

**STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS**

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the **California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834, on August 6, 2012, at 11:30 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on August 6, 2012, or must be received by the Board at the hearing.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific sections 5650 and 5651 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest/Policy Statement Overview

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC sections 5650 and 5651 entitles any person who meets the qualifications set forth in the article to an examination for a license to practice architecture subject to the rules and regulations governing examinations.

Section 2615 – Form of Examinations:

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the Landscape Architect Registration Examination (LARE), the licensing examination, to the Landscape Architects Technical Committee. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1-4) rather than five (A-E) sections and will move to a fully computerized model. All sections of the LARE will consist of multiple choice questions.

CCR section 2615 (a) – Form of Examinations states:

“(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.”

This regulation needs to be updated to refer to the “multiple choice sections” of the LARE to “Sections 1 and 2” of the new LARE. This section also needs to address candidates who take Sections 3 and 4 of the new LARE before they have met California’s eligibility requirements. Candidates can potentially take Sections 3 and 4 of the new LARE before meeting California’s eligibility requirements because CLARB’s exam scheduling system does not screen or limit candidates based on California’s requirements. This section needs to be amended to state:

“(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. **Such candidates shall be 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.”

This change will update the criteria for eligibility to reflect the changes in the LARE format that will be implemented in September 2012, and clearly state that the LATC will not recognize the LARE scores of candidates that were not eligible to take the exam at the time they took the LARE.

Section 2620 – Education and Training Credits:

The Landscape Architectural Accreditation Board (LAAB) is the accrediting organization for landscape architectural programs. As such, the LAAB develops standards to objectively evaluate landscape architectural programs and judges whether a school’s landscape architectural program is in compliance with the accreditation standards. LAAB implemented new standards and procedures during fall 2010. LAAB released their updated “Accreditation Standards And Procedures” publication on February 6, 2010.

CCR section 2620 currently references the outdated LAAB “Accreditation Standards for Programs in Landscape Architecture” publication dated February 26, 1990. The attached

proposed language will update the name and release date of this publication to the most recent version.

CCR section 2620(a)(4) includes the phrase “city/community college.” This phrase needs to be corrected to say “community college” because city colleges and community colleges are both two-year Associate Degree programs.

B. Anticipated Benefits of Proposal

The proposed change to CCR section 2615 will update the criteria for eligibility to reflect the changes in the LARE format that will be implemented in September 2012. If the regulation is not modified, candidates with a degree or extension certificate in landscape architecture could potentially take Sections 3 and 4 of the new LARE before completing all of the eligibility requirements, and potentially be given examination credit for Sections of the LARE that they were not eligible to take. Updating this regulation will ensure that LARE examinees will only be given examination credit for sections of the exam that they were eligible to take at the time of examination.

The proposed change to CCR section 2620 will update the name and release date of the LAAB Accreditation Standards and Procedures publication to the most recent version. CCR section 2620 currently references the outdated LAAB “Accreditation Standards for Programs in Landscape Architecture” publication dated February 26, 1990. This update will ensure that CCR section 2620 references the most current publication of the CLARB accreditation standards and procedures.

The proposed change to CCR section 2620(a)(4) will remove unnecessary redundancy in referring to community colleges and result in regulation language that is easier to read.

C. Consistency and Compatibility with Existing State Regulations

This Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-

17630 Require Reimbursement

None

Business Impact

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulation would not affect small businesses because it only affects candidates for examination and licensure.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

Impact on Jobs/New Businesses

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California

Benefits of Regulation

The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment: N/A

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834, or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public inspection by contacting the person, named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below (or by accessing the website listed below).

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical Committee
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The backup contact person is:

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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.