NOTICE OF MEETING

February 10-11, 2015
California State Polytechnic University, Pomona
College of Environmental Design
Building 7, Room 100
3801 West Temple Avenue
Pomona, California 91768-4048
(909) 869-4114

The Landscape Architects Technical Committee (LATC) will hold a meeting as noted above. The agenda items may not be addressed in the order noted below and the meeting will be adjourned upon completion of the agenda which may be at a time earlier than that posted in this notice. The meeting is open to the public and held in a barrier free facility according to the Americans with Disabilities Act. Any person requiring a disability-related modification or accommodation to participate in the meeting may make a request by contacting Trish Rodriguez at (916) 575-7230, emailing latc@dca.ca.gov, or sending a written request to LATC, 2420 Del Paso Road, Suite 105, Sacramento, California, 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Agenda
February 10, 2015
10:00 a.m. – 5:00 p.m.

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

B. Approve August 27, 2014 LATC Summary Report

C. Program Manager's Report

D. Update and Possible Action on 2014 Sunset Review

E. Enforcement Program
   1. Annual Enforcement Report
   2. Discuss and Possible Action on Strategic Plan Objective to Collaborate With the Board to Review and Update Disciplinary Guidelines

F. Report on Council of Landscape Architectural Registration Boards (CLARB)
   1. Update on 2015 CLARB Election Nominations
   2. Discuss and Possible Action on New Landscape Architect Registration Examination Data

(continued)

G. California Supplemental Examination (CSE)
   1. Review and Approve Results of Examination Linkage Study Presented by Office of Professional Examination Services (OPES)
   2. Discuss and Possible Action on Upcoming CSE Development Conducted by OPES

H. Closed Session – Examinations [Closed Session Pursuant to Government Code Section 11126(c)(1)]

I. Discuss and Possible Action on Strategic Plan Objective to Review Table of Equivalents for Training and Experience and Consider Expanding Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect

J. Discuss and Possible Action on Strategic Plan Objective to Review Reciprocity Requirements of Other States to Determine Possible Changes to California Requirements to Improve Efficiencies

K. Review and Possible Action on Proposed Regulations to Adopt California Code of Regulations (CCR) Sections 2620.2 (Extension Certificate Programs – Application for Approval); 2620.3 (Suspension or Withdrawal of Approval); 2620.4 (Annual Reports); and to Amend CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program)

L. Report on California Architects Board and Integrated Path to Licensure Model

M. Adjourn

Agenda
February 11, 2015
9:00 a.m. – 5:00 p.m.

N. Call to Order – Roll Call – Establishment of a Quorum
   Chair's Remarks
   Public Comment Session

O. Strategic Planning Session

P. Review Tentative Schedule and Confirm Future LATC Meeting Dates

Q. Adjourn

Please contact Trish Rodriguez at (916) 575-7230 for additional information related to the meeting. Notices and agendas for LATC meetings can be found at *www.latc.ca.gov*.

Protection of the public shall be the highest priority for the LATC 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

David Allan Taylor, Jr., Chair

Katherine Spitz, Vice Chair

Andrew Bowden

Nicki Johnson

Stephanie Landregan

CHAIR'S REMARKS

LATC Chair David Allan Taylor, Jr., or in his absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

PUBLIC COMMENT SESSION

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.

Agenda Item B

APPROVE AUGUST 27, 2014 LATC SUMMARY REPORT

The Landscape Architects Technical Committee (LATC) is asked to approve the attached August 27, 2014 LATC Meeting Summary Report.

SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
Landscape Architects Technical Committee

August 27, 2014
Sacramento, California
&
Various Teleconference Locations

Landscape Architects Technical Committee (LATC) Members Present
David Allan Taylor, Jr., Chair (via teleconference)
Katherine Spitz, Vice Chair (via teleconference)Andrew Bowden (via teleconference)
Nicki Johnson
Stephanie Landregan (via teleconference)

Staff Present
Doug McCauley, Executive Officer, California Architects Board (Board)
Vickie Mayer, Assistant Executive Officer, Board
Rebecca Bon, Legal Counsel, Department of Consumer Affairs (DCA)
Trish Rodriguez, Program Manager, LATC
Jacqueline French, Special Projects Analyst, LATC
Matthew McKinney, Enforcement Officer, LATC
Kourtney Nation, Examination Coordinator, LATC

Guest Present
Marcus McCarther, Special Assistant to the Director, DCA Executive Office

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

Chair David Allan Taylor, Jr. called the meeting to order at 10:03 a.m. and Vice Chair Katherine Spitz called the roll. Five members of LATC were present, thus a quorum was established.

Mr. Taylor inquired if there were any members of the public present and the Committee members at each teleconference location responded there were none present. Mr. Taylor asked whether the members had anything to discuss prior to addressing the public comment letters. Rebecca Bon, DCA Legal Counsel, instructed members to address the letters as public comments as though the persons corresponding were present to address the Committee. Stephanie Landregan introduced Attachment A.1, a letter from Rona Karp, requesting that a three-year Masters of Architecture degree accredited by the National Architectural Accrediting Board, suffice in meeting the one-year minimum education requirements by the LATC. She further introduced Attachment A.2, a letter from Rod Gould, City Manager of Santa Monica, regarding

licensure requirements for compliance with Assembly Bill (AB) 1881 requesting the LATC implement additional licensing requirements. Ms. Landregan recommended the letters be included on the agenda of a future LATC meeting and Mr. Taylor concurred. Doug McCauley suggested the letters could be addressed during the next Strategic Planning session wherein the Committee can determine where they may fit into the work plan and priorities for the year.

B. Approve June 25, 2014 LATC Summary Report

- **Stephanie Landregan moved to approve the June 25, 2014 LATC Summary Report.**

  Katherine Spitz seconded the motion.

  The motion carried 5-0.

C. Program Manager's Report

Trish Rodriguez presented the Program Manager's Report. Ms. Rodriguez stated LATC staff has primarily been working on the Sunset Review Report. She informed the members the DCA BreEze Team is working on a Request for Change in regards to using the LATC's Workaround System. She further advised approval of the request by the DCA Change Control Board, anticipated in October 2014, would be the next step. She stated staff completed the Business and Professions Code Section 139 Report, as well as the annual Workload and Revenue Report. She updated the members on recent rulemaking activity, explaining the regulatory package for California Code of Regulations (CCR) section 2610 (Application for Examination) changing the 70-day filing requirement to 45 days to allow candidates more time to register for the Landscape Architect Registration Examination (LARE) was approved by DCA and has been forwarded to Agency for review and approval, the next step in the process.

Ms. Landregan requested an update on the new regulatory proposal to amend CCR section 2620.5 (Requirements for an Approved Extension Certificate Program). Ms. Rodriguez stated staff is working closely with the Chair of the University of California Extension Certificate Task Force to develop justifications for each of the changes in the new proposal. Ms. Landregan queried whether her understanding that the rule-making process needs to start all over is accurate. Ms. Rodriguez replied that the process starts over since it was disapproved by the Office of Administrative Law. Ms. Landregan requested an update be provided at the next meeting.

Ms. Rodriguez stated the Committee would be asked to approve the Intra-Agency Contract to begin examination development under Agenda Item D. She mentioned a focus group will be working on the linkage study September 8-9, 2014; comparing the knowledge tested for on the national examination with that which was identified by the recently completed Occupational Analysis (OA). She mentioned that examination development would commence in December 2014 based on the recent OA. She referred the members to the survey attached to her report regarding an outreach presentation conducted on August 7, 2014, at the University of California, Berkeley Extension.

D. Review and Approve Intra-Agency Contract Agreement with the Department of Consumer Affairs Office of Professional Examination Services for California Supplemental Examination Development

Ms. Rodriguez referred the Committee to the Intra-Agency Contract Agreement contained in the meeting packet, with the Office of Professional Examination Services (OPES), to commence examination development following the completion of the upcoming linkage study. She noted that the linkage study will begin September 2014 and asked for LATC approval of the Agreement.

- **Stephanie Landregan moved to approve the Intra-Agency Contract Agreement with the OPES for examination development.**

  Andrew Bowden seconded the motion.

  The motion carried 5-0.

E. Review Recommended Position on the Council of Landscape Architectural Registration Boards' Board of Directors Election and Possible Action

Ms. Landregan presented the election for the Council of Landscape Architectural Registration Boards' (CLARB) Board of Directors nominations slate in which the LATC must cast a vote. She noted that as an attendee of the upcoming CLARB election meeting, Nicki Johnson would be the LATC delegate with authority to cast a second vote in the event of a run-off for CLARB Secretary.

- **Andrew Bowden moved to vote for Jerany Jackson as CLARB President; Randy Weatherly as CLARB President-Elect; Karen Cesare as CLARB Vice President; and Vaughn Rinner as CLARB Secretary.**

  Katherine Spitz seconded the motion.

  The motion carried 5-0.

Mr. Taylor entertained a motion for an alternate candidate for Vaughn Rinner in the event of a run-off for CLARB Secretary.

- **Andrew Bowden moved to vote for Phil Meyer as CLARB Secretary in the event of a run-off.**

  Nicki Johnson seconded the motion.

  The motion carried 5-0.

F. Review and Approve Draft 2014 Sunset Review Report

Mr. McCauley reviewed the draft 2014 Sunset Review Report with the Committee. He noted the Report is due to the Legislature November 1, 2014, and the LATC legislative hearing will be in mid-March.

Mr. McCauley expanded on the Licensing Program section of the Report. He noted most DCA boards verify criminal backgrounds of applicants through the Department of Justice by way of fingerprinting and he expects the Board, as well as the LATC, will soon be required to do the same by the Legislature.

Mr. McCauley mentioned LATC currently does not require continuing education (CE) for licensees. Ms. Landregan addressed the CE issue raised in the public comment letter received from the City of Santa Monica in regards to AB 1881. She stated the LARE does not test for irrigation and the majority of the universities are not required by the Landscape Architectural Accreditation Board to teach irrigation. She noted it is a requirement by the State of California for licensees to know how to prepare an irrigation plan and water budget. She suggested LATC include in the Sunset Review Report the need to consider CE requirements to address water conservation and irrigation issues as it pertains to AB 1881. Mr. McCauley suggested the Committee members could direct staff to draft language to be included in the Report to address receiving the letter, as well as reviewing whether requiring CE would be a possible course of action. The members agreed and directed staff to draft language to be reviewed by the LATC's Sunset Review Task Force.

- **Stephanie Landregan moved to approve the draft 2014 Sunset Review Report delegating authority to the LATC Chair and Executive Officer to make any necessary changes to the Report.**

  Nicki Johnson seconded the motion.

  The motion carried 5-0.

G. Review Tentative Schedule and Confirm Future LATC Meeting Dates

The next LATC meeting is tentatively scheduled for November 13, 2014 at California Polytechnic State University, Pomona.

H. Adjourn

- **David Allan Taylor, Jr., adjourned the meeting.**

The meeting adjourned at 11:38 a.m.

Agenda Item C

PROGRAM MANAGER'S REPORT

The Program Manager's Report provides a synopsis of current activities and is attached for the LATC's review.

ATTACHMENT:
1. Program Manager's Report
2. Business and Professions code 128.5
3. LATC Fund Condition
4. LATC Fund Condition with Proposed Fee Reduction
5. LATC Fiscal Year 2014/2015 Expenditure Projection

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Program Manager's Report
February 2015

ADMINISTRATIVE/MANAGEMENT

Applicant Tracking System (ATS)/Workaround System (WAS)

Manual processes remain in place, using the temporary WAS until the transition to BreEZe in 2015. The BreEZe team met with staff on March 25, 2014 to conduct an analysis of the database and determine options for including it in the BreEZe data conversion activities. Staff continue to work with the BreEZe team towards integrating WAS and ATS data with the BreEZe system. A Request for Change (RFC) to add WAS to the scope of conversion will be necessary.

BreEZe Project

The Department of Consumer Affairs (DCA) is developing a new online program called BreEZe which is a web-enabled enterprise system that supports all applicant tracking, licensing, renewal, enforcement, monitoring, cashiering, and management capabilities. The program also allows the public to file complaints and look up licensee information and complaint status through the internet. BreEZe will support the DCA's highest priority initiatives of job creation and consumer protection by replacing the DCA's aging legacy business systems with an integrated software solution that utilizes current technologies to facilitate increased efficiencies in the DCA boards' and bureaus' licensing and enforcement programs.

BreEZe is being implemented in three releases. Release 1 was implemented on October 9, 2013 and Release 2 is scheduled to be implemented at the end of 2015. LATC and the Board are currently scheduled for Release 3.

At the March 20, 2014 LATC meeting, Sean O'Connor, BreEZe Project Manager, provided an update on the status of the Project, and emphasized that a successful transition to BreEZe will demand a significant amount of staff time. He asked the Committee to be cognizant of the intense demand that the BreEZe transition will place on staff resources when delegating and prioritizing assignments.

On November 20, 2014, DCA Director Awet Kidane provided a BreEZe Project Update to Bureau Chiefs, Board Presidents and Vice Presidents, and Executive Officers. A memorandum summarizing the update was also issued, highlighting two important points: (1) The contractual relationship with Accenture, the current BreEZe vendor, is changing, and (2) Implementation of Release 2 will be moved from April 2015 to the end of 2015. Mr. Kidane emphasized that Releases 1 and 2 remain on course. Once the change in the project is approved in a new Special Project Report, a meeting with programs is scheduled on February 11, 2015 to provide a cost analysis of the BreEZe project for each program.

The BreEZe team will be working on a RFC regarding WAS in order to incorporate the database into the project. The WAS became a functional necessity upon regulatory approval of licensure

requirements. It was established after a freeze was put in place for any legacy system changes during the Department's transition to BreEZe.

Budget

At the May 22, 2013 LATC meeting, the Committee voted to approve a temporary fee reduction and also reduce its spending authority by $200,000 beginning in fiscal year (FY) 2015/16 to address its fund condition per Business and Professions Code section (BPC) 128.5 (Reduction of License Fees in Event of Surplus Funds). Staff prepared a Concept Paper, which is the first step in the process, and is an internal document which formulates the Board's intent to pursue the negative Budget Change Proposal (BCP) to reduce its spending authority. The Concept Paper was submitted to DCA's Budget Office on April 21, 2014. A draft of the negative BCP was reviewed with DCA Budget Office staff on July 18, 2014. The proposal is currently included in the Governor's proposed budget which will become effective July 1, 2015. Fund condition projections reflect a balance which meets the provisions outlined in BPC 128.5 (attached).

Outreach

On December 24, 2014, outreach letters were sent to the deans of 12 landscape architecture programs in California to increase awareness of the LATC website and newly created Twitter account. The Twitter account will be used to better inform students, graduates and licensees about the LATC and its programs.

Outreach presentations are being planned for the spring semester. The next presentation is scheduled to be at University of California, Davis on February 26, 2015.

Regulatory Changes

California Code of Regulations (CCR) section 2610 (Application for Examination) – This section currently requires candidates who wish to register for the Landscape Architect Registration Examination (LARE) to file their application with the LATC 70 days prior to their requested examination date. This requirement was established in 1998 when the licensing examination was partially administered by the LATC and it allowed the LATC preparation time for the administration. In December 2009, the Council of Landscape Architectural Registration Boards (CLARB) began administering all five sections of the LARE, and in 2012 eliminated the graphic portion of the examination, reducing the lead time for applications to be reviewed by LATC prior to the examination date. At the August 20, 2013 LATC meeting, the Committee approved staff's recommendation to change the 70-day filing requirement to 45 days to allow candidates more time to register for the LARE and authorized staff to proceed with a regulatory change proposal. The change will go into effect on April 1, 2015 and was announced on social media and rebroadcasted by CLARB, posted to the LATC home page, and will be included in an upcoming student outreach letter.

Following is a chronology, to date, of the processing of the regulatory proposal for CCR section 2610:

August 20, 2013	Proposed regulatory changes approved by LATC
September 12, 2013	Final approval by the Board

March 28, 2014	Notice of Proposed Changes in the Regulations published by Office of Administrative Law (OAL)
May 12, 2014	Public hearing, no comments received
June 12, 2014	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
August 26, 2014	Final rulemaking file submitted to Business, Consumer Services and Housing Agency (Agency)
September 26, 2014	Final rulemaking file approved by Agency
October 17, 2014	Final rulemaking file submitted to OAL for approval
November 26, 2014	Request from OAL for corrected meeting Minutes and updated Table of Contents
December 1, 2014	Corrected Minutes and updated Table of Contents reopening and closing the file sent to OAL
December 3, 2014	OAL approved the regulatory action; effective April 1, 2015

CCR section 2620.5, Requirements for an Approved Extension Certificate Program - The 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 section 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 the Board authorize LATC to proceed with a regulatory change. The Board approved the regulatory change and adopted the regulations at the December 15-16, 2010 Board meeting. The regulatory proposal to amend CCR section 2620.5 was published by OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing the 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 section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, the LATC approved the Task Force's recommended modifications to CCR section 2620.5, with an additional edit. At the January 24-25, 2013 LATC meeting, the LATC reviewed public comments regarding the proposed changes to CCR section 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 section 2620.5 at their March 7, 2013 meeting.

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

November 22, 2010	Proposed regulatory changes approved by LATC
December 15, 2010	Final approval by the 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

January 9, 2013	End of public comment period
January 24, 2013	LATC approved modified language to address public comments
February 15, 2013	Final rulemaking file to DCA Legal Office
March 7, 2013	Final approval of modified language by the Board
May 31, 2013	Final rulemaking file to OAL
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 met with Task Force Chair to discuss justifications for proposed changes*

** Staff is developing sufficient justifications for a new regulatory proposal to amend CCR 2620.5 that will meet OAL standards.*

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR section 2620.5 incorporating legal counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. In June 2014, staff assignments changed. The interim Special Projects Analyst began working on new proposed regulatory language in November 2014. On December 8, 2014, staff was advised by LAAB committee member, Karen Hanna-Towne, that the LAAB accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. The LAAB anticipates 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 met with DCA 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 will be presented to the LATC for discussion and possible action at its February 10-11, 2005 meeting.

CCR section 2649 (Fees) – At the January 24-25, 2013 LATC meeting, DCA Budget Office staff provided a budget presentation to the LATC. In this presentation, the LATC fund balance of 19.5 months in reserve was discussed in context with BPC section 128.5 (Reduction of License Fees in Event of Surplus Funds), which requires funds to be reduced if an agency has 24 months of funds. As a result of this discussion, LATC asked staff to consult with DCA administration to determine if license fees could be reduced for one renewal cycle and to explore additional ways of addressing the fund balance to comply with BPC section 128.5. Staff met with DCA Budget Office staff and legal counsel to explore options and a license renewal fee reduction from $400 to $220 was recommended in addition to a negative BCP to reduce LATC's spending authority by $200,000.

At the May 22, 2013 LATC meeting, the members voted to reduce the license renewal fees for one renewal cycle beginning in FY 2015/2016 from $400 to $220 and authorized staff to begin the regulatory change process to seek Board and OAL approval to reduce the fee. In anticipation of the regulation being approved, staff is currently researching what information would need to be updated along with the affected forms and the LATC website.

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

August 20, 2013	Proposed regulatory language approved by LATC
September 12, 2013	Proposed regulatory language approved by Board
February 7, 2014	Notice of Proposed Changes in the Regulations published by OAL
March 24, 2014	Public hearing, one written comment received
June 12, 2014	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
October 1, 2014	Final rulemaking file submitted to Agency for approval
October 3, 2014	Final rulemaking file approved by Agency
November 12, 2014	Final rulemaking file to Department of Finance (DOF) for approval
January 16, 2015	Final rulemaking file approved by DOF
February 3, 2015	Final rulemaking file submitted to OAL for approval

Strategic Plan Objectives

Reciprocity Requirements - The LATC's Strategic Plan for FY 2013/14 through 2014/15 contains an objective to review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies. This objective was discussed at the November 7, 2013 LATC meeting. The LATC directed staff to 1) summarize state reciprocity data by identifying the specific number of education years required by each state, 2) determine whether a degree is mandatory, and 3) identify the number of years of experience required for initial licensure. The Committee also asked for state specific requirements for reciprocity. This topic was revisited at the March 20, 2014 LATC meeting where the Committee reviewed the education and experience requirements of other states for initial and reciprocity licensure, prepared by staff. The LATC voted to address the topic further at the next Strategic Planning session, scheduled for February 11, 2015.

Training Credit for Teaching under a Licensed Landscape Architect - The Strategic Plan includes an objective to review the Table of Equivalents for training and experience credit and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. This objective was discussed at the November 7, 2013, LATC meeting and staff was directed to 1) determine if a future LATC meeting could be held in southern California and invite schools to provide input, 2) add the topic of allowing LARE training credit for teaching under a licensed landscape architect to a future meeting agenda, and 3) review the Education Subcommittee summary reports to see if allowing training credit for teaching experience under a licensed landscape architect was previously considered by the Education Subcommittee, and include the findings when this agenda item is addressed again by the LATC. This topic is scheduled to be addressed at the February 10-11, 2015 LATC meeting.

Website

LATC staff continue to publish the updated "Licensee Search" lists monthly. In December, a link was added to the LATC home page to direct users to the newly created LATC Twitter account.

EXAMINATION PROGRAM

Landscape Architect Registration Examination (LARE)

Examination results for the August 18-30, 2014, administration of the LARE were mailed to candidates on October 9, 2014. Pass rates for the August LARE are included with Agenda Item D. Examination results for the December 1-13, 2014, administration of the LARE were mailed to candidates on January 30, 2015. Pass rates for the December LARE are included with Agenda Item D.

Upcoming LARE administration dates are as follows:

April 6-18, 2015
August 3-15, 2015
November 30-December 13, 2015

California Supplemental Examination (CSE) and Occupational Analysis (OA)

At the November 14, 2012 LATC meeting, the Office of Professional Examination Services (OPES) provided an overview of the intra-agency contract (IAC) process and OA standard project plan. LATC approved staff to enter into an IAC with OPES to conduct a new OA.

At the January 24, 2013 LATC meeting, the Committee approved an IAC with OPES to conduct an OA.

On May 30, 2013 OPES initiated the OA process by conducting the first of three focus groups. The initial focus group included practitioners, educators, and LATC enforcement staff. Upon completion of the three focus groups, a three-part questionnaire was developed to be completed by landscape architects statewide. LATC sent email notifications to all landscape architects with active licenses for whom it had email addresses inviting them to complete the questionnaire online. A 42 percent response rate was received. OPES then performed data analysis on the task and knowledge rating responses, followed by two focus groups to further analyze the task and knowledge areas. The groups completed the final review and organization of the task and knowledge statements into content areas also defined by the focus groups. Practitioners then evaluated and confirmed content area weights and a new examination outline containing four content areas was developed. At the June 25, 2014 meeting, the LATC approved the results of the 2014 OA.

At the March 20, 2014 meeting, the Committee approved a new IAC to conduct a national examination review and linkage study. The results of the OA and linkage study will serve as the basis for the examination program for the licensed landscape architect profession in California. As part of the linkage study, OPES reviewed the LARE background information and psychometric quality of the LARE in June and July. A linkage study between LARE specifications and California OA results was conducted September 8-9, 2014, and data analysis of the linkage study and final report was conducted September-November 2014.

At the August 27, 2014 meeting, the Committee approved the FY 2014/15 IAC agreement with OPES to perform CSE development. In November 2014, LATC staff began recruiting subject

matter experts (SME) to participate in exam development workshops. The first of seven exam development workshops was held on December 11-12, 2014; covering item bank reclassification. The following workshops are scheduled for early 2015 and will focus on item writing and exam construction.

The Committee will be asked to review and approve the results of the recent Linkage Study Report conducted by OPES at its meeting on February 10-11, 2015.

ENFORCEMENT PROGRAM

Consumer Satisfaction Survey

On October 8, 2014, staff from the Board and LATC enforcement units met with other DCA enforcement staff and SOLID Planning Solutions Team, to develop a revised Consumer Satisfaction Survey, in the form of a postcard that could be sent to consumers who have filed complaints against licensees and unlicensed individuals. After review of DCA's proposed survey, LATC staff determined that the survey did not contain an essential question related to jurisdiction. Although this feedback was provided during the workgroup discussion to develop the survey, it was not included. Staff is currently working with DCA's Office of Publications Design and Editing to create a postcard which incorporates important data for both DCA and LATC to send consumers along with the complaint closing letters.

Disciplinary Guidelines

As part of the Strategic Plan established by the LATC at the January 2013 meeting, the LATC set an objective of collaborating with the Board in order to review and update LATC's Disciplinary Guidelines. The Board's Regulatory and Enforcement Committee (REC) was tasked with reviewing and recommending updates to the Board's Disciplinary Guidelines. The REC met on April 25, 2013, and identified areas of the Guidelines that needed research. The REC met again on April 24, 2014 to review the findings and determined further research was needed with the Board's Deputy Attorney General liaison prior to making a recommendation to the Board. The revised Guidelines were presented and approved by the Board at its December 2014 meeting. The LATC will consider the Board's revisions for inclusion in its Guidelines at its meeting on February 10-11, 2015. CCR 2680 (Disciplinary Guidelines) will need to be amended to reference the updated Guidelines if the LATC agrees to revise its Guidelines.

Complaint Statistics

(2nd Quarter 2014 & 2013)	2014			2013		
	October	November	December	October	November	December
Complaints Opened	0	1	3	2	3	3
Complaints to Expert	2	1	3	2	0	1
Complaints to DOI	0	0	0	0	0	1
Complaints Pending DOI	0	0	0	0	0	0
Complaints Pending AG	1	1	1	0	0	0
Complaints Pending DA	0	0	0	0	0	0
Complaints Pending	14	15	16	28	28	25

Complaints Closed	1	0	2	0	3	2
Settlement Cases (§5678.5) Opened	0	0	0	0	0	0
Settlement Cases (§5678.5) Pending	0	0	0	4	4	3
Settlement Cases (§5678.5) Closed	0	0	0	0	0	1
Citations Final	0	0	0	0	0	0

ADMINISTRATIVE

Personnel

The Special Projects Analyst position was filled limited-term by Douglas Truong on October 24, 2014. Mr. Truong accepted a permanent position with the California Architects Board and will begin on February 10, 2015. Recruitment efforts are in place to refill the Special Projects Analyst position limited-term.

The Licensing Coordinator position was vacated on November 7, 2014. Recruitment efforts are ongoing to fill the position.

Training

In order to comply with State policy and ensure that all DCA employees receive ongoing privacy and security awareness training, the Information Security Office developed an online privacy and security awareness training course entitled, "Privacy and Security from Within." All staff were required to complete the course by August 8, 2014.

Staff continue to receive training. Courses completed or scheduled since the August LATC meeting include:

September 11, 2014	Excel 2 (Kourtney)
September 25, 2014	Effective Business Writing (Kourtney)
October 27, 2014	Non-IT Contracts (Douglas)
November 05, 2014	Delegated Contracts (Douglas)
November 06, 2014	Regulations Training: The Rulemaking Process (Douglas and Kourtney)
November 07, 2014	Privacy and Security from Within DCA (Douglas)
November 12, 2014	Sexual Harassment Prevention Training Webinar (Douglas)
December 01, 2014	DCA Contract Process Overview Webinar (Douglas)
December 16, 2014	Welcome to DCA (Douglas)
January 07, 2015	Interpersonal Skills for Analysts (Douglas)
January 27, 2015	Basic Project Management (Douglas)

California Architects Board Meeting Update

On December 10-11, 2014, the Board held a meeting at the California State Capitol in Sacramento.

§ 128.5 Unencumbered Funds; Reduction of Fees

(a) Notwithstanding any other provision of law, if at the end of any fiscal year, an agency within the Department of Consumer Affairs, except the agencies referred to in subdivision (b), has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.

(b) Notwithstanding any other provision of law, if at the end of any fiscal year, the California Architects Board, the Board of Behavioral Sciences, the Veterinary Medical Board, the Court Reporters Board of California, the Medical Board of California, the Board of Vocational Nursing and Psychiatric Technicians, or the Bureau of Security and Investigative Services has unencumbered funds in an amount that equals or is more than the agency's operating budget for the next two fiscal years, the agency shall reduce license or other fees, whether the license or other fees be fixed by statute or may be determined by the agency within limits fixed by statute, during the following fiscal year in an amount that will reduce any surplus funds of the agency to an amount less than the agency's operating budget for the next two fiscal years.

0757 - Landscape Architects Technical Committee
Analysis of Fund Condition

Prepared 1-23-15

2015-16 Gov Budget

	ACTUALS 2013-14	CY 2014-15	Governor's Budget BY 2015-16	BY + 1 2016-17	BY + 2 2017-18
BEGINNING BALANCE	$ 2,413	$ 2,527	$ 2,495	$ 2,294	$ 2,109
Prior Year Adjustment	$ 32	$ -	$ -	$ -	$ -
Adjusted Beginning Balance	$ 2,445	$ 2,527	$ 2,495	$ 2,294	$ 2,109
REVENUES AND TRANSFERS					
Revenues:					
125600 Other regulatory fees	$ 7	$ 2	$ 2	$ 2	$ 2
125700 Other regulatory licenses and permits	$ 62	$ 63	$ 63	$ 63	$ 63
125800 Renewal fees	$ 704	$ 704	$ 704	$ 704	$ 704
125900 Delinquent fees	$ 18	$ 18	$ 18	$ 18	$ 18
141200 Sales of documents	$ -	$ -	$ -	$ -	$ -
142500 Miscellaneous services to the public	$ -	$ -	$ -	$ -	$ -
150300 Income from surplus money investments	$ 6	$ 7	$ 7	$ 41	$ 37
150500 Interest Income from Interfund Loans	$ -	$ -	$ -	$ -	$ -
160400 Sale of fixed assets	$ -	$ -	$ -	$ -	$ -
161000 Escheat of unclaimed checks and warrants	$ -	$ -	$ -	$ -	$ -
161400 Miscellaneous revenues	$ -	$ -	$ -	$ -	$ -
Totals, Revenues	$ 797	$ 794	$ 794	$ 828	$ 824
Transfers from Other Funds					
	$ -	$ -	$ -	$ -	$ -
	$ -	$ -	$ -	$ -	$ -
Transfers to Other Funds					
	$ -	$ -	$ -	$ -	$ -
	$ -	$ -	$ -	$ -	$ -
Totals, Revenues and Transfers	$ 797	$ 794	$ 794	$ 828	$ 824
Totals, Resources	$ 3,242	$ 3,321	$ 3,289	$ 3,122	$ 2,933
EXPENDITURES					
Disbursements:					
0840 State Controller (State Operations)	$ -	$ -	$ -		
1110 Program Expenditures (State Operations)	$ 710	$ 825	$ 993	$ 1,013	$ 1,033
8880 Financial Information System for California (State Operations)	$ 5	$ 1	$ 2	$ -	$ -
Total Disbursements	$ 715	$ 826	$ 995	$ 1,013	$ 1,033
FUND BALANCE					
Reserve for economic uncertainties	$ 2,527	$ 2,495	$ 2,294	$ 2,109	$ 1,900
Months in Reserve	36.7	30.1	27.2	24.5	21.6

NOTES:

A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED
B. ASSUMES 2% GROWTH IN EXPENDITURES IN FY 2016-17
C. ASSUMES 0.3% GROWTH IN INCOME FROM SURPLUS MONEY

0757 - Landscape Architects Technical Committee
Analysis of Fund Condition

Prepared 1-23-15

2015-16 Gov Budget
w/proposed fee reduction

		ACTUALS 2013-14	CY 2014-15	Governor's Budget BY 2015-16	BY + 1 2016-17	BY + 2 2017-18
BEGINNING BALANCE		$ 2,413	$ 2,527	$ 2,495	$ 1,974	$ 1,502
Prior Year Adjustment		$ 32	$ -	$ -	$ -	$ -
Adjusted Beginning Balance		$ 2,445	$ 2,527	$ 2,495	$ 1,974	$ 1,502
REVENUES AND TRANSFERS						
Revenues:						
125600	Other regulatory fees	$ 7	$ 2	$ 2	$ 2	$ 2
125700	Other regulatory licenses and permits	$ 62	$ 63	$ 63	$ 63	$ 63
125800	Renewal fees	$ 704	$ 704	$ 704	$ 704	$ 704
	Fee Reduction	$ -	$ -	$ -319	$ -275	$ -
125900	Delinquent fees	$ 18	$ 18	$ 18	$ 18	$ 18
141200	Sales of documents	$ -	$ -	$ -	$ -	$ -
142500	Miscellaneous services to the public	$ -	$ -	$ -	$ -	$ -
150300	Income from surplus money investments	$ 6	$ 7	$ 6	$ 29	$ 25
150500	Interest Income from Interfund Loans	$ -	$ -	$ -	$ -	$ -
160400	Sale of fixed assets	$ -	$ -	$ -	$ -	$ -
161000	Escheat of unclaimed checks and warrants	$ -	$ -	$ -	$ -	$ -
161400	Miscellaneous revenues	$ -	$ -	$ -	$ -	$ -
Totals, Revenues		$ 797	$ 794	$ 474	$ 541	$ 812
Transfers from Other Funds						
		$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -
Transfers to Other Funds						
		$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -
Totals, Revenues and Transfers		$ 797	$ 794	$ 474	$ 541	$ 812
Totals, Resources		$ 3,242	$ 3,321	$ 2,969	$ 2,515	$ 2,314
EXPENDITURES						
Disbursements:						
0840 State Controller (State Operations)		$ -	$ -	$ -		
1110 Program Expenditures (State Operations)		$ 710	$ 825	$ 993	$ 1,013	$ 1,033
8880 Financial Information System for California (State Operations)		$ 5	$ 1	$ 2	$ -	$ -
Total Disbursements		$ 715	$ 826	$ 995	$ 1,013	$ 1,033
FUND BALANCE						
Reserve for economic uncertainties		$ 2,527	$ 2,495	$ 1,974	$ 1,502	$ 1,281
Months in Reserve		36.7	30.1	23.4	17.4	14.6

NOTES:

A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED
B. ASSUMES 2% GROWTH IN EXPENDITURES IN FY 2016-17
C. ASSUMES 0.3% GROWTH IN INCOME FROM SURPLUS MONEY

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE - 0757
BUDGET REPORT
FY 2014-15 EXPENDITURE PROJECTION
FISCAL MONTH 6

	FY 2013-14		FY 2014-15				
OBJECT DESCRIPTION	ACTUAL EXPENDITURES (MONTH 13)	PRIOR YEAR EXPENDITURES 12/31/2013	BUDGET STONE 2014-15	CURRENT YEAR EXPENDITURES 12/31/2014	PERCENT SPENT	PROJECTIONS TO YEAR END	UNENCUMBERED BALANCE
PERSONNEL SERVICES							
Salary & Wages (Staff)	211,119	101,443	**254,249**	118,385	47%	**227,429**	26,820
Statutory Exempt (EO)							0
Temp Help Reg (Seasonals)	29,167	9,145	**6,368**	23,230		**81,034**	(74,666)
BL 12-03 Blanket							0
Temp Help (Exam Proctors)							0
Board Member Per Diem							0
Committee Members (DEC)	1,882	1,000	**2,759**	900		**1,500**	1,259
Overtime							0
Staff Benefits	103,400	53,111	**136,611**	54,961	40%	**120,620**	15,991
TOTALS, PERSONNEL SVC	345,568	164,699	**399,987**	**197,476**	**49%**	**430,582**	(30,595)
OPERATING EXPENSE AND EQUIPMENT							
General Expense	15,284	7,919	**43,249**	8,532	20%	**16,750**	26,499
Fingerprint Reports							0
Minor Equipment	2,610	2,610		4,335		**4,335**	(4,335)
Printing	2,414	1,817	**15,927**	8,751	55%	**12,000**	3,927
Communication	2,906	1,057	**4,793**	1,186	25%	**3,000**	1,793
Postage	5,811	2,498	**12,326**	1,171	10%	**5,000**	7,326
Insurance							0
Travel In State	10,672	3,380	**13,497**	3,007	22%	**9,494**	4,003
Travel, Out-of-State				4,069		**4,069**	(4,069)
Training			**3,159**	1,675	53%	**2,000**	1,159
Facilities Operations	48,802	34,797	**14,671**	35,512	242%	**37,200**	(22,529)
Utilities							0
C & P Services - Interdept.			**13,673**		0%		13,673
C & P Services - External	1,245	13,574	**21,191**		0%		21,191
DEPARTMENTAL SERVICES:							0
Departmental Pro Rata	46,226	25,134	**48,992**	24,496	50%	**48,992**	0
Admin/Exec	55,908	27,648	**60,484**	30,242	50%	**60,484**	0
Interagency Services	26,000		**30,008**		0%	**26,000**	4,008
IA w/ OER	30,710	30,710		53,980		**53,980**	(53,980)
DOI-ProRata Internal	1,793	890	**1,894**	948	50%	**1,894**	0
Public Affairs Office	2,073	1,250	**1,849**	924	50%	**1,849**	0
CCED	2,045	1,062	**2,019**	1,010	50%	**2,019**	0
INTERAGENCY SERVICES:							0
Consolidated Data Center	126	41	**1,162**	55	5%	**250**	912
DP Maintenance & Supply	6,708	4,146	**588**	3,475	591%	**6,500**	(5,912)
Central Admin Svc-ProRata	47,218	23,609	**55,059**	27,530	50%	**55,059**	0
EXAM EXPENSES:							0
Exam Supplies							0
Exam Freight							0
Exam Site Rental			**9,419**				9,419
C/P Svcs-External Expert Administrative	4,260	3,258	**408,144**	3,258		**5,000**	403,144
C/P Svcs-External Expert Examiners		7,600	**1,001**	3,200		**5,000**	(3,999)
C/P Svcs-External Subject Matter	25,829	6,014		2,590		**20,000**	(20,000)
ENFORCEMENT:							0
Attorney General	13,985	6,303	**4,963**	3,240	65%	**6,480**	(1,517)
Office Admin. Hearings	3,212	3,132	**589**	0	0%		589
Court Reporters	1,110						0
Evidence/Witness Fees	7,727	3,522	**5,356**	3,063	57%	**6,720**	(1,364)
DOI - Investigations							0
Major Equipment							0
Special Items of Expense							0
Other (Vehicle Operations)				30		**100**	(100)
TOTALS, OE&E	364,674	211,971	**774,013**	226,279	29%	**394,175**	379,838
TOTAL EXPENSE	710,242	376,670	**1,174,000**	423,755	79%	**824,757**	349,243
Sched. Reimb. - External/Private	(235)			(235)		(235)	235
Sched. Reimb. - Fingerprints							0
Sched. Reimb. - Other							0
Sched Interdepartmental							0
Unsched. Reimb. - Other							0
NET APPROPRIATION	710,007	376,670	**1,174,000**	423,520	36%	**824,522**	**349,478**
						SURPLUS/(DEFICIT):	**29.8%**

Agenda Item D

UPDATE AND POSSIBLE ACTION ON 2014 SUNSET REVIEW

The LATC approved the draft 2014 Sunset Review Report at the August 28, 2014 meeting and delegated authority to the LATC Chair and Executive Officer to make any necessary changes to the Report prior to submittal to the Legislature.

At their September 10, 2014 meeting the Board approved the draft 2014 Sunset Review Report which included the LATC's suggested edits made at its August meeting. The Report was submitted to the Legislature on October 31, 2014.

At this meeting, the Executive Officer will provide an update on the Sunset Review.

Agenda Item E

ENFORCEMENT PROGRAM

1. Annual Enforcement Report

2. Discuss and Possible Action on Strategic Plan Objective to Collaborate With the Board to Review and Update Disciplinary Guidelines

Agenda Item E.1

ANNUAL ENFORCEMENT REPORT

The Landscape Architects Technical Committee (LATC) maintains its goal of reducing the average enforcement case completion timeline to less than 18 months while seeking greater efficiencies in the handling of all enforcement cases. In order to achieve this goal, the LATC hired an additional temporary Enforcement Officer in May 2014 to assist in the review process and reduce the number of pending cases.

At the end of fiscal year (FY) 2013/14, the LATC had 21 pending enforcement cases and the average time to complete an investigation was 294 days, a 15% reduction from 344 days in FY 2012/13. As of January 1, 2015, the pending caseload decreased from 25 to 16 since last year's report. LATC Enforcement Statistics by Month is attached to denote the progress of the enforcement cases over the last two FYs. The graphs depict the number of complaints received, pending, and closed each month.

The attached Enforcement Statistics by Fiscal Year chart displays data for enforcement cases organized by FY. The chart includes a compilation of enforcement statistics from FY 2004/05 to FY 2013/14.

The California Architects Board recently approved amendments to their Disciplinary Guidelines. Based on this, the LATC updated its own Disciplinary Guidelines to mirror the Board's wherever possible. At this meeting, under Agenda Item F.2, the LATC will be asked to discuss and consider approving the recommended update to its Disciplinary Guidelines.

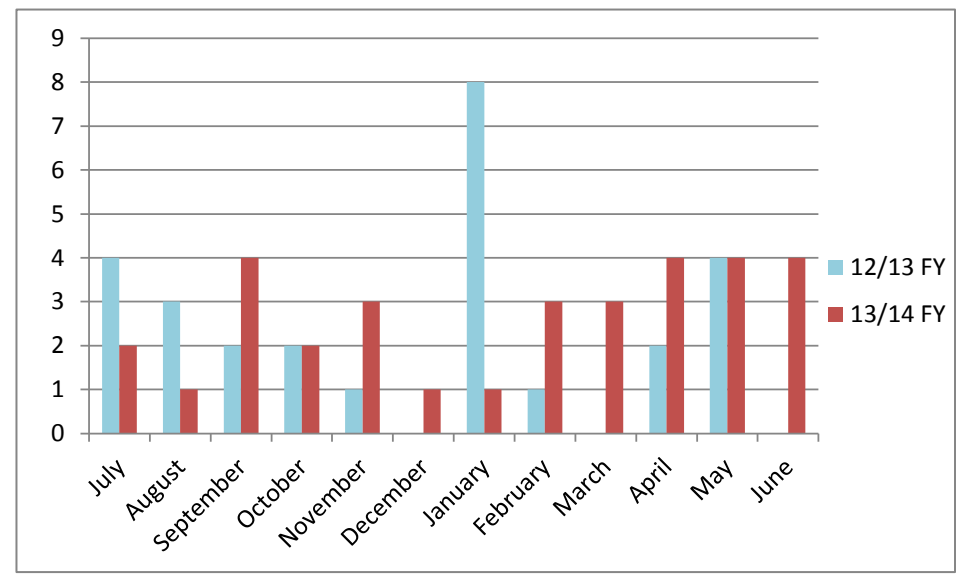
ATTACHMENTS:
1. Enforcement Statistics by Month
2. Enforcement Statistics by Fiscal Year

LATC Enforcement Statistics by Month

Fiscal Years 12/13 and 13/14

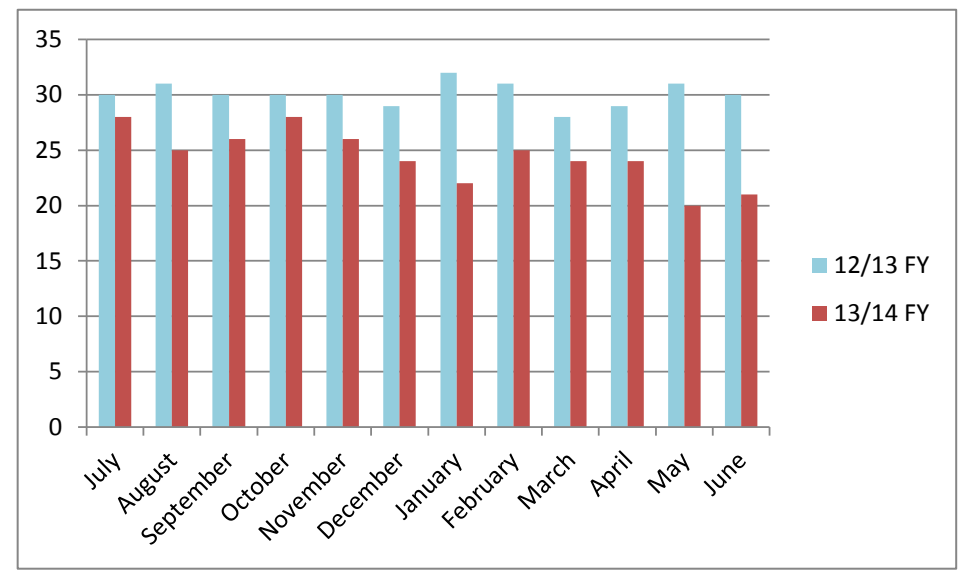
Complaints Received

	12/13 FY	13/14 FY
July	4	2
August	3	1
September	2	4
October	2	2
November	1	3
December	0	1
January	8	1
February	1	3
March	0	3
April	2	4
May	4	4
June	0	4



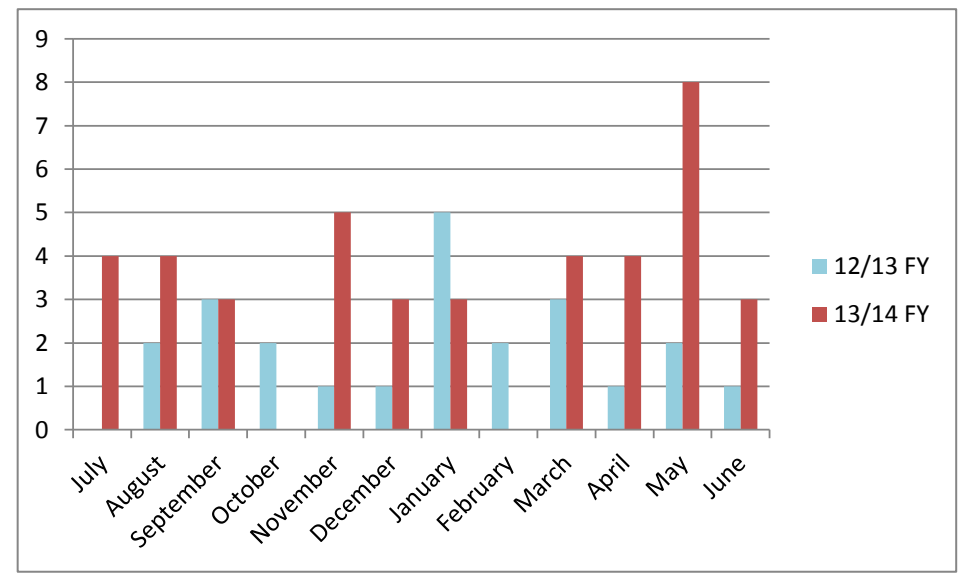
Complaints Pending

	12/13 FY	13/14 FY
July	30	28
August	31	25
September	30	26
October	30	28
November	30	26
December	29	24
January	32	22
February	31	25
March	28	24
April	29	24
May	31	20
June	30	21



Complaints Closed

	12/13 FY	13/14 FY
July	0	4
August	2	4
September	3	3
October	2	0
November	1	5
December	1	3
January	5	3
February	2	0
March	3	4
April	1	4
May	2	8
June	1	3



Enforcement Statistics by Fiscal Year

Enforcement Data	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
Complaints Received (Source)	**Total: 38**	**Total: 15**	**Total: 33**	**Total: 26**	**Total: 30**	**Total: 88**	**Total: 30**	**Total: 28**	**Total: 27**	**Total: 32**
Public	17	6	13	8	9	16	10	5	4	6
Licensee/Prof. Groups	6	1	2	2	0	12	4	14	10	12
Governmental Agencies	1	5	14	11	11	15	3	0	3	3
Other	14	3	4	5	10	45	13	9	10	11
Complaints Filed (By Type)	**Total: 38**	**Total: 15**	**Total: 33**	**Total: 26**	**Total: 30**	**Total: 88**	**Total: 30**	**Total: 28**	**Total: 27**	**Total: 32**
Competence/Negligence	1	2	1	2	3	12	4	5	6	1
Unprofessional Conduct	1	0	0	1	0	1	1	0	0	1
Fraud	0	0	0	0	0	0	0	0	0	0
Health & Safety	0	0	0	0	0	0	0	0	0	0
Unlicensed Activity	8	2	22	22	26	75	24	22	21	24
Personal Conduct	0	0	0	0	0	0	0	0	0	0
Other	28	11	10	1	1	0	1	1	0	6
Complaints Closed	**Total: 31**	**Total: 16**	**Total: 23**	**Total: 29**	**Total: 29**	**Total: 46**	**Total: 64**	**Total: 59**	**Total: 23**	**Total: 41**
Investigations Commenced	**Total: 38**	**Total: 15**	**Total: 33**	**Total: 26**	**Total: 30**	**Total: 88**	**Total: 30**	**Total: 28**	**Total: 27**	**Total: 32**
Compliance Actions	**Total: 14**	**Total: 11**	**Total: 8**	**Total: 17**	**Total: 12**	**Total: 29**	**Total: 37**	**Total: 29**	**Total: 23**	**Total: 38**
Citations and Fines	2	7	3	10	3	4	3	1	1	4
Public Letter of Reprimand	0	0	0	0	0	0	0	0	0	0
Cease & Desist/Warning	12	4	5	7	9	25	34	28	22	34
Referred for Criminal Action	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**
Referred to AG's Office	**Total: 1**	**Total: 1**	**Total: 0**	**Total: 1**	**Total: 0**	**Total: 0**	**Total: 1**	**Total: 2**	**Total: 1**	**Total: 4**
Accusations Filed	1	0	0	0	0	0	1	0	0	1
Accusations Withdrawn	0	0	0	0	0	0	0	1	0	0
Accusations Dismissed	0	0	0	0	0	0	0	0	0	0
Citations Appealed	0	1	0	1	0	0	0	1	1	3
Disciplinary Actions	**Total: 0**	**Total: 1**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**
Revocation	0	0	0	0	0	0	0	0	0	0
Voluntary Surrender	0	0	0	0	0	0	0	0	0	0
Suspension Only	0	0	0	0	0	0	0	0	0	0
Probation with Susp.	0	0	0	0	0	0	0	0	0	0
Probation	0	1	0	0	0	0	0	0	0	0
Probation Violations	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**	**Total: 0**

Note: Compliance Actions resulting in Cease & Desist/Warning for fiscal years 2010/11, 2011/12, and 2012/13 were against unlicensed individuals. Prior fiscal years for this category were not tabulated for this report and may include unlicensed and licensed individuals.

Agenda Item E.2

DISCUSS AND POSSIBLE ACTION ON STRATEGIC PLAN OBJECTIVE TO COLLABORATE WITH THE BOARD TO REVIEW AND UPDATE DISCIPLINARY GUIDELINES

The Landscape Architects Technical Committee's (LATC) current Strategic Plan tasked the LATC to collaborate with the California Architects Board (Board) to review and update its disciplinary guidelines. The LATC's Disciplinary Guidelines were last updated in 2000.

The Board's 2013 and 2014 Strategic Plans directed it Regulatory and Enforcement Committee (REC) to review and update the Board's Disciplinary Guidelines. To this end, Board staff consulted with its 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 if changes were needed to the Board's Disciplinary Guidelines. As a result, staff and legal counsel recommended revisions which were provided to the REC for its consideration on April 25, 2013.

The REC questioned one of the DAG's recommendations to delete the clause "governing the practice of architecture in California" from the "Obey All Laws" standard condition of probation. The DAG advised that his recommended revision is standard in some boards' guidelines. The DAG also advised that the Board keep in mind that this is a condition of probation, not the starting point for a new disciplinary action, so the standard for obedience to all laws and regulations should be stricter for those who have already committed some form of violation requiring discipline and probation. He further stressed that probation requires best, or at least improved, behavior.

The issue was then taken back to the REC on April 24, 2014. The REC again expressed concerns with regard to violations of laws that are unrelated to architecture and also expressed concern regarding the lack of specific parameters for staff to exercise discretion. The REC voted to refer the "Obey All Laws" provision to staff for additional work with members of the profession (American Institute of Architects, California Council [AIACC]) to create new language to set parameters for actionable violations.

Before meeting with the AIACC representative, Board staff consulted with the DAG for suggestions on how to address the REC's issues with regard to the "Obey All Laws" condition of probation. The DAG strongly recommended that the condition be modified as he originally proposed and further supported his opinion based on the following:

- Architects have a duty to obey the statutes and regulations of the Architects Practice Act (Act). Probationers have already violated a provision(s) of the Act warranting grounds for disciplinary actions.
- Probationers would be on the same level as undisciplined architects. As such, the entire concept of probation would be in doubt since it would not subject probationers to a higher standard of conduct to effectively protect the public.

- Probation is the period of time for probations to prove to the Board that they are rehabilitated from a previous violation of the law. A violation while on probation, whether related to the practice or not, does not demonstrate rehabilitation.
- Architects may be into clients' homes and other sensitive locations to provide services. Clients could potentially be at risk if the probationer had violated a law not governing the practice.
- Violation of some laws that do not govern the practice can represent such a threat that the violation should be enough to bar even the possibility of it being committed under the guise of the practice of architecture.
- Less specificity in probation conditions allow the Board more flexibility in exercising its discretion to file a petition to revoke probation. Conversely, more specificity may hamstring the Board and prevent it from protecting the public.
- A violation of any condition of probation would authorize the Board to consider filing a petition to revoke probation (subject to due process); it does not mandate the Board to file the petition.
- If a probationer violates a law on one occasion, the Board is effectively put on notice of a trait that may be repeated.

The DAG's recommendation was also supported by his Supervising DAG, as well as the Board's new DAG liaison. Board staff then met with the AIACC's representative who concurred with the revision and also consulted with the REC Chair to provide the Disciplinary Guidelines with the recommended revisions to the Board for consideration. At its December 10, 2014 meeting, the Board approved the revised Disciplinary Guidelines with a minor edit to the title for 5586 "Public Agency: Disciplinary Action." The Board also authorized staff to proceed with a regulatory proposal to amend California Code of Regulations (CCR) section 154, which incorporates the Guidelines by reference.

Based upon the Board's recent approval of its Disciplinary Guidelines and authorization to proceed with a regulatory amendment, LATC staff reviewed and revised its own Disciplinary Guidelines to mirror the Board's wherever possible. LATC Disciplinary Guidelines are somewhat different than the Board's as they have included Definitions of Penalties and written examination as a standard condition of probation on relevant statute and regulatory code section violations. The LATC is asked to discuss and consider approving the recommended revisions to its Disciplinary Guidelines and authorize staff to proceed with the required regulatory change to CCR section 2680 in order to incorporate the revised Disciplinary Guidelines by reference.

ATTACHMENTS:

1. LATC's Disciplinary Guidelines with recommended revisions
2. Board's Disciplinary Guidelines Pending Regulatory Approval

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III. DEFINITION OF PENALTIES .....

IV. DISCIPLINARY GUIDELINES .....

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California Code of Regulations .....

Violation of Probation .....

V. CONDITIONS OF PROBATION

Standard Conditions .....

Optional Conditions .....

VI. REHABILITATION CRITERIA .....

California Architects Board
Landscape Architects Technical Committee

DISCIPLINARY GUIDELINES

I. INTRODUCTION

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board (Board~~CAB~~), Landscape Architects Technical Committee (LATC) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, landscape architects, others involved in the disciplinary process, and ultimately the Board~~CAB~~, shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories:
(1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and
(2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the LATC~~Board~~ at its office in Sacramento, California. There may be a charge assessed sufficient to cover the cost of production and distribution of copies.

II. GENERAL CONSIDERATIONS

The Board requests that Proposed Decisions following administrative hearings include the following:

a. Specific code sections violated with their definitions.

b. Clear description of the violation.

c. Respondent's explanation of the violation if he/she is present at the hearing.

d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.

e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

Factors to be Considered - In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Total criminal record. ~~Actual or potential harm to any consumer, client or the general public.~~
3. The time that has elapsed since commission of the act(s) of offense(s). ~~Prior disciplinary record.~~
4. Whether the licensee has complied with any terms or parole, probation, restitution or any other sanctions lawfully imposed against the licensee.~~Number and/or variety of current violations.~~
5. If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.~~Mitigation evidence.~~
6. Evidence, if any, of rehabilitation submitted by the licensee.~~Rehabilitation evidence.~~
7. ~~In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.~~
8. ~~Overall criminal record.~~
9. ~~Time passed since the act(s) or offense(s) occurred.~~
10. ~~Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.~~
11. ~~Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.~~

III. DEFINITION OF PENALTIES

Revocation: Loss of a license as the result of any one or more violations of the Landscape Architects Practice Act. Revocation of a license is permanent, unless the respondent takes affirmative action to petition the Board for reinstatement of his/her license and demonstrates to the Board's satisfaction that he/she is rehabilitated.

***Suspension*:** Invalidation of a license for a fixed period of time, not to exceed a period of one year.

***Stayed Revocation*:** Revocation of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Stayed Suspension*:** Suspension of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Probation*:** A period during which a respondent's sentence is suspended in return for respondent's agreement to comply with specified conditions relating to improving his/her conduct or preventing the likelihood of a reoccurrence of the violation.

***Public Reproval*:** A condition of probation whereby the respondent is required to appear before the Board to review in public the violation which he/she was determined to have committed and the penalties imposed.

Such other matters as justice may require.

IV. DISCIPLINARY GUIDELINES

The offenses are listed by statute number in the Business and Professions Code. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages XX - XX.

Business and Professions Code

Section 5640: Unlicensed Person Engaging in Practice - Sanctions

~~Applicant~~ **Maximum**: Denial of application for a license
~~Applicant~~ **Minimum**: ~~Ninety (~~90~~)~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

Section 5642: Partnership, Corporation – Unlicensed Person

Maximum: Revocation and public reproval
Minimum: Stayed revocation, 90 days actual suspension and probation for 5 years on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12~~ 11~~]

Section 5666: Practice in Violation of Chapter Provisions

The appropriate penalty depends on the nature of the offense.

Section 5667: Fraud, Misrepresentation - Obtaining License

Maximum/Minimum: Revocation

Section 5668: Impersonating Landscape Architect – Practice Under Assumed Name

~~Licensee~~ **Maximum:** Revocation
~~Licensee~~ **Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~ 10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5669: Aiding, Abetting - Unlicensed Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5670: Fraud, Deceit in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5671: Negligence, Willful Misconduct in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5672: Gross Incompetence in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c~~b~~. Written examination [#10~~9~~]
d~~c~~. Continuing education courses [#11~~10~~]
e~~d~~. Cost reimbursement [#12~~11~~]
f~~e~~. Restitution [#13~~12~~]

Section 5673: False Use of Signature

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5675: Felony Conviction - Sanctions

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]
e. Criminal Probation Reports [#14~~13~~]

Section 5675.5: **Diciplinary Action by a Public Agency ~~– Disciplinary Action~~**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9~~10~~]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5676: **Plea of Nolo Contendere – Criminal Conviction - Sanctions**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-7]
~~b. Continuing education courses [#10]~~
b~~c~~. Cost reimbursement [#12~~11~~]
~~d. Restitution. [#12]~~
c~~e~~. Criminal Probation Reports [#14~~13~~]

General Provisions of Business and Professions Code

Section 125.6: **Discrimination by Licensee**

Maximum: Revocation
Minimum: Stayed revocation, 60~~90~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12~~11~~]

Section 480 (a): **Denial of Licenses**

An applicant's application may be denied for (1) conviction of a crime substantially related to the qualifications, functions, or duties of the practice of landscape architecture; (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

Maximum/Minimum: Denial of license

Section 496: **Subversion of Licensing Examinations or Administration of Examinations**

Maximum/Minimum: Denial or revocation of license

California Code of Regulations
Division 2, Title 16, Chapter 26

Section 2670~~:~~
Rules of Professional Conduct

(a) Competence

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and ~~five (~~5~~)~~ years probation on the following conditions:

a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

(b) Willful Misconduct

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d. Continuing education courses [#11 [#10]
e. Cost reimbursement [#12 [#11]
f. Restitution [#13 [#12]

(c~~b~~) Full Disclosure

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(d~~c~~) Informed Consent

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12 ~~11~~]
d. Restitution [#13~~12~~]

(e~~d~~) Conflict of Interest

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(f~~e~~) Copyright Infringement

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Violation of Probation

Maximum Penalty -

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

Minimum Penalty

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.~~offense(s).~~

VI~~. STANDARD~~ CONDITIONS OF PROBATION

Standard Conditions
(to be included in all cases of probation)

1. Obey All Laws
Respondent shall obey all federal, state and local laws and regulations ~~governing the practice of landscape architecture in California~~ and comply with all conditions of probation.

2. Submit Quarterly Reports
Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's ~~a~~ Quarterly Report of Compliance form (1/11~~10/98~~) obtained from the Board.

3. Personal Appearances
Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.

4. Cooperate During Probation
Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees, with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.

5. Tolling for Out-of-State Practice, Residence or In-State Non-Practice

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as a landscape architect or held any landscape architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the BoardLATC if he or she applies for or obtains a landscape architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing landscape architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice

or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the LATC. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years. ~~Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code.~~

All provisions of probation other than the quarterly report requirements, examination requirements, cost reimbursements, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California. ~~Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period.~~

6. Violation of Probation

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the BoardLATC shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the BoardLATC has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the BoardLATC shall have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

7. Completion of Probation

Upon successful completion of probation, respondent's license will be fully restored.

~~*VI. OPTIONAL CONDITIONS OF PROBATION*~~

Optional Conditions

8. Suspension

Respondent is suspended from the practice of landscape architecture for _____ days beginning on the effective date of the Decision.

9. California Supplemental Examination

Within _____ days of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within six months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

10~~9~~. Written Examination

Respondent shall take and pass (specified) sections of the Landscape Architect Registration Examination (LARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

11~~10~~. Continuing Education Courses

Respondent shall successfully complete and pass professional education courses approved in advance by the LATC or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition and for paying all costs of such courses.

12~~11~~. Cost Reimbursement

Respondent shall reimburse the Board $ _____ for its investigative and prosecution costs. The payment shall be made within _____ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: _____(specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

13~~12~~. Restitution

Within _____ days of the effective date of this Decision, respondent shall make restitution to _____ in the amount of $_____ and shall provide the Board with proof from _____ attesting that the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

14~~13~~. Criminal Probation Reports

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

15~~14~~. Relinquish License and Wall Certificate

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

16~~15~~. Notification to Clients/Cessation of Practice

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

VI~~I~~. REHABILITATION CRITERIA

California Code of Regulations, Title 16, Division 26, Section 2656, Criteria for Rehabilitation states:

(a) When considering the denial of a landscape architect's license under Section 480 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of the license of a landscape architect on the grounds that the person licensed has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his present eligibility for a license, will consider the following criteria:

(1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(c) When considering a petition for reinstatement of the license of a landscape architect, the board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).

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Introduction

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board (Board) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, Board licensees, others involved in the Board's disciplinary process, and ultimately the Board, shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories: (1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and (2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the Board at its office in Sacramento, California. There may be a charge assessed sufficient to cover the cost of production and distribution of copies.

General Conditions

The Board requests that proposed decisions following administrative hearings include the following:

a. Specific code sections violated with their definitions.
b. Clear description of the violation.
c. Respondent's explanation of the violation if he/she is present at the hearing.
d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.
e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

Factors to be Considered:
In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Actual or potential harm to any consumer, client or the general public.
3. Prior disciplinary record.
4. Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
5. Mitigation evidence.
6. Evidence, if any, of rehabilitation submitted by the applicant.
7. The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.
8. Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.
9. Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

Disciplinary Guidelines

The offenses are listed by section number in the Business and Professions Code or California Code of Regulations. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein, are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages _____.

Business and Professions Code Sections

Section 5577
Conviction of a Crime Substantially Related to the Qualifications, Duties and Functions of an Architect

MAXIMUM: Revocation or denial of license application
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Cost reimbursement [#12]

c. Criminal probation reports [#14]

Section 5578
Acts in Violation of the Architects Practice Act

The appropriate penalty depends on the nature of the offense.

Section 5579
Fraud or Misrepresentation in Obtaining License

MAXIMUM/MINIMUM: Revocation

Section 5580
Impersonation or Use of Assumed or Corporate Name

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c Cost reimbursement [#12]

d. Restitution [#13]

Section 5582
Aiding and Abetting the Unlicensed Practice of Architecture

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

Section 5582.1
Signing Others Instruments of Service or Permitting Misuse of Name

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

Section 5583
Fraud or Deceit

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

Section 5584
Negligence

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. California Supplemental Examination [#9]

c. Continuing education courses [#11]

d. Cost reimbursement [#12]

e. Restitution [#13]

Section 5584
Willful Misconduct

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

Section 5585
Incompetency or Recklessness

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. California Supplemental Examination [#9]

c. Continuing education courses [#11]

d. Cost reimbursement [#12]

e. Restitution [#13]

Section 5586
Disciplinary Action by a Public Agency

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. California Supplemental Examination [#9]

c. Continuing education courses [#11]

d. Cost reimbursement [#12]

e. Restitution [#13]

General Provisions of Business and Professions Code

Section 125.6
Discrimination by Licensee

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 60 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Cost reimbursement [#12]

Section 480 (a)
Denial of Licenses

An applicant's application may be denied for (1) conviction of a crimes substantially related to the qualifications, functions, or duties of the practice of architecture; (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

RECOMMENDED DISCIPLINE: Denial of license

Section 496
Subversion of Licensing Examinations or Administration of Examinations

RECOMMENDED DISCIPLINE: Denial or revocation of license

California Code of Regulations
Article 9. Professional Conduct

Section 160
Rules of Professional Conduct

a. Competence

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. California Supplemental Examination [#9]

c. Continuing education courses [#11]

d. Cost reimbursement [#12]

e. Restitution [#13]

b. Willful Misconduct

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. California Supplemental Examination [#9]

c. Continuing education courses [#11]

d. Cost reimbursement [#12]

e. Restitution [#13]

c. Conflict of Interest

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

d. Full Disclosure

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

e. Copyright Infringement

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

f. Informed Consent

MAXIMUM: Revocation
MINIMUM: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-7]

b. Continuing education courses [#11]

c. Cost reimbursement [#12]

d. Restitution [#13]

Violation of Probation

Maximum Penalty

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

Minimum Penalty

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.

Conditions of Probation

Standard Conditions
(To be included in all Cases of Probation)

1. Obey All Laws

Respondent shall obey all federal, state and local laws and regulations and comply with all conditions of probation.

2. Submit Quarterly Reports

Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's Quarterly Report of Compliance form (1/11) obtained from the Board.

3. Personal Appearances

Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.

4. Cooperate During Probation

Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.

5. Tolling for Out-of-State Practice, Residence or In-State Non-Practice

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as an architect or held any architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the Board if he or she applies for or obtains an architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5500.1 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the Board. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years.

All provisions of probation other than the quarterly report requirements, examination requirements, costs reimbursement, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California.

6. Violation of Probation

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the Board shall have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

7. Completion of Probation

Upon successful completion of probation, respondent's license will be fully restored.

Optional Conditions

8. Suspension

Respondent is suspended from the practice of architecture for _____ days beginning on the effective date of the Decision.

9. California Supplemental Examination

Within _____ days of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within 6 months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year prior to the termination of probation hall constitute a violation of probation. Respondent is responsible for all costs of such examination.

10. Written Examination

Respondent shall take and pass (specified) sections of the Architect Registration Examination (ARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

11. Continuing Education Courses

Respondent shall successfully complete and pass professional education courses approved in advance by the Board or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition, and for paying all costs of such courses.

12. Cost Reimbursement

Respondent shall reimburse the Board $ _____ for its investigative and prosecution costs. The payment shall be made within _____ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: _____(specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

13. Restitution

Within _____ days of the effective date of this Decision, respondent shall make restitution to _____ in the amount of $_____ and shall provide the Board with proof from _____ attesting the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

14. Criminal Probation Reports

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

15. Relinquish License and Wall Certificate

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

16. Notification to Clients/Cessation of Practice

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

Rehabilitation Criteria

California Code of Regulations, Title 16, Division 2, Section 110.1, Criteria for Rehabilitation states:

(a) When considering the denial of an architect's license under Section 480 of the Business and Professions Code, the Board, in evaluating the rehabilitation of the applicant and his/her present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of the license of an architect on the grounds that the person licensed has been convicted of a crime, the Board, in evaluating the rehabilitation of such person and his/her present eligibility for licensure will consider the following criteria:

(1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(c) When considering the petition for reinstatement of the license of an architect, the Board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).

Agenda Item F

REPORT ON COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB)

1. Update on 2015 CLARB Election Nominations

2. Discuss and Possible Action on New Landscape Architect Registration Examination Data

Agenda Item F.1

UPDATE ON 2015 CLARB ELECTION NOMINATIONS

CLARB's Annual Meeting was held on September 23-27, 2014. LATC members, Stephanie Landregan and Nicki Johnson were in attendance along with LATC Program Manager, Trish Rodriguez. Election results for the Board of Directors are attached.

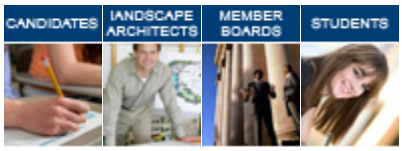
In accordance with the CLARB Bylaws, the Committee on Nominations has established the list of eligible candidates to run in the 2015 elections. In January, LATC staff submitted the following nominations for the 2015 CLARB elections:

CLARB Position	Nominee(s)
Vice President	Christine Anderson
Treasurer	Stanley Williams
Region 5 Director	Cary Baird, Andy Bowden, Leroy Brady
Region 5 Alternate Director	Andy Bowden, William Ogram
Committee on Nominations	Andy Bowden, Leroy Brady, Karen Cesare,William Dial Shelly Engler, William Ogram

At this meeting, an update will be provided on recent CLARB activities.

ATTACHMENTS:
1. CLARB 2014-2015 Board of Directors
2. CLARB Elections Notice
3. CLARB 2015 Election - List of Eligible Candidates
4. CLARB Member Board E-News (December 2014)

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS



BYLAWS

BOARD OF DIRECTORS

PAST PRESIDENTS

2014-2015 CLARB Board of Directors

CLARB is governed by a volunteer Board of Directors made up of the best and brightest leaders in the landscape architecture community. Each year, the CLARB membership elects a Board of Directors to provide oversight and direction to the organization.

President	Jerany Jackson
President-Elect	Randy Weatherly
Vice President	Christopher Hoffman
Secretary	Phil Meyer
Treasurer	Christine Anderson
Past President	Stephanie Landregan
Region I Director	Terry DeWan
Region II Director	Thomas Nieman
Region III Director	Stan Williams
Region IV Director	Allison Fleury
Region V Director	Karen Kiest
Executive Director (ex officio)	Joel Albizo

Also, Dawne Broadfield, Executive of the Rhode Island Board, will attend the 2014-2015 CLARB Board meetings as the Member Board Executive (MBE) Observer.

Organizational Structure

In order to establish closer communications between Member Boards and the Board of Directors, and further to assist CLARB in achieving its stated objectives, five regions have been established.

Region 1 – Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ontario, Pennsylvania, Rhode Island, Virginia

Region 2 – Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, West Virginia, Wisconsin

Region 3 – Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Texas

Region 4 – Alberta, Colorado, Kansas, Nebraska, New Mexico, Oklahoma, South Dakota, Wyoming

Region 5 – Alaska, Arizona, British Columbia, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS

Monday, January 5, 2015

Do you have a minute, and know any individual who you feel is a potential leader in the regulatory community? Nominate an **eligible individual** today for the following positions:

Position	Term
President-Elect (automatic succession to President)	1 year
Vice President	1 year
Treasurer	2 years
Region 1 Director	2 years
Region 1 Alternate Director	2 years
Region 3 Director	2 years
Region 3 Alternate Director	2 years
Region 5 Director	2 years
Region 5 Alternate Director	2 years
Committee on Nominations member (3 positions)	2 years

Making a nomination is fast and easy! Complete the **one-page nominations form** and return it to **Stephanie Landregan** by Friday, January 9.

CLARB leadership represents the best in the industry thanks to nominations from members like you. Help us continue to successfully serve members by **nominating someone today** .

Additional Information:

- **About the Positions**
- **The Nominations Process**
- **Leadership Benefits and Expectations**
- **Board Development Pathway and Key Responsibilities**
- **Committee on Nominations Key Responsibilities**
- **Candidate Interest Form** (Return by 01/09/15)

Questions? Contact Veronica Meadows via **email** or phone (571-432-0332).

CLARB 2015 Election - List of Eligible Candidates

Member	Title	Region	Curent Member Board Member
McDermott, Vincent C.	Past CLARB President	1	Connecticut Department of Consumer Protection
DeWan, Terrence J.	Current CLARB BOD	1	Maine State Board for Licensing Architects, Landscape Architects and Interior Designers
Schein, Christopher L.	MBM	1	Maryland Department of Licensing & Regulation
Leedy, Ralph G.	MBM	1	New Hampshire Joint Board of Licensure & Certification
Picatagi, Richard	MBM	1	New Jersey State Board of Architects
Southerland, Robert	MBM	1	New York State Board for Landscape Architecture
DiMucci, Daniel S.	MBM	1	Pennsylvania State Board of Landscape Architects
Pilz, Steven	MBM	1	Rhode Island Board of Examiners of Landscape Architecture
Crowther, Cabell	MBM	1	Virginia Board for Arch., Prof. Eng., Land Surveyors, Cert. Int. Designers and Landscape Architects
Scherzer, Andy	MBM	1	Virginia Board for Arch., Prof. Eng., Land Surveyors, Cert. Int. Designers and Landscape Architects
Anderson, Richard H.		1	
Barnes, James W.		1	
Beck, Karen A.		1	
Brackett, Douglas R.		1	
De Marche, Dickson F.	Past CLARB President	1	
Eckford, Gerry A.		1	
Fernholz, John J.		1	
Husband, Denise M.	Past CLARB President	1	
Lanier, Lucille C.	Past CLARB President	1	
Naylor, Don W.		1	
Rathmann, James F.		1	
Ridout, Tom		1	
Sadlon, John M.		1	
Sardonia, Joseph V.		1	
Slater, John B.		1	
Stauffer, Richard G.		1	
Strum, Eric		1	
Tinney, James W.		1	
Wojcik, J. Daniel	Past CLARB President	1	
Dahlkemper, Daniel J.		1	
Deming, Elen	MBM	2	Illinois Department of Financial & Professional Regulation
Garrison, Darrell	MBM	2	Illinois Department of Financial & Professional Regulation
Massie, Sue	MBM	2	Illinois Department of Financial & Professional Regulation

Smith, Leslie H.	MBM	2	Indiana Professional Licensing Agency
Seeger, Christopher J.	MBM	2	Iowa Professional Licensing & Regulation Division
Nieman, Thomas J.	Current CLARB BOD	2	Kentucky State Board of Examiners & Registration of Landscape Architects
Reed, David J.	MBM	2	Kentucky State Board of Examiners & Registration of Landscape Architects
Barrett, Anthony L.		2	Kentucky State Board of Examiners & Registration of Landscape Architects
Gunderson, Robert J.	MBM	2	Minnesota Bd. of Arch., Eng., Land Surv., Land. Arch., Geoscience and Int. Des.
Pitz, Marjorie	MBM	2	Minnesota Bd. of Arch., Eng., Land Surv., Land. Arch., Geoscience and Int. Des.
Hartnett, Robert N.	MBM	2	Missouri Board for Architects, Engineers, Land Surveyors & Landscape Architects
Shotts, Robert S.	MBM	2	Missouri Board for Architects, Engineers, Land Surveyors & Landscape Architects
Beam, Patrick J.	MBM	2	Ohio Landscape Architects Board
Sonnenberg, Scott E.	MBM	2	Ohio Landscape Architects Board
Styczinski, Rosheen	MBM	2	Wisconsin Department of Regulation & Licensing
Biehl, David		2	
Burkholder, David M.		2	
Campbell, John W.		2	
Carman, John L.	Past CLARB President	2	
Clark, Joseph H.		2	
Gorden, David		2	
Green, Joann		2	
Jackson, Jerany L.	Current CLARB BOD	2	
Johnson, Diann R.		2	
Lannert, J. Christopher		2	
Massie, Kent L.		2	
McIlwain, Morgan C.		2	
McKnight, Alan D.		2	
Mersky, Dennis J.		2	
Munkel-Olson, Patricia		2	
Nunez, Ralph L.		2	
Ripplinger, Mark	MBM	2	
Roch von Rochsburg, Walter H.		2	

Rock, Sarah		2	
Sullivan, Doris		2	
Uban, John		2	
Young, Kevin		2	
Bates, Lawrence L.	MBM	3	Alabama Board of Examiners of Landscape Architects
Hall, William M.	MBM	3	Arkansas State Board of Architects, Landscape Architects, and Interior Designers
Delate, Joseph F.	MBM	3	Florida Board of Landscape Architects
Baker, Chad	MBM	3	Georgia State Board of Landscape Architects
Kirk, Rebecca R.	MBM	3	Georgia State Board of Landscape Architects
Alley, Frank	MBM	3	Mississippi State Board of Architecture
Barry, Temple	Past CLARB President	3	Mississippi State Board of Architecture
Jackson, James A.	MBM	3	Mississippi State Board of Architecture
Mercier, Robert P.	MBM	3	Mississippi State Board of Architecture
Perry, James	MBM	3	Mississippi State Board of Architecture
Aycock, Ronald	MBM	3	North Carolina Board of Landscape Architects
Williams, Stanley N.	Current CLARB BOD	3	North Carolina Board of Landscape Architects
Anderson, Barret	MBM	3	South Carolina Department of Labor, Licensing and Regulation
Dukes, Laura G.	MBM	3	South Carolina Department of Labor, Licensing and Regulation
Tarkany, John A.	MBM	3	South Carolina Department of Labor, Licensing and Regulation
Lockwood, Paul W.	MBM	3	Tennessee State Board of Architect & Engineer Examiners
Davis, Chad	MBM	3	Texas Board of Architectural Examiners
Vidaurri, Alfred	MBM	3	Texas Board of Architectural Examiners
Burkert, Heather		3	
Case, Susan C.	Past CLARB President	3	
Davis, Paul M.		3	
Frazier, Elizabeth W.		3	
Gastley, John L.		3	
Gillick, Elizabeth A.		3	
Hoffman, Christopher B.	Current CLARB BOD	3	
Jackson, Joseph B.		3	
Landreth, Gordon E.		3	
Lee, J. Richard R.		3	
Parnell, Janet		3	
Poland, Pete		3	
Pouncey, G. A.		3	
Ragland, Larry J.		3	

Rux, Fredrick J.	Past CLARB President	3	
Smith, Luther E.		3	
Starkey, Brian H.		3	
Steinbrueck, Diane		3	
Turner, Cleveland	Past CLARB President	3	
Wyly, Marsha		3	
Downs, Melvin L.		3	
Beresnak, Michael	MBM	4	Alberta Association of Landscape Architects
Patterson, Phillip R.	MBM	4	Colorado State Board of Landscape Architects
Meyer, Philip J.	Current CLARB BOD	4	Kansas Board of Technical Professions
Bryers, Dennis E.	Past CLARB President	4	Nebraska State Board of Landscape Architects
Wells, Gary	MBM	4	Nebraska State Board of Landscape Architects
Dougherty, Brian	MBM	4	Oklahoma Board of Governors of the Licensed Architects, Landscape Architects & Interior Designers
Weatherly, Randy D.	Current CLARB BOD	4	Oklahoma Board of Governors of the Licensed Architects, Landscape Architects & Interior Designers
Shafai, Hani	MBM	4	South Dakota State Commission of Examiners
Belton, Timothy	MBM	4	Wyoming State Board of Architects and Landscape Architects
Fleury, Allison M.	Current CLARB BOD	4	Wyoming State Board of Architects and Landscape Architects
Backman, Kenneth J.	Past CLARB President	4	
Berry, Karl G.		4	
Fisk, Warren L.		4	
Hershberger, Bonny A.		4	
Johns, Guy R.		4	
Johnson, Pat		4	
Knapp, Ruth M.		4	
Mahoney, John F.		4	
Muenzler, Georgia		4	
St. Pierre, David		4	
Sturtevant, Gregg K.	Past CLARB President	4	
Verdone, Jim G.	Past CLARB President	4	
Wilkinson, Dennis C.	Past CLARB President	4	
Winslow, Jane Futrell F.		4	
Winslow, William P.	Past CLARB President	4	
Scothorn, Connie		4	
Urfer, Luanne	MBM	5	Alaska Board of Registration for Architects, Engineers and Land Surveyors

Brady, Leroy	MBM	5	Arizona State Board of Technical Registration
Basciano, Frank L.	MBM	5	British Columbia Society of Landscape Architects
Bowden, Andrew	MBM	5	California Landscape Architects Technical Committee
Landregan, Stephanie V.	Current CLARB BOD	5	California Landscape Architects Technical Committee
Kurokawa, Joel	MBM	5	Hawaii Board of Professional Engineers, Architects, Surveyors & Landscape Architects
Ogram, William A.	MBM	5	Idaho Board of Landscape Architects
Engler, Shelly	MBM	5	Montana Board of Architects and Landscape Architects
Antunez, Sandra	MBM	5	Nevada State Board of Landscape Architects
Baird, Cary K.	MBM	5	Nevada State Board of Landscape Architects
Hansen, Ryan	MBM	5	Nevada State Board of Landscape Architects
Hill, Dan N.	MBM	5	Nevada State Board of Landscape Architects
Ray, Stephen G.	MBM	5	Oregon State Landscape Architect Board
Jolley, Gregory V.	MBM	5	Utah Division of Occupational and Professional Licensing
Bernstein, William	MBM	5	Washington Board of Registration for Landscape Architects
Kiest, Karen S.	Current CLARB BOD	5	Washington Board of Registration for Landscape Architects
Peters, Deborah	MBM	5	Washington Board of Registration for Landscape Architects
Mebust, Kreg L.	MBM	5	
Naquin, Donald	MBM	5	
Anderson, Christine	Current CLARB BOD	5	
Anderson, Lars D.		5	
Antunez, Ellis L.	Past CLARB President	5	
Beighley, Harold S.		5	
Brown, Adrienne		5	
Cesare, Karen		5	
Chu, Michael S.		5	
Chung, Russell		5	
Cook, Dell R.		5	
DeWald, Shane		5	
Fasser, David H.	Past CLARB President	5	
Figurski, James W.	Past CLARB President	5	
Gates, Linda		5	
Glick, Fred		5	
Gonzalez, Sandra J.	Past CLARB President	5	
Harrison, Patrick		5	
Inouye, Lester H.		5	
Lang, Steve		5	

Lent, Burdett B.		5	
Lewis, Clair M.		5	
Lyndes, Joy E.		5	
Marriotti, Richard		5	
McCelvey, Shelli		5	
McGown, Mary G.		5	
Mearig, Lance		5	
Olsen, David P.		5	
Pellitier, John P.		5	
Penner, Tracy		5	
Rinner, Vaughn B.		5	
Robertson, Andrew B.		5	
Sherry, Thomas		5	
Tatsumi, David H.		5	
Timmons, Michael L.		5	
Van Wormer, Timothy C.		5	
Vaughan, Mark		5	
Warsinke, Charles		5	
Wasson, Ian N.	Past CLARB President	5	
Woods, Lori		5	
Yamaguchi, Masatoshi		5	
Young, Anna C.		5	
Zweifel, K. R.		5	
Cyra-Korsgaard, Linda		5	
Dial, William J.		5	

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS

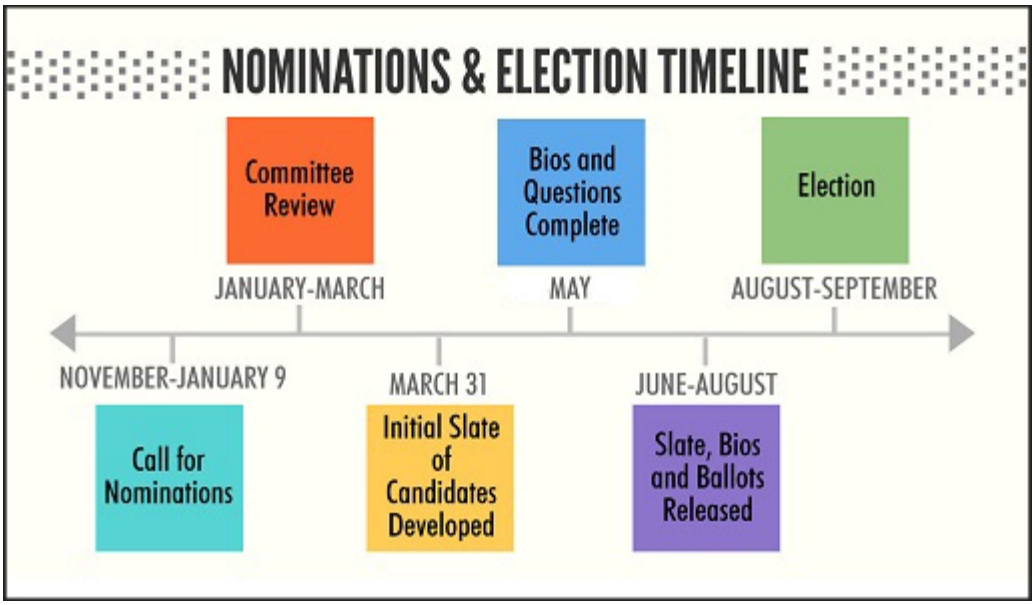
Member Board E-News

December 2014

Important Dates

- **January 5** -- Registration opens for the April L.A.R.E. administration
- **Week of January 19** -- Results available from the December L.A.R.E. administration
- **January 21** -- **CLARB Huddle: a Snapshot of Regulation**

Visit the CLARB website for information about Board of Directors meetings and minutes.



Nominations for the 2015 Elections Due by January 9

The deadline for nominating eligible individuals for the 2015 elections is quickly approaching. **Nominate yourself or another eligible individual by Friday, January 9** for President-Elect; Vice President; Treasurer; Regions 1, 3 and 5 Directors and Alternate Directors; or one of three positions on the Committee on Nominations. **Learn more about the positions.**

Making a nomination is easy!

- **Review the list of eligible candidates** to ensure the person you wish to nominate is eligible to run for an elected position.
- Confirm with the potential nominee that he/she is interested in running for an elected position.

- **Complete the one-page nominations form** and return it to **Veronica Meadows**.

Questions? Contact Veronica Meadows via **email** or phone (571-432-0332).

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Get a Snapshot of Regulation on January 21

CLARB has recently conducted research calls with all Member Boards to better understand jurisdictional requirements and needs. Thank you for taking time to talk with us about regulation in your jurisdiction.

Are you wondering what others had to say or what other jurisdictions throughout North America are doing? Would you like to know how your jurisdiction's regulation compares to others?

Join us on Wednesday, January 21 at 3:00 p.m. EST / 2:00 p.m. CST / 1:00 p.m. MST / Noon PST for "A Snapshot of Landscape Architecture Regulation" and learn more about what regulation looks like across North America. Don't miss this presentation, which will provide an overview of the recent membership research including:

- Number of landscape architect licensees;
- Membership breakdown by board type and structure;
- Size of Member Boards (in terms of members and staff);
- Overview of licensing requirements (education, exam, experience and CE);
- And much more!

Accessing the webcast is easy!

- Step 1: Login. There's no need to pre-register. **Simply login when it's time to join.**
- Step 2: Dial in. Dial 1-800-501-8979 and enter access code 9499463.

Don't forget: a **complete list of webcast dates, times and topics** through September 2015 is available 24/7 on the CLARB website. Mark your calendar and plan to join us for these robust and interactive sessions that help you stay "in the know."

About CLARB's "In the Know" Webcast Series
This webcast series is designed to ensure that all CLARB Members are "in the know" about key issues, programs, activities and processes that are part of the organization's work on behalf of the Membership. The webcasts are prepared for the benefit and exclusive use of our Member Board Members, Executives and Staffs. We respectfully ask that access information for these webcasts not be shared with the public.

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Task Force Moves Forward in Exploring Welfare Regulation

The regulating welfare task force met earlier this week at the CLARB headquarters to continue developing the pilot with the Ohio Landscape Architects Board to regulate welfare in a member jurisdiction. The meeting focused on the following activities:

- Exploring draft CLARB model law and regulation language in support of welfare regulation;
- Assessing the opportunity to support welfare regulation through the CLARB Continuing Education Standard; and

- Developing a preliminary strategy to pursue welfare regulation in Ohio.

CLARB staff members Joel Albizo, Jim Penrod and Veronica Meadows along with Past President Stephanie Landregan represent CLARB on the task force; Member Board Executive Amy Kobe as well as Member Board Members Pat Beam and Tim Schmalenberger represent the Ohio Board.

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We Give Thanks to Our Volunteers

Please join your Board of Directors and staff in recognizing the valuable contributions of our volunteers. The talent, hard work and dedication of these professionals to CLARB's purpose and mission ensure that we can provide strong, effective, consistent, visionary and principled support to members, candidates and licensees in support of the public's health, safety and welfare.

Thanks to these volunteers whose terms of service concluded this past year.

- Dennis Bryers -- Past President
- Bob Hartnett -- Region 2 Director
- Rosheen Styczinski -- Region 2 Alternate Director
- Ansel Rankins -- MBE Observer to the Board
- Crystal Heard -- MBE Committee
- Maria Brown -- MBE Committee
- Frank Basciano -- Committee on Nominations
- Marjorie Pitz -- Committee on Nominations
- Cleve Turner -- Committee on Nominations
- Ellis Antunez -- CLARB representative to LAAB
- Shelly Engler -- Exam Writing Committee
- Augustine Wong -- Exam Writing Committee
- Mark Arigoni -- Exam Writing Committee
- Tod Stanton -- Exam Writing Committee

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A few of our favorite things ...

landscape-architecture examination safety
standards
competency L.A.R.E. welfare
clarb-certification
licensure council-record
members
regulatory-boards health

The CLARB Board of Directors and Staff hopes the new year brings a few of your favorite things!

Agenda Item F.2

DISCUSS AND POSSIBLE ACTION ON NEW LANDSCAPE ARCHITECT REGISTRATION EXAMINATION DATA

LATC continues to track the pass rates for the Landscape Architect Registration Examination (LARE). Since the implementation of the new LARE format in late 2012, eight administrations have been held. Pass rates for every administration of the new four-section LARE are attached; including the most recent December 1-13, 2014 administration. The next administration of the LARE will be April 6-18, 2015.

At this meeting, the LATC is asked to discuss and take possible action on the attached LARE results.

ATTACHMENT:
LARE California and National Pass Rates

Landscape Architect Registration Examination (LARE)
California and National Pass Rates

2012	September							December						
	California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
1	50	37	74%	251	195	78%	-4%							
2	51	35	69%	291	211	73%	-4%							
3								53	41	77%	369	252	68%	9%
4								51	24	47%	333	150	45%	2%

LARE Sections

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

2013	April 8-20							August 19-30							December 1-13							Total						
	California			National				California			National				California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
1	56	44	79%	352	289	82%	-3%	35	23	66%	248	191	77%	-11%	40	30	75%	281	196	69%	6%	131	97	74%	881	676	77%	-3%
2	48	30	63%	320	222	69%	-6%	42	29	69%	258	191	74%	-5%	42	24	57%	249	162	65%	-8%	132	83	63%	827	575	70%	-7%
3	36	23	64%	253	178	70%	-6%	27	20	74%	213	160	75%	-1%	24	15	63%	249	179	72%	-9%	87	58	67%	715	517	72%	-6%
4	52	27	52%	325	186	57%	-5%	31	22	71%	254	140	55%	16%	22	8	36%	298	164	55%	-19%	105	57	54%	877	490	56%	-2%

2014	March 31-April 12							August 18-30							December 1-13							Total						
	California			National				California			National				California			National				California			National			
Section	Total	Pass	%	Total	Pass	%	Diff	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.	Total	Pass	%	Total	Pass	%	Diff.
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%	-6%
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%

New LARE first administration September 2012.
Section 1 and 2 only were administrated in September 2012.
Section 3 and 4 only were administrated in December 2012.
All Sections were administered beginning in April 2013.

The next administration of the LARE will be held on April 6-18, 2015.

Agenda Item G

CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE)

1. Review and Approve Results of Examination Linkage Study Presented by Office of Professional Examination Services (OPES)

2. Discuss and Possible Action on Upcoming CSE Development Conducted by OPES

Agenda Item G.1

REVIEW AND APPROVE RESULTS OF EXAMINATION LINKAGE STUDY PRESENTED BY OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES)

In January 2013, the Landscape Architects Technical Committee (LATC) contracted with OPES to conduct an occupational analysis (OA) of the landscape architect profession. The purpose of the OA is to define practice for landscape architects in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this OA serve as the basis for the examination program for the licensed landscape architect profession in California.

In May 2013, OPES initiated the OA process by kicking off the first of five focus group workshops. Using information gathered during the first three workshops, OPES developed an OA questionnaire and administered it to licensees with valid email addresses.

On January 23-24, 2014 and February 27-28, 2014, OPES held the final two workshops with the purpose of defining the association between data collected from the questionnaire and actual tasks performed in the landscape architect practice.

At the June 25, 2014 LATC meeting, the Committee approved the results of the 2014 OA which were used by OPES to conduct a review of the national Landscape Architect Registration Examination (LARE). After completion of the LARE review, OPES conducted a Linkage Study comparing the content areas of the LARE and the California Supplemental Examination (CSE). The findings of this review and Linkage Study are used to meet requirements of the Business and Professions Code section 139 and Department of Consumer Affairs' policy regarding the use of national examinations. The results are also used to refine the content of the landscape architect CSE as determined by the 2014 Landscape Architect OA.

The attached findings of the LARE review and the resulting Linkage Study will be presented by OPES at today's meeting. The LATC is asked to review and approve the results of the Linkage Study.

ATTACHMENT:
Review of the LARE Executive Summary Prepared by OPES – November 2014 (Including Results of Linkage Study)

CALIFORNIA LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

REVIEW OF THE COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS' LANDSCAPE ARCHITECT REGISTRATION EXAMINATION

OFFICE OF PROFESSIONAL EXAMINATION SERVICES

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

REVIEW OF THE COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS' LANDSCAPE ARCHITECT REGISTRATION EXAMINATION

This report was prepared and written by the
Office of Professional Examination Services
California Department of Consumer Affairs

November 2014

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PROFESSIONAL EXAMINATION SERVICES

EXECUTIVE SUMMARY

Licensing boards and bureaus within the California Department of Consumer Affairs (DCA) are required to ensure that examination programs being used in the California licensure process comply with psychometric and legal standards. The California Landscape Architects Technical Committee (Committee) requested that DCA's Office of Professional Examination Services (OPES) complete a comprehensive review of the Council of Landscape Architectural Registration Boards' (CLARB) examination program. The purpose of the OPES review was to evaluate the suitability of the Landscape Architect Registration Examination (LARE) for continued use in California.

OPES received and reviewed documents provided by CLARB. Follow-up phone communications were held to clarify the procedures and practices used to validate and develop the LARE. A comprehensive evaluation of the documents was made to determine whether (a) occupational analysis, (b) examination development, (c) passing scores, (d) test administration, (e) examination performance, and (f) test security procedures met professional guidelines and technical standards. OPES found that the procedures used to establish and support the validity and defensibility of the LARE examination program components listed above meet professional guidelines and technical standards outlined in the *Standards for Educational and Psychological Testing (Standards)* and the California Business and Professions Code Section 139.

OPES convened a panel of licensed California landscape architects to serve as subject matter experts (SMEs) to review the content of the four section examinations that make up the LARE and to compare this content to the description of practice for California landscape architects as based on the 2013 California Landscape Architect Occupational Analysis, performed by OPES. The SMEs were selected by the Committee based on their geographic location, experience, and practice specialty.

The SMEs performed a comparison between the content of the four LARE section examinations and the 2013 California Landscape Architect description of practice and concluded that the content measured by the four section examinations making up the LARE are congruent in assessing the general knowledge required for entry-level landscape architect practice in California.

The SMEs were also asked to link the job task and knowledge statements that make up the examination outline for the California Landscape Architect California Supplemental Examination (CSE) with the content of the four section examinations making up the LARE. This linkage was performed to identify if there were areas of California landscape architect practice not covered by the LARE.

The results of the linkage study indicate that there are areas of California landscape architect practice not covered by the LARE. These areas were found to be covered by the California Landscape Architect California Supplemental Examination. The California Landscape Architect California Supplemental Examination is structured into four content areas. The examination outline (Table 2) specifies the job tasks and related knowledge a California landscape architect is expected to have mastered at the time of licensure.

The content areas for the four section examinations of the LARE and the California Landscape Architect California Supplemental Examination are provided in Tables 1 and 2 below, respectively.

TABLE 1 – CONTENT AREAS OF THE 2012 LANDSCAPE ARCHITECT REGISTRATION EXAMINATION PLAN (LARE)

LARE Section Examination	Content of Each Section	Subarea Weights per Section
I. Project and Construction Management	Project Management	62%
	Bidding and Construction	38%
II. Inventory and Analysis	Site Inventory	22%
	Analysis of Existing Conditions	78%
III. Design	Concept Development	58%
	Design Development	42%
IV. Grading, Drainage and Construction Documentation	Grading, Drainage and Construction Documentation	100%

TABLE 2 – CONTENT AREAS OF THE 2013 LANDSCAPE ARCHITECT CALIFORNIA SUPPLEMENTAL EXAMINATION PLAN (CSE)

Content Area	Content Area Description	Percent Weight
I. Site Inventory and Analysis	This area assesses the candidate's ability to evaluate and analyze the project site and surrounding conditions to determine opportunities and constraints based on the client's goals and objectives.	15%
II. Program Development	This area assesses the candidate's ability to develop and evaluate program elements based on the client's goals and the site conditions and constraints.	10%
III. Design Process	This area assesses the candidate's ability to develop, evaluate, and refine design solutions to meet the client's needs.	65%
IV. Construction Documents and Contract Performance	This area assesses the candidate's ability to prepare construction documents and perform contract administration.	10%
	Total	**100%**

Agenda Item G.2

DISCUSS AND POSSIBLE ACTION ON UPCOMING CSE DEVELOPMENT CONDUCTED BY OPES

On December 11-12, 2014, OPES held the first of seven CSE development workshops based on the recent Occupational Analysis of the Landscape Architect Profession report, dated May 2014. The next workshop will be held February 12-13, 2015. The CSE is being developed based on the new test plan.

At today's meeting, OPES will provide an update on the CSE development process for the LATC.

Agenda Item H

CLOSED SESSION – EXAMINATIONS [CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 11126(C)(1)]

During closed session the LATC will be asked to discuss and take possible action on examination related issues.

Agenda Item I

DISCUSS AND POSSIBLE ACTION ON STRATEGIC PLAN OBJECTIVE TO REVIEW THE TABLE OF EQUIVALENTS FOR TRAINING AND EXPERIENCE AND CONSIDER EXPANDING ELIGIBILITY REQUIREMENTS TO ALLOW CREDIT FOR TEACHING UNDER A LICENSED LANDSCAPE ARCHITECT

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective which directs the Committee to "Review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect."

The LATC has received one request from an applicant to grant training/practice credit for teaching in a landscape architectural curriculum accredited by the Landscape Architectural Accreditation Board.

Currently, 15 states grant credit to candidates with teaching experience in a landscape architectural curriculum. The maximum credit granted ranges from 1 to 6 years.

The California Architects Board's (Board) table of equivalents [California Code of Regulations (CCR), Title 16, Division 2, section 117(14)(B)] currently grants up to one year of experience credit to candidates who have teaching and/or research experience. The teaching and/or research must be in a National Architectural Accrediting Board or Canadian Architectural Certification Board accredited architectural curriculum verified by the college or university. Such experience can only be accumulated after the candidate has obtained credit for at least five years of educational equivalents as evaluated by the Board [CCR 117(e)(2)].

At today's meeting, the LATC is asked to discuss and take possible action on the information presented regarding experience credit for teaching to determine if modifications to the LATC's table of equivalents should be considered.

ATTACHMENT:
LATC Table of Equivalents (California Code of Regulations, Title 16, Division 26, Section 2620, Education and Training Credits)

Landscape Architects Technical Committee – Table of Equivalents

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) Educational 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 requiredfor 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 subdivision (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 subdivision (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.

Agenda Item J

DISCUSS AND POSSIBLE ACTION ON STRATEGIC PLAN OBJECTIVE TO REVIEW RECIPROCITY REQUIREMENTS OF OTHER STATES TO DETERMINE POSSIBLE CHANGES TO CALIFORNIA REQUIREMENTS TO IMPROVE EFFICIENCIES

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "Review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies." At the May 22, 2013 LATC meeting, the Committee addressed this objective by directing staff to compile the education, training and examination requirements of other states offering reciprocity and report the findings back to the Committee.

A summary of each states' requirements for initial and reciprocal licensure was presented at the November 7, 2013 LATC meeting. After review, the Committee asked staff to compile the data in summary form, identifying the specific number of years required by each state for education and whether a degree is mandatory and the number of years of experience required for initial licensure. The Committee also asked for state specific requirements for reciprocity.

At the November 7, 2013 LATC meeting, the Committee also discussed the fact that Business and Professions Code (BPC) section 5650 requires a combination of six years training **and** educational experience as a prerequisite for licensure in California. California Code of Regulations (CCR) section 2620 specifies the type and amount of credit allowed for each. The issue at hand is that the Committee has received requests for reciprocal licensure from individuals licensed in jurisdictions where education was not a component of initial licensure.

The Committee requested legal counsel to further research CCR section 2620 and determine if there is a way to make reciprocity requirements less prescriptive and allow more flexibility without the necessity of a regulatory change. At the March 20, 2014 LATC meeting, DCA legal counsel advised the Committee that regulatory change would be necessary in order to allow reciprocity applicants who have not met the current education requirement. The Committee was also advised that if a regulatory amendment was pursued to allow educational credit for work experience, the Committee would have to equate licensed experience with education credit. The factual basis for making such a determination would need to clearly demonstrate how licensed experience is equivalent to academic training.

Charts reflecting each state's requirements for initial and reciprocal licensure, as well as state specific requirements are attached for the Committee's consideration. To summarize:

- Four states allow candidates to take the licensing examination upon completion of an undergraduate or graduate degree in landscape architecture.
- Thirty-one states allow candidates to take the examination on the basis of experience alone, with an average of eight years required.

- Five states have specific provisions that allow reciprocity only if their licensees are granted reciprocity in return.
- Six states grant reciprocity on the basis of Council of Landscape Architectural Registration Boards certification.

At today's meeting, the LATC is asked to discuss and take possible action on the information presented regarding licensure and reciprocity requirements of other states to determine if modifications to California's requirements should be considered.

ATTACHMENTS:
1. Landscape Architects – Initial Licensure and State Specific Eligibility Requirements
2. National Landscape Architects – Eligibility and Reciprocity Requirements

Landscape Architects - Initial Licensure and State Specific Eligibility Requirements

	Initial Licensure					State Specific
	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
AZ	8	4 - 5	3 - 4	No	Yes, 8	
AR	6 - 8	4	2 - 4	No	Yes, 7	
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	
DE	6	2 - 4	2 - 4	No	No	
DC	N/A	N/A	N/A	N/A	N/A	
FL	5 - 6	4	1 - 6	No	Yes, 6	
GA	5.5	4	1.5	plus MA in LA	No	Must offer reciprocity with GA
HI	6 - 12	4	2 - 12	No	Yes, 12	
ID	Both not required	4	8	LA degree	Yes, 8	
IL	6	4	2	No	No	
IN	7	4	3	No	Yes, 8 prior to 1993	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	
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	
MN	8	4 - 5	3 - 4	No	No	CLARB certification
MS	Both not required	2 - 4	5 - 7	Yes, BA or MA	Yes, 7	
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
NV	6 - 8	2 - 4	2 - 4	No	Yes, 6	
NH	7 - 8	3 - 4	3 - 5	No	No	
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	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
TN	7	4	3	No	No	CLARB certification
TX	6	4	2	No	No	
UT	Both not required	4 - 5	8	Yes, BA or MA	Yes, 8	
VT	7	3 - 4	3 - 9	No	Yes, 9	
VA	6 - 8	3 - 4	3 - 6	No	Yes, 8	
WA	7	2 - 4	3 - 8	No	Yes, 8	
WV	4 - 6	4 - 5	1 - 2	No	Yes, 10	
WI	6 - 7	2 - 4	2 - 5	No	No	
WY	7	4	3	No	No	

National Landscape Architects - Eligibility and Reciprocity Requirements

State - Acronym	Initial Education/Experience Requirements	Reciprocity Requirements	Licensed Experience Allowed in Lieu of Education 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, if 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 artic engineering course.	No
Arizona - AZ	8 years of active education or experience or both (not more than 5 years credit for education).	Licensed in another jurisdiction with similar requirements but must submit proof of education, training and examination or CLARB certification.	Yes
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.	Yes
California - CA	6 years combined education and experience. Minimum one year education and minimum one year experience under landscape architect after graduation.	Licensed in another jurisdiction and meets initial eligibility requirements for CA candidates.	No
Colorado - CO	Accredited degree in LA plus 2 years experience or 6 years practical experience or a combination of education and experience to meet 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.	Yes
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.	Yes
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.	No
District of Columbia - DC	N/A	N/A	N/A

Florida - FL	Accredited degree in LA or 6 years experience.	Licensure by Endorsement if 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.	Yes
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.	No
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 LARE.	Current licensure in a jurisdiction where the requirements for licensure at the time the license was issued are satisfactory to the board. If in doubt that the requirements for licensure are satisfactory or that the applicant successfully completed them, must pass the national licensing exam and HI supplemental exam.	Yes
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.	Yes
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 CLARB certification.	Yes, if obtained 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.	Yes
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, if 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.	No
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.	N/A
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.	Yes

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.	Yes
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.	Yes
Michigan - MI	7 years of education and/or work experience. Degree is not required but the applicant must have taken university level courses in the subjects included in a degree program accredited by ASLA. BS/BA degree equals 4 years of the 7 year requirement; MA equals 5 years of the 7 year requirement.	At least 7 years of training and experience. Satisfactory completion of each year (up to 5 years) of an accredited course in LA shall be considered equivalent to 1 year experience.	Yes
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.	No
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.	Yes
Missouri - MO	Accredited degree in LA plus 3 years experience.	Must meet the minimum education and experience requirements.	No
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.	Yes
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, to the extent that the applicant holds CLARB certification that was issued based on licensure in a state that did not have education requirements.
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. 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.	Yes, 6 years full time professional practice in LA under the direct supervision of a licensed LA.

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.	No
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.	No
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 years experience toward 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.	Yes
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.	Yes
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.	No
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.	No
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.	Yes
Oregon - OR	Accredited degree in LA plus 3 years experience or, non-accredited degree 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.	Yes
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.	Yes
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.	No
South Dakota - SD	Accredited degree in LA and completion of a council record from CLARB. Experience requirements are those required by CLARB.	CLARB certification.	No
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.	No
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.	No
Utah - UT	Degree in LA or no less than 8 years experience. Each year of education counts as 1 year of experience.	Must meet the same requirements as UT applicants.	Yes
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.	Yes
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 examinatiion) or CLARB certification.	Yes

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.	Yes
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 WV or CLARB certification.	Yes
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.	No
Wyoming – WY	Accredited degree plus 3 years experience.	Licensed in a jurisdiction with substantially equal requirements to those in WY or CLARB certification.	No

Agenda Item K

REVIEW AND POSSIBLE ACTION ON PROPOSED REGULATIONS TO ADOPT CALIFORNIA CODE OF REGULATIONS (CCR) SECTIONS 2620.2 (EXTENSION CERTIFICATE PROGRAMS – APPLICATION FOR APPROVAL); 2620.3 (SUSPENSION, OR WITHDRAWAL OF APPROVAL); 2620.4 (ANNUAL REPORTS); AND TO AMEND CCR SECTION 2620.5 (REQUIREMENTS FOR AN APPROVED EXTENSION CERTIFICATE PROGRAM)

The Landscape Architects Technical Committee (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 California Code of Regulations (CCR) section 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 the Board authorize LATC to proceed with a regulatory change to amend CCR 2620.5. The Board approved the proposed regulatory language and authorized staff to proceed with the necessary requirements with the rulemaking file with the Office of Administrative Law (OAL).

On July 17, 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. 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 adopt new regulations that address the application process for extension certificate programs; annual report requirements; denial, suspension, and withdrawal of approval; and appealing denial and withdrawal of approval actions. Based on legal counsel's recommendation, staff developed new proposed language to address the application and approval processes listed above, (see attached proposed language to adopt CCR sections 2620.2, 2620.3 and 2620.4).

In February 2014 staff met with Christine Anderson, Chair of the University of California Extension Certificate Program Task Force and DCA legal counsel, to discuss justifications for new

regulatory language (CCR 2620.2, 2620.3 and 2620.4) and amendments to existing regulations (CCR 2620.5).

Staff continues to work on fine tuning the language to clarify the application and review processes as well as justifications needed to address OAL's concerns. Attached is staff's and legal counsel's latest draft of proposed regulatory language related to the extension certificate programs. Clarification or issues in sections 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 last approval of the proposed language for that section.

At today's meeting, the Committee is asked to discuss and take possible action on the proposed language for:

CCR 2620.2 (Extension Certificate Programs – Application for Approval);
CCR 2620.3 (Suspension or Withdrawal of Approval); and
CCR 2620.4 (Annual Reports).

The Committee is also asked to discuss and take possible action on proposed amendments to CCR 2620.5 (Requirements for an Approved Extension Certificate Program).

ATTACHMENTS:
1. Proposed Language to Adopt CCR 2620.2, 2620.3, and 2620.4
2. Proposed Language to Amend CCR 2620.5
3. OAL Decision of Disapproval of Regulatory Action, July 17, 2013
4. Amendments to CCR 2620.5 rejected by OAL in July 2013

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED LANGUAGE

California Code of Regulations, Title 16, Division 26

Adopt 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 defer action 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]: This may need to be edited, depending on researched conducted on (a).

Comment [D3]: Depending on research conducted on (a), may need to clarify source of recommendation.

Comment [D4]: 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 [D5]: Consider moving this subsection to 2620.4 as it relates to withdrawal of approval based on annual report.

Comment [D6]: 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 [D7]: 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 [D8]: 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.

(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).

(c) The Board may further evaluate changes to any of the reported items in the annual report.

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 [D9]: May need to clarify what is considered significant.

Comment [D10]: Does wording limit taking action only based on annual report?

Comment [D11]: May need to clarify.

Comment [D12]: Duplicative language above, added "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."

(~~i~~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~~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, values, and ethics ~~methods~~
~~(7) Professional ethics and values~~
(~~10~~9) Plants and ecosystems
(~~8~~10) Computer applications ~~systems~~ and other advanced technology

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

(~~j~~k) The program shall consist of at least 90 quarter units or 60 semester units.

(~~k~~l) 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~~l~~) 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~~m~~) ~~A~~ 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 [D13]: Need to specify employment in program and define amount of time.

Comment [D14]: 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
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~~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 those requirements.

(n~~m~~) 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.

RECEIVED
JUL 19 2013
CALIFORNIA ARCHITECTS BOARD

State of California
Office of Administrative Law

In re:
California Architects Board

Regulatory Action: Title 16
California Code of Regulations

Adopt sections:
Amend sections: 2620.5
Repeal sections:

DECISION OF DISAPPROVAL OF REGULATORY ACTION

Government Code Section 11349.3

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, subds. (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

Richard L. Smith
Senior Counsel

FOR: DEBRA M. CORNEZ
Director

Original: Douglas McCauley
Copy: John Keidel

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS - DRAFT

Hearing Date: **TBD**

Subject Matter of Proposed Regulation: **Requirements for an Approved Extension Certificate Program**

Sections Affected: **California Code of Regulations (CCR), Title 16, Division 26, Section 2620.5**

As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects (BLA) and was placed under the purview of the California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

Specific Purpose of Each Adoption, Amendment, or Repeal:

1. Description of Proposed Amendments:

   A. **PROPOSED AMENDMENT:** In Subsection (a), the phrase "under Section 94900 of the education code" was replaced with "by the Western Association of Schools and Colleges."

   BACKGROUND INFORMATION / PROBLEM BEING ADDRESSED: In 1991, the BLA determined that an extension school in landscape architecture must be established in an educational institution whose accreditation is previously established by national standards, in order to maintain consistency in curriculum and teaching standards with the Landscape Architectural Accreditation Board (LAAB), the only national accrediting body for landscape architecture degree programs in the United States. BLA determined that the appropriate LAAB-corresponding standard by which to maintain consistency with parent institution accreditation standards was encompassed by Section 94310 of the Education Code. To this end, CCR 2620.5 was adopted as a new section in November 15, 1991 with this requirement included in Subsection (a).

   As a result of Assembly Bill (AB) 446 [Sec. 284. (Adds) - Chaptered (Stats.1995 Ch.758)], Section 94310 of the Education Code (EDC) was repealed, operative January 1, 1997. This repeal resulted in the need for BLA to amend CCR 2620.5 to remove the outdated reference to EDC 94310, and reference the appropriate EDC section that grants private postsecondary educational institutions approval to establish extension certificate programs in landscape architecture, which had become Section 94900. LATC replaced the BLA in 1998, and effective April 28, 2002, LATC

updated CCR 2620.5 to reference Section 94900 of the Education Code.

In 2009, AB 48 [Sec. 6. (Adds) - Chaptered (Stats.2009 Ch.310)] repealed Section 94900, resulting in CCR 2620.5 again containing an outdated reference to the EDC. Due to the multiple reference changes to the Education Code, the LATC re-considered the intent of the original requirement to see if it could be better encompassed by different terminology. As mentioned previously, the original intent of including Section 94900 of the education code was so that an extension school in landscape architecture must be established in an educational institution whose accreditation is previously established by national standards in order to maintain consistency in curriculum and teaching standards. At the November 22, 2010 LATC meeting, the Committee approved changing the EDC 94900 reference to the more generic terminology, "a regional accrediting body" which the LATC determined is the most appropriate manner to express the intent of requiring the parent institutions to be accredited in a manner similar to that of LAAB. The Board approved this proposed amendment to CCR 2620.5 at its December 2010 meeting.

On February 6, 2010, LAAB released an updated revision of its "Accreditation Standards and Procedures" document, requiring the parent institution of LAAB-accredited degree programs to be accredited by a recognized institutional accrediting agency, such as recognition by U.S. Department of Education or Council for Higher Education Accreditation (see page six, item number 5, February 6, 2010 revision of "LAAB Accreditation Standards and Procedures"). In response to this update, LATC recommended changing the previously-approved amendment for educational programs to be approved by "a regional accrediting body" to being approved by "the Western Association of Schools and Colleges [WASC]," since WASC is the regional accreditation body for educational programs in California, and LATC made the determination that this is the most appropriate parallel parent institution accrediting body to those of LAAB.

Currently, CCR 2620.5 (a) references the outdated "Section 94900" of the EDC, necessitating an update to bring it current. Consequently, it is impossible for the parent institution of extension certificate programs to be approved under EDC 94900 since it has been repealed. Subsection (a) is not up-to-date and also has the potential to cause great confusion for extension certificate programs seeking LATC approval. Unless amended, this section will continue to misinform the public.

ANTICIPATED BENEFITS OF CHANGE: This amendment would remove an outdated reference to the EDC, and update the section to allow LATC to continue approving extension certificate programs under current and relevant criteria. Additionally, this amendment would align LATC approval requirements with those of LAAB, specifically regarding the accreditation requirements for the parent institutions of extension certificate programs. This amendment would serve to maintain consistency between LATC approval requirements and national accreditation standards, consistent with the rationale upon which the regulation was first adopted.

B. **PROPOSED AMENDMENT:** In Subsection (g), the word "director" was removed and replaced by the word "administrator."

PROBLEM BEING ADDRESSED: CCR 2620.5 was first established under the justification that consistency should be maintained between LAAB accreditation standards and California approval standards to ensure as much uniformity as possible between the different types of educational programs. Such uniformity is essential since LATC grants education credit towards taking the national licensing examination for both degree holders and extension certificate program holders, and the appropriate amount of credit for each educational pathway can be more accurately assessed when the various types of educational programs use similar criteria to accredit or approve programs, respectively. In addition to using similar "criteria" to accredit or approve educational programs, consistency is also enhanced when LATC uses the same or similar "terminology" as LAAB where appropriate. To this end, the February 6, 2010 revision of LAAB's "Accreditation Standards and Procedures" refers to the chief administrative official of a degree program as a program "administrator" (see pages 6, 8, and 17). In contrast, CCR 2620.5 (g) refers to the chief administrative official of an extension certificate program as the program "director." LATC's terminology is inconsistent with that of LAAB, and could potentially cause confusion to the reader.

ANTICIPATED BENEFITS OF CHANGE: This amendment would establish consistency between LAAB and LATC terminology when referring to the chief administrative official of an extension certificate program as a "program administrator;" rather than "program director." This amendment also has the potential to reduce confusion for the reader.

C. **PROPOSED AMENDMENT:** In Subsection (g), the words "California licensed" were added to require the program administrator of an approved extension certificate program to be a California licensed landscape architect; rather than simply a landscape architect.

PROBLEM BEING ADDRESSED: CCR 2620.5 (g) was first established under the justification that the program administrator of an approved extension certificate program must be a licensed landscape architect in the State of California, so that he or she may offer expertise to the program for which he or she directs. Although this rationale was used to establish Subsection (g), the law does not specify that a program (administrator) must be a "California-licensed" landscape architect. The way the law is written potentially allows non-California licensed landscape architects to be program directors (administrators). LATC has made a determination that in order to effectively administer a landscape architecture extension certificate program in California, one must understand California-specific issues related to the practice. LATC evaluates knowledge of California-specific issues in the practice of landscape architecture by requiring all licensees to take and pass the California Supplemental Examination (CSE). The CSE may only be taken after applying for licensure through the LATC, and taking and passing all sections of the Landscape Architect

Registration Examination (LARE). Licensure may be granted upon passing the CSE and paying all required fees. Unless a program director (administrator) is licensed by the LATC, there is no way to evaluate in a scientific and legally-defensible manner, that the individual has sufficient California-specific knowledge of the practice of landscape architecture to oversee a California-based landscape architecture extension certificate program.

ANTICIPATED BENEFITS OF CHANGE: Requiring the program administrators of approved extension certificate programs to be California licensed landscape architects will ensure that the individuals have demonstrated, in a scientific and legally defensible manner, that they are minimally competent to practice landscape architecture in California, and that they have knowledge of California-specific issues related to the practice of landscape architecture. This amendment will also clarify the law to accurately express the original intent of implementing this requirement.

D. **PROPOSED AMENDMENT:** In Subsection (h), the word "faculty" was replaced by the term "program administrator."

PROBLEM BEING ADDRESSED: When CCR 2620.5 was first enacted, BLA determined that the "faculty" of extension certificate programs was the appropriate segment to create policies for the programs, because they represent a cross-section of professionals committed to the program. LATC maintains the position that faculty represent a cross-section of professionals committed to the extension certificate programs; however, since not all faculty members of approved extension certificate programs are required to be California-licensed landscape architects, this also allows faculty members who have not demonstrated minimal competency to practice landscape architecture in California to be responsible for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program that prepares students for licensure. LATC has made the determination that, unless an individual is licensed by the LATC, there is no way to evaluate in a scientific and legally-defensible manner, that the individual has sufficient California-specific knowledge of the practice of landscape architecture to be able to effectively develop policies and procedures that affect all areas of a California-based landscape architecture extension certificate program. Additionally, LATC has made the determination that the primary responsibility for developing policies and procedures, planning, organizing, implementing, and evaluating all aspects of the program should not be divided among multiple faculty members, as this can result in the degradation of a clear sense of direction that comes with these responsibilities being consolidated with one individual, and current law allows the potential for this reduction of quality to occur.

ANTICIPATED BENEFITS OF CHANGE: Requiring program administrators to have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program, will ensure that only individuals who have demonstrated minimal competency, by way of licensure, are performing these critical duties. Additionally, requiring a program administrator,

rather than multiple faculty members, to have the primary responsibility for developing policies and procedures, planning, organizing, and implementing all aspects of the program, will help reduce the potential for the degradation of quality and sense of direction that can occur when these duties are divided among multiple individuals.

E. **PROPOSED AMENDMENT:** New Subsection (i) has been added and requires the program title and certificate description to incorporate the term "Landscape Architecture."

PROBLEM BEING ADDRESSED: CCR 2620.5 was first established under the justification that consistency should be maintained between LAAB accreditation standards and California approval standards to ensure as much uniformity as possible between the different types of educational programs. Such uniformity is essential since LATC grants education credit towards taking the national licensing examination for both degree holders and extension certificate program holders, and LATC grants varying amounts of educational credit towards taking the LARE based on the degree or certificate description. On page 5 of the February 6, 2010 revision of the "LAAB Standards and Procedures" publication, item number 1 under the "Minimum Requirements for Achieving and Maintaining an Approved Status," LAAB accreditation requires the program title and degree description to incorporate the term "Landscape Architecture." Under existing law, LATC approved extension certificate programs do not have a similar requirement for the program title and certificate description, and this is inconsistent with the national accreditation standards.

ANTICIPATED BENEFITS OF CHANGE: This amendment would establish consistency between LAAB and LATC standards regarding program title and certificate description requirements, resulting in increased clarity and expectations for extension certificate programs seeking LATC approval. Additionally, this amendment will help to ensure that candidates pursuing extension certificates in landscape architecture know how much LARE educational credit they can receive for earning an extension certificate from an LATC-approved program, since LATC regulations grant a specific amount of educational credit for a certificate with the term "landscape architecture" in the title.

F. PROPOSED AMENDMENTS: The following proposed amendments (1-11) align directly with LAAB's curriculum standards, as listed on page 10, Standard 3, section B (Professional Curriculum) of the February 6, 2010 revision of the "LAAB Standards and Procedures" publication. Additionally, the current lettering (A-H) of the subsections in section (j) have been changed to numbering (1-11) to match the LAAB publication.

As a preface that applies to each of the following curriculum requirements, CCR 2620.5 was first established under the justification that consistency should be maintained between LAAB accreditation standards and California approval standards to ensure as much uniformity as possible between the different types of educational

programs. Such uniformity is essential since LATC grants education credit towards taking the national licensing examination for both degree holders and extension certificate program holders. Uniformity among curriculum requirements is particularly crucial since LATC wants to ensure that students who pursue licensure via an extension certificate, rather than a degree in landscape architecture, are taught the same topics required of schools accredited nationally by LAAB.

Each of the following proposed amendments to curriculum requirements individually identify the problem being addressed and the anticipated benefit of the proposed change:

1. **PROPOSED AMENDMENT:** In Subsection (j)(1), the word "art" has been replaced by "theory."

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that the study of art was necessary for students to understand that the products of landscape architecture are built, visible, and intended for use.

   LAAB changed this requirement in 2010, and the LATC has concurred with LAAB's update, and determined that the term "theory" is more appropriate because it encompasses the topics of art and comprehensive design. Current curriculum requirements do not include this important topic.

   ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that the broader topic of theory is covered in curricula, which encompasses both art and comprehensive design.

2. **PROPOSED AMENDMENT:** In Subsection (j)(1), the word "communication" has been replaced by "criticism."

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA had determined that communication skills, specifically interpersonal, organizational, public relations, and mass media, were essential for landscape architects to successfully interface with the public.

   LAAB changed this requirement in 2010, by broadening the term "communication" and moving it to a separate line item to encompass "written, verbal, and visual communication." LAAB added the term "criticism" in place of the word "communication." The LATC has concurred with LAAB's updates, and determined that the term "criticism" is a large part of landscape architecture. A successful landscape architect must be able to both give and receive constructive criticism, particularly while overseeing implementation of their plans. Current curriculum requirements do not include this important topic.

ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that the important topic of criticism is included in the curriculum of approved schools.

3. **PROPOSED AMENDMENT:** In Subsection (j)(2), the words "and social" were removed and the phrase "including principles of sustainability" was added to the end of the sentence.

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA had determined that Cultural and Social systems must be mastered as they relate to political acceptability of design proposals.

   LAAB changed this requirement in 2010, by removing the reference to "social systems" because the topic of "cultural systems" already encompasses social systems, by definition. Having the term "social systems" is redundant and unnecessary. LAAB also added "principles of sustainability" to their required curriculum because sustainability has been a growing trend in the field of landscape architecture. The LATC has concurred with LAAB's updates, and determined that the term "social systems" is already encompassed by "cultural systems." The LATC also concurs that "sustainability" has been a growing topic of importance in landscape architecture, and current law does not require this topic to be addressed in the curricula of approved schools.

   ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also remove redundancy and ensure that the important and growing topic of sustainability is included in the curricula of approved extension certificate programs.

4. **PROPOSED AMENDMENT:** A new Subsection (j)(3) was added to require "Public policy and regulation" as a curriculum requirement.

   PROBLEM BEING ADDRESSED: When LAAB updated their accreditation standards in 2010, they added "Public policy and regulation" as a new curriculum requirement. This requirement was added based on a comprehensive study conducted in 2010 by CLARB called "Landscape Architecture and Public Welfare," which emphasized the importance of recognizing appropriate public policies and regulations to maximize the welfare of the public when engaging in the practice of landscape architecture. The LATC has concurred with the importance of this curriculum topic; moreover, BPC 5620.1 mandates the LATC to protect the public. This curriculum area is very important and current law does not require it to be included in the curriculum of approved schools.

ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that the important topics of public policy and regulation are included in the curricula of approved schools, so that protection of the public is further emphasized.

5. **PROPOSED AMENDMENT:** In Subsection (j)(4) [previously (i)(C)], the requirement of "Design as a process in shaping the environment" was modified to "Design, planning and management at various scales and applications including but not limited to pedestrian and vehicular circulation, grading drainage and storm water management."

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that "design" was defined and taught as leading from a logical progression of decisions about natural cultural and social factors that result in a built product in landscape. This built product has physical dimensions that influence the lives of the people that use it directly or indirectly; thus it shapes the environment it influences.

   When LAAB updated their accreditation standards in 2010, they expanded the knowledge area of "design" to encompass the larger picture of "design as a process in shaping the environment." Design, as it applies to a landscape architect, encompasses more than just a process in shaping the environment; it includes planning and management at various scales, and applications including, but not limited to, pedestrian and vehicular circulation, grading, drainage, and stormwater management. Previous LAAB curriculum requirements did not have this level of specificity as it relates to design, thus, LAAB made this curriculum requirement more specific. These knowledge areas are currently evaluated on the LARE. The LATC concurs with LAAB's update to this curriculum area, as these knowledge areas are currently evaluated on the LARE; however, current law does not require it to be included in the curricula of approved extension certificate programs.

   ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

6. **PROPOSED AMENDMENT:** In Subsection (j)(5) [previously (i)(D)] , the word "Plant" and "and their" were removed, resulting in the topic of "Plant materials and their application" to be removed from the curriculum requirements.

PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that California had thousands of native and ornamental plants from which the landscape architect must select shape, color, and sounds produced, as well as climate control function such as shade, wind control, and engineering functions such as soil erosion control, air purification, etc.

When LAAB updated their accreditation standards in 2010, they expanded the knowledge area of "plant materials and their application." The subject of "plant materials" has evolved into larger, distinct topic areas regarding the site design process. LAAB moved and expanded the "plant materials" topic to a new curriculum requirement [see the proposed amendment to Subsection (j)(10) of this section] and expanded the curriculum requirement in Subsection (j)(5) to encompass "Site design and Implementation: materials, methods, technologies, application." Since CCR 2620.5 was first enacted, technology has evolved dramatically and changed how site design is implemented in the practice of landscape architecture. The LATC concurs with updating the curriculum requirements in this manner; however, existing law does not match this curriculum requirement.

ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This amendment would also ensure that approved extension certificate programs are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

7. **PROPOSED AMENDMENT:** In Subsection (j)(6) [previously (i)(E)] , the curriculum requirement "construction materials and techniques" was modified to "construction documentation and administration."

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that knowledge of the building process was necessary for cost containment as well as the more obvious need for structural integrity to avoid consumer abuse.

   When LAAB updated their accreditation standards in 2010, they expanded the knowledge area of "construction materials and techniques." LAAB broadened this curriculum requirement to specify the documentation needed for construction, and to address the landscape architect's role of administration, or oversight, of construction projects. The Board concurs with updating the curriculum requirements in this manner; however, existing law does not match this curriculum requirement.

   ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements

to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

8. **PROPOSED AMENDMENT:** A new Subsection (j)(7) was added to require "Written, verbal, and visual communication" as a curriculum requirement.

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that communication skills, specifically interpersonal, organizational, public relations, and mass media, were essential for landscape architects to successfully interface with the public. Since the law was created, technology has evolved and it is important for licensees to be able to use proper communication as tool to express the intent of a project.

   Currently, CCR 2620.5 only requires "communication" to be included in the curricula of approved programs, but does not specifically address the different written, verbal, and visual aspects of communication as they relate to practicing landscape architecture. The LARE also evaluates communication knowledge in this manner, and the LATC concurs with updating the curriculum requirements accordingly. The LATC has historically tried to align curriculum requirements as closely as possible with LAAB curriculum requirements, and existing law does not match this curriculum requirement.

   ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

9. **PROPOSED AMENDMENT:** In Subsection (j)(8) [previously (i)(F)] , the word "method" was removed.

   PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that professional practice methods consist of accounting, contract writing and negotiation, project management, legal structure, and taxes, and that these related subjects are necessary to tool the landscape architect and his or her need for knowledge of common business practices.

   When LAAB updated their accreditation standards in 2010, they expanded the knowledge area of "professional practice." Currently, this section only requires the methods of professional practice to be addressed in the curricula of approved programs; rather than teaching the broader scope of professional practice as a whole. The LARE also evaluates professional practice knowledge in this manner,

and the LATC concurs with updating the curriculum requirements accordingly. The LATC has historically tried to align curriculum requirements as closely as possible with LAAB curriculum requirements, and existing law does not match this curriculum requirement.

ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

10. **PROPOSED AMENDMENT:** In Subsection (j)(9) [previously (i)(G)], the words "ethics and" were removed, re-ordered, and moved to the end of the sentence.

    PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that coursework in ethics and values were a growing need for all professionals to avoid lawsuits and unethical behavior.

    When LAAB updated their accreditation standards in 2010, this curriculum item was re-worded in this fashion, resulting in a somewhat non-substantive change. The LATC has historically tried to align curriculum requirements as closely as possible with LAAB curriculum requirements, and existing law does not match this curriculum requirement exactly.

    ANTICIPATED BENEFITS OF CHANGE: Updating this curriculum requirement to match that of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. It will also help to avoid confusion among prospective candidates who may be trying to determine differences between the curricula of degree and extension certificate programs, and not cause the reader to question why the curriculum requirements do not match LAAB's exactly.

11. **PROPOSED AMENDMENT:** A new Subsection (j)(10) was added to require "plants and ecosystems" to be added as a curriculum requirement for approved extension certificate programs.

    PROBLEM BEING ADDRESSED: When LAAB updated their accreditation standards in 2010, they expanded certain curriculum areas that had grown or evolved in the practice of landscape architecture since the previous "Accreditation Procedures" were developed in 1990. In 2010, the LARE had evolved substantially since 1990, and one of the knowledge areas that expanded was "plant materials and their application." The subject of "plant materials" has evolved into larger, distinct topic areas regarding the site design process. LAAB moved and expanded the "plant materials" topic from Subsection (i)(E) to a new

curriculum requirement in (j)(10) of "plants and ecosystems." Environmental and ecological awareness has increased drastically since this section was first enacted. The LARE also evaluates plant and ecosystem knowledge in this manner and the LATC concurs with updating the curriculum requirements accordingly. Historically, the LATC has aligned its curriculum requirements as closely as possible with LAAB curriculum requirements, and existing law does not match this curriculum requirement.

ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

12. **PROPOSED AMENDMENT:** In Subsection (j)(11) [previously (i)(H)], the curriculum requirement of "computer systems and advanced technology" has been modified to "computer applications and other advanced technology."

    PROBLEM BEING ADDRESSED: When this curriculum requirement was created, the BLA determined that landscape architecture as a profession was evolving toward the increased use of computer systems and advanced technologies. Therefore, BLA determined that growth management, part of the study of landscape architecture at the time, required integration of information with geographic information through the use of computers and related technologies.

    When LAAB updated their accreditation standards in 2010, they expanded the knowledge area of "computer systems and advanced technology" to reflect updated technological focus areas. During the 1990's, landscape architecture, and the world in general, did not use computer technology to the extent it currently does. Computers are a tool used on a daily basis by landscape architects; however, it is important for licensees to have an understanding of the types of applications used during practice, rather than a basic understanding of computers in general. Since computers are such a staple of a licensee's practice, and technology continues to evolve at a constant pace, it is important for the curricula of approved programs to stay abreast of changes to technology as it relates to the practice. The LARE also evaluates professional practice knowledge in this manner, and the LATC concurs with updating the curriculum requirements accordingly. The LATC has historically tried to align curriculum requirements as closely as possible with LAAB curriculum requirements, and existing law does not match this curriculum requirement.

    ANTICIPATED BENEFITS OF CHANGE: Updating curriculum requirements to match those of LAAB will help to ensure consistency between national

accreditation standards and LATC approval requirements. This change would also ensure that approved extension certificate program are instructing prospective candidates for licensure on knowledge areas that are needed in the current practice of landscape architecture, and subjects that are evaluated on the LARE.

G. **PROPOSED AMENDMENT:** In Subsection (j), the sentence "The program's curriculum shall not be revised until it has been approved by the Board" has been removed.

PROBLEM BEING ADDRESSED: When this section was enacted, the BLA determined that a valid, accurate site visit and evaluation must be based on the program ' s current curriculum rather than one which is revised to accommodate new classes or curriculum changes. Over time, this requirement has proven to be overly-broad and unduly-burdensome, as even minor curriculum changes need LATC approval, a process which consumes substantial time and resources for both the programs and the LATC. Moreover, the effectiveness of a curriculum change cannot be accurately measured until after it has been implemented and data regarding the change has accumulated. Requiring the LATC to "pre-approve" such curriculum changes is unnecessary and inefficient.

ANTICIPATED BENEFITS OF CHANGE: Allowing programs to make curriculum changes without seeking prior LATC approval allows them to adapt to changing environmental conditions and increase adaptability of the programs in the field of academia. This change would also allow sufficient time for data to accumulate regarding to the effectiveness of any curriculum changes that are implemented by the programs.

H. **PROPOSED AMENDMENT:** Subsection (l) [previously Subsection (k)] has been amended to require the syllabi of approved extension certificate to include "learning outcomes."

PROBLEM BEING ADDRESSED: When LAAB updated their accreditation standards in 2010, on page 4, Standard 4, section A (Student Learning Outcomes) of the February 6, 2010 revision of the "LAAB Standards and Procedures" publication, LAAB evaluates "Student Learning Outcomes" to determine if students are qualified to pursue a career in landscape architecture upon completion of the program. In this context, "learning outcomes" are defined as statements that specify what students will know or be able to do as a result of a learning activity. The LATC concurs with LAAB's update; however, current LATC regulations do not require approved extension certificate programs to inform students of the expected learning outcomes.

ANTICIPATED BENEFITS OF CHANGE: Having learning outcomes identified in course syllabi would help to ensure that students of approved extension certificate programs are aware of the expected learning outcomes of the class. Additionally, learning outcomes allow program staff, as well as the LATC, to easily evaluate the effectiveness of the classroom instruction, which will provide valuable and relevant

information for future LATC site reviews.

I. **PROPOSED AMENDMENT:** Subsection (m) has been added as a new subsection, requiring programs to "clearly identify where public health, safety, and welfare issues are addressed in the curriculum."

PROBLEM BEING ADDRESSED: LATC is mandated to protect the health, safety, and welfare of the public by ensuring that only those individuals who are competent to practice landscape architecture are licensed, pursuant to BPC sections 101.6 and 5620.1. As an approving entity for extension certificate programs that instruct such individuals, LATC finds it necessary to ensure that principles of health, safety, and welfare are clearly addressed in the curriculum of schools it approves. Currently, there is no requirement for LATC-approved extension certificate programs to ensure these principles are addressed.

ANTICIPATED BENEFITS OF CHANGE: Requiring approved extension certificate programs to clearly identify where public health, safety, and welfare issues are addressed in their curriculum will help ensure prospective licensees are educated on these topics. This amendment would also ensure consistency with existing law by helping LATC fulfill its obligation to protect the health, safety, and welfare of the public.

J. **PROPOSED AMENDMENT:** Subsection (l) has been re-lettered to Subsection (n) as a non-substantive change resulting from the proposed addition of other subsections.

K. **PROPOSED AMENDMENT:** Proposed Subsection (o)(1) [formerly Subsection (m)(1)] would require at least one half of an extension certificate program's instructional personnel to hold a professional degree or certificate from an approved extension certificate program in landscape architecture, rather than only requiring half of the instructional personnel to hold professional degrees in landscape architecture.

PROBLEM BEING ADDRESSED: Existing Subsection (o)(1) only recognizes graduates with professional degrees in landscape architecture as eligible to be instructional personnel for approved extension certificate programs, even though extension certificate holders are granted equivalent educational credit towards licensure as professional degree holders when seeking licensure through the LATC (see 16 CCR 2620, Education and Training Credits).

ANTICIPATED BENEFITS OF CHANGE: Allowing certificate holders from approved extension certificate programs to work as instructional personnel for approved programs will make the regulation consistent with existing educational credit that is granted towards certificate holders, as outlined in CCR 2620.

L. **PROPOSED AMENDMENT:** Proposed new Subsection (o)(3) would require the program administrator position to be at least a .5 time-base.

PROBLEM BEING ADDRESSED: Page 5 of the February 6, 2010 revision of the "LAAB Standards and Procedures" publication, item number 4 (a) under the "Minimum Requirements For Achieving And Maintaining An Approved Status" category, establishes faculty time-base requirements for LAAB-accredited schools. This ensures schools have sufficient staffing to ensure quality and effectiveness of education. The LATC concurs with establishing a minimum amount of staffing for approved extension certificate programs; however, under current law, LATC approved schools do not have a similar minimum time-base requirements for their faculty.

ANTICIPATED BENEFITS OF CHANGE: Requiring the program administrator position of approved extension certificate programs to be at least .5 time-base establishes a minimum time-base requirement similar to that of LAAB accreditation standards. Academic quality has the potential to suffer if the program administrator position is comprised of multiple individuals working to fill the position in an aggregate manner. Such a situation lends itself to miscommunication, conflicting ideas, and inconsistency. Establishing a minimum time-base requirement for a program administrator will help minimize the risks posed by filling the position with an aggregate of individuals.

Although LAAB schools require a minimum of one faculty member to be full-time (equivalent to 1.0 time-base), extension certificate programs differ from traditional degree programs in that classes are primarily offered at night in order to provide education that is accessible to the working adult. One of the unique and beneficial aspects of extension certificate program faculty is that the majority are active practitioners of landscape architecture, in addition to being instructors. LATC's proposal of requiring the program administrator position to be at least .5 time-base is in a similar spirit to LAAB's staffing requirements; yet, it accommodates the unique nature of extension certificate program staff by allowing the program administrator to still be an active practitioner of landscape architecture outside of their role in the program.

M. **PROPOSED AMENDMENT:** Proposed new Subsection (o)(4) would require the program administrative support position to be at least 1.0 full-time equivalence (FTE).

PROBLEM BEING ADDRESSED: When 16 CCR 2620.5 was first enacted, the BLA wanted to maintain consistency between LAAB standards and extension certificate program approval requirements. Since then, LAAB has updated its accreditation criteria. Page 5 of the February 6, 2010 revision of the "LAAB Standards and Procedures" publication, item number 4 (a) under the "Minimum Requirements For Achieving And Maintaining An Approved Status" establishes faculty FTE requirements for LAAB-accredited schools. Under current law, LATC approved schools do not have similar minimum FTE requirements for their faculty.

ANTICIPATED BENEFITS OF CHANGE: Requiring the program administrative support position of approved extension certificate programs to be at least 1.0 FTE will establish a minimum FTE requirement for program staff, similar to that of LAAB accredited schools. As mentioned previously, extension certificate programs tend to focus on providing education to the working adult, and the majority of classes are offered at night. Requiring the administrative support position to be at least a 1.0 FTE position will help ensure that sufficient administrative support staff to assist faculty, students, and the public during all business hours is essential to providing quality academic services.

2. Anticipated Benefits from These Regulatory Actions:

   In addition to the anticipated benefits identified for each individual proposed change above, this regulatory proposal will bring the extension certificate program requirements up-to-date with current standards of the practice of landscape architecture, while adapting nationally-accepted accreditation standards for degree programs to the unique nature of extension certificate programs.

Factual Basis/Rationale

LATC is mandated to protect the public health, safety and welfare, pursuant to BPC sections 101.6 and 5620.1. One of the ways LATC protects the public is by requiring all persons intending to become a licensed landscape architect in California to meet specific education and experience requirements, and to complete both a national examination, the LARE, and the CSE. One of the methods by which a candidate for licensure can fulfill LATC's educational prerequisite to take the LARE is by earning an extension certificate in landscape architecture through an LATC-approved extension certificate program.

LATC reviews and approves landscape architecture extension certificate programs that meet the requirements of CCR 2620.5. The LATC approval process for extension certificate programs is similar to the LAAB accreditation process that degree granting programs in landscape architecture must undergo. Moreover, CCR 2620.5 was first adopted based on the *+ and LATC After becoming initially-approved by the LATC, extension certificate programs are reviewed approximately every six years for continued compliance with LATC approval standards. These standards mirror LAAB accreditation standards for degree-granting programs, to the extent applicable. LAAB is the national accrediting organization for landscape architectural degree programs in the United States. LAAB develops and promulgates the accreditation standards, rules and procedures for conducting the accreditation process. 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 CCR section 2620.5.

In 2009, the LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, on October 22, 2009, the LATC voted to review the extension certificate program standards contained in the regulation and update them where necessary to better encompass the mission of the LATC in protecting the public health, safety, and welfare; and ensure that extension programs' areas of study reflect current practice in the profession. LAAB released the most current revision of its "Accreditation Standards and Procedures" on

February 6, 2010.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force (Task Force), which was charged to develop procedures for the review of the extension certificate programs and conduct reviews of the programs utilizing the new procedures, as outlined in CCR section 2620.5. 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 several changes for CCR section 2620.5 to the LATC in order to further update the extension certificate program requirements with current standards of the practice of landscape architecture. The LATC reviewed and approved modifications to CCR section 2620.5 at its January 2013 meeting, and the final rulemaking file to amend CCR section 2620.5 was delivered to OAL on May 30, 2013.

On July 17, 2013, OAL issued a "Decision of Disapproval of Regulatory Action" on the rulemaking file for CCR section 2620.5, citing deficiencies in the rulemaking file relating to the necessity standard of Government Code section 11349.1. At its August 20, 2013 meeting, LATC voted to 1) not pursue a resubmission of the existing rulemaking file for CCR section 2620.5 to OAL; 2) have staff analyze the proposed modifications to CCR section 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 to the section have been developed.

Subsequent to the August 2013 LATC meeting, staff consulted with DCA legal counsel and members of the University of California Extension Certificate Program Task Force to discuss the justifications for the proposed changes to CCR 2620.5, and develop a new rulemaking file to submit to OAL. This proposal seeks to correct the deficiencies identified by OAL in the disapproved rulemaking file from July 2013, and would update LATC regulations governing the requirements for an approved extension certificate program to current standards of practice.

Underlying Data

The LATC consulted with counsel from the Department of Consumer Affairs legal office to update California-specific requirements for an approved extension certificate program, in addition to reviewing and incorporating information from the following documents:

1. February 6, 2010 LAAB Accreditation Standards and Procedures
2. CLARB Study on Welfare
3. LARE Specifications

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.

- It will not create new business or eliminate existing businesses within the State of

California because it only affects candidates for examination and licensure.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect the health and welfare of California residents because the proposed changes will not be of sufficient magnitude to have such an effect.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Business Reporting Requirements

None

Anticipated Benefits

This action would update LATC regulations governing the requirements for an approved extension certificate program to current nationally-accepted standards of practice. Additionally, it is possible that this proposal would make LATC-approved landscape architecture extension certificate programs more competitive with landscape architecture degree programs because of the updated criteria upon which the programs are approved.

Effect on Businesses in California

This regulatory change is bringing current requirements up to date with current standards of practice. This action may apply to some businesses in California; however, it is estimated that any impact would be non-substantial.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

The Board has made an initial determination that no reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposal described in the Notice.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

The only alternative considered was to maintain the status quo. This alternative was rejected because LATC's requirements for an approved extension certificate program are out of date and need to be updated with nationally-accepted standards of current practice.

Agenda Item L

REPORT ON CALIFORNIA ARCHITECTS BOARD AND INTEGRATED PATH TO LICENSURE MODEL

On December 10-11, 2014, the Board held a meeting at the California State Capitol in Sacramento. Attached is the meeting notice. The Landscape Architects Technical Committee (LATC) will be updated on the main points discussed at the Board meeting.

One of the main agenda items discussed was the Board's 2014 Strategic Plan objective regarding an additional pathway to licensure. The objective is to monitor, analyze, and encourage initiatives for schools of architecture that promote curriculum in health, safety, and welfare, and an additional path to licensure as well as collaborate with schools in a series of summits on practice-based education.

At its February 26, 2014 meeting, the Board discussed an alternate path to licensure model that would integrate experience and examination components into a degree program (Integrated Degree Program) culminating with eligibility for licensure at graduation. The Board invited representatives from each of the National Architectural Accrediting Board (NAAB) accredited programs in California to discuss the model. The Board was provided with an overview of such a model and reports from school representatives on their respective efforts to promote licensure. Specific presentations were made by NewSchool professor Mitra Kanaani (who introduced a new vision for architectural education) and Steve Altman (who outlined a proposal to establish the Sacramento College of Architecture).

At the national level, the National Council of Architectural Registration Boards (NCARB) convened a Licensure Task Force (LTF) in September of 2013. The LTF was charged with analyzing each component of the licensure process as a basis for exploring potential additional pathways that lead to licensure and determining where there may be overlap and opportunities for efficiencies to be realized.

The LTF, as a product of more than a year's deliberation, developed the attached Request for Interest & Information (RFI&I), which was structured in a manner to allow the accredited programs autonomy and latitude in developing their responses by asking how the:

- Integrity of the three E's (education, experience, and examination) is preserved;
- Proposed program is aligned with their respective State board's regulations; and
- Intern Development Program (IDP) will be supported by participating strategic partnership firms.

On September 9, 2014 NCARB released the RFI&I to NAAB-accredited programs for assessment of the interest level and readiness to design and develop an integrated path leading to

licensure. The deadline for submission of a response to NCARB was October 31, 2014. The RFI&I was the first step in a two-step process that was followed by a Request for Proposal (RFP). NCARB released the RFP on January 23, 2015 with a deadline of June 1, 2015.

The Board, at its September 10, 2014 meeting, approved a position statement (attached) that was developed by Board Vice President Pasqual Gutierrez in support of an additional pathway to licensure. The statement was later presented to the LTF.

In late 2015, NCARB will advise Member Boards which submittals are aligned with the goal of positioning students for success with an integrated path to licensure three E's.

The Board will be inviting the ten NAAB programs to its March 12, 2015 meeting for updates on their programs and continued discussion on the matter.

At today's meeting the LATC will be provided an update on the Board's objective and NCARB's efforts.

ATTACHMENTS:

1. California Architects Board, December 10-11, 2014 Meeting Agenda
2. Additional Pathway to Licensure Supporting Position Statement – Adopted by the Board on September 10, 2014
3. Request for Information and Interest for an Integrated Path to Licensure at Graduation

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

NOTICE OF BOARD MEETING

December 10-11, 2014
State Capitol
Room 126
Sacramento, CA 95814
(916) 575-7202 or (916) 574-7220

The California Architects Board will hold a Board meeting, as noted above. The agenda items may not be addressed in the order noted below and the meeting will be adjourned upon completion of the agenda, which may be at a time earlier than that posted in this notice. The meeting is open to the public and 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 Annamarie Fernandez at (916) 575-7202, emailing annamarie.fernandez@dca.ca.gov, or sending a written request to the Board at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Agenda
December 10, 2014
10:00 a.m. – 5:00 p.m.

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

B. President's Remarks

C. Public Comment Session

D. Approve September 10, 2014 Board Meeting Minutes

E. Executive Officer's Report
   1. Update on November 2014 Monthly Report
   2. Update and Possible Action on 2014 Sunset Review
   3. Board Member Liaison Reports on Organizations and Schools

F. Election of 2015 Board Officers

G. Select the 2014 Octavius Morgan Distinguished Service Award Recipients

(Continued)

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H. National Council of Architectural Registration Boards (NCARB)
   1. Review and Ratify Comments on NCARB Proposals to Streamline and Overhaul Intern Development Program
   2. Review and Ratify Comments on NCARB Proposals to Overhaul Broadly Experienced Architect and Broadly Experienced Foreign Architect Programs

I. Professional Qualifications (PQ) Committee Report
   1. Update on October 30, 2014 PQ Committee Meeting
   2. Discuss and Possible Action on 2014 Strategic Plan Objective to Monitor, Analyze, and Encourage Initiatives for Schools of Architecture that Promote Curriculum in Health, Safety, and Welfare, and Additional Path to Licensure via Board Liaisons, and Collaborate with Schools, as well as the Board, in a Series of Summits on Practice-Based Education
   3. Review and Approve Results of Occupational Analysis Presented by Office of Professional Examination Services (OPES)
   4. Discuss and Possible Action on Review of the National Examination and Linkage Study to be Conducted by OPES

J. Deputy Attorney General Presentation: The Board's Role in the Disciplinary Process

K. Discuss and Possible Action on 2014 Strategic Plan Objective to Review and Update the Board's Disciplinary Guidelines

L. Closed Session – Disciplinary Decisions and Exam Development Issues [Closed Session Pursuant to Government Code Sections 11126(c)(1) and (3)]

M. Adjournment

Agenda
December 11, 2014
9:00 a.m. – 5:00 p.m.

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

O. Public Comment Session

P. Strategic Planning Session

Q. Review of Schedule

R. Adjournment

The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: *www.cab.ca.gov*. Any other requests relating to the Board meeting should be directed to Ms. Fernandez at (916) 575-7202 or (916) 574-7220.

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)

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

Additional Pathway to Licensure Supporting Position Statement

California's examination and licensure requirements are more flexible than most other jurisdictions. Obtaining a license in California involves requirements that can be met in multiple ways with several possible entry points. Although each candidate's path to licensure may differ, all candidates will complete the process with the necessary knowledge, skills, and ability to be a licensed architect who practices in a way that protects the health, safety, and welfare of Californians.

The California Architects Board supports and encourages California schools of architecture to participate in formulating integrated curriculums of education, experience and examination that promote an additional pathway to licensure. The Board will monitor and analyze participating school proposals promoting licensure upon graduation and establish an earlier entry point for eligibility to begin taking the Architect Registration Examination.

Adopted by the Board on September 10, 2014

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NCARB
National Council of Architectural Registration Boards 1801 K Street NW, Suite 700K Washington, DC 20006 202/783-6500 202/783-0290 FAX

NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS

NON-BINDING

REQUEST FOR INTEREST & INFORMATION for an Integrated Path to Licensure at Graduation

Contact Information
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Date of Issue: September 9, 2014
Response Due Date: October 31, 2014

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Non-Binding Request for Interest & Information

for an

Integrated Path to Licensure at Graduation

Purpose

The purpose of this Request for Interest & Information (RFI&I) is to request and collect information from NAAB-accredited programs and to assess interest level and readiness to design and develop an integrated path leading to licensure at graduation encompassing the NCARB requirements of education, experience, and examination.

Individual academic institutions in collaboration with a licensing board will determine a variety of approaches as long as the specifications of the NAAB-accredited program (NAAB 2014 Conditions for Accreditation), the completion of the Intern Development Program (IDP 2.0), and passing the Architect Registration Examination® (ARE® 5.0) prior to graduation are met. The alignment and sequence of those elements will be left to the discretion of the participating schools. The Licensure Task Force is seeking a wide variety of responses that provide a structured, yet flexible framework for students to complete the program and achieve licensure concurrent with graduation.

NCARB is aware that participation in such an integrated path may require sufficient time for a program to develop its approach, and may also require a licensing board to adjust its governing rules or laws to sanction successful candidates for initial and/or reciprocal licensure. Therefore, the RFI&I is the first step of a two-phase process that will be followed by a formal Request for Proposal (RFP).

Responses to this RFI&I are due by October 31, 2014. Your response to the RFI&I is not mandatory; however, it will help us better gauge the level of interest in the program and will be advantageous to a successful proposal. Once the RFI&I responses are compiled, reviewed, and evaluated, NCARB will provide feedback to each program in order to strengthen their future proposal. Your input will also help us produce and release a more responsive RFP.

The RFP, issued in January 2015, will remain open for approximately five months until June 1, 2015, to maximize the opportunity for participation and response. NCARB will announce the results and notify the programs selected to move forward in September 2015.

All institutions offering a NAAB-accredited program are invited to respond to the RFI&I and the RFP. Those programs that are in candidacy status are also included. Institutions offering multiple programs are invited to submit one proposal for each degree path. Only those institutions that successfully integrate the education, experience, and examination criteria will be selected to move forward. There is no limit to the number of successful institutions qualified during the initial round.

Background

The paths to architectural licensure, with their elements of education, experience, and examination, can be enhanced as the profession and its preparatory tools evolve. Accordingly, in 2013, NCARB formed a Licensure Task Force (LTF), led by NCARB immediate Past-President Ronald B. Blitch, FAIA, FACHA, NCARB and composed of representatives of our Member Boards, the Board of Directors, the emerging professional community including interns and recently licensed architects, educators, and the collateral organizations (ACSA, AIA, AIAS, and NAAB).

The composition of the Task Force is reflective of a diverse geographic and demographic perspective and is committed to pursuing an integrated pathway that integrates and enhances the education, experience, and examination components of licensure and requires a collaborative partnership between institutions offering NAAB-accredited programs, licensing boards, students, and firms.

Overview

The National Council of Architectural Registration Boards ("NCARB") is a not-for-profit corporation 501(c)(6) comprising the legally constituted architectural registration boards of the 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands as its members. Each state and territory in the United States has a governmental authority that registers and regulates architects. Typically, the authority is vested in a State Board of Architecture comprised of architects and lay persons appointed to the board by the governor of the state. The state boards formulate the rules and policies of NCARB and elect NCARB's officers and directors. The only members of NCARB are these boards of architecture.

NCARB Mission Statement

The National Council of Architectural Registration Boards protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects.

NCARB Vision Statement

NCARB is a diverse, high-performing team consisting of the Board, volunteers, and staff working in concert with our Member Boards to fulfill our mission. NCARB is universally recognized as the global leader of architectural regulation through its exemplary standards, credentialing requirements and reciprocal licensure processes, and consummate customer service. To that end, our strategic goals are:

- Facilitate Licensure: NCARB programs are catalysts for the early pursuit, achievement, and ongoing maintenance of professional licensure.

- Foster Collaboration: NCARB's collaboration with collateral and related organizations leads to a sustained, action-oriented dialogue to identify and address significant issues that impact the profession and the health, safety, and welfare of the public.

- Centralize Credential Data: Active and ongoing participation by Member Boards in NCARB's information systems provides the preferred platform for interns and architects to efficiently manage their credentials.

Schedule

The following schedule has been developed to promote an efficient process. Final dates may need to be adjusted depending on the number of responses and proposals received.

RFI&I

RFI&I Issued	September 9, 2014
Question & Answer Period (via e-mail)	September 22-26, 2014
RFI&I Responses due (via e-mail)	October 31, 2014
Announcement of Responses	December 2014

RFP

RFP Issued	January 7, 2015
Question & Answer Period #1	February 2015
Question & Answer Period #2	April 2015
Proposals due (via e-mail)	June 1, 2015
Announcement and Notification	September 2015

If you are unable to meet the deadlines associated with the initial round of submissions, a revolving schedule of future opportunities to submit proposals will be published at a later date.

Request for Interest

Schools that are interested in receiving the RFP in January 2015 are encouraged to submit a response to this RFI&I containing the following information:

A. School Information

a. Name of Institution
b. Contact Person
c. Mailing Address
d. Email
e. Telephone

B. Statement of Interest

- Include a brief statement that you are interested in the concept of Licensure at Graduation and that you intend to submit a Proposal for consideration.

C. Executive Summary

- Provide a 1-2 page overview describing your intended approach and framework of the program you will be designing, in both graphic and narrative form.
- Explain how education, IDP, and ARE will be integrated and preserved.
- Briefly identify why your program is uniquely positioned to advance this integrated path.

D. Current Program Description & Statistics

- Program Mission
- Operational Model (i.e. public, private, for profit, etc.)
- Professional degree programs offered (BArch, MArch, DArch)
- Average number of graduates per year per professional degree
- Size and composition of faculty (please identify the number of licensed, tenure, adjunct, non-continuing, full-time, and part-time members)

E. Participation and Support of Other Entities

- Acknowledge that strategic partnerships between the institution, licensing board, and firms/practitioners are required in your response. (Your future proposal will require the submission of evidence that these partnerships have been arranged.)

Request for Information

Your feedback is critical to the thorough review and evaluation of our concept of licensure at the point of graduation. Your comments and concerns are welcome as we continue to explore this integrated pathway.

- In addition to receiving your statement of interest, the Licensure Task Force would welcome your input on the draft structure of the formal Request for Proposals. The outline of the RFP is provided below. Your comments will help the Council produce and release a comprehensive and responsive RFP. The RFP will require at least the following items:

    - Current program introduction
    - Proposed program description (curriculum map & description)
    - Support from the institution
    - Support from the profession
    - Support from the licensing board
    - Program implementation timeline
    - NCARB Requirements for monitoring the success of programs
    - Evaluation criteria

- If your institution is <u>not</u> interested in submitting a response, the Licensure Task Force would be very interested in hearing your concerns. Your views will be openly and honestly considered during our analysis of the responses.

Statement of Confidentiality

All information contained in this request is confidential in nature. All recipients of this RFI&I agree that this information may only be used internally and may not be shared with individuals outside the institution to which it is addressed.

Commitment to Fairness and Transparency

The National Council of Architectural Registration Boards and its Licensure Task Force are committed to a fair, transparent, efficient, effective, and non-discriminatory evaluation process.

Agenda Item M

ADJOURNMENT

Time: _____

Agenda Item N

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

David Allan Taylor, Jr., Chair

Katherine Spitz, Vice Chair

Andrew Bowden

Nicki Johnson

Stephanie Landregan

CHAIR'S REMARKS

LATC Chair David Allan Taylor, Jr., or in his absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

PUBLIC COMMENT SESSION

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.

Agenda Item O

STRATEGIC PLANNING SESSION

At this meeting, the Landscape Architects Technical Committee is scheduled to update its strategic plan, which will be facilitated by the Department of Consumer Affairs, Strategic Organization, Leadership, and Individual Development team.

ATTACHMENTS:
1. Strategic Planning Session Agenda
2. Fiscal Year 2013/2014 through Fiscal Year 2014/2015 Strategic Plan

Landscape Architects Technical Committee
Strategic Planning Session
Agenda
2/11/15
9:00am – 5:00pm

- Introductions
- LATC Accomplishments
- Review of Mission, Vision and Values
- Strategic Goals
- Review SWOT Analysis
- Develop New Objectives
- Next Steps/ Evaluations / Adjournment

STRATEGIC PLAN

Public Protection Through Examinations, Licensure, and Regulation

FISCAL YEAR 2013/2014 THROUGH FISCAL YEAR 2014/2015

CALIFORNIA ARCHITECTS BOARD

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

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Members of the Landscape Architects Technical Committee

Stephanie Landregan, Chair (Landscape Architect Member)

Andrew Bowden, Vice Chair (Landscape Architect Member)

Nicki Johnson (Landscape Architect Member)

Katherine Spitz (Landscape Architect Member)

David A. Taylor, Jr. (Landscape Architect Member)

Introduction

Effective January 1, 1998, the California Architects Board (Board) assumed responsibility for regulating the practice of landscape architecture in this State. Under the enabling legislation (AB 1546 – Chapter 475, Statutes of 1997), the California Legislature created the Landscape Architects Technical Committee (LATC), a technical advisory committee consisting of five professional members. The LATC performs duties and functions delegated to it by the Board.

The LATC assists the Board with examination of candidates for licensure and, after investigation, evaluates and makes recommendations regarding potential violations of the Landscape Architects Practice Act. It is also charged with the duty of investigating, assisting, and making recommendations to the Board regarding regulation of landscape architects in California.

The laws and regulations addressing the practice of landscape architecture benefit two primary categories of people.

First, regulation protects the public at large. The primary focus of a landscape architect is to create ways in which people can safely interact with their environment. The practice of landscape architecture means planning and designing the use, allocation, and arrangement of land and water resources through the creative application of biological, physical, mathematical, and social processes to safeguard the public. Landscape architectural services 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
- Development of specifications
- Preparation of 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

Second, regulation protects consumers of services rendered by landscape architects. The LATC helps consumers directly by providing information on selection and hiring of landscape architects and by establishing regulations and enforcement/complaint handling procedures that protect consumers from incompetent and dishonest practitioners.

As marketplace conditions change, it is the role of the LATC to monitor and respond to those changes that impact the health, safety, and welfare of the public.

Commonly Used Terminology

Throughout this document there are a number of organizations and terms abbreviated into acronyms. To simplify understanding of this document, we have included those terms here for clarification.

APLD – Association of Professional Landscape Designers
ASLA – American Society of Landscape Architects
BPC – Business and Professions Code
CAB – California Architects Board
CCASLA – California Council, American Society of Landscape Architects
CCR – California Code of Regulations
CELA – Council of Educators in Landscape Architecture
CLARB – Council of Landscape Architectural Registration Boards
CLCA – California Landscape Contractors Association
CSE – California Supplemental Examination
DCA – Department of Consumer Affairs
LAAB – Landscape Architectural Accreditation Board
LARE – Landscape Architect Registration Examination
LATC – Landscape Architects Technical Committee
OPES – Office of Professional Examination Services

Strategic Planning Process

Before the LATC's establishment, an interim Landscape Architects Advisory Council initiated the first strategic planning sessions in October and November 1997. This Council defined the mission and vision statements, identified key strategic issues most relevant to current practice, and began identifying specific goals to further its mission.

Legislative authority that formed the LATC became effective January 1, 1998. The LATC held its first meeting on April 16, 1998. At this strategic planning session, the LATC evaluated, refined, and formally adopted its mission, vision, and key issues and prioritized its goals.

The LATC annually reviews and updates the Strategic Plan in response to changing conditions, needs, and priorities. At each session, the LATC:

- Reviews its progress towards achieving its objectives over the previous year
- Conducts an environmental scan and updates the Strategic Plan summary of key external issues in response to changing social, economic and environmental conditions
- Reviews and confirms its mission and vision statements
- Strategizes to meet the challenges of the upcoming year

This document reflects the latest update.

Strategic planning for the LATC is ongoing. Once the Board approves the main elements of the plan, the LATC develops specific action plans for each goal and objective, and continually monitors its performance in achieving them.

LATC External Environment

In developing its Strategic Plan, the LATC examines the external factors that impact the field of landscape architecture and the LATC's mission. This year's external environment continues to be impacted by the economic downturn and, despite greater economic stability, recovery is slow and unemployment and underemployment remain high. This section identifies current trends based on perceptions and observations of LATC members and practitioners. These trends are presented and organized according to eight general categories:

- Changes in landscape architecture practice
- Landscape architecture academic preparation
- Professional collaboration
- Public/client relations
- Professional development, licensure and certification
- Information technology
- Government, policy and regulation
- Culture, lifestyle and environment

CHANGES IN LANDSCAPE ARCHITECTURE PRACTICE

- Increasing emphasis on security, crime prevention, and anti-terrorism in public space design
- Decreasing average firm size and considerable increase in number of smaller firms
- A competitive marketplace with a decrease in the number of jobs available for landscape architects
- Lower retirement rate in practice due to the economic recession
- Increasing liability, risk and exposure due to lawsuits; forensic landscape architecture is on the rise, further highlighting the landscape architect's role in ensuring public health, safety, and welfare
- Increasing reliance on environmental and biological science as a basis for landscape architectural design
- Widening scope of practice and responsibilities and a widening body of knowledge required to practice landscape architecture
- Greater need for landscape architects with working knowledge of key technical areas, especially universal design and accessibility
- Proliferation of unlicensed practice, potentially due to the economic downturn
- Rapidly increasing emphasis on and demand for "green" and low-impact design due to diminished natural resources and increasing use of sustainable design and development techniques
- Increasing costs of doing business
- Increasing level of landscape architect involvement earlier in the planning process
- Increase in design-build orientation, with a corresponding increase in firms adding design to their services
- Increasing level of competition among landscape architects for limited work opportunities due to the depressed economy
- Continuing lack of clarity about the landscape architect's responsible control over construction documents due to changes in the project delivery process and use of technology
- Rise in the number of sole practitioners
- Increasing functional specialization
- Growing number of landscape architects taking on more "environmental" responsibilities such as sustainable design, site hydrology, and environmental technologies; increasing number of landscape architects in leadership or "prime roles" for these issues
- Increasing mobility of landscape architects, with more professionals working around the globe from multiple locations
- Segmentation of landscape architecture production, which impacts the integrity and quality of services delivered

LANDSCAPE ARCHITECTURE ACADEMIC PREPARATION

- Increasing emphasis on information selectivity and critical thinking skills in landscape architecture education
- Schools are not keeping pace with the rapidly expanding growth of the profession and the supply of qualified faculty is limited
- Decreasing numbers of undergraduate landscape architecture students and increasing numbers of graduate-level students
- Fewer slots available to prospective landscape architecture students and fewer graduates
- Increasing cost of education
- Institutional enrollment caps in landscape architecture programs limit the number of graduates available to meet the growth demands of the profession
- Academic career demands have limited the number of licensed faculty teaching in landscape architecture programs
- Need for landscape architects and accredited schools to demonstrate competencies in ecological sciences and processes
- Need to understand the differing impacts of science, technology, nature, and sustainability on landscape architectural practice
- Greater need for writing, communication, business, and critical reasoning skills in practice
- A move towards for-profit schools and programs, evidenced by greater supply of and enrollment in landscape architecture programs offered by for-profit education institutions

PROFESSIONAL COLLABORATION

- Increasing involvement of landscape architects as primary members of professional architecture and engineering consultant teams
- Increasing collaboration of landscape architecture, planning, design, and engineering professionals
- More “collateral” work, like grading, is being contracted out due to liability concerns
- More collaboration in design-build contracts and increasing numbers of such contracts
- Need for greater cooperation and communication between landscape architecture practitioners and academics
- Increasing level of landscape architect involvement earlier in the planning process

PUBLIC/CLIENT RELATIONS

- Greater public awareness of what landscape architects do
- Greater expectations for landscape architects to contribute to the public good, meet environmental quality goals, and garner community support
- Increasing client expectations for cost control, timely project delivery, agency processing, etc.
- Increasing expectations of consumers regarding quality of life issues in their communities
- Increasing public interest in park expansion and development
- Increasing recognition of the aesthetic value of landscape architecture and how it affects property values and sales

PROFESSIONAL DEVELOPMENT, LICENSURE AND CERTIFICATION

- Greater emphasis on professional development and continued competency due to more stringent technical requirements, incorporation of scientific knowledge, and new laws and mandates
- Rising cost of education, candidate examination fees, and licensure
- Rapidly advancing technological changes that are difficult to keep up with in professional development
- A “leveling out” in the number of landscape architects becoming licensed
- A greater number of graduates with landscape architecture degrees electing not to pursue licensure
- Increasing public and professional demand for specialty certification
- Interest in establishing a national certification process that would allow landscape architects more job flexibility

INFORMATION TECHNOLOGY

- Continuing/expanding use of technology including (e.g., CAD, GIS, Building Information Modeling [BIM], electronic plans, electronic plan checking, and smart permits)
- Increasing use of "do-it-yourself" software, media, and web-based programs
- Increasing use of outsourcing, leading to practice without presence
- Greater use of technically-oriented individuals (especially for CAD and GIS) who may or may not be landscape architects
- Less distinction in the lines of responsibility due to remote supervision of design production and non-licensed individuals working in technical capacities
- Greater reliance on computer-aided design and drafting, increasing the difficulties and complexities of design production and supervision and leading to a false sense of confidence regarding quality of technical drawings (e.g., BIM)
- Increasing use of e-drawings and e-boards, which have inherent limits and may result in a loss of attention to detail, creating potentially unsafe project conditions
- Proliferation of technical or software-based certifications that do not address health, safety, and welfare concerns and distract candidates who would otherwise seek licensure
- Recognition that use of interactive and real-time technology tools will be an increasingly important element in design and will play a role in all steps of the design process

GOVERNMENT, POLICY AND REGULATION

- Continuing State budget crisis, resulting in fiscal constraints and related impacts to purchasing, staffing, and travel
- Greater number of government services being offered via the Internet ("e-government")
- Increasing level of sophistication and expectations from local city councils and planning commissions concerning project life-cycle costs (especially maintenance and operations)
- Increased competition for jobs now that Request for Proposals are on-line
- Federal government's Public Service Initiative may affect profession
- Out-sourcing of plan checking by local and city agencies
- Persistent economic uncertainty, which has led to deep government cut backs, resulting in reduced staff resources, restricted out-of-state travel for government agencies, and pressure to increase licensure
- Continuing pressures to deregulate, restructure, and streamline government operations
- Continuing effects of drought and water conservation-related legislation on practice
- Increasing complexity of building codes and standards affecting the practice of landscape architecture
- Loss of redevelopment agencies in California in response to the recent legislative decision, and a resulting impact on local public works

CULTURE, LIFESTYLE AND ENVIRONMENT

- Growth pressure throughout California which has placed more emphasis on issues, such as urban/agriculture interface, water issues, toxins, transportation, and transit-oriented development
- Continuing water cost, supply, and quality issues and a growing focus on related fiscal impacts, without a corresponding increase in attention to public health, safety, and welfare
- Transfer of wealth to baby boom generation (who have high lifestyle expectations and are seeking sense of place) and to Generation X
- Growing regionalization within California, resulting in local areas wanting to create individual community identities
- Decrease in volunteerism among new generation
- Growing public knowledge and interest around the value of green space, livability, sustainable lifestyles, and natural processes
- Emerging critical issues related to public health, safety, and welfare that landscape architecture can address including water conservation, fire hazard mitigation, coastal development, infill development, and need for healthy communities

- Opportunities for landscape architecture to become involved in public initiatives to develop sustainable urban food systems that promote community health and wellness
- Rise in demand for green design as it relates to infrastructure and storm water management

Recent Accomplishments

Through strategic action and ongoing collaboration, LATC has successfully advanced or accomplished its top priorities in recent years. This section briefly reviews key accomplishments as identified during the 2013 strategic planning session.

SUNSET REVIEW

On October 1, 2011, LATC successfully submitted its required sunset report to the Joint Legislative Sunset Review Committee (JLSRC). In this report, LATC described actions it has taken since its prior review to address the recommendations of JLSRC, including programmatic and operational changes, enhancements, and other important policy decisions or regulatory changes. Effective January 1, 2012, Senate Bill 543 extended the LATC's Sunset date to January 1, 2016.

IMPROVED ENFORCEMENT

Through its enforcement staff, contracted landscape architect expert consultants, the Division of Investigation, and the Office of the Attorney General, LATC takes action against licensees and unlicensed individuals who have potentially violated the law. LATC has continued to improve the timeliness of its actions and has focused on reducing the aging of enforcement cases. As of May 16, 2013, the pending enforcement caseload has been reduced to 33, as compared to 57 at the end of FY 2010/2011, and 91 at the end of FY 2009/2010.

UNIVERSITY OF CALIFORNIA EXTENSION CERTIFICATE PROGRAM TASK FORCE

The University of California Extension Certificate Program Task Force was appointed to develop procedures for conducting reviews of extension certificate programs and to conduct 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 amendments to CCR section 2620.5, Requirements for an Approved Extension Certificate Program, outlining approval requirements for extension certificate programs. The Task Force also developed guidelines, procedure manuals, and report templates for conducting reviews of the programs.

EXCEPTIONS AND EXEMPTIONS TASK FORCE

LATC appointed an Exceptions and Exemptions Task Force to determine how the LATC can ensure clarity about BPC section 5641, Chapter Exceptions, Exemptions, and ensure that these provisions protect the public. The Task Force held meetings on May 24, 2012 and October 18, 2012. As a result of these meetings, the Task Force requested a legal opinion from DCA Legal Counsel to clarify BPC section 5641.

REGULATION UPDATES

All sections of the LARE were transitioned to a computer-based format to improve relevance, reliability, and accessibility for all candidates. LATC finalized the rulemaking file to amend CCR section 2614, Examination Transition Plan, to modify previous sections of the licensing examination to align with current sections of the LARE. The regulation change will affect candidates who took sections of the previously-administered five-section LARE and establish a plan to grant transitional credit to the new four-section LARE.

LATC amended CCR section 2615, Form of Examinations, confirming a candidate's eligibility for completing sections of the LARE based on their education and training experience combination. Additionally, this section was amended to allow early testing of sections 1 and 2 of the LARE for candidates who have completed the educational requirement.

LATC also amended CCR section 2620, Education and Training Credits, to conform with updated LAAB accreditation standards.

INTERIM WORKAROUND BUSINESS SYSTEM

Successfully implemented interim solutions for candidate tracking prior to BreEZe implementation when disconnected from the examination and licensing functions of the Applicant Tracking System (ATS).

STAFF AND COMMITTEE POSITIONS FILLED

All appointments to LATC have been made and all staff vacancies are filled.

Strategic Issues

While discussing the external environment, a number of strategic issues were identified by the LATC in the areas of education, examinations, professional qualifications, enforcement and safety, public and professional awareness, and organizational effectiveness. The LATC recognizes that these broader issues are interrelated and require focused attention.

EDUCATION

- Promoting continuing education for landscape architects
- Supporting accreditation of approved extension certificate programs
- Participating in the process of educating students so that they are properly prepared to practice safely upon licensure

EXAMINATIONS AND LICENSURE

- Evolving nature of the LARE with respect to national and state requirements, expense, eligibility, and pass rates
- Ensuring that the examination stays current with a rapidly changing field
- Ensuring access to the profession while protecting consumers

PROFESSIONAL QUALIFICATIONS

- Understanding how the expanding scope of practice of landscape architects impacts education and regulation
- Articulating the requirements of contemporary landscape architecture practice in California
- Encouraging adequate candidate preparation for licensure
- Staying current with knowledge requirements, which are changing more rapidly than in the past

ENFORCEMENT AND SAFETY

- Enforcing rules and regulations
- Tracking consumer complaints and conducting complaint analysis
- Defining responsible control for landscape architects
- Enforcing laws against unlicensed practice, including lapsed licenses, and identifying the impact of unlicensed activity on public health, safety, and welfare
- Developing standard practices for cases involving contractors

PUBLIC AND PROFESSIONAL AWARENESS

- Developing a plan to expand outreach to consumers, students, practitioners, and other key constituents regarding laws and regulations affecting the practice of landscape architecture
- Enhancing professional relationships as they relate to regulatory issues [i.e., ASLA and CLARB]
- Strengthening relationships with allied professionals, such as architects, engineers, and Building Officials, to ensure adequacy of LATC regulations and enforcement procedures
- Maintaining communication with licensees regarding current regulations and LATC matters

ORGANIZATIONAL EFFECTIVENESS

- Maintaining LATC appointments and adequate staffing
- Use of volunteers and staffing for committees
- Strengthen relationships with DCA and the Board

Mission

The mission of the LATC is to regulate the practice of landscape architecture in a manner which protects the public health, safety, and welfare and safeguards the environment by:

- Protecting consumers and users of landscape architectural services
- Empowering consumers by providing information and educational materials to help them make informed decisions
- Informing the public and other entities about the profession and standards of practice
- Ensuring that those entering the practice meet minimum standards of competency by way of education, experience, and examination
- Establishing and enforcing the laws, regulations, codes, and standards governing the practice of landscape architecture
- Requiring licensure of any person practicing or offering landscape architectural services

Vision

As a model organization for consumer protection, the LATC seeks to promote quality landscape architectural services, safeguards the public, and protects and enhances the environment.

Values

The LATC will strive for the highest possible quality throughout all of its programs, making it an effective and efficient landscape architectural regulatory body.

To that end, the LATC will:

- Be **participatory**, through continuing involvement with CLARB and other allied professional organizations
- Be **professional**, by treating all persons who interact with the LATC as valued customers
- Be **prevention oriented**, by providing information and education to consumers, candidates, clients, licensees, and others
- Be **proactive**, by continuously scanning the field of landscape architecture for changes in practice and legislation that may affect consumers, candidates, clients, and licensees
- Be **progressive**, by utilizing the most advanced and effective means for providing services

Goals

The LATC has established five goals as a framework for organizing the Strategic Plan.

REGULATION AND ENFORCEMENT

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

PROFESSIONAL QUALIFICATIONS

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

PUBLIC AND PROFESSIONAL AWARENESS

Increase public and professional awareness of LATC's mission, program, and services.

ORGANIZATIONAL RELATIONSHIPS

Strengthen effectiveness of relationships with related organizations in order to further LATC mission, goals, and services.

ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality service to consumers and licensees.

Constituencies and Needs

The primary constituency groups of LATC include the following:

Constituency	Needs
Public (consumers/clients, users, general public)	Competent professionals Assurance of recourse Stewardship/environmental protection/safety Information on contracting with landscape architects
Licensees	Fair enforcement Regulation of practice High standards of competency and equitable licensing
Students	Information Coordinating with schools to communicate licensure and practice requirements
Candidates	Fair examinations Timely response to requests Quality, accurate, and relevant information
Public Agencies (e.g., Building, Planning, Parks and Recreation, and Public Works departments)	Maintaining standards, regulation, and information Information on practice standards for landscape architects
Policy making bodies (e.g., conservancies, city councils, planning commissions, Boards and supervisors, public utilities, and Water Boards)	Maintaining standards, regulation, and information Information on practice standards for landscape architects
Employers	Carry out and promote the Practice Act Communicate the benefits of licensure to employees Provide training opportunities to interns
Architects Engineers Landscape Contractors Geologists Landscape Designers	Collaboration on joint efforts Clarity of responsibility
Legislators	Consumer protection Clear definition of standards
CLARB	Information and participation
DCA	Support and information

ASLA, CCASLA, CLCA, and APLD	Regulation of profession and information
Educators and CELA	Information on licensure requirements and practice standards

Action Plan

The Action Plan is a dynamic framework for the many activities that the LATC performs in promoting and meeting its goals. The goals and objectives are assigned to committees, subcommittees, task forces, staff, or individuals, as appropriate, who create more detailed action plans in order to meet the goals and objectives set by the LATC. In the pages that follow, objectives identified by the LATC as essential are shown in blue highlight, important in yellow highlight, and beneficial in green highlight.

Regulation and Enforcement 17
Professional Qualifications 18
Public and Professional Awareness 19
Organizational Relationships 20
Organizational Effectiveness 21

Regulation and Enforcement

GOAL: Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

ONGOING RESPONSIBILITIES

Address consumer complaints in a timely and effective manner

Analyze pattern of consumer complaint data to keep track of major issues

Maintain communication with licensees regarding the obligations and requirements of licensure

Implement regulatory changes, as needed, to keep Practice Act up to date

Maintain currency of Frequently Asked Questions (FAQs) on LATC website

Maintain currency of enforcement actions on LATC website

Review and update the Landscape Architects Practice Act and Regulations to keep pace with changes in practice

Monitor unlicensed activity with respect to BPC section 5641 – Chapter Exceptions, Exemptions amendment to Practice Act (report on results and determine appropriate action, if necessary.)

Monitor enforcement activity, level of enforcement actions, and expenditures. Document results and determine appropriate course of action. Monitor level of enforcement efforts and expenditures as a proportion of the LATC's total work effort. Propose changes, if necessary, based upon an annual review of data

Perform an annual assessment of consumer complaint resolution satisfaction survey.

Monitor new DCA enforcement improvement initiatives, report to LATC and determine the appropriate course of action

Review regulations to identify sections that need clean-up, minor revisions

Monitor CLARB's efforts to define "public welfare" for potential regulatory impacts

OBJECTIVES	TARGET DATE
1. Obtain legal opinion on BPC section 5641(Chapter Exceptions, Exemptions) and determine appropriate course of action.	May 2013
2. Collaborate with the Board to review and update disciplinary guidelines.	December 2013
3. Review the DCA Consumer Protection Enforcement Initiative and its possible applications to improve enforcement.	December 2013
4. Publish an up-to-date Landscape Architects Practice Act.	December 2013
5. Update LARE application requirements in CCR section 2610 (Application for Examination) to conform with CLARB filing deadlines.	December 2014

Professional Qualifications

GOAL: Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

ONGOING RESPONSIBILITIES

Ensure access to the profession by providing a fair and equitable licensure process

Ensure that examinations are kept current and meet all legal requirements

Inform licensees on specific practice issues in California

Review and monitor LATC's role in landscape architectural education

Coordinate with CLARB to ensure timely, effective, and fair examination administration

Track, review, and analyze sufficient pass rate data to determine if changes in examinations and/or eligibility are needed

Monitor CLARB's application requirements

OBJECTIVES	TARGET DATE
1. Update CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) in accordance with new LAAB accreditation criteria.	June 2013
2. Conduct University of California extension certificate program reviews.	November 2013
3. Develop a new form of the CSE.	January 2014
4. Review and monitor CLARB's Determinants of Success Research Study as it relates to California's experience requirements.	January 2014
5. Review the CLARB Occupational Analysis (OA) to determine relevance to the profession as it exists in California. Conduct new OA for the CSE.	May 2014
6. Review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies.	May 2014
7. Review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect.	May 2014

Public and Professional Awareness

GOAL: Increase public and professional awareness of LATC's mission, activities, and services.

ONGOING RESPONSIBILITIES

Maintain effective communication with LATC constituencies

Participate in consumer, public, and professional awareness events

Continue to review and update the LATC Communications Plan and emphasize consumer and professional awareness

Update written materials and LATC's website, as needed

Maintain a presence and an ongoing dialog at schools of landscape architecture to inform students and faculty about licensing requirements

OBJECTIVES	TARGET DATE
1. Review and update the FAQ page on the LATC website to increase relevance of information and ease of use.	May 2013
2. Develop educational materials to inform licensees and approval authorities about irrigation stamping authority (Assembly Bill 1881, Chapter 559, Statutes of 2006).	December 2013
3. Create outreach initiative to inform students and graduates about allowable scope of practice under the Landscape Architects Practice Act.	December 2013
4. Educate building and planning officials on the types of plans that require the services of a licensed landscape architect.	December 2013
5. Leverage social media outlets to better inform students, graduates, and licensees about LATC and its programs.	December 2013

Organizational Relationships

GOAL: Strengthen effectiveness of relationships with related organizations in order to further LATC mission, goals and services.

ONGOING RESPONSIBILITIES

Maintain working relationships with the Board and DCA

Work with CLARB, LAAB, and CELA to influence the national examination and to ensure that California-specific issues are addressed

Exchange information with organizations that will assist the LATC in the regulatory process, such as ASLA, CCASLA, AIACC, building officials, California Building Officials, and engineers

Maximize LATC and California involvement in CLARB by pursuing leadership opportunities

Conduct ongoing communication with CLARB regarding important policy issues and procedures

Work with CLCA to serve as an educational resource and political advocate around shared interests in support of the profession

Monitor CLARB's efforts to facilitate member participation

OBJECTIVES	TARGET DATE
1. Evaluate related non-traditional degree programs for possible inclusion in table of equivalents, as outlined in CCR section 2620 (Education and Training Credits).	May 2014
2. Foster relationships with other professional regulatory boards and professional associations (Board for Professional Engineers, Land Surveyors and Geologists; landscape design groups; etc.) to better serve the public.	December 2014

Organizational Effectiveness

GOAL: Provide accessible and responsive quality service to consumers and licensees.

ONGOING RESPONSIBILITIES

Improve service to all constituencies through timely, cost-effective, and efficient operations

Encourage licensee participation in the LATC

Update LATC Administrative Procedures Manual on a regular basis

Monitor legislation that impacts landscape architectural practice as it relates to the public health, safety, and welfare

Monitor State budget conditions and maintain clear budget priorities

Utilize former LATC members on LATC committees and task forces to maintain organizational memory and continuity

Monitor changes in CLARB examination fees

OBJECTIVES	TARGET DATE
1. Assess LATC's budget and fund condition in accordance with BPC section 128.5 (Reduction of License Fees in Event of Surplus Funds) and develop potential strategies/actions if warranted.	August 2013
2. Explore ways to use technology to increase licensee participation in LATC meetings.	January 2014
3. Prepare 2016 Sunset Review Report.	April 2014
4. Work with DCA staff to implement the BreEZe system for LATC.	June 2014

APPENDIX A

Communications Plan

To support its strategic planning goals and objectives, the LATC conducts information and outreach activities. This plan presents key messages, existing communication channels, and preliminary strategies for improving external communications.

GOALS

The LATC Communications Plan seeks to achieve the following:

- Protect consumers and the public by providing education regarding the LATC's role
- Provide information to licensees regarding standards of practice and their legal and regulatory responsibilities
- Disseminate factual information in a timely manner
- Seek feedback to improve and measure overall operations
- Enhance consumer understanding of the landscape architecture profession
- Maintain consistent and quality outreach services
- Evaluate the success and effectiveness of the Communications Plan

CONSTITUENTS

The LATC provides information to eight main constituents:

- Licensees
- Candidates and Pre-Candidates
- Schools (educators and students)
- Public (consumers/clients, users, general public)
- Practitioners
- Public Agencies
- Professional Organizations
- Firms and Employers

MESSAGES AND KEY INFORMATION

The LATC Communications Plan will provide the following messages and key information to the eight main constituents:

LICENSEES

Licensed professionals require up-to-date information to ensure compliance with the Landscape Architects Practice Act and other current laws. Important information includes:

- Enforcement procedures
- Updates and changes to laws and regulations
- Information that affects the public's health, safety, and welfare

CANDIDATES AND PRE-CANDIDATES

Candidates for examination need accurate and timely information regarding eligibility, costs, and the examination process. In addition, candidates need information in order to clearly differentiate between the LATC's and CLARB's roles, and to understand the value of a license.

SCHOOLS (EDUCATORS AND STUDENTS)

Schools with landscape architectural programs and their faculty need to have current practice, licensure, and candidate information. They also need to understand the steps involved in obtaining a license to practice landscape architecture.

PUBLIC (CONSUMERS/CLIENTS, USERS, GENERAL PUBLIC)

The public needs information regarding the role of the LATC, the practice and regulation of landscape architecture, compliance with laws, how and when to hire a landscape architect, and the role that licensure plays in ensuring quality professional service. The public also needs information explaining that LATC offers recourse in the event of disputes.

PRACTIONERS

Practitioners need information on the steps involved in obtaining a license.

PUBLIC AGENCIES

Public agencies need information regarding the role of the LATC, the practice and regulation of landscape architecture, the laws under the Practice Act, and the LATC's enforcement methods.

PROFESSIONAL ORGANIZATIONS

Professional organizations, including CLARB, ASLA, LAAB, and CELA, and other state boards, need to be kept informed of changes to the Practice Act and LATC activities which may impact their organizations and members. These organizations and the LATC need opportunities to exchange information.

FIRMS AND EMPLOYERS

Employers are responsible for complying with the Practice Act and communicating the benefits of licensure, as well as providing training opportunities to interns for them to gain practical experience.

ACTIONS

The LATC recommends the following actions:

Public (consumers/clients, users, general public)

- Publish article(s) that clarify the practice of landscape architecture and the role of the LATC
- Review letter to television production company(ies) and distribute, if necessary
- Develop scope of practice table / "graphic" and post on LATC website
- Provide additional consumer information on the LATC website

Licensees

- Communicate with licensees regarding awareness of current health and safety-related codes and regulations

Candidates and Pre-Candidates

- Update, develop, and distribute candidate material
- Prepare "guidelines" for meeting examination experience requirements

Firms and Employers

- Communicate to encourage employees to obtain licensure
- Develop and provide guidelines for successful internship
- Disseminate information to promote accurate and current landscape architecture laws

Public Agencies

- Review Consumer Guides for currency and distribute
- Develop and distribute scope of practice table / "graphic" and other materials that clarify the practice of landscape architecture and the role of the LATC

Schools (educators and students)

- Review CLARB presentation materials for currency and incorporate information specific to California into LATC outreach materials
- Contact program directors regarding LATC presentations during professional practice courses
- Update PowerPoint presentation
- Prepare licensure letter for students approaching graduation

Professional Organizations

- Review CLARB presentation materials for currency and incorporate information into LATC outreach materials
- Contact CCASLA regarding collaboration to clarify the practice of landscape architecture for public agency officials
- Attend conferences and meetings to clarify the practice of landscape architecture and the role of the LATC
- Explore opportunities to participate in panels and workshops

COMMUNICATION TOOLS

The LATC will utilize the following communication tools to reach the target audiences identified above:

- Website Content*
- Use of Social Media Networks*
- "FAQ"**
- Newsletter/Technical Bulletin*
- Candidate Information Packet and PowerPoint*
- Practice Act, Rules and Regulations*
- Consumer Guides (residential, commercial, industrial)*
- Committee Participation
- Press Releases and Articles
- Joint Meetings
- Media/PowerPoint Presentations
- Licensure Posters (for practitioners, educators, students)
- Design Professions Chart
- CLARB Tools
- Speakers Bureau

* Highest priority communication tools for development and/or update.

Information available will be shared with the target audience and research conducted on what each group wants to see, what information will benefit them the most, and in what type of media they prefer to receive the information.

**A set of FAQs will be developed with multiple audiences in mind, and is intended for print and web publication. Content will be updated regularly. Initial FAQs for FY 2013-14 will provide information on the following:

Enforcement

- Unlicensed Activity
- Stamping Authority

Professional Qualifications

- "Welfare"
- Educational Dialogue

Organizational Relationships

- CLCA
- LATC Role in CAB
- CCASLA
- CLARB
- PSI

High Priority Target Audiences

Audience	Candidate Publication	Consumer Guides	Newsletter and FAQs	Practice Act	Website and Social Media		Message	Activity
Candidates, Pre-Candidates, and Students	X	X	X	X	X		Value and purpose of license	Partner with ASLA and send out LATC postcard
Schools (educators)	X		X	X	X		Steps to achieve a license	Convene focus group to determine what educators need to know about LATC and the best way to provide that information
Firms/Employers			X		X		Their role in supporting the licensing process by providing internships and practical experience	Partner with ASLA, sponsor seminars "The Practice Academy," send out information that summarizes topics on the examination
Public/Consumers		X	X		X		Purpose and role of LATC (that LATC protects consumers and ensures qualified landscape architects; offers recourse in the event of a dispute)	
Licensees		X	X	X	X		Current laws and regulations	
Practitioners/Mentors	X		X	X	X		Steps to achieve a license	
Public Agencies			X		X		LATC's current scope	Send out practice act with cover memo
Professional Organizations (CLARB, ASLA, etc.)		X	X	X	X		LATC's current scope, current laws and regulations	Maintain regular two-way conversation and information exchange with relevent organizations

APPENDIX B

LATC Staff Report Schedule				
Name of Report	**Purpose**	**Frequency**	**Date**	**Data Source**
Consumer Satisfaction Survey	To gauge satisfaction with LATC	Annual	November	Online consumer survey
Consumer Complaint Satisfaction Survey	To gauge satisfaction with LATC resolution process	Annual	November	Online complaintant survey
Examination Pass Rate Data	To monitor LA candidate success	Quarterly	June, September, December, March	CLARB
Enforcement Report	To monitor enforcement cases	Annual	October	TEALE reports
Candidate Eligibility and Success Report	To correlate candidate qualifications with examination success	Annual	November	ATS
Strategic Plan Action Status Report	To monitor strategic plan objective completion	Quarterly	April, July, October, January	LATC staff

Agenda Item P

REVIEW TENTATIVE SCHEDULE AND CONFIRM FUTURE LATC MEETING DATES

<u>February</u>		
10-11	Landscape Architects Technical Committee (LATC) Meeting	Pomona
16	*President's Day*	*Office Closed*
<u>March</u>		
12	Board Meeting	Long Beach
31	*Cesar Chavez Day*	*Office Closed*
<u>April</u>		
6-18	Landscape Architect Registration Examination (LARE) Administration	Various
<u>May</u>		
TBD	LATC Meeting	TBD
25	*Memorial Day*	*Office Closed*
<u>June</u>		
10	Board Meeting	TBD
<u>August</u>		
TBD	LATC Meeting	TBD
3-15	LARE Administration	Various
<u>September</u>		
7	*Labor Day*	*Office Closed*
10	Board Meeting	TBD
16-19	Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting	New Orleans, LA
<u>November</u>		
TBD	LATC Meeting	TBD
11	*Veterans Day*	*Office Closed*
26-27	*Thanksgiving Holiday*	*Office Closed*
<u>December</u>		
1-13	LARE Administration	Various
10-11	Board Meeting & Strategic Planning Session	TBD
25	*Christmas*	*Office Closed*

Agenda Item Q

ADJOURNMENT

Time: _____