California, Berkeley (UCB) Extension Programs were established in 1976 and 1982 respectively. As part of the University of California, both Extension Programs are governed by their respective university policies and academic standards (Attachment L.1). The former Board of Landscape Architects (BLA) granted educational credit to applicants who had completed either program.

In November 1991, the BLA adopted Title 16, California Code of Regulations section (CCR) 2620.5, formally establishing requirements to approve extension certificate programs, based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). (It should be noted that educational credit is granted for associate degree programs and non-accredited bachelors and masters programs that are not regulated by the Landscape Architects Technical Committee [LATC], but rather, are governed by the academic institutions within which they are structured.)

In 2009, LAAB implemented changes to its accreditation standards. Prompted by these changes, the LATC drafted updated requirements for an approved extension certificate program and recommended the Board authorize LATC to proceed with a regulatory change to amend CCR 2620.5. At its December 15, 2010 meeting, the Board approved the proposed regulatory language and authorized staff to proceed with the rulemaking file. The regulatory proposal to amend CCR 2620.5 was sent to the Office of Administrative Law (OAL) and in July 2013, OAL issued a “Decision of Disapproval of Regulatory Action,” citing deficiencies in the file relating to the necessity standard of Government Code section 11349.1 (see Attachments L.2 and L.3).

At its August 20, 2013 meeting, the LATC voted to: 1) not pursue a resubmission of the existing rulemaking file for CCR 2620.5 to OAL; 2) have staff analyze the proposed modifications to CCR 2620.5 and attempt to provide sufficient justification for each proposed change that will meet OAL standards; and 3) submit a new rulemaking file to OAL once sufficient justification for the proposed changes have been developed.

Subsequent to the August 2013 LATC meeting, staff consulted with Department of Consumer Affairs (DCA) legal counsel to identify the best approach to resubmit the rulemaking file. It was determined that a “comprehensive” regulatory package would be necessary to satisfy all of OAL’s concerns related to the disapproval of the file. Such a comprehensive package would need to include not only sufficient justification for the existing proposed amendments to CCR 2620.5, but would also need to add new regulations that address: 1) the application process for extension certificate programs; 2) annual reporting requirements; 3) denial, suspension, and withdrawal of approval; and 4) appealing denial, suspension and withdrawal of approval actions. Based on legal counsel’s recommendation, staff developed additional proposed language to address the application and approval processes listed above, CCR sections 2620.2, 2620.3 and 2620.4.

In February 2014 staff met with Christine Anderson, Chair of the LATC's University of California Extension Certificate Program Task Force, and DCA legal counsel to discuss justifications for the new proposed regulatory language (CCR 2620.2, 2620.3 and 2620.4) and amendments to existing regulations (CCR 2620.5).

Staff revised the proposed language to clarify the application and review processes, as well as justifications needed to address OAL's concerns. Attachment L.4 is staff and legal counsel's draft proposed regulatory language that was presented for discussion to the LATC at its February 2015 meeting. Areas which need additional research or discussion are captured in comments noted in the right-hand column of the language. New language is indicated in blue underline and deleted language is indicated with ~~red strikethrough~~. Portions highlighted in yellow in CCR 2620.5 identify new edits made subsequent to LATC's original approval of the proposed language for that section.

At the February 2015 meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Ms. Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB advised that it was in the process of updating its Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place in the fall of 2014. LAAB met in the summer of 2015 to draft revisions to the Standards and Procedures. In the fall of 2015, additional public input and comments were solicited and subsequently incorporated into LAAB's revisions.

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which separate Standards from Procedures, into two documents. The Standards include several suggested changes to curriculum requirements. LATC staff began incorporating the proposed changes and drafting proposed language that included many of LATC's previously submitted modifications to CCR 2620.5. Attachment L.5 is staff's working draft of proposed language to amend CCR 2620.5 only to include LAAB's 2017 curriculum requirements.

LAAB updates its Accreditation Standards every five to six years to reflect current practice in landscape architecture. The new Accreditation Standards took effect in March 2016, making significant changes to curriculum requirements (see Attachment L.6, pages 10-11). Specifically, prior curriculum standards encompassed 8 broad subject matter areas of study. The new standards require coursework in 9 subject matter areas with 41 subcategories of study. Due to the nature of the extensive changes, it is uncertain whether the required rulemaking documents can be revised in a manner that will meet the necessity standard of the Administrative Procedures Act.

At the January 17, 2017 LATC meeting, staff recommended that LATC review the LAAB Accreditation Standards and Procedures and determine how to proceed. Staff also suggested the Committee consider receiving input from the Extension Programs and public on the impact of LATC not reviewing/approving the programs. Prior to the meeting, Stephanie Landregan, Director of the UCLA Extension Certificate program, requested that discussion be postponed until

the next LATC meeting. Her request was granted and the regulatory proposals were tabled for discussion at today's meeting.

On March 15, 2017, the LATC received a letter from Stephanie Landregan and Eddie Chau, Directors of the Extension Programs, requesting the opportunity to speak to the LATC on the importance of continuing the current approval process (Attachment L.7). The letter also asks that any changes to this process be addressed by a reconvened or new Education Subcommittee.

At this meeting, the LATC is asked to discuss the proposed language presented in Attachments L.4 and L.5 to determine if additions, deletions, modifications or other actions are needed. Staff will then proceed with the regulatory process as directed.

Attachments:

1. UCLA and UCB Accreditation, Policy and Academic Senate Information
2. OAL Decision of Disapproval of Regulatory Action, July 17, 2013
3. Proposed Language to Amend CCR 2620.5 disapproved by OAL in July 2013
4. Proposed Language to Add CCR 2620.2, 2620.3, and 2620.4 Provided to LATC on February 10, 2015
5. Working Draft of Proposed Language to Amend CCR 2620.5
6. LAAB Accreditation Standards - March 2016
7. UCLA Extension Program Directors' March 15, 2017 Letter

[Drops and Refunds \(/pages/str/dropsandrefunds.jsp\)](/pages/str/dropsandrefunds.jsp)

Accreditation

UCLA is accredited by the Western Association of Schools and Colleges (WASC). You are welcome to review documentation about our most recent reaccreditation effort (<http://www.wasc.ucla.edu/>). All courses and certificate programs offered by UCLA Extension have been developed and are administered in accordance with Extension and UCLA policy and the regulations of the Academic Senate of the University of California.

UC Berkeley Extension
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Administration

UC Berkeley Extension administrators work to ensure that Extension is meeting the rapidly changing educational needs of our world, while maintaining the high academic standards consistent with the University of California, Berkeley.

The University of California, Berkeley, is accredited by the Western Association of Schools and Colleges (WASC). UC Berkeley Extension—like all other UC Berkeley schools, colleges and departments—is accredited by WASC through the University.

[UC Berkeley Administration \(http://www.berkeley.edu/admin/\)](http://www.berkeley.edu/admin/)

University of California Berkeley Extension Administration

Dean:

- Diana Wu—(510) 642-4181, extension-dean@berkeley.edu (<mailto:extension-dean@berkeley.edu>)

Chief Operating Officer:

- Scott Shireman—(510) 642-3708

Academic Departments

Art and Design:

- Anastasia Meadors, Director—(415) 284-1040

Behavioral Health Sciences:

[Drops and Refunds \(/pages/str/dropsandrefunds.jsp\)](/pages/str/dropsandrefunds.jsp)

Policies



UCLA Extension is an academic division of UCLA: one of the ten campuses of the University of California. Its policy and practice are rooted in provisions of state and federal law, policy and regulations of the UC Office of the President and the UC Academic Senate, and local UCLA administrative and academic authorities. The Academic Senate, and local UCLA administrative and academic authorities. The *Dean of Continuing Education and UCLA Extension* promulgates policy that conforms to these source authorities and refines how we fulfill our mission of continuing education and public service.

Under *UCLA Extension Policies*, you will find policy documents that may be of interest to you. We welcome your exploration. For further information, contact the UCLA Extension Office of the Dean at (310) 825-2362 or at DeansOffice@uclaextension.edu.

Nondiscrimination Policy

The University of California, in accordance with applicable Federal and State law and University policy, does not discriminate on the basis of race, color, national origin, religion, sex, gender identity, pregnancy, physical or mental disability, medical condition, ancestry, marital status, age, sexual orientation, citizenship, or service in the uniformed services. The University also prohibits sexual harassment. This nondiscrimination policy covers admission, access, and treatment in University programs and activities.

Inquiries regarding the University's nondiscrimination policies and reports of violations

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CALIFORNIA ARCHITECTS BOARD

**State of California
Office of Administrative Law**

In re:
California Architects Board

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

**Regulatory Action: Title 16
California Code of Regulations**

Government Code Section 11349.3

Adopt sections:
Amend sections: 2620.5
Repeal sections:

OAL File No. 2013-0531-01S

SUMMARY OF REGULATORY ACTION

The California Architects Board (Board) proposed this regulatory action to amend title 16, California Code of Regulations, section 2620.5, which is the sole regulation that governs extension certificate programs for landscape architects. One way that an applicant for licensure as a landscape architect can fulfill educational requirements is by successful completion of an extension certificate program that is recognized and approved by the Board pursuant to the provisions of Section 2620.5. The provisions of Section 2620.5 were initially established by the Landscape Architects Technical Committee (LATC), a statutory committee under the purview of the Board, and adopted by the Board to mirror standards established by an organization called the Landscape Architectural Accreditation Board in a publication titled *Accreditation Standards and Procedures* (LAAB Standards). The LAAB Standards are used nationally for accrediting college and university degree programs in landscape architecture. The proposed amendments are intended to update Section 2620.5 to conform to updates made to the LAAB Standards published by the Landscape Architectural Accreditation Board on February 6, 2010 (2010 LAAB Standards).

DECISION

On May 31, 2013, the Board submitted the above-referenced regulatory action to the Office of Administrative Law (OAL) for review in accordance with the Administrative Procedure Act (APA). On July 15, 2013, the OAL notified the Board of the disapproval of this regulatory action for failure to comply with the necessity standard of Government Code section 11349.1.

DISCUSSION

The adoption of regulations by the Board must satisfy requirements established by the part of the APA that governs rulemaking by a state agency. Any regulation adopted by a state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its

procedure, is subject to the APA unless a statute expressly exempts the regulation from APA coverage. (Gov. Code, sec. 11346.)

Before any regulation subject to the APA may become effective, the regulation is reviewed by OAL for compliance with the procedural requirements of the APA and for compliance with the standards for administrative regulations in Government Code section 11349.1. Generally, to satisfy APA standards, a regulation must be legally valid, supported by an adequate record, and easy to understand. In this review, OAL is limited to the rulemaking record and may not substitute its judgment for that of the rulemaking agency with regard to the substantive content of the regulation. This review is an independent check on the exercise of rulemaking powers by executive branch agencies intended to improve the quality of regulations that implement, interpret, and make specific statutory law, and to ensure that the public is provided with a meaningful opportunity to comment on regulations before they become effective.

NECESSITY

OAL must review regulations for compliance with the necessity standard of Government Code section 11349.1, subdivision (a)(1). Government Code section 11349, subdivision (a), defines necessity as follows:

(a) "Necessity" means the record of the rulemaking proceeding demonstrates by substantial evidence the need for a regulation to effectuate the purpose of the statute, court decision, or other provision of law that the regulation implements, interprets, or makes specific, taking into account the totality of the record. For purposes of this standard, evidence includes, but is not limited to, facts, studies, and expert opinion.

To further explain the meaning of substantial evidence in the context of the necessity standard, subdivision (b) of section 10 of title 1 of the California Code of Regulations provides:

(b) In order to meet the "necessity" standard of Government Code section 11349.1, the record of the rulemaking proceeding shall include:

- (1) a statement of the specific purpose of each adoption, amendment, or repeal; and
- (2) information explaining why each provision of the adopted regulation is required to carry out the described purpose of the provision. Such information shall include, but is not limited to, facts, studies, or expert opinion. When the explanation is based upon policies, conclusions, speculation, or conjecture, the rulemaking record must include, in addition, supporting facts, studies, expert opinion, or other information. An "expert" within the meaning of this section is a person who possesses special skill or knowledge by reason of study or experience which is relevant to the regulation in question.

In order to provide the public with an opportunity to review and comment upon an agency's perceived need for a regulation, the APA requires that the agency describe the need for the regulation in the initial statement of reasons. (Gov. Code, sec. 11346.2, subd. (b).) The initial

statement of reasons must include a statement of the specific purpose for each adoption, amendment, or repeal, and the rationale for the determination by the agency that each regulation is reasonably necessary to carry out the purpose for which it is proposed or, simply restated, “why” a regulation is needed and “how” this regulation fills that need. (Gov. Code, sec. 11346.2, subd. (b)(1).) The initial statement of reasons must be submitted to OAL with the initial notice of the proposed action and made available to the public during the public comment period, along with all the information upon which the proposal is based. (Gov. Code, sec. 11346.2, subd. (b) and sec. 11346.5, subs. (a)(16) and (b).) In this way the public is informed of the basis of the regulatory action and may comment knowledgeably.

The initial statement of reasons in this regulatory action did not describe the need for each amended regulatory provision that deviated from the updated 2010 LAAB Standards of which this regulatory action was based. (Any such deviations from the 2010 LAAB Standards will be referred to as amended regulatory provisions for purposes of this discussion.) The initial statement of reasons states that the provisions of section 2620.5 need to be updated to conform to the 2010 LAAB Standards; however, it needs to provide more than this. The problem, administrative requirement, or other condition or circumstance that each amended regulatory provision is intended to address must be identified. In addition, information must be included that explains why each amended regulatory provision is needed to carry out the described purpose of the regulatory provision.

The initial statement of reasons only provides background information on the development and administration of section 2620.5, including the genesis of section 2620.5 from earlier LAAB standards, followed by a brief statement that the earlier LAAB Standards had been updated and a list of the proposed amendments to section 2620.5 that contain only brief, conclusory statements describing what the proposed amendments are, not why they are needed. Additionally, the Board modified the proposed regulatory text in a 15-day notice of availability that took place from November 30, 2012 to January 9, 2013. But there is no necessity provided for these additional modifications anywhere in the rulemaking record. Furthermore, before this regulatory action is resubmitted to OAL, the Board must draft a statement of reasons to add to the rulemaking record to correct the lack of necessity in the initial statement of reasons. The Board may make additional modifications to the proposed regulatory text in another 15-day notice of availability, which the Board must approve, to clarify issues that become apparent while drafting this statement of reasons. The Board must provide necessity for all of the regulatory amendments to section 2620.5 upon resubmittal of this regulatory action to OAL.

Government Code section 11347.1 requires this statement of reasons, which will provide the necessity missing from the initial statement of reasons and from the rulemaking record, to be made available to the public for at least 15 days prior to the Board’s adoption, amendment or repeal of the regulations. Moreover, any comments made in relation to the supplemental statement of reasons or modifications to the text must be summarized and responded to in the final statement of reasons. (Gov. Code, secs. 11346.8, subd. (c) and 11347.1, subd. (d).)

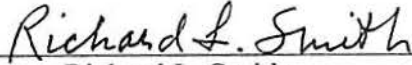
The Board’s demonstration of the need for the amended regulatory provisions is basic to a complete understanding of the proposed regulations. Without an adequate showing of necessity for each amended regulatory provision, OAL cannot be certain of what effect the Board intended

regarding the amended regulatory provisions. OAL must therefore reserve the right upon resubmittal of this regulatory action to conduct a review of these regulations for compliance with all of the substantive standards of Government Code section 11349.1 until such time as an adequate statement of reasons is submitted with the rulemaking record.

CONCLUSION

For the reason set forth above, OAL has disapproved this regulatory action. If you have any questions, please contact me at (916) 323-6809.

Date: July 17, 2013


Richard L. Smith
Senior Counsel

FOR: DEBRA M. CORNEZ
Director

Original: Douglas McCauley
Copy: John Keidel

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED LANGUAGE**

**(NOTE: THE RULEMAKING FILE THAT PROPOSED THESE AMENDMENTS WAS
DISAPPROVED BY THE OFFICE OF ADMINISTRATIVE LAW IN JULY 2013)**

California Code of Regulations, Title 16, Division 26

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The educational program shall be established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and Colleges under Section 94900 of the Education Code or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) There shall be a written statement of the program's philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall be reinforced by course inclusion, emphasis and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives.
- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated.
- (e) There shall be an organizational chart which identifies the relationships, lines of authority and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program's administrator ~~director~~ shall be a California licensed landscape architect.
- (h) The program administrator ~~faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to develop and implement the program approved by the Board.

- (i) The program curriculum shall provide instruction in the following areas related to landscape architecture including public health, safety, and welfare:
- (1) History, theory art and criticism~~communication~~
 - (2) Natural and ~~;~~ cultural, ~~and social~~ systems including principles of sustainability
 - (3) Public Policy and regulation
 - (4) ~~3~~ Design, planning and management at various scales and applications including but not limited to pedestrian and vehicular circulation, grading drainage and storm water management as a process in shaping the environment
 - (5) ~~4~~ Site design and Implementation: Plant materials, methods, technologies, and their application
 - (6) ~~5~~ Construction documentation materials and techniques and administration
 - (7) Written, verbal and visual communication
 - (8) ~~6~~ Professional practice ~~methods~~
 - (9) ~~7~~ Professional ~~ethics and~~ values and ethics
 - (10) Plants and ecosystems
 - (11) ~~8~~ Computer applications systems and other advanced technology

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

- (j) The program shall consist of at least 90 quarter units or 60 semester units.
- (k) The program shall maintain a current syllabus for each required course which includes the course objectives, learning outcomes, content, and the methods of evaluating student performance.
- (l) The program clearly identifies where the public health, safety, and welfare issues are addressed.
- (m) The curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe those requirements.
- (n) A program shall meet the following requirements for its instructional personnel:
- (1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.
 - (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.
 - (3) The program administrator shall be at least .5 time-base.
 - (4) The program administrative support shall be 1.0 full-time equivalence.
- (o) The program shall submit an annual report in writing based on the date of the most recent Board approval. The report shall include:

- (1) Verification of continued compliance with minimum requirements;
- (2) Any significant changes such as curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report;
- (3) Current enrollment and demographics; and
- (4) Progress toward complying with the recommendations, if any, from the last approval.

(p) The program title and degree description shall incorporate the term “Landscape Architecture.”

The Board may choose to further evaluate changes to any of the reported items or to a program.

The Board will either grant or deny an application. When specific minor deficiencies are identified during evaluation of an application, but the institution is substantially in compliance with the requirements of the Code and this Division, a provisional approval to operate may be granted for a period not to exceed 24 months, to permit the institution time to correct those deficiencies identified. A provisional approval to operate shall expire at the end of its stated period and the application shall be deemed denied, unless the deficiencies are corrected prior to its expiration and an approval to operate has been granted before that date or the provisional approval to operate has been extended for a period not to exceed 24 months if the Board is satisfied that the program has made a good faith effort and has the ability to correct the deficiencies.

The Board shall review the program at least every six years for approval.

The Board may rescind an approval during the six-year approval period based on the information received in the program’s annual report after providing the school with a written statement of the deficiencies and providing the school with an opportunity to respond to the charges. If an approval is rescinded, the Board may subsequently grant provisional approval in accordance with the guidelines of this section to allow the program to correct deficiencies.

Note: Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED LANGUAGE

California Code of Regulations, Title 16, Division 26

Add Sections 2620.2, 2620.3 and 2620.4 as follows:

§ 2620.2 Extension Certificate Programs – Application for Approval

- (a) An extension certificate program may apply to the Board for approval when it meets the requirements of Section 2620.5. The program shall document how it meets the requirements of Section 2620.5 by submitting a written self-evaluation report to the Board.
- (b) The Board’s designee, or designees, shall review the self-evaluation report, conduct a site visit, submit a written report to the Board that contains findings as to whether the program complies with Section 2620.5, and make a recommendation regarding approval.
- (c) The Board shall consider the application, written self-evaluation report, and recommendation regarding approval, and either grant or deny approval. When specific minor deficiencies are identified during evaluation of a program, but the program is in substantial compliance with the requirements of Section 2620.5, a provisional approval to operate may be granted for a period not to exceed 24 months, to permit the program time to correct the deficiencies identified.
- (d) A provisional approval to operate shall expire at the end of its stated period and the application shall be deemed denied, unless the deficiencies are corrected prior to its expiration and an approval to operate has been granted before that date or the provisional approval to operate has been extended for a period not to exceed 24 months if the Board is satisfied that the program has made a good faith effort and has the ability to correct the deficiencies.
- (e) The Board shall review each extension certificate program at least every six years for continuing approval.
- (f) The Board may withdraw approval during the six-year approval period based on the information received in the program’s annual report after providing the program with a written statement of the deficiencies noted and giving the program an opportunity to respond to the deficiencies. If approval is withdrawn by the Board in accordance with section 2620.3(b), the Board may subsequently grant provisional approval in accordance with the guidelines of this section to allow the program to correct deficiencies.
- (g) The Board shall have discretion to [redacted] on an application for approval. The program shall be notified by the Board, in writing, of actions taken regarding an application for

Comment [D1]: References to the Board’s authority is being researched whether it should say Board or LATC throughout these sections.

Comment [D2]: Depending on research conducted on (a), may need to clarify source of recommendation.

Comment [D3]: Need to clarify if program is required to submit documents/report to trigger each 6-year review after initial approval.

May need to clarify difference between 6-year review and annual report.

Comment [D4]: Consider moving this subsection to 2620.4 as it relates to withdrawal of approval based on annual report.

Comment [D5]: How long should the action be deferred? Should be applied consistently for all program reviews.

approval.

§ 2620.3 Suspension or Withdrawal of Approval

- (a) When an approved program fails to maintain the requirements for approval for administrative reasons, including but not limited to failure to submit required reports, approval may be suspended. Before this action is taken, the Board shall send a letter to the program requesting an explanation as to why approval should not be suspended. Suspension of approval for administrative reasons is not subject to appeal.

Students attending a program with suspended approval are considered to be attending an approved program. A program may be suspended for a maximum of 12 months. The Board will begin procedures to withdraw approval to take effect immediately when the maximum period of suspension is reached. If evidence of remedial action is submitted and judged adequate within the 12-month period of suspension, reinstatement of approval shall be granted.

- (b) When an approved program fails to comply with approval standards for other than administrative reasons, approval may be withdrawn. Before withdrawing approval, the program will be given the opportunity to explain why approval should not be withdrawn, after which the Board may conduct a site visit and make a final decision.

If the program's parent institution or other programs within the institution are placed on probationary status or have approval withdrawn by their accrediting agencies, the program must notify the Board of the landscape architecture degree program's status.

- (c) Extension certificate programs may appeal denial or withdrawal of approval decisions to the Board. An appeal shall be based on one or more of the following issues:
- (1) Whether the Board and/or the site visit team conformed to the procedures described in regulation; or
 - (2) Whether the Board and/or the site visit team conformed to the approval requirements specified in Section 2620.5.
- (d) A written notice of appeal shall be signed by the chief administrator of the college or university in which the extension certificate program is located. The appeal must be submitted within 30 days of the Board's notice of decision. Within 60 days of the Board's decision letter, the program administrator must submit a comprehensive written statement of all reasons for appeal. Failure to submit this statement within 60 days will be deemed equivalent to withdrawing the appeal. During the appeal period, the approved status of the program will not change.

§ 2620.4 Annual Reports

- (a) Approved extension certificate programs shall submit to the Board a written report, each year

Comment [D6]: Consider restructuring section, i.e.,
(a) Board may suspend approval for these reasons.....
(b) Board may withdraw approval for these reasons...
(c) Suspension terms and affects on students
(d) Program may appeal withdrawal of approval for these reasons...

Comment [D7]: May have to specify for what purpose Board is requiring to be notified.

from the date of the most recent Board approval. The report shall include:

- (1) Verification of continued compliance with the requirements of Section 2620.5;
- (2) Any significant changes in areas such as curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report;
- (3) Current enrollment and demographics;
- (4) Progress toward complying with the recommendations, if any, from the last approval, and
- (5) Any substantive change. "Substantive change" is any change that compromises an extension certificate program's ability to meet one or more of the Board's program requirements or that makes the program unable to meet any of the following requirements:
 - (A) The program title and certificate description incorporate the term "Landscape Architecture."
 - (B) The parent institution is accredited by the institutional accrediting body of its region.
 - (C) There is a not a designated program administrator for the program under review.

Comment [D8]: May need to clarify what is considered significant.

(b) The program administrator shall notify the Board if, at any time, the program fails to meet the requirements of Section 2620.4 (a)(1)-(5).

Comment [D9]: Does wording limit taking action only based on annual report?

(c) The Board may further evaluate changes to any of the reported items in the annual report.

Comment [D10]: May need to clarify.

Note: Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The ~~educational~~ program shall be established in an educational institution which has a four-year educational curriculum and either is ~~approved~~ accredited by the Western Association of Schools and Colleges under Section 94900 of the Education Code or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) ~~There~~ The program shall be have a written statement of the program's which fully and accurately describes its philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall clearly identify where public health, safety, and welfare issues are addressed. The program objectives shall be reinforced by course inclusion, emphasis, and sequence in a manner which promotes achievement of program objectives. ~~The program's literature shall fully and accurately describe the program's philosophy and objectives.~~

Comment [D11]: Duplicative language above, added "which fully and accurately describes" to first sentence of (b).

- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated.
- (e) ~~There~~ The program shall be have an organizational chart which identifies the relationships, lines of authority, and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program's ~~administrator director~~ shall be a California licensed landscape architect.
- (h) The ~~program administrator faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to develop and implement the program approved by the Board.

(i) The program title and certificate description shall incorporate the term "Landscape Architecture."

(j) The program curriculum shall provide instruction that includes public health, safety, and welfare in the following areas related to landscape architecture:

- (1) History, theory art and criticism communication
- (2) Natural and cultural, and social systems including principles of sustainability
- (3) Public policy and regulation
- (4) Design, planning, and management at various scales and applications, including but not limited to, pedestrian and vehicular circulation, grading, drainage, and storm water management as a process in shaping the environment
- (5) Site design and implementation: Plant materials, methods, technologies, and their application
- (6) Construction documentation materials and techniques and administration
- (7) Written, verbal, and visual communication
- (8) Professional practice, values, and ethics methods
- (9) Professional ethics and values
- (10) Plants and ecosystems
- (11) Computer applications systems and other advanced technology

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

(k) The program shall consist of at least 90 quarter units or 60 semester units.

(k) The program shall maintain a current syllabus for each required course which includes the course objectives, learning outcomes, content, ~~and~~ the methods of evaluating student performance, and how public health, safety, and welfare issues are addressed.

~~(l) The program clearly identifies where the public health, safety, and welfare issues are addressed.~~

(m) The program curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe those requirements.

(n) ~~The~~ The program shall meet the following requirements for its instructional personnel:

(1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.

(2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.

(3) The program administrator shall be at least half-time.

(4) The program administrative support shall be full-time.

Comment [D12]: Need to specify employment in program and define amount of time.

Comment [D13]: Need to specify employment in program and define amount of time.

Note: Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
WORKING DRAFT OF PROPOSED LANGUAGE**

California Code of Regulations, Title 16, Division 26

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The educational program shall be established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and Colleges ~~under Section 94900 of the Education Code~~ or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) There shall be a written statement of the program's philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall be reinforced by course inclusion, emphasis and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives. The program shall provide comprehensive public information disclosure about the program's status and performance within a single click link from the program's internet website homepage.
- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated. The program title and certificate description shall incorporate the term "Landscape Architecture".
- (e) There shall be an organizational chart which identifies the relationships, lines of authority and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program administrator ~~'s director~~ shall be a California licensed landscape architect and position shall be at least .5 time-based.
- (h) The program administrator ~~faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to participate in program governance and develop and implement the program approved

by the Board.

- (i) The program curriculum shall include the core knowledge, skills and applications of landscape architecture and shall provide instruction in the following areas related to landscape architecture:

(1) History, theory, philosophy, principles and values:

- (A) design history and theory;
- (B) criticism;
- (C) sustainability, resiliency, stewardship;
- (D) health, safety, welfare.

(2) Design processes and methodology:

- (A) critical thinking;
- (B) analysis;
- (C) ideation;
- (D) synthesis;
- (E) site program;
- (F) iterative design development;
- (G) design communication.

(3) Systems and Processes, natural and cultural, (related to design, planning and management):

- (A) plants and ecosystems sciences;
- (B) built environment and infrastructure;
- (C) human factors, social and community systems;
- (D) human health and well-being.

(4) Communication and documentation:

- (A) written and oral communication;
- (B) visual and graphic communication;
- (C) design and construction documents;
- (D) numeracy, quantitative problem-solving and communication;
- (E) community and client engagement.

(5) Implementation:

- (A) construction technology and site engineering;
- (B) site materials;
- (C) use and management of plants and vegetation;
- (D) policies and regulation.

(6) Computer applications and advanced technologies:

- (A) visualization and modeling;
- (B) communication (conceptual and construction drawings);
- (C) geospatial analysis.

(7) Assessment and evaluation:

- (A) site assessment;
- (B) pre-design analysis;

- (C) landscape performance;
- (D) post-occupancy evaluation;
- (E) visual and scenic assessment.
- (8) Professional Practice:
 - (A) values and ethics;
 - (B) practice;
 - (C) construction administration.
- (9) Research and scholarly methods (for master's level degree programs):
 - (A) quantitative and qualitative methods;
 - (B) establishing a research hypothesis;
 - (C) framing research questions;
 - (D) literature/case study review/precedent review
 - (E) research integrity and protection of human subjects
 - (F) communication of research.

- ~~(A) History, art, and communication~~
- ~~(B) Natural, cultural, and social systems~~
- ~~(C) Design as a process in shaping the environment~~
- ~~(D) Plant material and their application~~
- ~~(E) Construction materials and techniques~~
- ~~(F) Professional practice methods~~
- ~~(G) Professional ethics and values~~
- ~~(H) Computer systems and advanced technology~~

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

- (j) The program shall consist of at least 90 quarter units or 60 semester units.
- (k) The program shall maintain a current syllabus for each required course which includes the course objectives, content, identifies where public health, safety and welfare issues are addressed, and the methods of evaluating student performance.
- (l) The curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe these requirements.
- (m) A program shall meet the following requirements for its instructional personnel:
 - (1) There shall be sufficient number of faculty to carry out the mission of the program (such as teaching, research, service, program administration, academic advising, and/or creative professional development. At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.
 - (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.—

(3) A program shall have at least one full time administrative support staff position.

Note: Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

DRAFT

ACCREDITATION STANDARDS
For First-Professional Programs In
Landscape Architecture



Landscape Architectural Accreditation Board

American Society of Landscape Architects
636 Eye Street, N.W.
Washington, D.C. 20001-3736

March 2016

Table of Contents

PREAMBLE

Introduction	1
Definitions, Interpretation and Application	1
Minimum Requirements for Achieving and Maintaining Accredited Status	3

STANDARDS

Standard 1: Program Mission and Objectives	5
Standard 2: Program Autonomy, Governance, and Administration	7
Standard 3: Professional Curriculum	10
Standard 4: Student and Program Outcomes	14
Standard 5: Faculty	15
Standard 6: Outreach to the Institution, Communities, Alumni, and Practitioners	17
Standard 7: Facilities, Equipment, and Technology	18

Introduction

The mission of the Landscape Architecture Accreditation Board (LAAB) is to evaluate, advocate for, and advance the quality of education in landscape architectural degree programs. To do that, the Board creates and applies *Standards* and *Procedures*. The Standards are basis for decision-making and action for the Board. The Standards are reviewed and updated every five years through a process articulated in Board Procedures. The previous version of the Standards and Procedures (2010) were both a part of a single document. For this version, the Board has decided to create separate documents of Standards and of Procedures.

This document contains the Accreditation Standards.

Definitions, Interpretation, and Application

Accreditation: Accreditation is a voluntary process of peer review designed to evaluate programs on the basis of their own stated objectives and the accreditation standards that follow.

Administrative Probation Status: Administrative Probationary Accreditation status is assigned when an institution or program does not meet its administrative obligations. LAAB assigns this status if the institution or program fails to comply with one or more of the following requirements:

- paying annual fees within 90 days of the invoice date,
- paying a late fee by the due date,
- submitting reports or other required information within 45 days of the due date, or
- agreeing to a reasonable on-site evaluation visit date at or near the time established by LAAB staff.

Administrative Probationary Accreditation is an accreditation category not subject to appeal. The program is recognized and listed as accredited with this designation until the requirement(s) that was not met has been fully satisfied. Failure to completely remedy the situation by the date specified in the probationary letter may result in revocation of accreditation.

Assessment: Assessment is the process by which a program or institution's level of compliance with or achievement of the criteria relevant to its accreditation is evaluated.

Candidacy Status: Candidacy is an accreditation classification granted to a program that is in the planning or early stages of development or an intermediate stage of program implementation.

Compliance: Compliance with a standard is achieved when LAAB concludes, after review of relevant indicators or other evidence, that the standard is met or met with recommendation, as defined below. To achieve LAAB accreditation, a program must demonstrate to LAAB, through the self-evaluation report, site visit, and technical accuracy review of the visiting team's report, that it complies with all standards.

Considerations for Improvement: Considerations for Improvement are informal counsel offered to a program as a part of the Visiting Team's Report but not included in the final action letter from LAAB to the program. These may areas where the program can build on a strength or address an area of concern that does not directly affect accreditation at the time of the LAAB review.

Criteria: Each LAAB standard has one or more criteria statements that define the components needed to satisfy the standard. Not satisfying a criterion does not automatically lead to the assessment of a standard as not met. To be accredited, a program must demonstrate progress toward meeting the criteria. In this document, criteria are identified by letters (for example: **A. Program Mission**).

Faculty Full-Time Equivalence (FTE): The FTE is a figure representing the aggregated time committed by full- and part-time faculty members to teaching in a department or program, including faculty who have their duties or teaching assignments split between an undergraduate and a graduate program and faculty who have their assignments split between disciplines. For purposes of calculation, a faculty member with a part-time appointment of 50 percent (and, presumably, a teaching/scholarship/service assignment roughly equivalent to half that of a full-time faculty member) would be assigned a 0.5 FTE. A full-time faculty member with duties in only one department would be assigned an FTE of 1.0 for that department.

Final Action Letter: A final action letter is an official communication from LAAB to a program reporting its accreditation status and any recommendations affecting accreditation.

First-Professional Program: A first-professional program in landscape architecture encompasses the body of knowledge common to the profession and promotes acquisition of the knowledge and skills necessary to enter its professional practice. At the bachelor's level, such a program is typically conducted in a context enriched by the liberal arts and natural and social sciences. At the master's level, such a program also provides instruction in and application of research and scholarly methods.

Initial Accreditation: The first period of accreditation for a program leading to a degree in landscape architecture is its initial accreditation; LAAB initial accreditation applies to degrees awarded within two years prior to initial accreditation by LAAB.

Intent: A statement of intent explains the purpose of a standard.

Program: A program comprises the coursework and other learning experiences leading to a degree as well as the supporting administration, faculty, staff, facilities, and services that sponsor and provide those experiences.

Recommendations Affecting Accreditation: Recommendations Affecting Accreditation are issues of serious concern, directly affecting the quality of a program. Recommendations Affecting Accreditation are issued when a visiting team assesses a standard as met with recommendation or not met. Recommendations are derived from the identified areas of weakness in meeting a standard as described in the rationale sections of a visiting team's report. The program is required to report progress regularly on these issues. Recommendations Affecting Accreditation identify issues; they do not prescribe solutions.

Self-Evaluation Report (SER): An SER is a document prepared by a program that describes its expectations, operations, and resources; assesses its progress toward meeting its mission, goals, and objectives; and measures its performance against the criteria for accreditation.

Shall: In official LAAB standards and criteria, "shall" indicates mandatory actions for a program or institution.

Should: In official LAAB standards and criteria, "should" indicates prescriptive recommendations for a program or institution.

Standards: Standards are qualitative statements of the essential conditions an accredited program must meet to achieve accreditation.

Standard Met: A "Standard Met" designation indicates that overall program performance in the relevant area meets LAAB minimum standards. LAAB may judge a standard as met even though one or more indicators within the standard are not minimally met.

Standard Met with Recommendation: A “Standard Met with Recommendation” designation indicates that deficiencies exist in an area directly bearing on accreditation. The problem or problems have observable effects on the overall quality of the program.

Standard Not Met: A “Standard Not Met” designation means that a cited deficiency is so severe that the overall quality of a program is compromised and the program’s ability to deliver adequate landscape architecture education is impaired.

Minimum Requirements for Achieving and Maintaining Accredited Status

1. The program title and degree description must incorporate the term "landscape architecture."
2. An undergraduate first-professional program must be a baccalaureate program of at least four academic years' duration.
3. A graduate first-professional program must be a master's program equivalent to at least three academic years' duration.
4. Faculty instruction full-time equivalence (FTE) requirements are as follows:
 - a. An academic unit that offers a single first-professional degree program at the emerging or Initial Accreditation status has at least three FTE instructional faculty who hold professional degrees in landscape architecture, at least one of whom is full-time.
 - b. An academic unit that offers a first-professional degree program at both the bachelor’s and master’s levels at the emerging or Initial Accreditation status has at least six FTE instructional faculty, at least five of whom hold professional degrees in landscape architecture, at least two of whom are full-time in the department.
 - c. An academic unit that offers a single first-professional degree program at the continuing full accreditation status has an FTE of at least five instructional faculty, at least four of these faculty members hold a professional degree in landscape architecture, at least three of whom are full-time in the department.
 - d. An academic unit that offers first-professional degree programs at both the bachelor’s and master’s levels with continuing full accreditation status has an FTE of at least seven instructional faculty, at least five of whom hold professional degrees in landscape architecture and are full-time in the department.

Program Status	Number of Full-time Equivalent Instructional Faculty*	Number of Faculty with a Professional Degree in Landscape Architecture (could be part-time or adjunct)	Number of Full-time Faculty with a Professional Degree in Landscape Architecture
Programs seeking Initial Accreditation			
Single Program	3	3	1
Bachelor’s & Master’s Program	6	5	2
Programs seeking re-accreditation			
Single Program	5	4	3
Bachelor’s & Master’s Program	7		5

5. The parent institution must be accredited by a recognized institutional accrediting agency (such as the U.S. Department of Education or CHEA).

6. There must be a designated program administrator responsible for the leadership and management functions for the program under review.
7. The program must provide a comprehensive public information disclosure about the program's status and performance within a single-click link from the program's website.
8. The program must:
 - continuously comply with accreditation standards,
 - pay the annual sustaining and other fees as required, and
 - regularly file complete annual and other requested reports.

The program administrator shall inform LAAB if any of these factors fail to apply during an accreditation period. The program administrator is responsible for reporting any substantive changes to the program when they occur. (Substantive changes are those that may affect the accreditation status of the program, addressed on page 16 of the LAAB Accreditation Procedures.)

STANDARDS

Standard 1: Program Mission and Objectives

The program shall have a clearly defined mission supported by goals and objectives appropriate to the profession of landscape architecture and shall demonstrate progress toward their attainment.

INTENT: Using a clear, concise mission statement, each landscape architecture program shall define its core values and fundamental purpose for faculty, students, prospective students, and the institution. The mission statement shall summarize why the program exists and the needs that it seeks to fulfill. It shall also provide a benchmark for assessing how well the program is meeting the stated objectives.

A. Program Mission. The mission statement expresses the underlying purposes and values of the program.

Assessment: The program has a clearly stated mission reflecting its purpose and values, which relate to the institution's mission.

B. Educational Goals. The program shall have clearly defined and formally stated academic goals that reflect the mission and demonstrate that attainment of the goals will fulfill the program mission.

Assessment: The program has an effective procedure to determine progress in meeting its goals and is it used regularly.

C. Educational Objectives. The program shall have educational objectives that specifically describe how each of the academic goals will be achieved.

Assessment: The program has clearly defined, achievable educational objectives and an effective, regularly used procedure to determine progress in meeting them.

D. Long-Range Planning Process. The program shall engage in an effective long-range planning process.

Assessment 1: The long-range plan describes how the program mission, goals, and objectives will be met, and the program documents the review and evaluation process.

Assessment 2: The long-range plan (along with the mission, goals and objectives) is reviewed and revised periodically, and it presents realistic and attainable methods for advancing the program's academic mission.

Assessment 3: The program's SER responds to recommendations and considerations for improvement from the previous accreditation review (if applicable), and it reports on efforts to rectify identified weaknesses.

E. Program Disclosure. Program literature and promotional media shall accurately describe the program's mission, objectives, educational experiences, accreditation status, goals, student achievement, costs for a full-time student per academic year, estimated housing costs per year, average costs of books and materials per year, student retention and graduation rates, number of degrees granted per year, and

percentage of students with timely graduation (master's students graduating within four years, bachelor's students graduating within six years).

Assessment 1: The program information is accurate, understandable, and accessible to the public.

Assessment 2: The public disclosure information can be found with a single-click link from the program's website.

Standard 2: Program Autonomy, Governance, and Administration

The program shall have the authority and resources to achieve its mission, goals and objectives.

INTENT: Each landscape architecture program shall be recognized as a discrete professional program with the resources, institutional support, and authority to enable achievement of the stated program mission, goals and objectives.

A. Program Administration. The landscape architecture program shall be administered as an identifiable, discrete program within its institution.

Assessment 1: The program is seen as a discrete and identifiable program within the institution.

Assessment 2: The program administrator holds a faculty appointment in landscape architecture.

Assessment 3: The program administrator exercises effective leadership of and management functions for the program. (Where the program administrator is not the primary administrator for the academic unit, as in a landscape architecture program within a multidisciplinary department or school, the landscape architecture leader has the authority to significantly influence the management of resources, including budget, faculty review, tenure and promotion outcomes, and the direction of the program.)

B. Institutional Support. The institution shall provide sufficient resources to enable the program to achieve its mission and goals, and it supports individual faculty members' development and advancement.

Assessment 1: Funding is available to assist faculty and other instructional personnel with continued professional development, including support in developing funded grants and attendance at conferences. Funding is sufficient to maintain computers and appropriate software, other types of equipment, and technical support.

Assessment 2: Funding is adequate for student support, such as scholarships and work-study jobs.

Assessment 3: Adequate support personnel are available to accomplish the program's mission and goals.

C. Commitment to Diversity. The program shall demonstrate a commitment to diversity through its recruitment and retention of faculty, staff, and students.

Assessment: The program demonstrates its commitment to diversity in the recruitment and retention of students, faculty, and staff.

D. Faculty Participation. The faculty shall participate in program governance and administration.

Assessment 1: The faculty makes recommendations on the allocation of resources and has the responsibility to develop, implement, evaluate, and modify the program's curriculum, and to contribute to operating practices.

Assessment 2: The faculty participates, in accordance with institutional guidelines, in developing criteria and procedures for annual evaluation, promotion, and tenure of faculty members.

Assessment 3: The faculty participates, in accordance with institutional guidelines, in developing and applying criteria and procedures for the appointment and assessment of program and academic unit leadership.

Assessment 4: The program or institution adequately communicates and mentors faculty regarding policies, expectations, and procedures for annual evaluations, tenure, and promotion to all ranks.

E. Faculty Number. The faculty shall be of a sufficient size to accomplish the program’s goals and objectives; to teach the curriculum; to support students through advising and other functions; to engage in research, creative activity, and scholarship; and to be actively involved in professional endeavors such as presenting at conferences. The faculty FTE shall be assessed by the institutional culture for faculty development across the closely related academic units (such as other departments and programs within a college). The workload (number, type, and sizes of courses assigned) and responsibilities (such as a split of time for teaching, research, and service activities) for a typical tenured or long-term faculty member within the college shall be considered the template for assessing the FTE resources assigned to the landscape architecture program. Where landscape architecture faculty members have their responsibilities split between programs (such as bachelor’s and master’s or between landscape architecture and another discipline), the FTE assessment must be prorated.

Faculty instruction full-time equivalence (FTE) shall be as follows:

- a. An academic unit that offers a single first-professional degree program at the emerging or Initial Accreditation status has at least three FTE instructional faculty who hold professional degrees in landscape architecture, at least one of whom is full-time.
- b. An academic unit that offers a first-professional degree program at both the bachelor’s and master’s levels at the emerging or Initial Accreditation status has at least six FTE instructional faculty, five of whom hold professional degrees in landscape architecture, at least two of whom are full-time.
- c. An academic unit that offers a single first-professional degree program at the continuing full Accreditation status has an FTE of at least five instructional faculty. At least four of these faculty members hold a professional degree in landscape architecture and at least three of them are full-time.
- d. An academic unit that offers first-professional degree programs at both the bachelor’s and master’s levels with continuing full Accreditation status has an FTE of at least seven instructional faculty, at least five of whom hold professional degrees in landscape architecture and are full-time

Program Status	Number of Full-time Equivalent Instructional Faculty*	Number of Faculty with a Professional Degree in Landscape Architecture (could be part-time or adjunct)	Number of Full-time Faculty with a Professional Degree in Landscape Architecture
Programs seeking Initial Accreditation			
Single Program	3	3	1
Bachelors & Masters Program	6	5	2
Programs seeking re-accreditation			
Single Program	5	4	3
Bachelors & Masters Program	7		5

* In determining FTEs and the pro-rata contribution some faculty may make to teaching in a program, we acknowledge that variations do exist among institutions regarding how standard teaching loads are determined. Please provide in the SER any commentary that you believe appropriate to demonstrate how your program achieves the required faculty numbers within your institution’s particular administrative and staffing model.

Assessment 1: Student/faculty ratios in studios are typically not greater than 15:1.

Assessment 2: There are sufficient faculty FTE to carry out the mission of the program (such as duties in teaching, research, service, program administration, academic advising, and creative professional development).

Standard 3: Professional Curriculum

The first-professional degree curriculum shall include the core knowledge, skills, and applications of landscape architecture.

- a. In addition to the professional curriculum, a first-professional degree program at the bachelor's level shall provide an educational context enriched by other disciplines, including but not limited to liberal and fine arts, natural sciences, and social sciences, as well as opportunities for students to develop other areas of interest.*
- b. In addition to the professional curriculum, a first-professional degree at the master's level shall provide instruction in and application of research and scholarly methods.*
- c. A first-professional degree at the master's level that does not require all students to have an undergraduate degree before receiving the MLA shall meet the requirements for both a and b, above.*

INTENT: Each landscape architecture curriculum shall be designed to achieve the learning goals stated in the mission and specific educational objectives of the program. The curriculum shall encompass both coursework and other co-curricular opportunities intended to develop students' knowledge and skills in landscape architecture.

A. Curricular Expression of the Mission and Objectives. The program's curriculum shall address and express its mission, goals, and objectives. (This criterion is directed not toward the evaluation of the mission and objectives, but rather toward the way the curriculum is developed and delivered in carrying out the expectations of the mission and objectives.)

Assessment: The program identifies the knowledge, skills, abilities, and values it expects students to possess at graduation.

B. Professional Curriculum. The program curriculum shall be guided by, but not limited to, coverage of:

History, theory, philosophy, principles, and values

- design history
- design theory
- criticism
- sustainability, resiliency, stewardship
- health, safety, welfare

Design processes and methodology

- critical thinking
- analysis
- ideation
- synthesis
- site program
- iterative design development
- design communication

Systems and processes—natural and cultural (related to design, planning, and management)

- plants and ecosystems sciences
- built environment and infrastructure
- human factors and social and community systems
- human health and well-being

Communication and documentation

- written communication
- oral communication
- visual and graphic communication
- design and construction documents
- numeracy, quantitative problem-solving, and communication
- community and client engagement

Implementation

- construction technology and site engineering
- site materials
- use and management of plants and vegetation
- policies and regulation

Computer applications and advanced technologies

- visualization and modeling
- communication (conceptual and construction drawings)
- geospatial analysis

Assessment and evaluation

- site assessment
- pre-design analysis
- landscape performance
- post-occupancy evaluation
- visual and scenic assessment

Professional practice

- values
- ethics
- practice
- construction administration

Research and scholarly methods (for master's-level degree programs)

- quantitative and qualitative methods
- establishing a research hypothesis
- framing research questions
- literature/case study review/precedent review
- research integrity and protection of human subjects
- communication of research

Assessment 1: The curriculum addresses the designated subject matter in a sequence that supports the degree program's goals and objectives.

Assessment 2: Student work and other accomplishments demonstrate that the curriculum is providing students with the appropriate content to enter the profession.

Assessment 3: Curriculum and program opportunities enable students to pursue academic interests consistent with institutional requirements and entry into the profession.

C. Syllabi. Appropriate syllabi shall be maintained for courses.

Assessment 1: Syllabi include educational objectives, course content, and the criteria and methods that will be used to evaluate student performance.

Assessment 2: Syllabi identify the various levels of accomplishment students need to achieve to successfully complete the course and advance in the curriculum.

D. Curriculum Evaluation. At both the course and curriculum levels, the program shall evaluate how effectively the curriculum is helping students achieve the program's learning objectives in a timely way.

Assessment 1: The program demonstrates and documents ways of:

- a. assessing students' achievement of course and program objectives within the length of time to graduation stated by the program;*
- b. reviewing and improving the effectiveness of instructional methods in curriculum delivery; and*
- c. maintaining currency with the evolving technologies, methodologies, theories, and values of the profession.*

Assessment 2: Students participate in evaluation of the program, courses, and curriculum.

E. Augmentation of Formal Educational Experience. The program shall provide opportunities for students to participate in co-curricular activities, internships, off-campus studies, research assistantships, or practicum experiences.

Assessment 1: The program provides opportunities for students to augment the formal educational experience and documents students' use of these opportunities.

Assessment 2: The program identifies the objectives of co-curricular activities and evaluates the effectiveness of these opportunities.

Assessment 3: Student participants are given the opportunity to report on their cocurricular experiences to their fellow students.

F. Coursework (Bachelor's Level). In addition to the professional curriculum, students shall also pursue coursework in other disciplines in accordance with institutional and program requirements.

Assessment: Students take courses in the humanities, arts, technologies, mathematics, natural sciences, social sciences, and/or other disciplines.

G. Areas of Interest (Bachelor's Level). The program shall provide opportunities for students to pursue special interests.

Assessment 1: The program provides opportunities for students to pursue independent projects, focused electives, optional studios, certificates, minors, and the like.

Assessment 2: Student work incorporates academic experiences reflecting a variety of pursuits beyond the basic curriculum.

H. Research/Scholarly Methods (Master's Level). The program shall provide an introduction to research and scholarly methods.

Assessment 1: The curriculum provides instruction in research and scholarly methods and their relation to the profession of landscape architecture.

Assessment 2: The program requires that theses or terminal projects exhibit creative and independent thinking and contain a significant research/scholarly component.

Standard 4: Student and Program Outcomes

The program shall prepare students to pursue careers in landscape architecture.

INTENT: Each landscape architecture program shall prepare students—through educational programs, advising, and other academic and professional opportunities—to pursue careers in landscape architecture upon graduation. The program shall foster knowledge and skills in creative problem solving, critical thinking, communications, design, and organization.

A. Student Learning Outcomes. The program shall qualify students to pursue careers in landscape architecture.

Assessment 1: Student work demonstrates the competencies required for entry-level positions in the profession of landscape architecture.

Assessment 2: Students demonstrate their achievement of the program's learning objectives, including critical and creative thinking, and their ability to understand, apply, and communicate the subject matter of the professional curriculum as evidenced through project definition, problem identification, information collection, analysis, synthesis, conceptualization, and implementation.

B. Student Advising. The program shall provide students with effective advising and mentoring throughout their educational careers.

Assessment 1: Students receive effective advising regarding academic development.

Assessment 2: Students receive effective advising regarding career development.

Assessment 3: Students are made aware of professional opportunities, advanced educational opportunities, licensure requirements, and continuing education requirements associated with professional practice.

Assessment 4: Students are satisfied with academic experiences and their preparation for the landscape architecture profession.

C. Participation in Extracurricular Activities. The program shall encourage students to participate in professional activities and institutional and community service.

Assessment 1: Students participate in institutional/college organizations, community initiatives, or other activities.

Assessment 2: Students participate in events such as LABash, ASLA Annual Meeting, local ASLA chapter events, and the activities of other professional societies or special-interest groups.

Standard 5: Faculty

The program shall advance its academic mission and objectives by means of promoting the qualifications, academic position, professional activities, and individual professional development of its faculty and instructional personnel.

INTENT: Each landscape architecture program shall have qualified, experienced faculty and other instructional personnel to instill the knowledge and skills that students will need to pursue a career in landscape architecture. Equitable faculty workloads and compensation, and overall support for career development contribute to the success of the program.

A. Credentials. The qualifications of the faculty, instructional personnel, and teaching assistants shall be appropriate to their roles.

Assessment 1: The faculty has a balance of professional practice and academic experience appropriate to the program mission.

Assessment 2: Faculty assignments are appropriate to the course content and program mission.

Assessment 3: Adjunct and/or part-time faculty (if present) are integrated into the program's administration and curriculum evaluation/development in a coordinated and organized manner.

Assessment 4: Faculty qualifications are appropriate to responsibilities of the program as defined by the institution.

B. Faculty Development. The faculty members shall be continuously engaged in activities leading to their professional growth and advancement, the advancement of the profession, and the effectiveness of the program.

Assessment 1: Faculty activities such as scholarly inquiry, research, professional practice, and service to the profession, university, and community are documented, peer-reviewed, and disseminated through appropriate media such as journals, professional magazines, community, and university publications.

Assessment 2: Teaching and administrative assignments allow sufficient opportunity for faculty to pursue advancement and professional development. Expectations for faculty workload and distribution of responsibilities (of teaching, research, service, and professional engagement) are similar to expectations in related academic units.

Assessment 3: The development and teaching effectiveness of faculty and instructional personnel are systematically evaluated, and the results are used for individual and program improvement.

Assessment 4: Faculty seek and make effective use of available funding for conference attendance, equipment, technical support, and other professional needs.

Assessment 5: The activities of faculty are reviewed and recognized by faculty peers.

Assessment 6: Faculty participate in university and professional service, student advising, and other activities that enhance the effectiveness of the program.

C. Faculty Retention. The faculty shall hold academic status, have workloads, and receive compensation, mentoring, and support that promote productivity and retention.

Assessment 1: Faculty salaries and support are evaluated and are appropriate to promote faculty retention and productivity.

Assessment 2: The rate of faculty turnover does not undermine the mission and goals of the program.

Standard 6: Outreach to the Institution, Communities, Alumni, and Practitioners

The program shall have a plan for and a record of interaction with its alumni, the larger institution, the professional community, the local community, and the public at large.

INTENT: Each landscape architecture program shall establish an effective relationship with the larger institution, its alumni, practitioners, the local community, and the public at large in order to provide a source of service learning opportunities for students, scholarly development for faculty, and professional guidance and financial support. Documentation and dissemination of successful outreach efforts shall enhance the image of the program and educate its constituencies regarding the program and the profession of landscape architecture.

A. Interaction with the Profession, Institution, and Public. The program shall represent and advocate for the profession by interacting with the larger institution, the local community, practitioners, and the public at large.

Assessment 1: Service-learning activities are incorporated into the curriculum.

Assessment 2: Service activities are documented on a regular basis.

Assessment 3: The program community interacts with the institution, practitioners, the local community, and the public at large.

B. Alumni and Practitioners. The program shall recognize alumni and practitioners as a resource.

Assessment 1: The program maintains or has access to a current registry of alumni that includes information pertaining to current employment, professional activity, post graduate study, and significant professional accomplishments.

Assessment 2: The program engages its alumni and other practitioners in activities such as service on a formal advisory board, student career advising, potential employment, curriculum review and development, fundraising, and continuing education.

Assessment 3: The program acknowledges and celebrates the significant professional accomplishments of its alumni and benefactors.

Standard 7: Facilities, Equipment, and Technology

The program shall provide faculty, students, and staff access to facilities, equipment, libraries, and other resources necessary for achieving the program's mission and objectives.

INTENT: Each landscape architecture program shall occupy space in designated, code-compliant facilities that support the achievement of the program's mission and objectives. Students, faculty, and staff shall have the required tools and facilities to enable achievement of the program's mission and objectives.

A. Facilities. The program shall provide designated, code-compliant, adequately maintained spaces to serve the professional requirements of the faculty, students, and staff.

Assessment 1: Faculty, staff, and administration are provided with appropriate office space.

Assessment 2: Students are assigned permanent studio workstations adequate to meet the program's needs.

Assessment 3: Facilities are adequately maintained and in compliance with the Americans with Disabilities Act (ADA), the Life Safety Code, and applicable building codes. (Acceptable documentation includes reasonable-accommodation reports from the university ADA-compliance office and/or facilities or risk-management office.)

B. Information Systems and Technical Equipment. The program shall provide information systems and technical equipment needed to achieve its mission and objectives to students, faculty, and other instructional and administrative personnel.

Assessment 1: The program's participants have sufficient access to computer equipment and software.

Assessment 2: The frequency of hardware and software maintenance, updating, and replacement is sufficient.

Assessment 3: The hours of use of information systems and equipment are sufficient to serve faculty and students.

C. Library Resources. The program shall provide library collections and other resources sufficient to support its mission and educational objectives.

Assessment 1: Collections are adequate to support the program.

Assessment 2: Courses integrate library and other resources.

Assessment 3: Library hours of operation are convenient and adequate to serve the needs of faculty and students.

VIA EMAIL

March 15, 2017

Patricia Trauth, Chair
 Landscape Architect's Technical Committee

Re: LATC Announcement of Public Forums, March 17, 2017 and April 5, 2017

Dear Chair Trauth, Committee Members, and LATC Staff:

Thank you for this opportunity to address the education issues raised by the LATC at its February 2017 meeting and also proposed in The Notice of Public Forums.

1. Should LATC continue reviewing the Extension Programs?

First it should be noted that the Extension programs were founded by the Board of Landscape Architecture on the principle that the citizens of California might need additional, focused training for specific careers that required specialized technical expertise. This venue has been an alternate pathway for 40 years. California's Universities do not allow individuals to return for a second Bachelor's degree, and access to Master degree programs is impacted. These Extension Programs were the first "alternative pathway" provided by the BLA and a source of pride.

Fast forward to the most recent Sunset Review (2014), the Extension programs as presented to the Sunset Committee were notable in their uniqueness in addressing alternative paths to licensure.

From the LATC 2014 Sunset Review Information re: Education Requirements for Licensure

The University of California Extension Certificate Program Task Force: One of the pathways to licensure is successful completion of the extension certificate program, currently established within the University of California system and approved by the LATC. The University of California Extension Certificate Program Task Force is charged with: 1) reviewing extension certificate programs in landscape architecture; 2) conducting site visits of the program to determine their compliance with the requirements of California Code of Regulations section (CCR) 2620.5 (Requirements for an Approved Extension Certificate Program); 3) making recommendations to the LATC regarding the continued approval of the extension certificate programs and; 4) developing procedural documents for review of the programs. The Task Force is composed of seven members consisting of four current and former LATC members and three educators.

Any change to this charge should be addressed by a reconvened or new Education Subcommittee. The reports by the last two California Extension Certificate Program Task Force indicated that the Approved Extension Certificate Programs met or exceed expectations. This review is above and beyond University Accreditation, which does not review or accredit PROFESSIONAL education. With the education credit received for an Approved Extension Certificate Program being equal to an accredited BSLA, BLA and MLA, changes to the method that assures comity (i.e., using the basis of the LAAB accreditation) should only be addressed by an education committee of both Extension and

University academics, practitioners and members of the LATC. At present, California is the only state providing this alternative educational path, addressing adult learners, and providing an evening alternative to working adults.

It should also be noted that California's landscape architecture departments and programs may have the most diverse student bodies in the nation.

2. Should LATC accept degrees in related areas of study?

The question, of should the LATC accept degrees in related areas of study, is quite complex. Landscape Architecture Programs have courses that are common to the related fields of planning, urban design, architecture, geography, horticulture and engineering. Yet Landscape Architecture, as well as each of those fields, considers themselves separate disciplines.

An "area of study" has courses, when combined, provide synthesis and depth. It is the full curriculum as an "area of study" that is important in degrees leading to a professional license. Professional programs weave in the health, safety and welfare concerns into courses.

The question goes beyond sufficient overlap, course content, and curriculum focus. Also the areas of study or concentrations vary from university to university. A reconvened or new Education Subcommittee, who can make defensible decisions on these academic relationships, should make this assessment.

3. Other Education and Training concerns

In CCR 2620, changes were made to allow credit for a partial degree. This was a recommendation from the Education Committee, and at the time, the *Gainful Employment Act* did not exist. With *the Gainful Employment Act*, completion of a degree is a high metric used for Universities to qualify to offer Federal Financial Aid. By providing credit to students who fail to complete, or students who chose not to complete their capstone, thesis or final year, can harm Universities' completion numbers that are key to continued access to Federal loans, scholarships and grants. While reviewing all of CCR 2620, I would request that a revived or new Education Subcommittee review this partial degree credit's value as a pathway vs. the potential harm to federal funding for Universities.

We look forward to presenting to the LATC in Sacramento and at the rescheduled April meeting in Los Angeles.

Sincerely,



Director, UCLA Extension
Landscape Architecture Program



Program Director, UC Berkeley Extension
Landscape Architecture Program

Agenda Item M

REVIEW AND POSSIBLE ACTION ON DRAFT 2017-2018 STRATEGIC PLAN

On January 18, 2017 the Landscape Architects Technical Committee (LATC) participated in a session to update its Strategic Plan for two years (2017-2018). The session was facilitated by the Department of Consumer Affairs' SOLID team. The LATC developed objectives for four goal areas: Regulation and Enforcement, Professional Qualifications, Public and Professional Outreach, and Organizational Effectiveness.

SOLID updated the Strategic Plan based on the LATC's session. Attached is a copy of the updated plan.

At today's meeting, the Committee is asked to review and approve the draft 2017-2018 Strategic Plan.

Attachment:

Strategic Plan 2017-2018 (Draft)

Landscape Architects Technical Committee Strategic Plan

2017-2018

DRAFT

Approved: [Insert Date of Approval]

Table of Contents

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEMBERS 3

MESSAGE FROM THE COMMITTEE CHAIR..... 4

ABOUT THE CALIFORNIA LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE..... 5

MISSION..... 6

VISION 6

VALUES 6

STRATEGIC GOAL AREAS..... 7

GOAL 1: REGULATION AND ENFORCEMENT 8

GOAL 2: PROFESSIONAL QUALIFICATIONS..... 9

GOAL 3: PUBLIC AND PROFESSIONAL OUTREACH 10

GOAL 4: ORGANIZATIONAL EFFECTIVENESS 11

STRATEGIC PLANNING PROCESS 12

DRAFT

Landscape Architects Technical Committee Members

Patricia Trauth Committee Chair

Marq Truscott Committee Vice Chair

Andrew Bowden

David A. Taylor, Jr.

DRAFT

Edmund G. Brown, Jr., Governor

Alexis Podesta, Secretary, Business, Consumer Services, and Housing Agency

Dean Grafilo, Director, Department of Consumer Affairs

Doug McCauley, Executive Officer, California Architects Board

Message from the Committee Chair



State licensure exists to protect consumers. For the design professions, that protection is critically important due to the nature of design projects and their impact on Californians. Our licensure requirements are comprehensive and help ensure that practitioners are prepared to practice in a manner that safeguards the public.

A number of recent reports and decisions shape what licensing boards do to validate competence. Reports from the White House and Little Hoover Commission ask key questions about whether standards for entering professions and trades are defensible. In addition, a recent US Supreme Court decision questions the checks and balances of regulatory enforcement actions.

The Landscape Architects Technical Committee (LATC) has a strong history of embracing diverse pathways into the profession. Both University of California extension certificates and associate degrees can count toward the credits required to test and become licensed. LATC is currently assessing whether there may be other pathways that strike the critical balance between protecting consumers without creating undue barriers.

Our enforcement efforts have always put consumers first. Nevertheless, LATC will continue to develop additional means to protect Californians. The risk to the public from unqualified practitioners is tremendous and it is crucial that LATC work closely with local agencies to prevent risks to the public.

LATC's work on these critical issues is enhanced by public participation. Through transparency and collaboration we seek to inform and strengthen our decisions so we can effectively fulfill our mandate to protect the public.

About the California Landscape Architects Technical Committee

The Landscape Architects Technical Committee (LATC) was created via Assembly Bill 1546, which became effective January 1, 1998. The Committee was statutorily established under the California Architects Board (Board). The Committee's purpose is to act in an advisory capacity to the Board on examination and other matters pertaining to the regulation of the practice of landscape architecture in California.

The activities of the LATC benefit consumers in two important ways. First, regulation protects the public at large. Second, regulation protects the consumer of services rendered by landscape architects. It is imperative to ensure those who hire landscape architects are protected from incompetent or dishonest landscape architects.

The LATC is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA) and is part of the Business, Consumer Services, and Housing Agency. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides administrative oversight and support services, the LATC further sets its own policies, procedures, and regulations.

The LATC is composed of five members who are licensed to practice landscape architecture in this state.

Mission

The LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect consumers, and the public health, safety, and welfare while safeguarding the environment.

Vision

The LATC will champion for consumer protection and a safer built environment for the people of California.

Values

Consumer Protection

Innovation

Communication

Integrity

Leadership

Strategic Goal Areas

1 REGULATION AND ENFORCEMENT

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

2 PROFESSIONAL QUALIFICATIONS

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

3 PUBLIC AND PROFESSIONAL OUTREACH

Increase public and professional awareness of LATC's mission, activities, and services.

4 ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality services to consumers and licensees.

Goal 1: Regulation and Enforcement

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

- 1.1 Collect and review data respective to unlicensed activity and licensee violations to identify if trends exist (in such areas as how unlicensed activity was identified, who reported the allegation, and the matters which lead to an investigation) in order to shape consumer education and enhance enforcement efforts.
- 1.2 Revisit development of the annual enforcement report using the Board as a model to assess the effectiveness of consumer protection efforts.
- 1.3 Amend regulations to incorporate the updated *Disciplinary Guidelines* to maintain consistent decisions in disciplinary cases.
- 1.4 Research the possibility of enhancing the statutory written contract requirement to include a consumer notification to enhance consumer education.
- 1.5 Follow the Board's determination regarding the necessity for a licensure fingerprint requirement and the alternatives for implementation as a means of protecting consumers.
- 1.6 Contract with collection agencies to pursue and recover unpaid citations from unlicensed individuals.
- 1.7 Amend current citation regulations to allow delegation authority and to clarify the timeline so that the LATC is consistent with the Board's best practices.

Goal 2: Professional Qualifications

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience and examinations.

- 2.1 Explore entry to initial licensure for applicants who have experience only to expand pathways to licensure.
- 2.2 Continue to explore and make a determination with regard to licensure for individuals who have related degrees to expand pathways to licensure.
- 2.3 Consider advocating for the Council of Landscape Architectural Registration Boards (CLARB) to institute an internship/experience-based program to allow applicants' participation in the licensure process early and provide a more comprehensive experience component.
- 2.4 Promulgate regulations for reciprocal licensure to expand qualification pathways in California.
- 2.5 Research and modify the current regulations, where necessary, to clarify LATC's role in University of California extension certification to stay current with Landscape Architectural Accreditation Board standards.

Goal 3: Public and Professional Outreach

Increase public and professional awareness of LATC's mission, activities, and services.

- 3.1 Incorporate a quick link on the website that will enable consumers to search enforcement actions and more easily identify licensee violations.
- 3.2 Consult with DCA's Public Affairs Office to optimize the LATC website on search engines for individuals searching for a landscape architect to enhance the LATC's ability to reach more consumers interested in using a landscape architect.
- 3.3 Revamp the website (using the Board's website as a possible template) to be more user-friendly for consumers.
- 3.4 Explore and adopt DCA's best practices for using social media with a goal of developing a social media strategy to increase awareness to the public.
- 3.5 Continue to maintain a positive relationship with the American Society of Landscape Architects (ASLA), CLARB, and educational institutions to enhance lines of communication and inform best practices for the protection of Californians.
- 3.6 Expand communication to licensees utilizing an "opt in" email component on the website to increase stakeholder awareness of LATC.

Goal 4: Organizational Effectiveness

Provide accessible and responsive quality services to consumers and licensees.

- 4.1 Prepare for the Sunset Review process to demonstrate the LATC's effectiveness.
- 4.2 Determine current business process needs for conversion to BreEZe to facilitate a smoother transition to the program.

DRAFT

Strategic Planning Process

To understand the environment in which the LATC operates and identify factors that could impact its success, the California DCA's SOLID Unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews conducted with three Committee members completed during November 2016.
- Interviews conducted with three staff members completed during November and December 2016.
- Interviews conducted with the LATC leadership that included the California Architects Board (Board) Executive Officer (EO) and Assistant Executive Officer (AEO) as well as the LATC Program Manager during December 2016.
- Online survey sent to the LATC stakeholders, which remained open November 3 - 14, 2016 to identify the strengths and weaknesses of the LATC from an external perspective. Seventy eight stakeholders took the survey.

The most significant themes and trends identified from the environmental scan were discussed by Committee members and the Board's EO and AEO during a public strategic planning session facilitated by SOLID on January 18, 2017. This information guided the LATC in the development of its strategic objectives outlined in this 2017 – 2018 Strategic Plan.

Landscape Architects Technical Committee

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This Strategic Plan is based on stakeholder information and discussions facilitated by SOLID for the Landscape Architects Technical Committee during early 2017. Subsequent amendments may have been made after adoption of this plan.



Agenda Item N

REVIEW AND CONFIRM FUTURE LATC MEETING DATES

May

29

Memorial Day

Office Closed

June

15

Board Meeting

San Francisco

21-24

National Council of Architectural Registration Boards
Annual Meeting

Boston, MA

July

4

Independence Day

Office Closed

13

Landscape Architects Technical Committee (LATC)
Meeting

Sacramento

September

4

Labor Day

Office Closed

7

Board Meeting

Los Angeles

14-16

Council of Landscape Architectural Registration Boards
Annual Meeting

Boise, ID

October

20-23

American Society of Landscape Architects
Annual Meeting

Los Angeles

November

1

LATC Meeting

San Diego

10

Veterans Day Observed

Office Closed

23-24

Thanksgiving Holiday

Office Closed

December

7

Board Meeting

Sacramento

25

Christmas Day

Office Closed

Agenda Item O

ADJOURNMENT

Time: _____