NOTICE OF TELECONFERENCE
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEETING

May 13, 2015
10:00 a.m. – 3:00 p.m.
Landscape Architects Technical Committee
2420 Del Paso Road, Sequoia Room
Sacramento, CA 95834

The Landscape Architects Technical Committee (LATC) will hold a teleconference meeting at the address above and the following locations:

Andrew Bowden
Land Concern – Landscape Architecture
1750 E. Deere Avenue
Santa Ana, CA 92705

David Taylor
City of Chula Vista Civic Center
Development Services Department
276 Fourth Avenue, Building B
Chula Vista, CA 91910

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

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

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

B. Chair's Remarks and LATC Member Comments

C. Review and Approve February 10-11, 2015, LATC Meeting "Summary Report" Minutes

D. Public Comment for Items Not on Agenda

E. Program Manager's Report

(continued on reverse)

F. Update on 2014 Sunset Review and Ratification of Responses to Sunset Review Background Paper

G. Review, Consideration, and Possible Approval of Draft July 1, 2015 Through June 30, 2017 Strategic Plan

H. Discuss and Possible Action on Strategic Plan Objective to Review Table of Equivalents for Training and Experience and Consider Amending California Code of Regulations Title 16, Section 2620(a) to Expand Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect

I. Council of Landscape Architectural Registration Boards (CLARB)
   1. Report on CLARB
   2. Review and Possible Approval (Nominations)of CLARB Board and Regional Director Candidates as Submitted by CLARB for its September Annual Meeting

J. Review Tentative Schedule and Confirm Future LATC Meeting Dates

K. Adjourn

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

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

Agenda Item A

CALL TO ORDER-ROLL CALL-ESTABLISHMENT OF A QUORUM

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

LATC MEMBER ROSTER

David Allan Taylor, Jr., Chair

Katherine Spitz, Vice Chair

Andrew Bowden

Nicki Johnson

Agenda Item B

CHAIR'S REMARKS AND LATC MEMBER COMMENTS

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

Agenda Item C

REVIEW AND APPROVE FEBRUARY 10-11, 2015, LATC MEETING "SUMMARY REPORT" MINUTES

The Landscape Architects Technical Committee (LATC) is asked to approve the attached February 10-11, 2015 LATC Meeting "Summary Report" Minutes.

SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
Landscape Architects Technical Committee

February 10, 2015
Pomona, California

Landscape Architects Technical Committee (LATC) Members Present
David Allan Taylor, Jr., Chair (arrived at 11:45 a.m.)
Andrew Bowden
Nicki Johnson
Stephanie Landregan

LATC Members Absent
Katherine Spitz

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

Guests Present
Sarnien Abedi, Student, California State Polytechnic University, Pomona (CPP)
Megan Allison, Faculty, Mira Costa College
Chris Anderson, Student, CPP
Cheryl Buckwalter, Association of Professional Landscape Designers (APLD)
Corey Cameron, Student, CPP
Perry Cardoza, American Society of Landscape Architects (ASLA)
Billy Guarino, ASLA
Matt Kizu, Student, CPP
Lee-Anne Milburn, Chair and Associate Professor, CPP
Julie Pell, Student, CPP
Monique Quintero, ASLA
John Shatsnider, Student, CPP
Chad So, Student, CPP
Amber Urena, Student, CPP
Ivan Velazquez, Student, CPP
Andrew Wilcox, Faculty, CPP, ASLA
Jon Wreschinsky, Government Affairs Liaison, ASLA

Richard Zweifel, President-Elect, ASLA
Raul Villanueva, Personnel Selection Consultant, DCA, Office of Professional Examination Services (OPES)

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

In the absence of both the LATC Chair and Vice Chair, member Andrew Bowden called the meeting to order at approximately 10:05 a.m. and called roll. Three members of LATC were present, thus a quorum was established. Mr. Bowden noted that Agenda Items I and L would be presented at 1:30 p.m.

B. Approve August 27, 2014 LATC Summary Report

- **Stephanie Landregan moved to approve the August 27, 2014 LATC Summary Report.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. Andrew Bowden, Nicki Johnson and Stephanie Landregan voted in favor of the motion. Katherine Spitz and David Allan Taylor, Jr. were absent.

C. Program Manager's Report

Trish Rodriguez presented the Program Manager's Report. She informed the members that staff continue to use the workaround system preceding the expectation of the BreEZe project. She shared that on November 20, 2014, DCA Director Awet Kidane provided a BreEZe Project update that specified implementation of Release 2 to be moved from April 2015 to the end of 2015.

She stated that the negative Budget Change Proposal, to temporarily reduce renewal fees and spending authority by $200,000, is currently included in the Governor's proposed budget.

She shared that outreach presentations are being planned for the spring semester and that the next presentation is scheduled to be at University of California, Davis on February 26, 2015.

She updated the Committee on recent rulemaking activity, explaining that the regulatory package for the amendment to California Code of Regulations (CCR) section 2610 (Application for Examination) has been approved by the Office of Administrative Law (OAL) and will go into effect on April 1, 2015. She also noted that the regulatory package for CCR section 2649 (Fees) is currently pending review at OAL.

She notified the members that the Office of Professional Examination Services (OPES) would be presenting the results of the recent linkage study under Agenda Item G.

She updated the members on recent personnel activity, stating that the Special Projects position was filled temporarily by Douglas Truong on October 24, 2014 and Mr. Truong has accepted a

permanent position with the Board effective February 10, 2015. Ms. Rodriguez also noted that the Licensing Coordinator position was filled.

D. Update and Possible Action on 2014 Sunset Review

Doug McCauley provided an update on the 2014 Sunset Review process. He explained that two weeks prior to LATC's scheduled Sunset hearing, the LATC would receive a list of questions from the Legislature related to the 2014 Sunset Review Report.

- **Stephanie Landregan moved to reinforce the value of LATC having a separate practice act, budget, and staff to maintain the focus and effectiveness as the regulatory body for landscape architecture.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. Andrew Bowden, Nicki Johnson and Stephanie Landregan voted in favor of the motion. Katherine Spitz and David Allan Taylor, Jr. were absent.

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**

Ms. Rodriguez introduced LATC Enforcement Officer Matt McKinney. Mr. McKinney directed the Committee to the updated Disciplinary Guidelines included in the meeting packet. He noted that the changes reflect the Board's updated Disciplinary Guidelines adopted at its December 10, 2014 meeting. Mr. McKinney explained that following approval of the proposed language, LATC staff must proceed with a regulatory change proposal to amend CCR section 2680 to incorporate the revised Disciplinary Guidelines by reference.

Ms. Landregan noted that on page 9 of the revised Disciplinary Guidelines, a minor correction is needed to references of the LATC. She also suggested reporting or sharing licensee violations with other licensing boards.

Mr. McCauley noted that the Council of Landscape Architectural Registration Boards maintains a disciplinary database.

- **Stephanie Landregan moved to accept the Disciplinary Guidelines as presented with minor changes to references of the LATC.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0. Andrew Bowden, Nicki Johnson and Stephanie Landregan voted in favor of the motion. Katherine Spitz and David Allan Taylor, Jr. were absent.

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**

Ms. Landregan updated the Committee on the 2015 CLARB election nominations. She noted that Region Five is robust in nominations this year. She mentioned that LATC has put forth nominations for both Mr. Bowden and Christine Anderson.

Ms. Rodriguez directed the Committee to the Landscape Architect Registration Examination (LARE) data included in the meeting packet. Mr. Bowden noted that the highest discrepancy between California pass rates and national pass rates occurred during the December 2013 and December 2014 LARE administrations. Ms. Landregan cautioned that the number of repeat takers is not disclosed. She added that statistics show that the passing rate for repeat takers declines each time they test. Ms. Landregan expressed that there are many variables that affect pass rates. She advised against using the data provided to pinpoint causes for discrepancy between state and national pass rates. Mr. McCauley noted that the fact that there is no significant difference between California's pass rates and the national pass rates may validate the various pathways to licensure put in place by the LATC.

- **Nicki Johnson moved to approve the report on the CLARB election nominations and the national pass rates.**

  Stephanie Landregan seconded the motion.

  The motion passed 3-0. Andrew Bowden, Nicki Johnson and Stephanie Landregan voted in favor of the motion. Katherine Spitz and David Allan Taylor, Jr. were absent.

Mr. Taylor assumed Chair duties and introduced Agenda Item G.

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**

Ms. Rodriguez informed the Committee that Raul Villanueva from OPES would be presenting the results of the 2014 Linkage Study Report.

Mr. Villanueva described the LARE review process to the Committee. He explained that if a licensing body in the state of California uses a national examination, a study of that examination is required. He clarified, the review determines the extent to which the national examination meets professional standards regarding examination development and administration.

Mr. Villanueva reminded the Committee that much of the LARE information is confidential and OPES staff signed privacy agreements with CLARB before conducting the review. He added that OPES staff reviewed LARE testing materials, Occupational Analysis (OA) methods, and the information CLARB provides to candidates. OPES' review found that the LARE meets the psychometric standards and professional standards. As a result, OPES recommends to continue the use of the LARE. Mr. Villanueva then described the linkage study process. He noted this process is necessary to minimize overlap between the CSE and the LARE. The study found that the CSE plan, developed from the 2014 OA, was acceptable and no changes to the plan should be made.

Ms. Landregan questioned whether the names of the subject matter experts (SME) who participated in the examination development process are public information. Mr. Villanueva reported that SME information has not been published in the past. He explained that LATC staff vet all SME participants. Mr. Villanueva advised that the vetting process includes confirming that SMEs do not have any conflicts of interest and that they hold a valid license to practice landscape architecture in California. Mr. McCauley expressed concerns with publishing SME information for exam security reasons. He advised that the Board does not publish SME information.

- **Andrew Bowden moved to approve the results of the examination linkage study as presented by OPES.**

  Nicki Johnson seconded the motion.

  The motion passed 3-1. Andrew Bowden, Nicki Johnson and David Allan Taylor, Jr. voted in favor of the motion. Stephanie Landregan was opposed. Katherine Spitz was absent.

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

There were no items considered under closed session.

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

Gretchen Kjose explained that the LATC's Strategic Plan contains an objective that directs the Committee to consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. Ms. Kjose mentioned that states who allow credit for teaching only allow credit for a fraction of the experience requirement. She added that California does not currently require experience in specific areas of landscape architecture.

Ms. Landregan recommended allowing six months to one year of experience credit for teaching in the core subjects of health, safety, and welfare under a licensed landscape architect. She added that the credit be granted based on class time hours.

Ms. Mayer specified that candidates applying with the Board are granted up to one year of teaching credit for teaching in a program accredited by the National Architectural Accrediting Board (NAAB).

- **Stephanie Landregan moved to direct staff to draft a proposed regulatory amendment to allow between six months and one year of experience credit for teaching.**

  Andrew Bowden seconded the motion and offered an amendment to the motion to allow up to one year of credit for teaching experience.

  Stephanie Landregan accepted the amendment to the motion.

Ms. Rodriguez questioned if the draft language should specify if an instructor must teach in a program accredited by the Landscape Architectural Accreditation Board (LAAB) in order to earn experience credit.

Ms. Landregan noted that the extension certificate programs require all faculty members to be licensed; so the regulation does not need to allow for teaching experience in those programs.

Andrew Wilcox, CPP faculty and ASLA member, commented that if applicants can earn experience credit under any landscape architect, then all landscape architecture faculty members teaching under the supervision of a licensed landscape architect should be able to earn credit; not only those teaching in LAAB accredited programs.

Mr. Taylor questioned if the proposed regulation language should require applicants to have taught in LAAB accredited programs.

Ms. Landregan suggested that staff research regulatory language from other states that grant experience credit for teaching. Ms. Kjose suggested that the proposed regulatory language be in harmony with the degree programs currently accepted in regulation. Ms. Landregan agreed.

The motion passed 4-0. Andrew Bowden, Nicki Johnson, Stephanie Landregan and David Allan Taylor, Jr. voted in favor of the motion. Katherine Spitz was absent.

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

Mr. McCauley provided a report on the Board's current activities with a focus on the Board's 2014 Strategic Plan objective regarding an additional pathway to licensure. He noted that the Board is in support of the National Council of Architectural Registration Boards' (NCARB) efforts to create an integrated path to licensure that culminates with eligibility for licensure upon graduation.

Lee-Anne Milburn, CPP department Chair, commented that because licensing examinations test for current practice, they conflict with what landscape architecture faculty members are teaching. She noted that faculty members attempt to prepare students for the future to ensure they are ready for current practice upon graduation.

Ms. Landregan suggested that the Board invite landscape architecture schools to their upcoming Board meeting where the Integrated Path to Licensure Model will be discussed.

Ms. Milburn added that schools are encountering difficulty finding firms that are willing to comply with the school's legal requirements for internships. She noted that this may become an issue if the LATC chooses to move forward with a similar integrated path to licensure.

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

Ms. Rodriguez summarized the Committee's efforts so far to consider possible changes to the current reciprocity requirements. Mr. Bowden advised that the topic was initially discussed in response to a letter from a reciprocity applicant.

Ms. Landregan explained that being CLARB certified could assist applicants applying for reciprocity in states that accept CLARB certification.

Ms. Kjose reminded the Committee that states have various pathways to licensure. She highlighted that many states do not require a degree in landscape architecture. Ms. Kjose explained that currently, reciprocity applicants in California must meet the same education and experience requirements as first time applicants.

Mr. Bowden commented that there has been some evolution to the licensure requirements and suggested reexamining the education requirements to open the door for licensure.

Ms. Kjose advised that the impetus to require a landscape architecture degree was the national examination pass rate. She added that the transition to only allowing a landscape architecture degree was viewed by the Legislature as closing the door to licensure in California.

Ms. Landregan added that Arizona and New York allow reciprocity to licensees who have practiced a total of ten years in another state. She suggested considering a similar opportunity for reciprocity applicants to California. Ms. Landregan clarified that considering years of practice, in lieu of a qualifying degree, would offer reciprocity to qualified individuals who do not hold the currently required education. She recommended proposing a regulation change to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have ten years of practice experience, and have passed the CSE. Mr. Bowden agreed that the change proposed by Ms. Landregan would open the door to licensure for competent individuals.

Rebecca Bon suggested making a motion to direct staff on how to proceed with the regulation change.

Jon Wreschinsky questioned if allowing reciprocity to applicants who do not meet California's education requirement will undermine the requirement. Ms. Landregan elaborated that allowing reciprocity to applicants with an amount of practice experience determined by the Committee to be acceptable would not diminish the current education requirement for first time applicants. The LATC still values the current education requirement, but has an opportunity to open a pathway for qualified individuals who have already passed the national examination and have been licensed and practicing in another jurisdiction.

- **Stephanie Landregan moved to direct staff to obtain regulatory language on reciprocity from Arizona and New York and draft proposed regulatory language for the Committee to consider at a future meeting.**

  Andrew Bowden seconded the motion.

  The motion passed 4-0. Andrew Bowden, Nicki Johnson, Stephanie Landregan and David Allan Taylor, Jr. voted in favor of the motion. Katherine Spitz was absent.

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)

Ms. Landregan recused herself from discussion of this item as she is employed by the University of California, Los Angeles Extension Certificate Program.

Ms. Rodriguez explained that an update on the progress of CCR sections 2620.2, 2620.3, 2620.4, and 2620.5 is included in the meeting packet as requested by the Committee. She directed the Committee members to the attachment including recent changes to the proposed regulatory language. Ms. Rodriguez noted that Ms. Kjose would explain the purpose of the new proposed language.

Ms. Kjose explained that the process to update these regulations has been going on since 2010. She stated that the originally proposed regulatory language was rejected by OAL on July 17, 2013 because the justification for the changes was not sufficient. She advised that LATC staff have been working with Ms. Anderson to revise this language. Ms. Kjose explained that the new language details the application process, approval process, and site review process for Extension Certificate Programs. She directed the Committee members to the attached proposed language and highlighted some of the areas that need additional revision. She noted that the program requirements included in the new language are based on the current standards used by the LAAB. Ms. Kjose noted that LAAB is currently revising its accreditation standards and should have a new set of standards implemented in 2016.

Mr. Bowden inquired about the impact the revisions to LAAB's accreditation standards will have on the LATC's proposed regulatory language. Ms. Landregan commented from the public that the proposed guidelines included in the meeting packet are only based upon those set by LAAB and not an exact copy.

Ms. Mayer advised that the proposed language for CCR sections 2620.2, 2620.3, and 2620.4 needs additional clarification and legal review. She proposed that the LATC staff could continue to revise the proposed language and present it to the Committee at a later meeting.

Ms. Bon advised the Committee that additional justification would be needed to support the proposed language for CCR section 2620.5(n)(3), related to the time requirement of an Extension Certificate Program Administrator. She also recommended clarification of the types of program changes necessary to include in Self Evaluation Reports.

Mr. Bowden and Ms. Johnson discussed requiring Extension Programs to report any quantifiable changes to the program, including an increase or decrease in classrooms or instructors.

Ms. Kjose suggested that it would be helpful to convene a subcommittee to assist with revising the proposed language for these regulations and developing the justifications needed for OAL's review and approval. Mr. Taylor agreed with Ms. Kjose and suggested convening a task force to assist staff with the regulation process. Ms. Mayer reminded the Committee that the last Extension Certificate Task Force helped with the revisions to CCR section 2620.5. She suggested that LATC staff review the list of members on the previous Task Force and recommend to the Committee who to invite to participate in this new task force.

Ms. Kjose explained that the LAAB standards do not specify a time requirement for Program Administrators but they do specify that all faculty members must be fulltime. She suggested that the Committee remain consistent with LAAB and require a fulltime position. Messrs. Taylor and Bowden and Ms. Johnson agreed that the Program Administrator should be required to work fulltime.

- **Andrew Bowden moved to direct staff to contact a couple members of the past Extension Certificate Program Task Force to assist in reviewing the proposed regulatory language and making any necessary changes.**

  Nicki Johnson seconded the motion.

  The motion passed 3-0-1. Andrew Bowden, Nicki Johnson and David Allan Taylor, Jr. voted in favor of the motion. Stephanie Landregan was recused. Katherine Spitz was absent.

M. Adjourn

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

The meeting adjourned at 4:43 p.m.

**Agenda items were taken out of order to accommodate the schedules of students and faculty and presenters in attendance. The order of business conducted herein follows the transaction of business.*

February 11, 2015
Pomona, California

LATC Members Present
David Allan Taylor, Jr., Chair
Andrew Bowden
Nicki Johnson
Stephanie Landregan

LATC Members Absent
Katherine Spitz

Staff Present
Doug McCauley, Executive Officer, Board
Vickie Mayer, Assistant Executive Officer, Board
Trish Rodriguez, Program Manager, LATC
Rebecca Bon, Legal Counsel, DCA
Matthew McKinney, Enforcement Officer, LATC
Kourtney Nation, Examination Coordinator, LATC

Guests Present
Cheryl Buckwalter, APLD
Pamela Berstler, APLD
Elisa Chohan, Strategic Planner, DCA, Strategic Organization, Leadership and Individual Development (SOLID)
Jim Pickel, ASLA
Dennis Zanchi, Planning Manager, DCA, SOLID

N. 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 10:00 a.m. and called roll. Four members of LATC were present, thus a quorum was established.

O. Strategic Planning Session

The LATC commenced its annual strategic planning session, facilitated by Dennis Zanchi and Elisa Chohan of DCA SOLID. The LATC reviewed the accomplishments for fiscal years (FY) 2013/14 and 2014/15, and LATC's mission, vision, values, and strategic goals. SOLID staff led the LATC members in developing the objectives for FY 2015/16 and 2016/17.

SOLID will update the Strategic Plan with the changes made during this session, and the LATC will review and finalize the plan at its next meeting tentatively scheduled for May 13, 2015.

P. Review Tentative Schedule and Confirm Future LATC Meeting Dates

The next LATC meeting is tentatively scheduled for May 13, 2015 in Sacramento.

Q. Adjourn

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

The meeting adjourned at 4:15 p.m.

Agenda Item D

PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

Members of the public may address the Committee at this time.

Agenda Item E

PROGRAM MANAGER'S REPORT

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

ATTACHMENTS:
1. Program Manager's Report
2. CC/ASLA (Bill Tracking List)
3. Student Survey Results
4. California Architects Board March 12, 2015 Meeting Notice

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Program Manager's Report
May 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 2016. 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. The BreEZe team will be working on a Request for Change (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.

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. The change in the project was approved in a new Special Project Report, and a meeting with programs was held on February 11, 2015 to provide a cost analysis of the BreEZe project for each program. After Release 2 is completed, DCA will

conduct a cost-benefit analysis for the remaining boards and bureaus, as recommended by the State Auditor. Absent any contrary findings in the analysis, DCA still intends to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups.

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 LATC'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. Staff prepared a draft of the negative BCP and provided it to the LATC's Budget Office analyst on July 18, 2014. Per the request of DCA, the LATC's BCP was combined with the Board's proposal and was submitted to the Budget Office on August 6, 2014, then to the Business, Consumer Services and Housing Agency (Agency) on August 11, 2014. The negative BCP was next submitted to the Department of Finance (DOF) on September 2, 2014. It was subsequently approved by DOF and the LATC's reduced spending authority was incorporated into the Governor's Proposed Budget in January. The Legislature has until June 30, 2015 to adopt the budget.

Outreach

Presentations were held at University of California, Davis on February 26, 2015 and University of California, Berkeley on April 23, 2015. The survey responses are attached. Additional outreach presentations are being planned for the spring semester.

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 went into effect on April 1, 2015 and was posted to the LATC home page, announced on social media and shared by CLARB, and will be included in an upcoming student outreach letter. The new filing requirement is in effect for the August 2015 LARE administration.

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
April 1. 2015	Regulatory change effective

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*
February 10, 2015	LATC approved the appointment of a new working group to assist staff

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

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. Prior to the regulation being approved, staff determined what information would need to be updated along with the affected forms and the LATC website.

LATC staff requested legacy system updates to enable processing of the new renewal fees, before the DCA Change Control Board (CCB) on April 13, 2015. The CCB approved the request for analysis and the recommendations will go before the CCB on May 4, 2015. July renewal notices are on hold until outcomes of the CCB meeting are received. Additionally, accounting codes need to be established to enable processing of the new renewal fee amounts. New renewal fee amounts must to be updated on renewal notices effective with July expiration dates. Next steps will be identified based on the CCB decision.

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
March 18, 2015	OAL approved the regulatory action
July 1, 2015	Regulatory change effective

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. At its meeting on February 10, 2015, the LATC directed staff to obtain a sample of regulatory language from Arizona and New York and draft proposed regulatory language for the Committee to consider at a future meeting. This objective is included in the proposed Strategic Plan for FY 2015/2016.

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. At its meeting on February 10, 2015, the LATC directed staff to draft possible regulatory language for granting experience credit for teaching. This topic is scheduled to be on the May 13, 2015 LATC meeting agenda.

Website

LATC staff continue to publish the updated "Licensee Search" lists monthly.

EXAMINATION PROGRAM

Landscape Architect Registration Examination (LARE)

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 attached. Examination results for the April 6-18, 2015, administration will be available in June.

Upcoming LARE administration dates are as follows:

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. The Committee approved the results of the recent Linkage Study Report conducted by OPES at its meeting on February 10-11, 2015.

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.

May 14-15, 2015
June 11-12, 2015
June 25-26, 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 department wide 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 for the department's survey. Staff worked with DCA's Office of Publications Design and Editing to create its own postcard which incorporates important data for both DCA and LATC to send consumers along with the complaint closing

letters. The postcard includes return postage and a Quick Response (QR) scan, which directs the complainants to an option to complete the survey online via Survey Monkey. Postcards were first mailed in April and survey data will be collected quarterly. The information will be utilized to ensure that quality customer service is provided and may also serve other useful purposes for departmental and legislative reports.

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 (DAG) liaison prior to making a recommendation to the Board. The revised Guidelines were presented and approved by the Board at its December 2014 meeting and staff was authorized to proceed with the required regulatory change to CCR 2680 in order to incorporate the revised Disciplinary Guidelines by reference.

The LATC revised their Guidelines based on the Board's revisions and approved them at its meeting on February 10-11, 2015. Additional input from the new DAG liaison was received after the meeting and the Guidelines were revised to include his recommendations. The revised guidelines will be presented to the LATC under Agenda Item G. CCR 2680 (Disciplinary Guidelines) will need to be amended to reference the updated Guidelines if the LATC agrees to revise its Guidelines as recommended.

Complaint Statistics

	3rd Quarter 2014/15			3rd Quarter 2013/14		
	January	February	March	January	February	March
Complaints Opened	1	3	4	1	3	3
Complaints to Expert	0	0	0	0	1	1
Complaints to DOI	0	0	1	0	0	0
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	16	19	22	23	25	24
Complaints Closed	1	0	1	3	1	4
Settlement Cases (§5678.5) Opened	0	0	1	0	0	0
Settlement Cases (§5678.5) Pending	0	0	0	1	1	1
Settlement Cases (§5678.5) Closed	0	0	0	0	0	0
Citations Final	0	0	0	0	0	0

ADMINISTRATIVE

Personnel

The Licensing Coordinator position was filled on March 2, 2015, by Rodney Garcia. The Special Projects Analyst position was filled limited-term by Richie Barnard on April 13, 2015.

Training

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

March 18-19, 2015	DCA Purchasing Process (Rodney)
March 23, 2015	Concur (Rodney)
March 24, 2015	Ethics (Kourtney, Trish, & Nicki)
March 25, 2015	Ethics (Matt)
March 25, 2015	OHR Attendance (Rodney)
April 16, 2015	Delegated Expert Consulted Contract (Richie & Kourtney)
April 22, 2015	Non IT Contracts (Richie)
April 22, 2015	Sexual Harassment Prevention (Rodney)
May 5, 2015	Research, Analysis, and Problem Solving (Richie)
May 14, 2015	Interpersonal Skills for Analysts (Richie)
June 11-12, 2015	Acrobat Fundamentals (Richie)
June 23-24, 2015	HR Liaison (Rodney)
June 30, 2015	Completed Staff Work (Richie)

California Architects Board Meeting

On March 12, 2015, the Board held a meeting in Long Beach. In attendance were the Program Manager and LATC member, Andy Bowden. There were several schools in attendance to discuss the Accelerated Path to Architectural Licensure. The LATC Program Manager provided a summary of the February 10-11, 2015, LATC meeting and advised the Board of the forthcoming request of the LATC's Strategic Plan approval.

CC/ASLA

AB 1 **(Brown D) Drought: local governments: fines.**

Current Text: Introduced: 12/1/2014 pdf html

Status: 4/9/2015-From committee: Do pass. (Ayes 9. Noes 0.) (April 8).

Is Urgency: N

Location: 4/8/2015-A. SECOND READING

Calendar: 4/13/2015 #4 ASSEMBLY ASSEMBLY SECOND READING FILE

Summary: The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law, the California Emergency Services Act, sets forth the emergency powers of the Governor under its provisions and empowers the Governor to proclaim a state of emergency for certain conditions, including drought. This bill would prohibit a city, county, or city and county from imposing a fine under any local maintenance ordinance or other relevant ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 149 **(Chávez R) Urban water management plans.**

Current Text: Introduced: 1/15/2015 pdf html

Status: 2/2/2015-Referred to Com. on W., P., & W.

Is Urgency: N

Location: 2/2/2015-A. W.,P. & W.

Calendar: 4/28/2015 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS, AND WILDLIFE, LEVINE, Chair

Summary: Existing law, the Urban Water Management Planning Act, requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan and to update its plan once every 5 years on or before December 31 in years ending in 5 and zero, except as specified. The act requires an urban water supplier to submit to the Department of Water Resources a copy of its plan and requires the department to prepare and submit to the Legislature, on or before December 31, in the years ending in 6 and 1, a report summarizing the status of plans adopted pursuant to the act. This bill, commencing January 1, 2017, would instead require an urban water supplier to update its plan at least once every 5 years on or before December 31 in years ending in 6 and one. The bill would instead require the department to submit its report to the Legislature, on or before December 31, in years ending in 7 and two.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 153 **(Bigelow R) Integrated regional water management planning.**

Current Text: Introduced: 1/15/2015 pdf html

Status: 1/16/2015-From printer. May be heard in committee February 15.

Is Urgency: N

Location: 1/15/2015-A. PRINT

Summary: Existing law authorizes a regional water management group to prepare and adopt an integrated regional water management plan with specified components. This bill would make a technical, nonsubstantive change to that provision.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 177 **(Bonilla D) Professions and vocations: licensing boards: authority: extension.**

Current Text: Amended: 3/3/2015 pdf html

Status: 3/4/2015-Re-referred to Com. on B. & P.

Is Urgency: N

Location: 3/4/2015-A. B.&P.

Calendar: 4/28/2015 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS AND PROFESSIONS, BONILLA, Chair

Summary: The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members, in the Department of Consumer Affairs. The act requires the board to appoint an executive officer, as specified. Existing law provides for the licensure and regulation of architects and landscape architects by the California Architects Board, which consists of 10 members, in the department. Existing law establishes, within the jurisdiction of the board, the Landscape Architects Technical Committee for the purpose of, among other things, assisting the board in the examination of candidates for a landscape architect' s license. Under existing law, these provisions are repealed on January 1, 2016. This bill would extend the operation of these provisions until January 1, 2020.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 208 **(Bigelow R) Bicycles: Three Feet for Safety Act.**

Current Text: Amended: 3/26/2015 pdf html

Status: 4/9/2015-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency: N

Location: 4/6/2015-A. TRANS.

Calendar: 4/27/2015 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: Existing law, the Three Feet for Safety Act, requires the driver of a motor vehicle overtaking and passing a bicycle that is proceeding in the same direction on a highway to pass in compliance with specified requirements applicable to overtaking and passing a vehicle, and to do so at a safe distance that does not interfere with the safe operation of the overtaken bicycle, having due regard for the size and speed of the motor vehicle and the bicycle. Existing law prohibits, subject to specified exceptions, the driver of a motor vehicle from overtaking or passing a bicycle proceeding in the same direction on a highway at a distance of less than 3 feet between any part of the motor vehicle and any part of the bicycle or its operator. A violation of these provisions is an infraction. This bill would require the operator of a bicycle behind which 5 or more vehicles are formed in a line, to turn off the roadway at the nearest place designated as a turnout in order to permit the vehicles following him or her to proceed if the driver of a motor vehicle is unable to overtake or pass a bicycle proceeding in the same direction on a highway at a distance less than 3 feet between any part of the motor vehicle and any part of the bicycle or its operator.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 320 **(Wood D) Engineers.**

Current Text: Introduced: 2/13/2015 pdf html

Status: 2/23/2015-Referred to Com. on B. & P.

Is Urgency: N

Location: 2/23/2015-A. B.&P.

Calendar: 4/21/2015 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS AND PROFESSIONS, BONILLA, Chair

Summary: Existing law provides for the licensing and regulation of professional engineers and land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists in the Department of Consumer Affairs. Existing law prohibits a person from representing himself or herself as an engineer, as described by various titles, unless the person is licensed as an engineer. Existing law makes a violation of those prohibitions a misdemeanor. This bill would additionally prohibit a person from using the title "environmental engineer" unless the person is licensed as an engineer. The bill would provide legislative findings and declarations in support of the licensure of environmental engineers in California. The bill would set forth the intent of the Legislature that the board be responsible for defining environmental engineering through rulemaking and that the board adopt standardized examination materials applicable to environmental engineering, as specified. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 349 **(Gonzalez D) Common interest developments: property use and maintenance.**

Current Text: Introduced: 2/17/2015 pdf html

Status: 3/2/2015-Referred to Com. on H. & C.D.

Is Urgency: N

Location: 3/2/2015-A. H. & C.D.

Summary: The Davis-Stirling Common Interest Development Act governs the management and operation of common interest developments. Existing law provides that, unless otherwise provided in the common interest development declaration, the association is responsible for repairing, replacing, or maintaining the common area, other than exclusive use common area, and the owner of each separate interest is responsible for maintaining that separate interest and any exclusive use common area appurtenant to that interest. Existing law makes void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits use of low water-using plants, or prohibits or restricts compliance with water-efficient landscape ordinances or regulations on the use of water, as specified. This bill would also make void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits use of low water-using landscapes that require not more than a specified amount of water. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 585 **(Melendez R) Outdoor Water Efficiency Act of 2015: personal income tax credits: outdoor water efficiency.**

Current Text: Amended: 3/16/2015 pdf html

Status: 3/17/2015-Re-referred to Com. on REV. & TAX.

Is Urgency: N

Location: 3/17/2015-A. REV. & TAX

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill, for taxable years beginning on or after January 1, 2015, and before January 1, 2021, or an earlier specified date, would allow a credit equal to 25% of the amount paid or incurred by a qualified taxpayer for water-efficiency improvements made to outdoor landscapes on qualified real property in this state, not to exceed $2,500 per taxable year, as specified. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 603 **(Salas D) Income taxes: turf removal tax credit.**

Current Text: Introduced: 2/24/2015 pdf html

Status: 3/9/2015-Referred to Com. on REV. & TAX.

Is Urgency: N

Location: 3/9/2015-A. REV. & TAX

Calendar: 4/13/2015 1:30 p.m. - State Capitol, Room 126 ASSEMBLY REVENUE AND TAXATION, TING, Chair

Summary: The Personal Income Tax Law and the Corporation Tax Law authorize various credits against the taxes imposed by those laws, including a credit for an increase in qualified full-time employees of a qualified employer. This bill would, under both laws, for taxable years beginning on and after January 1, 2015, allow a credit to a taxpayer participating in a lawn replacement program, as defined, in an amount equal to $2 per square foot of conventional lawn removed from the taxpayer's property. The bill would make findings and declarations in this regard. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 606 **(Levine D) Water conservation.**

Current Text: Introduced: 2/24/2015 pdf html

Status: 3/9/2015-Referred to Com. on A. & A.R.

Is Urgency: N

Location: 3/9/2015-A. A. & A.R.

Summary: Existing law requires the Department of General Services to provide planning, acquisition, construction, and maintenance of state buildings and property. Existing law requires the department, in consultation with the State Energy Resources Conservation and Development Commission, and with the concurrence of the Department of Finance, to identify each public building in the department's state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as specified, and make retrofits, as specified. This bill would require the Department of General Services to identify each public property added to the department's state property inventory beginning January 1, 2015, where it is feasible for water consumption to be reduced and water efficiencies to be achieved through replacement of landscaping, irrigation timers, or spray sprinkler heads, or any combination thereof, and would require the appropriate replacements where feasible, except as specified.

Organization	Position	Priority	Assigned	Subject	Group

CC/ASLA	WATCH

AB 750 **(Low D) Business and professions: retired category: licenses.**

Current Text: Amended: 4/6/2015 pdf html

Status: 4/7/2015-Re-referred to Com. on B. & P. In committee: Hearing postponed by committee.

Is Urgency: N

Location: 4/7/2015-A. B.&P.

Calendar: 4/14/2015 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS AND PROFESSIONS, BONILLA, Chair

Summary: Existing law provides for numerous boards, bureaus, commissions, or programs within the Department of Consumer Affairs that administer the licensing and regulation of various businesses and professions. Existing law authorizes any of the boards, bureaus, commissions, or programs within the department, except as specified, to establish by regulation a system for an inactive category of license for persons who are not actively engaged in the practice of their profession or vocation. Under existing law, the holder of an inactive license is prohibited from engaging in any activity for which a license is required. Existing law defines "board" for these purposes to include, unless expressly provided otherwise, a bureau, commission, committee, department, division, examining committee, program, and agency. This bill would additionally authorize any of the boards, bureaus, commissions, or programs within the department to establish by regulation a system for a retired category of license for persons who are not actively engaged in the practice of their profession or vocation, and would prohibit the holder of a retired license from engaging in any activity for which a license is required, unless regulation specifies the criteria for a retired licensee to practice his or her profession. The bill would authorize a board upon its own determination, and would require a board upon receipt of a complaint from any person, to investigate the actions of any licensee, including, among others, a person with a license that is retired or inactive.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 988 **(Stone, Mark D) Outdoor Environmental Education and Recreation Grants Program.**

Current Text: Introduced: 2/26/2015 pdf html

Status: 3/16/2015-Referred to Com. on W., P., & W.

Is Urgency: N

Location: 3/16/2015-A. W.,P. & W.

Calendar: 4/28/2015 9 a.m. - State Capitol, Room 437 ASSEMBLY WATER, PARKS, AND WILDLIFE, LEVINE, Chair

Summary: Existing law authorizes the expenditure of state funds for local assistance grants to cities, counties, and districts for the acquisition and development of various park and recreational areas and facilities. Existing law, the State Urban Parks and Healthy Communities Act, requires the Director of Parks and Recreation, in consultation with the State Department of Education, to develop a competitive grant program to assist state parks, state conservancies in existence as of January 1, 2003, urbanized and heavily urbanized local agencies, and community-based organizations within those jurisdictions, to provide outdoor educational opportunities to children. This bill would require the Department of Parks and Recreation to establish, on or before March 30, 2016, an Outdoor Environmental Education and Recreation Grants Program with the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to public

organizations, nonprofit organizations, or both. In developing the program, the bill would require the director to ensure that the program meets the criteria of the State Urban Parks and Healthy Communities Act and would require the director to administer the program to ensure that priority is given to underserved populations, as specified. The bill would permit the director to develop an advisory task force to assist in the development of the program and would require the director to give priority funding to outdoor environmental education and recreation programs that have specified attributes. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1128 **(Jones-Sawyer D) Water conservation.**

Current Text: Introduced: 2/27/2015 pdf html

Status: 3/2/2015-Read first time.

Is Urgency: N

Location: 2/27/2015-A. PRINT

Summary: Existing law declares the intent of the Legislature to, among other things, promote urban water conservation standards that are consistent with the California Urban Water Conservation Council's adopted best management practices and specified requirements for demand management. This bill would make nonsubstantive changes to these findings and declarations.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1139 **(Campos D) Personal income taxes: credit: turf removal.**

Current Text: Amended: 3/26/2015 pdf html

Status: 4/6/2015-Re-referred to Com. on REV. & TAX.

Is Urgency: N

Location: 4/6/2015-A. REV. & TAX

Summary: The Personal Income Tax Law allows various credits against the taxes imposed by that law. This bill would, for taxable years beginning on and after January 1, 2015, allow a credit to a taxpayer participating in a lawn replacement program, as defined, in an amount equal to $2 per square foot of conventional lawn removed from the taxpayer's property, up to $50,000 per taxable year, as provided. The bill would make findings and declarations in this regard. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

AB 1362 **(Gordon D) Local government: assessments, fees, and charges: stormwater definition.**

Current Text: Introduced: 2/27/2015 pdf html

Status: 3/23/2015-Referred to Com. on L. GOV.

Is Urgency: N

Location: 3/23/2015-A. L. GOV.

Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Existing law, the Proposition 218 Omnibus Implementation Act (hereafter the Act), prescribes

specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines various terms for these purposes. This bill would define "stormwater" for purposes of the act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or conveyance of waters that land on or drain across the natural or man-made landscape. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 7 **(Wolk D) Housing: water meters: multiunit structures.**

Current Text: Introduced: 12/1/2014 pdf html

Status: 3/17/2015-Set for hearing April 14.

Is Urgency: N

Location: 1/15/2015-S. T. & H.

Calendar: 4/14/2015 1:30 p.m. - John L. Burton Hearing Room
(4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair

Summary: (1) Existing law generally regulates the hiring of dwelling units and, among other things, imposes certain requirements on landlords and tenants. Among these requirements, existing law requires landlords to provide tenants with certain notices or disclosures pertaining to, among other things, pest control and gas meters. This bill would express the intent of the Legislature to encourage the conservation of water in multifamily residential rental buildings through means either within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and include appropriate safeguards for both tenants and landlords. This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 8 **(Hertzberg D) Taxation.**

Current Text: Amended: 2/10/2015 pdf html

Status: 2/19/2015-Re-referred to Com. on GOV. & F.

Is Urgency: N

Location: 2/19/2015-S. G. & F.

Summary: The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Personal Income Tax Law imposes taxes on personal taxable income at specified rates, and the Corporation Tax Law imposes taxes upon, or measured by, corporate income. This bill would state legislative findings regarding the Upward Mobility Act, key provisions of which would expand the application of the Sales and Use Tax law by imposing a tax on specified services, would enhance the state's business climate , would incentivize entrepreneurship and business creation by evaluating the corporate tax, and would examine the impacts of a lower and simpler personal income tax. This bill contains other related provisions.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 47 **(Hill D) Environmental health: synthetic turf.**

Current Text: Amended: 3/25/2015 pdf html

Status: 4/2/2015-Set for hearing April 13.

Is Urgency: N

Location: 3/25/2015-S. APPR.

Calendar: 4/13/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: Existing law regulates certain behavior related to recreational activities and public safety, including, among other things, playgrounds and wooden playground equipment. This bill would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of exposure to the chemicals that may be found in synthetic turf, as provided. The bill would prohibit a public or private school or local government, until January 1, 2018, from installing, or contracting for the installation of, a new field or playground surface made from synthetic turf within the boundaries of a public or private school or public recreational park, unless 3 specified conditions are met, including that the public or private school or local government has obtained at least one estimate from a company that does not use crumb rubber in its turf field and playground products, as provided . This bill contains other related provisions and other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 317 **(De León D) The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016.**

Current Text: Amended: 4/6/2015 pdf html

Status: 4/6/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Is Urgency: N

Location: 4/6/2015-S. N.R. & W.

Calendar: 4/14/2015 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, PAVLEY, Chair

Summary: Under existing law, various measures have been approved by the voters to provide funds for park, river, and coastal protections and programs. This bill would enact the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters at the November 8, 2016, statewide general election, would authorize the issuance of bonds in the total amount of $2,450,000,000 pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 553 **(Wolk D) Water conservation.**

Current Text: Introduced: 2/26/2015 pdf html

Status: 3/12/2015-Referred to Com. on G.O.

Is Urgency: N

Location: 3/12/2015-S. G.O.

Summary: Existing law requires the Department of General Services to provide planning, acquisition, construction, and maintenance of state buildings and property. Existing law requires the department, in consultation with the State Energy Resources Conservation and Development Commission, and with the concurrence of the Department of Finance, to identify each public building in the department's state property inventory where it is feasible for that building to reduce energy consumption and achieve energy efficiencies, as specified, and to retrofit those buildings, as specified. This bill would require the Department of General Services to identify each public property in the department's state property inventory where it is feasible for water consumption to be reduced and water efficiencies to be achieved through implementation of the relevant recommendations made in the model water efficient landscape ordinance and would require the department to implement the relevant recommendations where feasible, except as specified. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

SB 760 **(Mendoza D) Disadvantaged Community Enhancement Act of 2015.**

Current Text: Amended: 4/6/2015 pdf html

Status: 4/6/2015-From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.

Is Urgency: N

Location: 4/6/2015-S. T. & H.

Calendar: 4/14/2015 1:30 p.m. - John L. Burton Hearing Room
(4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. This bill would require the council to develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities, as defined, to facilitate projects for community enhancement improvements that reduce greenhouse gas emissions in furtherance of the goals of the California Global Warming Solutions Act of 2006 and that provide to eligible applicants multiple environmental benefits. The bill would authorize the council, upon appropriation by the Legislature, to expend moneys in the fund to implement the program. The bill would require the State Air Resources Board to determine a methodology for quantifying carbon reduction benefits of proposed projects and the community enhancement improvements. This bill contains other existing laws.

Organization	Position	Priority	Assigned	Subject	Group
CC/ASLA	WATCH				

Total Measures: 21

Total Tracking Forms: 21

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
STUDENT OUTREACH
University of California, Davis
February 26, 2015

SURVEY RESULTS

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
1. The presentation was informative. I learned more about pathways to licensure than I already knew.	17	5	0	0	0
	77%	23%	0%	0%	0%
COMMENTS: *I did not know about reciprocity between states. *I practically did not know anything about the process. Thanks, now I know some.					
Question	**Strongly Agree**	**Agree**	**Disagree**	**Strongly Disagree**	**N/A**
2. I understand the importance of licensure and how it relates to the public's health, safety, and welfare.	15	7	0	0	0
	68%	32%	0%	0%	0%
COMMENTS: *I understand that it is about safety and stewardship for landscape.					
Question	**Strongly Agree**	**Agree**	**Disagree**	**Strongly Disagree**	**N/A**
3. I now know what I have to do to become licensed.	14	8	0	0	0
	64%	36%	0%	0%	0%
COMMENTS: No Comments					
Question	**Strongly Agree**	**Agree**	**Disagree**	**Strongly Disagree**	**N/A**
4. I could have used this information earlier.	8	9	5	0	0
	36%	41%	23%	0%	0%
COMMENTS: *As a senior considering postgraduate plans, the timing of this presentation is appropriate.					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
5. The presentation answered all of my questions.	9	12	1	0	0
	41%	55%	4%	0%	0%
COMMENTS: *Still need to research more on my own.					
6. If you answered "Disagree" or "Strongly Disagree," to any of the questions, please provide details of your experience and any suggested improvements.					
NO COMMENTS					
7. How will you use the information received today?					
COMMENTS: *I will look into LARE prep classes. *I need to make a plan of registering after graduation. *Future reference, websites and other resources were useful. *Future reference for licensure process. Will take LARE sections 1 & 2 after graduation. *I will plan on taking LARE sections 1 & 2 after graduation. *Plan out how I will get my license; establish a time frame. *I will use it to get licensed. *Take it into consideration for the exams. *Very helpful to know the process. *When applying to get a license.					
8. Please use this space to include any other comments not covered in the questions above.					
COMMENTS: *Very helpful/useful/necessary seminar! *They did a great job! Perfect!					

A student outreach presentation was held on February 26, 2015 at the University of California, Davis. The presentation included information on the LATC's website, pathways to licensure, the benefit of licensure, eligibility requirements for the Landscape Architect Registration Examination (LARE) and the enforcement process.

The total number of students and faculty attending the presentation was **35** and **22** surveys were collected. Overall, the students appreciated the presentation and found the information regarding the pathways to licensure and the importance of licensure to be helpful. The comments represent the cumulative number of surveys received.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
STUDENT OUTREACH
University of California, Berkeley
April 23, 2015

SURVEY RESULTS

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
2. The presentation was informative. I learned more about pathways to licensure than I already knew.	8	11	0	0	0
	42%	58%	0%	0%	0%
COMMENTS: No Comments					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
2. I understand the importance of licensure and how it relates to the public's health, safety, and welfare.	9	10	0	0	0
	47%	53%	0%	0%	0%
COMMENTS: No Comments					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
3. I know what I have to do to become licensed.	7	12	0	0	0
	37%	63%	0%	0%	0%
COMMENTS: No Comments					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
4. I could have used this information earlier.	2	4	10	1	2
	11%	21%	53%	5%	11%
COMMENTS: *Too overwhelming if it came earlier *Perfect timing					

Question	Strongly Agree	Agree	Disagree	Strongly Disagree	N/A
5. The presentation answered all of my questions.	4	14	0	0	1
	21%	74%	0%	0%	5%

COMMENTS:
*Would like more information on reciprocity and licensure state to state

6. If you answered "Disagree" or "Strongly Disagree," to any of the questions, please provide details of your experience and any suggested improvements.

NO COMMENTS
*I didn't really need this information earlier
*As an undergraduate student I feel as if I received this information at a good time
*Informative and concise. It does seem to be a bit of a money-hungry scheme = ~60% pass rate, 1000s of dollars
*I haven't finished my undergraduate education so in this case, I will need to use the information later after my graduation
*I didn't need the information earlier – this was sufficient

7. How will you use the information received today?

COMMENTS:
*To begin the process of registering and taking the exam ASAP
*I realize I will have to wait a bit longer to take it because of how much money it is
*Scheduling licensing exams
*I will probably attempt to get licensed in the future
*Great overview that I will revisit when I decide to take the exam
*To get my license
*I will begin the next steps to begin my licensing
*Will get licensed in the future hopefully
*To apply to take the exams and find study materials
*I will follow the orientation for application
*I know where to look to begin licensing process

8. Please use this space to include any other comments not covered in the questions above.

COMMENTS:
*Add a section to the presentation that discusses international work experience
*Very well presented

A student outreach presentation was held on April 23, 2015 at the University of California, Berkeley. The presentation included information on the LATC's website, pathways to licensure, the benefit of licensure, eligibility requirements for the Landscape Architect Registration Examination (LARE) and the enforcement process.

The total number of students and faculty attending the presentation was **26** and **19** surveys were collected. Overall, the students appreciated the presentation and found the information regarding the pathways to licensure and the importance of licensure to be helpful. Every student noted on the survey they learned something new from the presentation, and they better understand the importance of licensure. 32% of the attendees indicated they could have used the information earlier, while 58% agreed the timing of the presentation was appropriate. The comments represent the cumulative number of surveys received.

Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF BOARD MEETING

March 12, 2015 (Webcast)
1:00 p.m. to 5:00 p.m.
Hilton Long Beach – Catalina Room
701 West Ocean Boulevard
Long Beach, CA 90831
(562) 983-3400 (Hilton) or (916) 575-7202 (Board)

The California Architects Board will hold a Board meeting, as noted above. Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board plans to webcast this meeting on its website at www.cab.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

The meeting is accessible to the physically disabled. A person who needs 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

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

B. President's Remarks

C. Public Comment Session

D. Approve December 10–11, 2014 Board Meeting Minutes

E. Executive Officer's Report
   1. Update on February 2015 Monthly Report
   2. Update and Possible Action on 2014 Sunset Review Process for California Architects Board and Landscape Architects Technical Committee (LATC)
   3. Update and Possible Action on Legislation Regarding:
      a. Assembly Bill 178 (Committee on Business and Professions) [Authority: Extension]
      b. Senate Bill 704 (Bates) [Conflict of Interest]
      c. Architects Practice Act Amendment [Corporations]

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(Continued)

F. Review and Approve Draft 2015–2016 Strategic Plan

G. National Council of Architectural Registration Boards (NCARB)
   1. Review of 2015 NCARB Regional Summit
   2. Discuss and Possible Action on NCARB Resolutions
   3. Discuss and Possible Action on 2015 Elections

H. Accelerated Path to Architectural Licensure (APAL)
   1. Update and Possible Action on NCARB's Actions Related to APAL
   2. Reports and Possible Action on California National Architectural Accrediting Board (NAAB) and Non-NAAB Programs' Efforts Regarding APAL
   3. Update and Possible Action on Adroit School of Architecture and American Board of Architecture
   4. Update and Possible Action on California Architects Board's Supporting Position Statement

I. Review and Approve Proposed Regulations to Amend California Code of Regulations (CCR), Title 16, Section 109 (Filing of Applications) as it Relates to the Reference of the Current Edition of Internship in Architecture Program

J. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 109 (Filing of Applications) and Section 111 (Review of Applications) as it Relates to the Reference of the Revised Application for Eligibility Evaluation

K. Update on February 10–11, 2015 LATC Meeting

L. Closed Session – Disciplinary Decisions and Exam Development Issues
   [Closed Session Pursuant to Government Code Sections 11126(c)(1) and (3)]
   1. Review and Approve December 10, 2014 Closed Session Minutes
   2. Consider Proposed Enforcement Decisions and Stipulations

M. Review of Schedule

N. Adjournment

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

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

Agenda Item F

UPDATE ON 2014 SUNSET REVIEW AND RATIFICATION OF RESPONSES TO SUNSET REVIEW BACKGROUND PAPER

The LATC's 2014 Sunset Review Report was submitted to the Legislature on October 31, 2014.

The Board/LATC's Sunset Review hearing was held on March 18, 2015. Testifying on behalf of the LATC was LATC Chair, David Taylor, Executive Officer, Doug McCauley, and Program Manager, Trish Rodriguez. The presentation received positive feedback from the committees (the Senate and Assembly policy committees met jointly to conduct the hearing). Two questions were asked of the Board and they were regarding the: 1) process for determining content for the California Supplemental Examination; and, 2) possible causes for the non-compliance rate on continuing education audits. The Board's responses were considered satisfactory and received positive feedback from the committees. LATC did not receive any specific questions at the hearing.

Written responses to the Sunset Review Background Paper were submitted on April 16, 2015. On April 28, 2015, Assembly Bill 177 (Bonilla) [Authority: Extension] was passed by the Assembly Business and Professions Committee and will next be heard in the Assembly Appropriations Committee.

At this meeting, the Executive Officer will provide an update on the Sunset Review process, and ask the Committee to ratify staff's responses to the Sunset Review Background Paper.

ATTACHMENTS:
1. Sunset Review Background Paper Responses Cover Letter
2. Sunset Review Background Paper Responses (Board & LATC)

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

April 16, 2015

The Honorable Susan Bonilla, Chairwoman
Assembly Committee on Business and Professions
1020 N Street, Room 383
Sacramento, CA 95814

The Honorable Jerry Hill, Chairman
Senate Committee on Business, Professions, and Economic Development
State Capitol, Room 2053
Sacramento, CA 94814

Dear Chairwoman Bonilla and Chairman Hill:

The California Architects Board (Board) and Landscape Architects Technical Committee (LATC) are pleased to present the attached written responses to the issues identified in the Sunset Review Background Paper.

Please note that we responded to each issue jointly for the Board and LATC (as we presented our responses at the hearing), and added the additional unique issue for LATC at the end of the document. In addition, we were asked two questions at the hearing regarding: 1) causes of the high non-compliance rate on continuing education audits; and 2) the process for examination development that identifies the content for the California Supplemental Examination.

The response to Issue 5 regarding continuing education contains the response to the first question. We have attached additional information on examination development from the Department of Consumer Affairs' Office of Professional Examination Services.

Sunset Review represents an opportunity for boards to conduct a healthy self-examination, identify best practices, and obtain valuable feedback from stakeholders. The Board/LATC would like to express its gratitude for the

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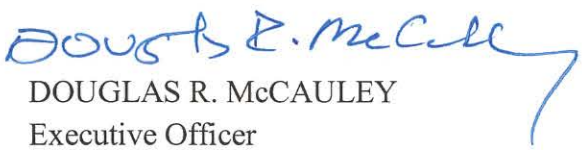
extraordinary effort that was invested in reviewing our reports, preparing for and conducting the hearings, and determining outcomes. The result of this process enables us to continually enhance our strong record of consumer protection.

Should you have any questions or comments, please contact me at (916) 575-7232 or doug.mccauley@dca.ca.gov.

Sincerely,



DOUGLAS R. McCAULEY
Executive Officer

Attachments

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
SUNSET BACKGROUND PAPER RESPONSES

ISSUE #1: TRAVEL RESTRICTIONS. Should the Committees encourage travel to professional conferences or meetings that directly affect licensure of California licensees?

Legislative Staff's Recommendation: The Committees should encourage the Board to pursue opportunities at which its Members and Officers can interact directly with their national peers, and provide a strong voice for California's unique perspective and needs. The Board should inform the Committees of whether it continues to face travel restrictions that prohibit it from attending meetings where its representation could significantly impact California's ability to ensure that national examinations or standards reflect California's needs and protect California licensees, candidates for licensure, and consumers.

The Board/LATC concurs with the Committees' recommendation. Participation in national affairs is critical for the Board and LATC. The national examinations save the Board and LATC literally millions of dollars by not having to replicate the national examinations. In addition, the Board relies on the Intern Development Program to ensure that candidates receive experience in crucial areas of practice.

The Board and LATC have had recent success on travel, with approvals to attend three key out-of-state national sessions. In addition, three recent sessions have been in California, where the Board was also able to participate. These approved trips for the Board were funded by our national nonprofit - the National Council of Architectural Registration Boards (NCARB), so no State funds were spent. The Board has not received approval to travel with State funds since 2010. LATC was approved to travel to the Annual Business Meeting of the Council of Landscape Architectural Registration Boards (CLARB) in 2009 and 2014 with State funds, but CLARB does not offer "funded trips." LATC was denied the opportunity to attend a CLARB session that was held in California. Sending a Board member to the Annual Meeting costs a fraction of the Board's budget - approximately .0005.

The Board just participated in the NCARB Regional Summit on March 13-14 in Long Beach. At that meeting, the main proposal discussed would restrict existing reciprocity standards and prevent nearly 2,000 California architects from practicing in other states. California was the only state advocating to preserve the existing pathway. Through our efforts, we built a coalition to oppose the measure when it is up for a vote in June at the Annual Business Meeting. There is much more to be done to defeat the measure, but much of the effort takes place on-site at the meeting. In order to succeed, the Board must be in attendance with a strong delegation. This is because there are approximately 250 people in attendance from the 54 member jurisdictions, as well as NCARB executive staff and leadership from the American Institute of Architects, National Architectural Accrediting Board, Association of Collegiate Schools of Architecture and American Institute of Architects - Students. Persuading a group of that size requires a delegation of at least four,

but a larger group has greater odds for success and also helps with succession planning so that new Board/LATC members can learn first-hand about the national associations and develop the relationships needed to protect California's interests.

The Board is in the process of submitting an out-of-state trip request to DCA to add two members in addition to the two that were previously approved. This will provide the Board a strong delegation to work to defeat the resolution.

The professions, via the American Institute of Architects - California Council and California Council of the American Society of Landscape Architects, understand the importance of participation and regularly and consistently support the Board's engagement in NCARB and CLARB. The Board appreciates that DCA and Administration have been approving some of the trips, and the Board encourages ongoing and increased support for the criticality of national issues.

(Note: This was Issue #1 for LATC in the Sunset Background Paper.)

ISSUE #2: PRO RATA. What services does the Board receive for its share of pro rata?

Legislative Staff's Recommendation: The Board should advise the Committees about the basis upon which pro rata is calculated, and the methodology for determining what services to utilize from DCA. In addition, the Board should discuss whether it could achieve cost savings by providing some of these services in-house.

The Board/LATC's share of the department's pro rata is calculated based on authorized position counts, licensing and enforcement record counts, prior year workload, and interagency agreements. The Board/LATC currently utilizes most of the pro rata services for efficiencies and cost savings. Centralized services are more practical and efficient particularly for smaller boards such as ours. Board/LATC staff would need special high-level expertise in certain administrative services to be effective. It would be difficult to achieve an "economy of scale" if the Board/LATC were to assume pro rata-related services. The Board/LATC has limited staff with diverse responsibilities, whereas DCA has teams of trained specialists with program-specific management.

Senate Bill 1243 (Chapter 395, Statutes of 2014) requires DCA to conduct a study and submit a report to the Legislature on its pro rata calculation of administrative expenses by July 1, 2015. The study will assess whether the pro rata system is the most productive, efficient, and cost-effective methodology and whether some of the services should be outsourced or charged on an as-needed basis. The study will also include consideration of whether the boards should be permitted to elect not to receive (and be charged for) certain administrative services. As part of the study, the Board/LATC has participated in a survey of its use of DCA's services. Based on the outcome of the study and the DCA's report to the Legislature, the Board/LATC will reassess its continued use of the DCA's pro rata services.

(Note: This was Issue #4 for LATC in the Sunset Background Paper.)

ISSUE #3: BREEZE IMPLEMENTATION. The Board was supposed to be part of BreEZe's Release Three, which has now been delayed until at least 2016.

Legislative Staff's Recommendation: The Board should inform the Committees of any difficulties it foresees as a result of having to remain on its legacy system, and whether any additional stop-gap technological measures are needed until BreEZe is implemented. The Board should inform the Committees of how costs related to BreEZe will impact its fund condition.

Substantial difficulties are foreseeable, as a result of having to remain on the legacy systems, due to numerous significant changes to the national Architect Registration Examination (ARE) and potential changes to other national programs. Board/LATC staff is conducting an assessment of the impact due to delayed implementation of BreEZe for Release 3 boards and bureaus and coordinating efforts with DCA to develop stop-gap measures that could involve significant modifications to the legacy systems.

The Board believes, however, that due to the changes to the ARE, the corresponding changes to the "business model analysis" that was prepared in preparation for BreEZe approximately five years ago, are so significant that the current delay and repositioning of BreEZe may actually be a strategic advantage. Had BreEZe actually rolled out with the ARE consisting of seven divisions, as it does now, it would be completely dysfunctional, as the ARE previously had nine divisions. To add further complexities, there are intricate new rules that place restrictions on candidates' eligibility, which would have further exacerbated the problems.

The Board/LATC routinely monitors its fund condition and works very closely with DCA's Budget Office. The Budget Office has provided the Board/LATC's fund condition projected to fiscal year (FY) 2016/17, which includes anticipated BreEZe costs. The Board/LATC and the Budget Office do not foresee an issue with the Board/LATC's fund condition based on the current projections for BreEZe costs. The Board's fund condition will have an 11-month reserve in FY 2016/17, the year the BreEZe program is planned to be implemented for the Board.

(Note: This was Issue #3 for LATC in the Sunset Background Paper.)

ISSUE #4: LICENSURE AND LICENSEE POPULATION. Should the Board continue to explore ways to streamline the licensure process? Should the Board examine whether there is a shortage of licensed architects and capacity for architecture programs to train students?

Legislative Staff's Recommendation: The Board should continue to explore streamlined paths to licensure as a way to simplify the licensure process. The Board should continue monitoring the efforts of, and working closely with, NCARB, to ensure that any proposed changes to the licensure process do not affect competency or create reciprocity issues, and that California's needs are represented at the national level. The Board should monitor workforce capacity to determine if the demand for licensed architects is, and will continue to be, met.

The Board concurs with the Committees' recommendations. There is an ongoing objective from the Board's 2014 Strategic Plan to collaborate with California's National Architectural Accrediting Board (NAAB) accredited programs to establish and promote an Additional Path to Architectural Licensure (APAL). NCARB has taken a leadership role at the national level with the APAL; the Board is working with California schools and has hosted two summits (February 26, 2014 and March 12, 2015) to further those efforts.

NCARB has released its Request for Proposal (RFP), responses to which are due June 1, 2015. After a review of the RFPs, NCARB will provide an endorsement of those programs that conform to the programmatic requirements. The Board will continue its monitoring of NCARB and the national trends with respect to efforts for developing a streamlined licensure process.

Board staff will also coordinate with the Employment Development Department on conducting an analysis of the demand for architects and whether it will continue to be met in the long-term.

ISSUE #5: CONTINUING EDUCATION (CE). The Board notes that it has examined its CE requirement due to recent legislation and changes to the NCARB Model Law, and continues to monitor its CE requirement to ensure reciprocity issues do not exist.

Legislative Staff's Recommendation: The Board should inform the Committees of why its failure rate for CEs is so high, and how it can reduce that rate. The Board should continue to monitor the trend regarding CEs at the national level.

The Board concurs with the Committees' recommendation. Continuing education (CE) on disability access requirements is a relatively new (since July 1, 2009) requirement; audits were only required as of January 1, 2013. The statistics provided in the Board's Sunset Review Report represent the first year audits were conducted, and the first time licensees certified on their renewal application the CE requirement was fulfilled.

Prior to the commencement of audits, licensees submitted all relevant coursework provider documentation to the Board for review and acceptance before a license could be renewed (more than 20,000 records). The Board's audit failure rate is in fact comparable to other DCA entities that audit, which have averaged 13%.

The Board believes that two factors may help reduce the noncompliance rate. First, the deterrent effect of citations should improve audit results. The first group of citations was served in early 2015. Once those citations are adjudicated, practitioners will know that the Board takes strong actions against violations. In addition, the Board is coordinating with professional organizations for increased communication to licensees. Common noncompliance violations include: coursework taken after license renewal/audit notification; coursework taken more than two years prior to license renewal; deficient coursework (number of hours); failure to respond to audit in a timely manner; and, incorrect coursework taken and/or submitted. The Board will use this data in its communications efforts to assist architects in complying with this requirement.

The Board will continue monitoring, through NCARB, the national trends relative to CE initiatives and changes to the NCARB Model Laws.

ISSUE #6: INFORMATION SHARING. The Board reports that it is unable to share relevant disciplinary information of its licensees with a national database due to information-sharing restrictions.

Legislative Staff's Recommendation: The Board should inform the Committees of the specific types of information it would like to disclose to NCARB, and provide the Committees with the specific code sections that prevent the Board from disclosing that information. The Board should also weigh the benefits of sharing disciplinary information to assist other regulatory entities against the individual privacy rights, and potential threats to those rights.

The Board concurs with the Committees' recommendation.

The Board currently utilizes the NCARB Disciplinary Database by disclosing actions, such as Accusations and Statements of Issues, taken against licensees. Other NCARB Member Boards can view this information by securely accessing the database; additionally, prior to the Board issuing a license, the database is utilized to confirm whether disciplinary action has been taken against an individual in another state. A 2.0 version of the NCARB Disciplinary Database was recently launched and the Board continues to find that this is a useful tool.

Identifying information that is captured in the database includes: 1) an individual's full name; 2) State license number; and 3) the NCARB Record Number and/or Certificate Number (if an individual possesses either of these). Other identifying information that can be captured in the database is date of birth (DOB) and last four digits of Social Security Number (SSN). However, the Board cannot share DOB and SSN due to the Information Practices Act of 1977 (Civil Code section 1798 et seq.).

The Board will continue to weigh the benefits of sharing disciplinary information against the privacy rights of individuals.

ISSUE #7: COLLECTION OF FINES. The Board notes that it is seeking ways to increase collection of fines, particularly in cases of unlicensed practice when it does not have the leverage of a license to incentivize payment.

Legislative Staff's Recommendation: The Board should continue to explore ways to improve its enforcement efforts and collect fines. The Board should examine other agencies that are authorized to release SSNs to collection agencies, and whether there are any privacy or security issues that may arise if such information was transmitted. The Board should work with other licensing boards, such as the Contractors State Licensing Board, the Bureau of Real Estate, and the Board of Professional Engineers, Land Surveyors, and Geologists, to determine the feasibility of sharing disciplinary information for purposes of leveraging other professional licenses as a way to achieve compliance; how such a system would operate; and what changes would be necessary.

The Board/LATC concurs with the Committees' recommendations.

The Board currently has an ongoing objective from its 2014 Strategic Plan to "pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties" and is committed to continuous improvements with regard to all enforcement efforts.

The Board's fine collection success has averaged about 62% over the last three fiscal years, while other construction/design boards have averaged 37%.

Should the Board pursue authority to release SSNs to collection agencies, it would fully investigate whether there are any privacy or security issues that may arise. The Board has noted that the Respiratory Care Board is authorized to release SSNs to collection agencies via Business and Professions Code section 3778 (Chapter 586, Statutes of 2003); the Board is currently not aware of other agencies with similar authority.

As part of its Strategic Plan objective, the Board/LATC will research the feasibility of working with other licensing boards in sharing disciplinary information for purposes of leveraging other professional licenses. Other strategies the Board/LATC has utilized with regard to fine collection: Franchise Tax Board Intercept Program; payment plans; revised enforcement letters; etc. In addition, the Board is working with DCA to explore the possibility of establishing a collections unit in DCA to assist boards in collecting citation penalties.

(Note: This was Issue #5 for LATC in the Sunset Background Paper.)

ISSUE #8: CONTINUED REGULATION BY THE BOARD. Should the licensing and regulation of architects be continued and be regulated by the current Board membership?

Legislative Staff's Recommendation: Recommend that the licensing and regulation of architects continue to be regulated by the current Board members of the California Architects Board in order to protect the interests of the public and be reviewed once again in four years.

The Board/LATC concurs with the Committees' recommendation.

(Note: This was Issue #6 for LATC in the Sunset Background Paper and the Board/LATC concur with that recommendation.)

Note: as indicated on the cover memo, the following issue was unique to LATC.

LATC ISSUE #2: PATHWAYS TO LICENSURE. Should the LATC consider ways to streamline its licensure process or make its licensure process more flexible to accommodate out-of-state applicants?

Legislative Staff's Recommendation: The LATC should continue to work closely with the Board to identify opportunities to initiate efficiencies in its licensure system, and consult with stakeholders to ensure that the path to licensure is efficient and effective. The LATC should also continue to discuss the possibility of expanding the definition of "education credit" to encompass a certain amount of licensed experience, and to consider granting education credit for degrees related to landscape architecture, while ensuring that licensees retain their competence and that consumers are protected by any changes in eligibility.

The LATC concurs with the Committees' recommendation. During this last reporting period, LATC has expanded its pathways to licensure to allow partial degrees, and architecture degrees to meet education requirements. The LATC is researching other related degrees that can meet the education requirement for licensure.

Efficiencies in the licensure processes were improved by permitting candidates to take certain sections of the national exam upon graduation. On the horizon are changes to allow credit for teaching under a landscape architect. LATC will also work closely with the Board on its efforts on the Accelerated Path to Architectural Licensure.

In addition, the LATC has received license applications from candidates who are licensed in other states but do not meet specific California requirements, namely a degree in landscape architecture. The LATC is reviewing reciprocity requirements of other states to determine possible changes to improve efficiencies. Initial research revealed varying minimum standards across states including education only, experience only, varying degree types, and acceptance of reciprocity from other states. The LATC will work closely with CLARB to establish the minimum years of licensed experience to qualify to take the California Supplemental Exam in order to become licensed in California. The LATC will also work closely with other stakeholders to ensure that the path to licensure is efficient and effective.

EXAMINATION DEVELOPMENT

PROFESSIONAL EXAMINATION SERVICES

Purpose

The purpose of licensing examinations is to protect consumers by verifying that new licensees possess the minimally acceptable knowledge and experience necessary to perform tasks on the job safely and competently.

Process

A valid occupational analysis (OA) and content outline is required to begin the examination development process. The content outline provides the specifications for the examination.

Examination development is a group process, conducted in structured workshops comprised of subject matter experts (SMEs). Each SME provides a different perspective of the profession that would not otherwise be objectively considered by individuals working alone. To ensure that the description of the profession represents the job tasks of practitioners entering the profession, each workshop always includes a number of newly licensed practitioners. While there may be several workshops to develop an examination, it is recommended that each be scheduled for a minimum of two days to obtain optimum results.

The types of workshops required may include such tasks as re-linking old items (questions) to a new OA content outline; writing new items linked to the outline; reviewing and revising new or poorly functioning items; constructing a new examination version; and determining a passing score.

During each workshop SMEs are trained in the technical, professional, and legal standards that serve as specific guidelines for the development of examinations. For multiple-choice examinations, incorrect options (distracters) in multiple-choice items should be plausible so that an unprepared candidate will seriously consider them with the correct answer (key). For performance examinations, the activities should be sufficiently complex that an examiner can thoroughly assess a candidate's competence to perform actual job-related tasks.

Validation

In order for an examination to be valid, it must be empirically linked to the content outline of a recent occupational analysis. See Informational Series No. 1, "Occupational Analysis" for more information.

Contact

To learn more about these and other examination-related services, please contact the Office of Professional Examination Services at (916) 575-7240.

Agenda Item G

REVIEW, CONSIDERATION, AND POSSIBLE APPROVAL OF DRAFT JULY 1, 2015 THROUGH JUNE 30, 2017 STRATEGIC PLAN

On February 11, 2015, the Landscape Architects Technical Committee (LATC) participated in a strategic planning session to update its Strategic Plan for 2015. The session was facilitated by the Department of Consumer Affairs', Strategic Organization, Leadership, and Individual Development (SOLID) team. The LATC reviewed and updated the five goal areas (Regulation and Enforcement, Professional Qualifications, Public and Professional Awareness, Organizational Relationships, and Organizational Effectiveness). Objectives were identified to meet the goals and priorities of importance were identified for each objective.

SOLID drafted the attached new plan for 2015-2016 based on the LATC's session.

At this meeting the LATC is asked to review and approve the 2015-2016 Strategic Plan.

Department of Consumer Affairs

Landscape Architects Technical Committee

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

2015-2016

Strategic Plan

Approved:

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Committee Members

David A. Taylor, Jr., Chair | Landscape Architect Member

Katherine Spitz | Landscape Architect Member

Andrew Bowden | Landscape Architect Member

Nicki Johnson | Landscape Architect Member

Trish Rodriguez | Program Manager

Douglas R. McCauley, Executive Officer

Message from the Committee Chair

The Landscape Architects Technical Committee (LATC) is pleased to present its 2015-2016 Strategic Plan. The strategic planning process has been a collaborative effort between LATC members, staff, and the public.

2014 marked the completion of the LATC's Occupational Analysis (OA), a significant project that measures the current knowledge, skills, and abilities that are necessary in the profession. Conducted every five to seven years, the OA surveys the profession as to what tasks are required, how often they are performed, and how important they are to protect the public health, safety, and welfare. That data is then formatted into a "test plan" that is the basis for the content of the California Supplemental Examination.

The Sunset Review process was a major undertaking in 2014. This endeavor takes place every four years. It commences with the preparation of a major report, which was submitted in October 2014, describing the LATC's programs, metrics, and recommendations for improvement. The process fosters a healthy self-examination, and an opportunity to showcase innovations and learn from best-practices. LATC's Sunset hearing was March 18, 2015, and the LATC did not receive additional questions during the hearing. Written responses were submitted to the Legislature on April 16, 2015.

The outcomes from the Sunset Review will help drive future strategies. In addition, the 2015-2016 Strategic Plan reflects the LATC's second multi-year planning process. This enabled the LATC to focus on robust issues to ensure we are proactive, preventive, and a leader in consumer protection.

About the Landscape Architects Technical Committee

The Landscape Architects Technical Committee (LATC) was created via Assembly Bill 1546, which became effective January 1, 1998. The Committee was statutorily established under the jurisdiction of the California Architects Board. The Committee's purpose is to act in an advisory capacity to the Board on examination and other matters pertaining to the regulation of the practice of landscape architecture in California.

The activities of the LATC benefit consumers in two important ways. First, regulation protects the public at large. Second, regulation protects the consumer of services rendered by landscape architects. It is imperative to ensure those who hire landscape architects are protected from incompetent or dishonest landscape architects.

The LATC is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA) and is part of the Business, Consumer Services and Housing Agency. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides administrative oversight and support services, the LATC further sets its own policies, procedures, and regulations.

The LATC is composed of five members who are licensed to practice landscape architecture in this state.

How the LATC Achieves its Mission

Regulation

The LATC establishes regulations for examination and licensing of the profession of landscape architecture in California, which today numbers approximately 3,500 licensed landscape architects, as well as approximately 1,200 candidates who are in the process of meeting examination and licensure requirements.

Licensing

A candidate must have six years of qualifying education and training experience* to be eligible for the Landscape Architect Registration Examination (LARE). Candidates must complete the LARE prior to receiving eligibility for the California Supplement Examination (CSE). Successful completion of the CSE is required to fulfill the LATC's requirements of licensure.

* Credit for education and training is outlined in the Table of Equivalents contained in California Code of Regulations, Title 16, Division 26, section 2620.

Enforcement

The LATC has an active enforcement program designed to ensure the laws governing the practice of landscape architecture are enforced in a fair and judicious manner. The program consists of consumer education and professional information outreach designed to prevent and assist in the early detection of violations. The LATC enforces legal compliance for licensees by taking disciplinary actions against those in violation of the Practice Act.

The LATC's enforcement program works to address three main goal areas:

1. Establishing regulatory standards of practice for those licensed as landscape architects
2. Increasing public awareness of the LATC's mission, activities, and services
3. Protecting consumers by preventing violations, and effectively enforcing laws, codes, and standards when violations occur

The LATC is responsible for investigating complaints against licensees and unlicensed individuals. The Board retains the authority on behalf of the LATC to make final decisions on all enforcement actions.

2014 Landscape Architects Technical Committee Accomplishments

1. Completed 2014 Sunset Review Report.

2. Completed 2014 Occupational Analysis (OA), including a focus group.

3. Completed 2014 Linkage Study between the Landscape Architectural Registration Examination, and the California Supplemental Examination.

4. Concluded the Exceptions and Exemptions Task Force.

5. Completed University of California Extension Certificate Program Reviews.

6. Continued success on enforcement performance measures.

7. Effectively managed fiscal resources and requested a reduction in spending authority (Negative Budget Change Proposal).

8. Improved communication through the effective use of social media (Twitter).

9. Extended candidate application filing period.

10. Created additional pathways to licensure, including early entrance to the LARE.

Mission

The LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect consumers, and the public health, safety, and welfare while safeguarding the environment.

Vision

The LATC will champion a better, healthier, and safer built environment for California.

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:

- Protect consumers, by making effective and informed decisions in the best interest, and for the safety of Californians
- 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 effective, by making informed decisions that make a difference and have a positive, measurable impact
- Strive for excellence and quality, by continuously improving our programs, services, and processes through employee empowerment and professional development

Strategic Goals

1 *REGULATION AND ENFORCEMENT*

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

2 *PROFESSIONAL QUALIFICATIONS*

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

3 *PUBLIC AND PROFESSIONAL AWARENESS*

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

4 *ORGANIZATIONAL RELATIONSHIPS*

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

5 *ORGANIZATIONAL EFFECTIVENESS*

Provide accessible and responsive quality services to consumers and licensees.

GOAL 1: REGULATION AND ENFORCEMENT

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

1.1 Create and disseminate printed document(s) to educate the public on the differences between landscape architects, landscape contractors, and landscape designers.

1.2 Partner with Council of Landscape Architectural Registration Boards (CLARB) to enhance CLARB's national enforcement database with California data to strengthen consumer protection during the licensing process.

1.3 Finalize and implement regulations and procedures pertaining to the extension certificate programs and the approval process to maintain consistency, as well as concurrency with accreditation standards.

1.4 Disseminate information regarding extension programs per the California Code of Regulations, section 2620.5 to other states to encourage reciprocity.

1.5 Amend regulations to incorporate the updated Disciplinary Guidelines to maintain consistent decisions in disciplinary cases.

GOAL 2: PROFESSIONAL QUALIFICATIONS

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

2.1 Inform/communicate with schools regarding areas of the LARE with low pass rates in order to recommend areas of improvement in education.

2.2 Establish equitable reciprocity guidelines, without altering the entry standards of the profession, to widen path to licensure.

2.3 Review California Code of Regulations, section 2620 to clarify credit and experience combinations and provide justification for consistent staff interpretation of exam eligibility for potential licensees.

2.4 Review California code of Regulations, section 2620 to expand credit for education experience to include degrees in related areas of study, i.e., urban planning, environmental science or horticulture, etc., and credit for teaching.

2.5 Review California Code of Regulations, sections 2624 and 2624.1 and assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements

2.6 Reclassify the CSE item bank upon the results of the 2014 Occupational Analysis (OA) in order to ensure the item content reflects the critical tasks and knowledge related to newly-licensed landscape architects as identified by the OA and to maintain relevance with contemporary practice.

GOAL 3: PUBLIC AND PROFESSIONAL AWARENESS

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

3.1 Develop a plan to communicate with licensees and stakeholders about new or revised regulations and upcoming laws to be proactive in reducing violations.

3.2 Establish LATC's presence at the Landscape Architects Expo and other industry shows to increase exposure and communicate LATC's mission with stakeholders.

3.3 Review and update the LATC website to ensure information is current, accurate, and accessible.

3.4 Adopt new methods and identify new resources to effectively educate consumers regarding health, safety and welfare issues.

GOAL 4: ORGANIZATIONAL RELATIONSHIPS

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

4.1 Develop relationships with other regulatory boards and provide input where needed so that future legislation and regulations are compatible with LATC's mission and mandate.

4.2 Explore methods for developing a teleconferenced Educator's Roundtable comprised of school representatives to increase collaboration and communication for future LATC strategic plans.

4.3 Develop/research methods to share information with school faculty regarding issues such as newly revised language for California Code of Regulations, section 2620 and future testing.

4.4 Increase the LATC's participation in CLARB.

GOAL 5: ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality service to consumers and licensees.

5.1 Identify ways, means and methods to increase office efficiencies by assessing existing workload allocation, processes and procedures.

5.2 Review LATC's organizational chart to identify upward mobility opportunities through promotion and education in order to increase staff retention.

5.3 Contract with a part-time licensed Landscape Architect Subject Matter Expert in order to encourage consistency for enforcement, regulatory and statute interpretation.

5.4 Partner with DCA to successfully implement BreEZe[1] to improve consumer, candidate, and licensing services.

5.5 Complete the Sunset Review process and implement recommendations to comply with the legislature's directives.

[1] BreEZE is DCA's new enterprise-wide licensing and enforcement system that replaces legacy systems.

Strategic Planning Process

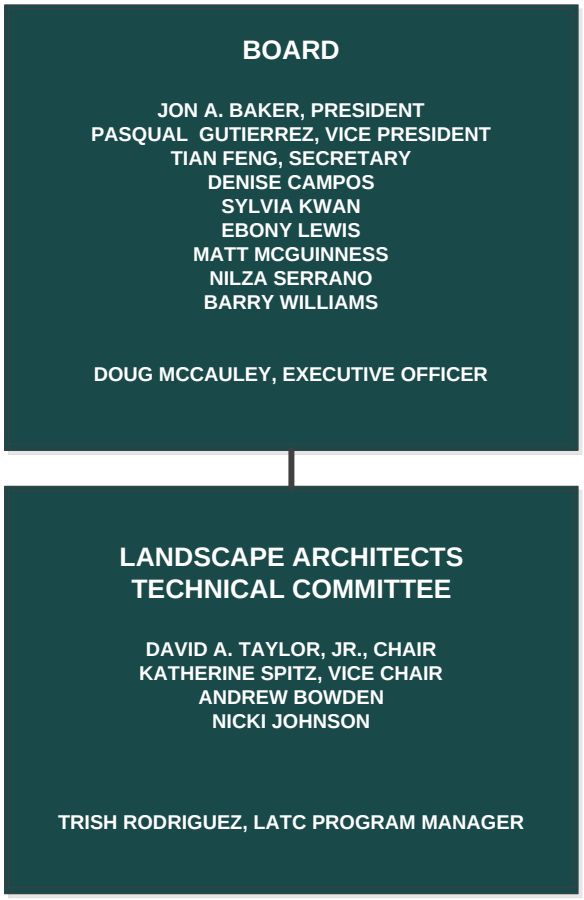
To understand the environment in which the Committee operates and identify factors that could impact the Committee's success, the Department of Consumer Affairs' SOLID unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Telephone interviews with Committee identified representatives of stakeholders in December 2014 and January, 2015.
- Telephone interviews with Committee members in December 2014 and January 2015.
- Telephone interviews with the Program Manager in January 2015.

The most significant themes and trends identified from the environmental scan were discussed by the Committee during a strategic planning session facilitated by SOLID on February 11, 2015. This information guided the Committee in the development of its mission, vision and values, while directing the strategic goals and objectives outlined in this 2015 – 2016 Strategic Plan.

Appendix A: Organizational Structure

The Committee's organizational structure is provided below:



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This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Landscape Architects Technical Committee in December 2014 and January 2015. Subsequent amendments may have been made after Committee adoption of this plan.

Agenda Item H

DISCUSS AND POSSIBLE ACTION ON STRATEGIC PLAN OBJECTIVE TO REVIEW TABLE OF EQUIVALENTS FOR TRAINING AND EXPERIENCE AND CONSIDER AMENDING CALIFORNIA CODE OF REGULATIONS TITLE 16, SECTION 2620(a) TO EXPAND 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 it 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."

At its February 10, 2015 meeting, the LATC discussed the issue and noted that several states grant experience/training credit for teaching in a landscape architectural degree program. Credit ranges from one to six years and most states require that to be eligible for credit, teaching must be under the supervision of a licensed landscape architect in a program accredited by the LAAB or approved by the jurisdiction.

The LATC also reviewed the California Architects Board's (Board) table of equivalents [CCR, Title 16, Division 2, section 117(14)(B)] that 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.

Following discussion, the LATC agreed that up to one year of experience/training credit should be granted for teaching under the supervision of a licensed landscape architect in a landscape architect degree program. Staff was directed to research the regulations of states that allow credit for teaching and draft proposed regulatory language for the LATC's review at its next meeting. The summary of those states which allow credit for teaching is attached (Attachment H.2).

Staff has drafted the attached proposed regulatory language which amends CCR section 2620 to allow credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

At today's meeting, the LATC is asked to review the proposed language for CCR section 2620(13) and take possible action.

ATTACHMENTS:
1. Proposed Language to Amend CCR section 2620
2. Summary of Regulatory Language from Other States

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED LANGUAGE

Proposed language to amend California Code of Regulations section 2620 as follows (shown in blue, underlined text):

§ 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	
(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
(13) Teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.		1 year

(b) Education credits……

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

Several states and one Canadian province allow teaching experience in landscape architecture to count toward experience/training requirements for licensure. In addition, the Council of Landscape Architectural Registration Boards (CLARB) allows teaching experience to count toward CLARB certification. The information below specifies which states, and where available, the actual regulatory language of the state, that identifies the credit given for teaching experience.

British Columbia: 2 to 10 years credit (not cited in law or regulation)

Colorado: 1 year maximum credit - Statute 12-45-10 2(b) "One year of experience may be practical field experience in construction techniques, teaching, or research in a program accredited by LAAB or an equivalent successor organization."

Illinois: 2 years credit - Rule 804 IAC 1.1-2(d) "After December 31, 2002, experience of a grade and character satisfactory to the board…includes teaching landscape architecture in an accredited program."

Maine: Up to 50% credit - Rule 02-288 3(4) "50% of the applicant's experience teaching in a LAAB accredited program."

New Hampshire: 3 to 5 years credit – Rule Lsa 302.02(f) "Teaching experience to be creditable must be of an advanced level in a college or university offering a landscape architectural curriculum of four years or more that is accredited by LAAB."

New York: 50% up to 2 years credit (not cited in law or regulation)

Ohio: 1 year credit (not cited in law or regulation)

Washington: 1 year credit (not cited in law or regulation)

Wyoming: 1 year credit – Statute Ch. 4 Section l(iii) "Possess three (3) years of diversified practical experience in landscape architecture as follows…teaching in an LAAB accredited program."

CLARB Certification Standards: Section 3.2.3 "Teaching in an LAAB accredited program."

As a note, the California Architects Board also allows up to 1 year of credit for teaching, pursuant to CCR section 117 (a)(14)(B) "Teaching and or research in NAAB-accredited or CACB-accredited architectural curriculums shall be granted 100% credit only for those hours worked if verified by the college or university."

Agenda Item I

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB)

1. Report on CLARB
2. Review and Possible Approval (Nominations) of CLARB Board and Regional Director Candidates as Submitted by CLARB for its September Annual Meeting

On April 29, 2015, the LATC received the attached initial slate of candidates for CLARB's 2015 elections. The final slate of candidates for the Committee on Nominations election will be released in June and ballots are due in July.

The final slate of candidates for the 2015 Board of Directors election will be available at least 60 days prior to the CLARB Annual Meeting scheduled for September 17-19, 2015, and the LATC will have an opportunity to vote in this election by mail-in ballot prior to the CLARB meeting. The LATC is asked to make recommendations based on the initial slate of candidates. Staff will submit the completed ballot, which will be ratified at the next LATC meeting.

LATC continues to track the pass rates for the Landscape Architect Registration Examination (LARE). Pass rates for the December 1-13, 2014 LARE administration are attached. Pass rates for the April 6-18, 2015 LARE administration will be available in June. The next administration of the LARE is August 3-15, 2015 and LATC's eligibility deadline for this administration is June 19, 2015.

ATTACHMENTS:
1. CLARB Member Board E-News (April 2015)
2. CLARB 2015 Elections – Initial Slate of Candidates
3. CLARB Bylaws
4. 2014-2015 CLARB Board of Directors
5. LARE California and National Pass Rates

To view this email as a web page, go here.

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS

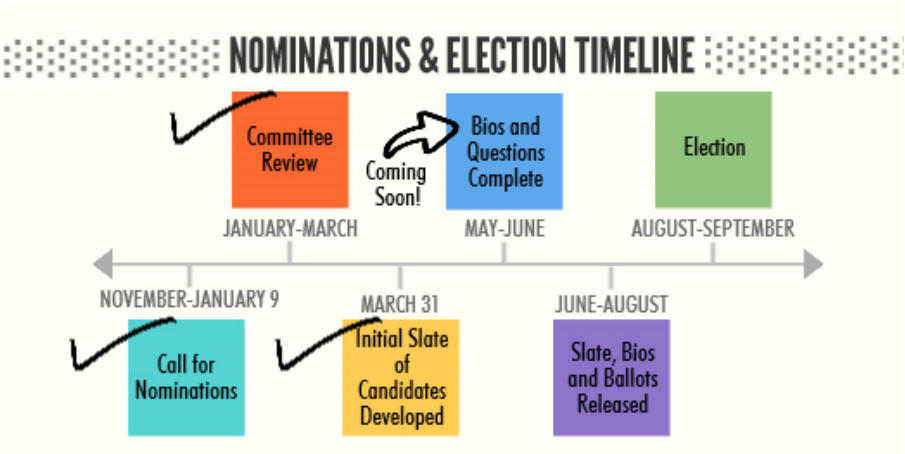
Member Board E-News

April 2015

Important Dates and Reminders

- **May 4** -- Registration opens for the August L.A.R.E. administration
- **May 11** -- Registration opens for the Annual Meeting
- **May 26** -- Results from the April L.A.R.E. administration available for Member Boards
- **May 28** -- Results available from the April L.A.R.E. administration available for candidates

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



2015 Elections Update: Initial Slate of Candidates Now Available

One of your rights and responsibilities as a CLARB member is electing CLARB leadership. During the next few months, your Board will have the opportunity to cast votes in the elections for the Committee on Nominations and the CLARB Board of Directors. In addition, members in Regions 1, 3 and 5 will elect Directors during their regional pre-Annual Meeting webcasts.

The Committee on Nominations is pleased to present **the initial slate of candidates** for the

2015 elections.

Important dates to note:

- July 17: Committee on Nominations election closes
- August 4: Officer and regional director nominations from the floor closes
- August 18: Final slate of candidates and ballots distributed to the membership

If you have questions about the election process, please contact **Veronica Meadows** or **Stephanie Landregan** , Chair of the Committee on Nominations, which oversees all elections.

Dial in on May 20 to Learn, Share and Discuss

Thank you to everyone who submitted discussion ideas via our recent survey. Based on your suggestions, we're changing things up a bit for the May "In the Know" event on Wednesday, May 20 at 3:00 p.m. EDT. Instead of a webcast, you'll have the opportunity to participate in one of three live conversations with your peers about the new exam eligibility standard, strategic planning or administrative approval. Pick the topic of greatest interest to you, dial in, learn, share and discuss!

Accessing the phone conferences is easy!

- Step 1: Dial in. All participants will dial 1-855-225-2706.
- Step 2: Choose your topic. Enter the three-digit number (as shown below) as the conference area ID and passcode.

About CLARB's "In the Know" Series

This series of webcasts and phone conferences 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. These events are prepared for the benefit and exclusive use of our Member Board Members, Executives and Staffs. We respectfully ask that access information for these events not be shared with the public.

Visit the CLARB website to see a complete list of "in the know" dates, times, and topics as well as slides and on-demand videos from previous events.

CLARB's Exam Eligibility Standard is Changing

The new exam eligibility standard will go into effect for the December 2015 administration requiring all candidates, even those currently in the exam process, to meet the new standard. **CLARB's new exam eligibility process** will begin in September when registration for the December administration opens.

CLARB is here to help you as we transition to the new standard. Should you have any questions or concerns about implementing the new standard and process in your jurisdiction, please **contact Rebecca Moden** by Wednesday, July 1.

Presidents Council to Create Data Dashboard

The Presidents Council, which is made up of current and incoming presidents and the chief staff officers from the American Society of Landscape Architects (ASLA), Canadian Society of Landscape Architects (CSLA), Council of Educators in Landscape Architecture (CELA), Landscape Architectural Accreditation Board (LAAB), Landscape Architecture Foundation (LAF) and CLARB recently agreed that all organizations could benefit by learning from data that others capture. By creating a "data dashboard" of information collected among the organizations, we can better understand the landscape architecture population and licensure pipeline.

At the January Presidents Council meeting, CLARB shared a template developed to inventory what each organization collects and uses on a regular basis and what each would like to have/know. Among desired information is for schools to report their graduation numbers, which would also help determine interest in licensure. The group shared this at the March CELA annual conference and continues to move forward on this collective project. CLARB will keep members updated as the project progresses.

U.S. Supreme Court: State Boards Not Immune from Antitrust Laws

In a six-to-three opinion written by Justice Anthony Kennedy, the U.S. Supreme Court affirmed a circuit court decision that the North Carolina Board of Dental Examiners is not immune from antitrust laws. The Court said that designation as a state agency does not, in itself, provide immunity and that the Board's actions must be supervised in order to gain immunity against antitrust laws.

Writing for the Court, Justice Kennedy said, "When a State empowers a group of active market participants to decide who can participate in its market, and on what terms, the need for supervision is manifest."

"The Supreme Court decision blurs the line between sovereign government agencies and private entities," observed Dale Atkinson, executive director of the Federation of Associations of Regulatory Boards (of whom CLARB is a member). He added: "The two-part test cited by the Supreme Court holds that in order to claim immunity, non-sovereign governmental boards must (1) have a clearly articulated state policy and (2) be actively supervised by the state."

CLARB is exploring the potential impact and implications to members in consultation with experts in the legal aspect of occupational licensure, as well as colleagues from the National Council of Examiners for Engineering and Surveying (NCEES), National Council of Architectural Registration Boards (NCARB) and ASLA. Additional information and guidance will be provided.

Questions? **Contact Joel Albizo.**

Further reading:

- The Supreme Court **decision** + **background and coverage** of the trial
- Cornell University Law School **background and coverage** of the trial
- Wall Street Journal: **Supreme Court Affirms FTC Antitrust Authority Over Licensing Boards**
- Washington Post: **Victory against Big Dentistry! The antitrust story**

This email was sent by: Council of Landscape Architectural Registration Boards
1840 Michael Faraday Drive, Suite 200 Reston, VA 20190 USA

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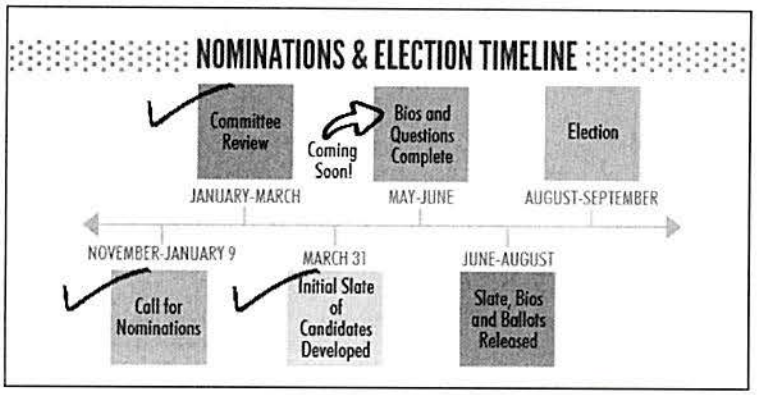
CLARB

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS



What You Need to Know about the 2015 Election

Initial Slate of Candidates

Name	Position
Randy Weatherly	President
Chris Hoffman	President Elect
Christine Anderson	Vice President
Karen Cesare	Vice President
Patrick Beam	Treasurer
Stan Williams	Treasurer
Rick Picatagi	Region 1 Director
John Sadlon	Region 1 Director
Steven Pilz	Region 1 Alternate Director
Bob Mercier	Region 3 Director
Larry Bates	Region 3 Alternate Director
Cary Baird	Region 5 Director
LeRoy Brady	Region 5 Director
Andy Bowden	Region 5 Alternate Director
Dennis Bryers	Committee on Nominations Member
Terry DeWan	Committee on Nominations Member
Bob Gunderson	Committee on Nominations Member
Fred Ogram	Committee on Nominations Member

Please consult the bylaws or contact Veronica Meadows via email or phone (571-432-0332) if you have questions about the nominations and/or election process.

Election To-Do's

Learn more about the positions.

Review list of eligible candidates.

Important Election Dates

April
Initial slate of candidates (for all elections) released

June
Final slate of candidates released for the Committee on Nominations election + a call for nominations from the floor for regional and officer elections

July
Ballots due for the Committee on Nominations election

August
Regional elections for regions 1, 3 and 5 held virtually; Committee on Nominations election results announced; final slate of candidates for officer elections distributed

September
Ballots and credentials letters due for election of President-Elect, Vice President and Treasurer

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COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS
BYLAWS
(As Amended September 2013)

ARTICLE I — NAME

The name of this organization shall be the Council of Landscape Architectural Registration Boards, Incorporated.

ARTICLE II — DEFINITIONS

The following terms shall have the following meanings when used in these bylaws:

A. "CLARB" shall mean the Council of Landscape Architectural Registration Boards, Incorporated;
B. "Member Board" shall mean the body that is a legally authorized to examine, register, or discipline landscape architects in a political jurisdiction and a member of CLARB;
C. "Examination(s)" shall mean any examination(s) prepared by CLARB.

ARTICLE III — RULES OF ORDER

CLARB shall be governed by Robert's Rules of Order Newly Revised when not in conflict with these bylaws.

ARTICLE IV — MISSION

The mission of the Council of Landscape Architectural Registration Boards as an organization of member boards is to foster the public health, safety and welfare related to the use and protection of the natural and built environment affected by the practice of landscape architecture.

To accomplish this mission, the organization:

A. Provides programs and services that ensure the competency of Landscape Architects and others involved in making decisions affecting the development and conservation of land by:

    1. Establishing and promoting consistent standards for their professional competency and conduct, and
    2. Examining and certifying their competency.

B. Provides information and resources to those affected by the practice and regulation of landscape architecture, thereby assuring that they are well-informed, educated and empowered regarding the value and benefits of the licensed practice of landscape architecture.

ARTICLE V — MEMBERSHIP

The membership of CLARB shall be the legally constituted member boards in good standing. Membership in the Council may be attained through approval by the CLARB Board of Directors.

Section 1. Qualifications and Eligibility
Member boards maintain good standing by abiding by the CLARB Bylaws and paying all dues or other financial obligations to CLARB in a timely manner.

Every member board shall be required to accept the actions and decisions of CLARB and the CLARB Board of Directors. This acceptance shall extend to all CLARB services provided to member boards to the greatest extent permitted within the context of the laws of their jurisdiction.

Section 2. Removal
If, after written notification from the CLARB Board of Directors, a member board fails to pay its dues or other financial obligations to CLARB or shall persistently refuse to abide by these bylaws or the policies enacted by CLARB, the CLARB Board of Directors may recommend that such member board be removed from CLARB membership. Upon such recommendation, the member board may be removed from membership in CLARB by an affirmative vote of not less than two-thirds of all member boards voting at an annual meeting where a quorum is present.

Section 3. 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 of CLARB are hereby established.

There shall be an annual meeting of the member boards of each region. Each member board shall be required to be a member of its region. Regional membership shall be composed of member boards as defined in Article IV, Section 1 of these bylaws. A guideline for the membership of the regions is as follows; new members may be added to the regions by the Board of Directors as required.

REGION I: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ontario, Pennsylvania, Rhode Island, Vermont, Virginia.

REGION II: Indiana, Illinois, Iowa, Kentucky, Ohio, Michigan, Minnesota, Missouri, West Virginia, and Wisconsin.

REGION III: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Puerto Rico.

REGION IV: Alberta, Colorado, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Wyoming.

REGION V: Alaska, Arizona, British Columbia, California, Hawaii, Idaho, Montana, Nevada, Northern Mariana Islands, Oregon, Utah, Washington.

Section 4. Member Services
Services provided to members of CLARB shall include, but not be limited to, the following:

A. Examination

CLARB shall produce examinations designed to test the knowledge, skills and abilities required for the practice of landscape architecture and shall issue appropriate descriptive material on the examination for use by the member boards and candidates. The procedures and charges shall be established by the CLARB Board of Directors.

B. Council Record and CLARB Certification

A Council Record is provided as a detailed, authenticated personal record of the activities and accomplishments in the landscape architectural profession, and by means of this record, to facilitate the process of reciprocal recognition of registration between jurisdictions.

CLARB shall, upon request of individual members of the landscape architectural profession, secure, authenticate and record factual data of the applicant's education, training, practice and character and compile the results. This record shall be forwarded to any jurisdiction upon the request of the applicant and payment of the fees stipulated therein.

The Council Record is to be distinguished from CLARB Certification in that it makes no statements regarding the extent, character or quality of any examination taken by the applicant, nor of the grades that person received thereon.

CLARB Certification carries the recommendation that an applicant, because of having demonstrated competence, be accorded favorable consideration by any jurisdiction to which that person may apply for licensure/registration.

C. International Relations

CLARB may engage in the exploration and formulation of agreements with foreign countries to allow landscape architects to practice in countries other than their own.

ARTICLE VI — MEETINGS

Section 1. Annual Meeting
CLARB's annual meeting shall be held at a time and place determined by the CLARB Board of Directors. Notice of meetings shall be made to the board administrator of each member board ninety (90) days prior to such meeting.

Section 2. Special Meetings
Special meetings may be called by the president, with the approval of the CLARB Board of Directors, or by a majority of the member boards. Notice of the meetings shall be made to the board administrator of each member board sixty (60) days prior to such meeting. The bylaws pertaining to procedures and conduct of business of the annual meeting shall apply to Special Meetings.

Section 3. Delegates and Credentials
Each member board is entitled to be represented at CLARB meetings by one or more official delegates of that board. The delegate must be a member of the member board. A letter of credential from the delegate's board shall identify a delegate attending the annual meeting or any Special Meeting of CLARB. As many delegates as are able to attend may represent a member board, but only one vote may be cast on each motion for each member board by its delegates.

Section 4. Quorum
A quorum for the transaction of business at the CLARB annual meeting shall be the majority of the member boards represented by one or more delegates present.

Section 5. Resolutions and Other Motions
Resolutions are the substantive matters placed on the agenda for a CLARB meeting in accordance with this section. All resolutions to be considered at the CLARB annual meeting except those submitted by special committees and laudatory resolutions shall be submitted to the CLARB Board of Directors at a time determined by the CLARB Board of Directors.

The CLARB Board of Directors shall review each resolution for conformity with the CLARB bylaws and may recommend to the author of any resolution such changes as are deemed advisable for the purpose of consistency, clarity and to avoid duplication. The CLARB Board of Directors shall publish and distribute all resolutions, except laudatory resolutions, to the member boards, not less than 60 days prior to the annual meeting. If the CLARB Board of Directors takes a position on any resolution, they shall provide a position statement to be published with the resolution.

Only member boards or regions and the CLARB Board of Directors may offer resolutions to be presented at a CLARB meeting, amendments to resolutions to be presented at a CLARB meeting or amendments to resolutions. All other motions permitted under Robert's Rules of Order Newly Revised may be made by any delegate or CLARB officer or director.

Section 6. Order of Business
An agenda outlining the order of business shall be prepared for all CLARB meetings. The agenda shall be prepared under the direction of the CLARB Board of Directors and provided to all member boards at least 30 days before the date set for the particular meeting.

Section 7. Voting
The affirmative vote of the majority of the member boards represented at any CLARB meeting is required to pass any resolution except to amend the bylaws. Resolutions to amend the bylaws are governed by Article XII–Amendments. There shall be no voting by proxy. Voting by letter ballot is permitted only for the election of officers and for members of the Nominating Committee. See Article VII – Officers, Section 4. Election of Officers.

Section 8. Other Participants
CLARB officers and directors, member board staffs, persons designated by the Board of Directors, and persons designated by the presiding officer shall have the privilege of the floor at CLARB meetings and may take part in the discussion and perform all functions of the delegates except to vote, or, except as provided in Article V, Section 5 with respect to officers and directors, to initiate action.

ARTICLE VII — OFFICERS

Section 1. Officers
The officers of CLARB shall be a president, a president-elect, a vice president, a secretary, a treasurer, and the immediate past president. All officers, except for the immediate past-president, shall be elected by CLARB as specified in Article VII, Section 4.

Section 2. Qualifications and Limitations
To be eligible for elective office in CLARB, the candidate shall

A. Have attended at least two meetings of the membership prior to the time of nomination; and
B. Be a member of the CLARB Board of Directors or a member or past member of a member board at the time of election; or
C. Have participated in a combined total of four sessions of a Standing Committee, or a Grading Session as a Grader or Master Grader, or as a Cut Score Committee member.

Section 3. Nomination of Officers
A nominating committee shall be composed of a chairperson who shall be the immediate past president of CLARB and six members elected at large, each serving a 2 year term of office. Nominating committee members shall be ineligible for nomination to office for the full term, regardless of whether they serve the full term

Nominating committee members shall be elected as follows:

A. No later than 30 days prior to the spring meeting, each region may submit to the board of directors a list of up to six candidates either from their region or at large, meeting the eligibility requirements set forth in the bylaws. In the event the regions do not submit the names of sufficient qualified candidates to fill all available positions, the board of directors may submit additional candidates.

B. At the spring meeting, the board of directors shall present the complete list of eligible candidates. Following the spring meeting, each member board shall be allowed to cast a single vote for up to six candidates for the first year of election and for as many as three candidates for each subsequent election year. In the first election, the six candidates receiving the greatest number of votes shall serve as the nominating committee.

C. In the event balloting results in a tie or multiple ties among more than six candidates (in the first year) or three candidates (in subsequent years) additional balloting shall occur for those with the lowest vote count until a clear hierarchy is established with single candidate for each available seat on the committee.

The nominating committee shall be charged with creating and maintaining a complete list of all eligible candidates for office and with identifying qualified nominees for elected office. The nominating committee shall publish an updated list of candidates eligible for office within 30 days of the close of the annual meeting.

The chair of the nominating committee shall collect the names of all potential candidates identified by the committee members and distribute this information to the Board of Directors and nominating committee members no later than fourteen (14) days prior to the spring meeting. The nominating committee shall distribute the final list of nominations to all member boards no later than 30 days prior to the annual meeting. The regions will consider the list of potential candidates and identify any additional candidates.

The nominating committee may identify one or more nominees for each office and shall distribute its recommendations to all member boards no later than 60 days prior to the annual meeting. Additional nominations ‘from the floor’ may be made by any region, member board or member board member by notifying the chairperson of the nominating committee in writing no later than 45 days prior to the annual meeting, at which time the nominations shall be closed. The nominating committee shall distribute the final list of nominations including ‘nominations from the floor’ to all member boards no later than 30 days prior to the annual meeting.

Section 4. Election of Officers

A. Election of Officers at Annual Meeting.
All elections of officers shall be by written ballot at the annual meeting unless by a majority vote CLARB shall agree to waive the provision. A majority vote of the member boards represented and voting shall elect an officer. Where a majority vote has not been obtained on a ballot, the candidate receiving the least number of votes shall be eliminated prior to the next ballot. If there is a single nominee for each open office, the slate of nominees may be elected by acclamation of the membership without a formal vote.

Member boards that are not represented at the annual meeting by a delegate may submit their votes for officers by letter ballot. All letter ballots must be sent in a sealed envelope, signed by an officer of the Board and received at the CLARB office at least five days before the start of the annual meeting. Letter ballots shall be counted on the first ballot only.

B. Election of Officers in the Absence of an Annual Meeting.
In the event that CLARB is unable to conduct an annual meeting before the end of a fiscal year, the following procedures shall apply:

1) Where there is a single nominee for an office whose election is uncontested by the membership, that person shall assume the office on the first day of the first month of the next fiscal year.
2) If there is more than one nominee for an office, the chairman of the nominating committee shall conduct the election for that office by letter ballot no later than the last day of the first month of the fiscal year as set forth in Section 4, Item A, above, or as soon thereafter as practicable, time being of the essence.

C. Election of Officers in the Event of Catastrophe.
In the event of a catastrophe where there are no officers able to conduct an election, the executive director shall convene a nominating committee as set forth in Section 3 above as soon as practicable and conduct an election by written ballot as set forth in Section 4, Item A above, time being of the essence. If the executive director is unable to conduct such election, the statutory agent for CLARB shall conduct nominations and election as set forth herein.

Section 5. Terms of Office

A. The president-elect shall automatically assume the office of president and serve as such from the adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

B. The president-elect shall serve as such from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, the end of the fiscal year, or a successor is duly elected, whichever shall first occur.

C. The vice president shall serve from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected.

D. The secretary shall serve for two years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of secretary shall be held in even-numbered years.

E. The treasurer shall serve for two years from the adjournment of the annual meeting at which such person is so elected or from the beginning of the fiscal year, whichever shall first occur, until a successor is duly elected. Elections for the office of treasurer shall be held in odd-numbered years.

F. The immediate past president shall serve as such from the adjournment of the annual meeting at which such person assumes the office or from the beginning of the fiscal year, whichever shall first occur, until the adjournment of the following annual meeting, or the end of the fiscal year, whichever shall first occur.

No incumbent shall serve for more than one year in succession as president, president-elect, or vice president provided, however, that an officer shall be eligible for re-election for the full term of office if during the period immediately prior thereto such officer had succeeded to or been elected to fill a vacancy.

Section 6. Vacancies and Removal from Office
A vacancy in the office of president shall be filled by the president-elect assuming the office. A vacancy in the office of president-elect shall be filled by the vice president assuming the office.
A vacancy in the office of vice president, secretary, or treasurer shall be filled by an appointee designated by the CLARB Board of Directors to complete the unexpired term.

An officer, director or alternate director who is found guilty of malfeasance, misfeasance or nonfeasance in the exercise of the duties and responsibilities as an officer or director, found guilty of sexual harassment or of conduct deemed to be detrimental or unbecoming to the Council may be removed from office by a two-thirds majority of the CLARB Board of Directors.

Section 7. The President
The president shall:

A. Preside at all meetings;
B. Appoint all standing committees subject to the approval of the CLARB Board of Directors;
C. Present to CLARB at the annual meeting a report of activities during the term of office as president;
D. Appoint all members of special committees subject to the approval of the CLARB Board of Directors, unless a specific action of the Council names the personnel of the committees;
E. Be an ex officio member of all committees;
F. Interpret these bylaws and the rules of order in the conduct of meetings;
G. Perform all duties pertaining to the office of president.

Section 8. President-elect and Vice President
The president-elect and vice president, in order shall, in the absence or incapacity of the president, exercise the duties of and possess all the powers of the president.

Section 9. Secretary

A. General Duties. The secretary shall perform the duties usual and incidental to the office and the duties that are required to be performed by law and by these bylaws; and the duties that are properly assigned by the CLARB Board of Directors.

B. Reports. The secretary shall ensure that a progress report is presented to the membership in conjunction with its annual meeting and, if required, special reports at other CLARB meetings or to the CLARB Board of Directors.

C. Delegation of Duties of the Secretary. The secretary may, with the approval of the CLARB Board of Directors, delegate to the executive director and other assistants the actual performance of any or all of the appropriate duties and authorize such executive director and other assistants to sign under their respective titles the correspondence conducted by them; provided, however, that the secretary shall not delegate the signing of any minutes or official reports which are assigned to the secretary by the CLARB Board of Directors.

Section 10. Treasurer

A. General Duties. The treasurer shall exercise general supervision of CLARB's financial affairs, shall have the custody of its monies and securities except as otherwise provided in these bylaws. The treasurer shall oversee the collection of all monies due CLARB and all disbursements of money of CLARB and may purchase, sell, assign, and transfer such of its securities as are placed in the treasurer's charge. The treasurer shall supervise the keeping of the records and books of accounts of financial transactions of CLARB, and shall sign all instruments of CLARB whereon the signature of the office is required, and perform all duties required to be performed by law and these bylaws, and the duties that are properly assigned by the CLARB Board of Directors.

The treasurer shall ensure the performance of an annual financial audit or review by a certified public accountant.

B. Reports. The treasurer shall make a written report to CLARB at its annual meeting and at other CLARB meetings or CLARB Board of Directors, as required.

C. Delegation of Duties of the Treasurer. The treasurer shall not authorize any person to sign any financial instrument, notice or agreement of CLARB that requires the signature of the treasurer, unless such delegation or authorization is expressly permitted by action of the CLARB Board of Directors. The treasurer may delegate to the executive director and other assistants the actual performance of the clerical, bookkeeping, statistical, collecting and recording work of the office and may authorize the executive director or any other officer to sign checks of CLARB within the practices and policies prescribed by the CLARB Board of Directors.

D. Liability of the Treasurer. The treasurer shall not be personally liable for any decrease in the capital, surplus, income balance, or reserve of any funds or account resulting from any actions performed in good faith in conducting the usual business of the office.

Section 11. Bonding
The CLARB Board of Directors shall determine who shall be bonded, and the cost of such bond shall be paid from the funds of the Council.

ARTICLE VIII — THE CLARB BOARD OF DIRECTORS

Section 1. Membership
The CLARB Board of Directors shall be composed of the officers of CLARB as designated in Section 1 of Article VII, and one director from each region.

Section 2. Qualifications and Limitations
To be eligible for election to the Board of Directors, the candidate shall meet the same criteria as described in Article VII, Section 2 of these Bylaws. Members of the CLARB Board of Directors shall serve without compensation.

Section 3. Terms of Office
The terms of office of the directors shall be as provided in Section 5 of Article VII and directors shall be elected as provided in Section 4 of this Article below. Directors shall be elected only by their respective region's member boards and shall serve for two years from adjournment of the annual meeting or from the beginning of the fiscal year, whichever shall first occur, until their successors are duly elected. No person shall serve more than two successive terms as director, provided, however, that a person shall be eligible for re-election for a full term of office if, during the period immediately prior thereto, that person has succeeded to, or been elected to the office to fill a vacancy. Regions I, III, and V shall elect a director for election in the odd-numbered years and Regions II and IV shall elect a director for election in the even-numbered years.

Section 4. Directors
Each region shall elect its director at the region's meeting. A majority vote of the member boards represented and voting shall elect a director. The elections shall be announced by the appropriate directors at the CLARB annual meeting.

Directors shall actively participate in the governance of the organization, including assimilating information, attending meetings of the Board of Directors and participating in the decision-making process of the Board.

Directors are also responsible for bringing issues from the membership to the Board and for communicating the Board's decisions to the membership. Directors shall discharge their duties in good faith and in a manner that is in the best interests of the organization.

Section 5. Alternate Directors
Each region shall have an alternate director to serve or represent that region in the event the director cannot be present. The duties of the alternate director shall be the same as for the director with the exception that each region shall have but one vote in all business matters if both director and alternate director attend the meetings of the Board of Directors.

Section 6. Vacancies
A vacancy in the office of a director shall be filled by the alternate director. In the event that the alternate director cannot fill such vacancy, the CLARB president shall conduct an election to fill the vacancy.

Section 7. Duties
The CLARB Board of Directors shall have the full control of the property, affairs, and business of CLARB. It shall carry the responsibility for all activities of CLARB. It shall exercise all authority, rights, and power granted to it by the laws of the District of Columbia and shall perform all duties required by said laws and these bylaws, in accordance therewith. It shall not delegate any of the authority, rights, or power or any other duties imposed upon it by these bylaws or otherwise, unless said delegation is specifically provided for in these bylaws.

Section 8. Meetings of the CLARB Board of Directors
The CLARB Board of Directors shall meet in order to transact business, and shall hold at least two meetings each year. One meeting shall be held in conjunction with the annual meeting.

A special meeting or meetings may be held upon the call of the president, or upon written request of the majority of the CLARB Board of Directors. All members shall be given due notice in writing of the time and place of the meeting, although notice in writing may be waived by any member. A majority of the membership of the CLARB Board of Directors shall constitute a quorum for the transaction of business. In the event that a director is unable to attend a meeting of the CLARB Board of Directors, the alternate director shall have the responsibility of participating in the meeting with the authority of the director.

ARTICLE IX — EXECUTIVE DIRECTOR

Section 1. Appointment
The Council Board of Directors may employ a person to be known and designated as executive director who shall be the chief executive officer of CLARB. The salary and term of office shall be established by the CLARB Board of Directors.

Section 2. Duties
The executive director shall be and act as the executive officer of CLARB and as such shall have management and administrative responsibility for the CLARB office and staff, and other CLARB affairs, subject to general direction and control of the CLARB Board of Directors.

The executive director shall be responsible for the hiring, supervision, compensation, promotion, demotion, termination, and management of all other employees of CLARB, as well as all vendors, consultants, and contractors of CLARB, within general budgetary guidelines determined by the Board of Directors. The executive director shall serve as spokesperson on established policy and positions. The executive director shall be supervised by the President and shall serve at the pleasure of the Board of Directors. The executive director shall serve on the CLARB Board of Directors as an ex officio director, without vote.

Section 3. Review
The executive committee shall conduct a performance review of the executive director annually with input from the Board of Directors.

ARTICLE X — COMMITTEES

Section 1. Authorization and Appointment of Committees
Committees may be established to perform services for CLARB. Except as may be herein specifically provided, all committees shall be appointed as provided by Section 7 of Article VII of these bylaws and shall be under the jurisdiction of the CLARB Board of Directors, reporting to it when directed.

The CLARB Board of Directors may delegate to any of its officers the authority to supervise the work of any of the committees. The president shall have the power to make appointments of any unfulfilled or vacant committee membership.

The CLARB Board of Directors may at any time discontinue a committee, other than a standing committee established in the bylaws, or make any changes in a committee's personnel without regard to the terms of appointment of the committee members.

Section 2. Reports of Committees
Each committee shall report in writing annually to the CLARB Board of Directors at least sixty (60) days prior to the annual meeting and shall make interim reports to the CLARB Board of Directors as directed.

Section 3. General Procedure of Committees
Every committee shall perform in accordance with these bylaws and with the directions of the Council Board of Directors. No committee, or any member or chairperson thereof, shall incur financial obligations unless funds have been properly appropriated therefore as provided elsewhere herein and specific authorization has been given by the Council Board of Directors. No member or chairperson, or any committee, shall commit CLARB orally or otherwise to any matter unless specifically authorized to do so.

Section 4. Terms of Committee Appointments
The term of committee appointments shall expire at the adjournment of the annual meeting, or at the end of the fiscal year, whichever shall first occur, except as otherwise provided by these bylaws.

Section 5. Standing Committees
The following committees are hereby authorized as basic to proper functioning of the Council:

A. Executive Committee
The executive committee shall be chaired by the president and composed of the president-elect, immediate past-president, vice president, treasurer, and secretary. The executive director shall serve on the executive committee as an ex officio member without vote. Four voting members of the executive committee shall constitute a quorum.
The executive committee shall act on behalf of the Board of Directors to govern the affairs of CLARB between meetings of the Board of Directors, subject to general policies established by the Board of Directors. All actions of the executive committee must be ratified at the next meeting of the Board of Directors. The executive committee shall be responsible for providing a written review of the executive director’s performance in accordance with Article IX, Section 3.

B. Committee on Examinations
The committee shall be responsible for the development of the examination and other duties as determined by the Board of Directors. The Chair of this committee shall be a licensed, registered or certified landscape architect.

C. Committee on Audit and Finance
The committee shall prepare budgets; maintain financial policies and procedures; arrange for financial audits; and perform other duties as determined by the Board of Directors.

D. Committee on Nominations
The committee shall be composed and perform the duties as described in Article VII, Section 3 herein.

Section 6. Committees of Special and Limited Function
Such committees may be appointed from time to time to perform special and limited functions as assigned. The president shall appoint these committees subject to the approval of the CLARB Board of Directors.

ARTICLE XI — FINANCES, FUNDS, ACCOUNTING AND INVESTMENTS

Section 1. Dues and Fees

A. Membership Dues. The annual membership dues for each member board shall be established by the CLARB Board of Directors.

B. Fees. The fees for the examination shall be established by the Board of Directors.

Section 2. Fiscal Year
CLARB's fiscal year shall begin October 1 and end September 30, beginning October 1, 1993.

Section 3. Operating and Reserve Funds
The CLARB Board of Directors shall have charge of the investment of all funds of CLARB. It shall sell, purchase, transfer, and convey securities and exercise all rights of proxy, or participation in reorganizations, of depositing securities and similar rights of CLARB with respect to its securities, or it may authorize such purchase, sales, transfers, conveyances and the exercise of any or all of said right.

The members of the CLARB Board of Directors shall not be personally liable for any decrease of the capital, surplus, income, balance, or reserve of any fund or account resulting from any of their acts performed in good faith. The accounts of such investments shall be incorporated into the annual report to CLARB.

ARTICLE XII — AMENDMENTS

These bylaws may be amended by an affirmative vote of three-fourths of member boards voting at an annual meeting where a quorum is present. All amendments so adopted shall become effective immediately. There shall be no voting by proxy.

ARTICLE XIII — INDEMNIFICATION

Except as provided below, the Council shall indemnify in full:

A. Any director, officer, executive director, consultant, or former director, officer, consultant, or employee of CLARB or any subsidiary of CLARB;

B. Any member or former member of any CLARB committee against expenses, including attorney's fees, and against the amount of any judgment, money decree, fine, or penalty, or against the amount of any settlement deemed reasonable by the CLARB Board of Directors, necessarily paid or incurred by such person in connection with or arising out of any claim made, or any civil or criminal action, suit, or proceeding of whatever nature brought against such person, or in which such person is made a party, or having been such director, officer, executive employee, or committee member of or for CLARB. Such indemnification shall apply to any such person even though at the time of such claim, action, suit, or proceeding, such person is no longer a director, officer, executive secretary, director, consultant, or committee member of or for CLARB.

No indemnification shall be provided for any person with respect to any matter as to which such person shall have been grossly negligent or to have engaged in intentional misconduct. If such person has not been so adjudicated, such person shall be entitled to indemnification unless the CLARB Board of Directors decides that such person did not act in good faith in reasonable belief that his or her action was in the best interests of CLARB. Expenses incurred of the character described in the preceding paragraph may, with the approval of the CLARB Board of Directors, be advanced by CLARB in advance of the final disposition of the action or proceeding involved, whether civil or criminal, upon receipt of any undertaking by the recipient to repay all such advances in the event such person is adjudged to have engaged in intentional misconduct, or in the event the CLARB Board of Directors decides that such person is not entitled to indemnification.

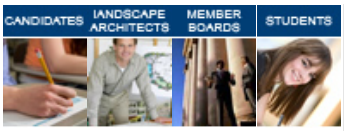
CLARB shall have the power to purchase and maintain insurance on behalf of any person who is or was a director, officer, executive director, consultant, or a committee member of CLARB, or is or was serving at the request of CLARB or of the CLARB Board of Directors as a director or officer of another corporation, whether non profit or for profit, against any liability incurred by such person in any such person's status as such, whether or not CLARB would have the power to indemnify that person against such liability under this article or otherwise.

Any rights of indemnification hereunder shall not be exclusive, and shall accrue to the estate of the person indemnified.

Any other present or former employee or agent of or for CLARB may be indemnified in like manner by vote of the CLARB Board of Directors.

# # #

COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS



BOARD OF DIRECTORS

REGIONS

ELECTIONS

BYLAWS

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 officers who 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.

Regions and Directors

Discover in which region your jurisdiction is so you know who your Regional Director is.

Review the February 2015 regional webcast summaries.

BOD Meeting Minutes

- **November 2014 (final)**

Upcoming BOD Meetings

- **May 4-5 in Branson, MO**
- **June (date TBD) via webcast**
- **September 16 in New Orleans, LA**

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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 August 3-15, 2015.

Agenda Item J

REVIEW TENTATIVE SCHEDULE AND CONFIRM FUTURE LATC MEETING DATES

<u>May</u>		
13	LATC Meeting	Sacramento, CA
25	*Memorial Day*	*Office Closed*
<u>June</u>		
10	Board Meeting	San Diego
<u>August</u>		
TBD	LATC Meeting	TBD
3-15	LARE Administration	Various
<u>September</u>		
7	*Labor Day*	*Office Closed*
10	Board Meeting	San Francisco
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	Sacramento
25	*Christmas*	*Office Closed*

Agenda Item K

ADJOURNMENT

Time: _____