

## **SUMMARY REPORT - FINAL**

### **CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee**

April 23, 2010  
Los Angeles, California

#### LATC Members Present

Andy Bowden, Chair  
David Allen Taylor, Jr., Vice Chair (arrived at 9:40am)  
Christine Anderson  
Stephanie Landregan

#### California Architects Board (CAB) Members Present

Iris Cochlan, Board Liaison

#### Staff Present

Doug McCauley, Executive Officer, CAB  
Vickie Mayer, Assistant Executive Officer, CAB  
Don Chang, Legal Counsel, Department of Consumer Affairs (DCA)  
Terri Villareal, Enforcement Coordinator, Landscape Architects Technical Committee (LATC)  
Marina Karzag, Special Projects Coordinator, LATC  
Carmen Alexander, Examination Coordinator, LATC  
Angelica Franco, Licensing Coordinator, LATC

#### Guests Present

Kim Kirchmeyer, Deputy Director of Board and Bureau Relations, DCA  
Pamela Berstler, Legislative Chair, CA Chapter, Association of Professional Landscape Design (APLD)  
Joni Wilson, President, CA Chapter, APLD  
Baxter Miller, California Chapter, American Society of Landscape Architects (CCASLA)  
Daniel Iacofano, Principal, Moore Iacofano Goltsman, Inc.  
Esther Margulies, Valley Crest Design Group  
Ying-Yu Hung, Visiting Assistant Professor, University of Southern California (USC)  
Alex Robinson, Lecturer, USC  
Bob Harris, Professor Emeritus and Director of the Master of Landscape Architecture Programs at USC  
Dave Campbell, Visiting Professor, USC  
Regula Campbell, Visiting Professor, USC  
Rachel Berney, Assistant Professor, USC

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

The LATC Chair Andy Bowden called the meeting to order at 9:30 a.m. Executive Officer Doug McCauley called roll. Three members of the LATC were present and thus a quorum was established.

Mr. Bowden mentioned former Program Manager Mary Ann Aguayo’s departure from LATC and thanked her for over four years of dedicated service to the LATC.

**B. Department of Consumer Affairs Director’s Report**

Kim Kirchmeyer introduced herself to the Committee and discussed the Consumer Protection Enforcement Initiative. She explained the initiative’s beginnings, which started with the news articles published regarding the Board of Registered Nursing and the time it takes DCA Boards and Bureaus to process enforcement cases and take disciplinary actions. The Governor directed the DCA Director to improve these processes within the healing arts boards, but to eventually work with the non-healing arts boards as well.

Ms. Kirchmeyer explained that the initiative is based on three improvements: 1) Administrative Improvements; 2) Staffing and IT Resources; and 3) Legislative Changes. As part of the Administrative Improvements, DCA created an enforcement academy to train enforcement personnel. The Department also hired a Deputy Director for Enforcement and Compliance, who met with the boards to develop the improvement plan. The Department submitted a Budget Change Proposal (BCP) requesting 138 positions for the healing arts boards. The BCP passed in the State Assembly in April and is now in the State Senate. The Department is currently working on a BCP for non-healing arts boards.

Ms. Kirchmeyer continued to explain parts of the Staffing and IT Resources area of improvement, which includes the Department’s development of a new licensing and enforcement system for all boards and bureaus called BREEZE. The BCP for this new system will be reviewed by the Assembly in May. Finally, Ms. Kirchmeyer announced that even though Senate Bill 1111, which is part of the Legislative Improvements, did not pass in the Legislature, it may be re-introduced next year.

Stephanie Landregan asked Ms. Kirchmeyer if a compilation of best practices was part of the initiative and Ms. Kirchmeyer responded that it is part of the initiative and the Enforcement Academy is also compiling a manual to assist boards and bureaus.

Ms. Landregan then asked if the Department was terminating the CAS (Consumer Affairs System). Ms. Kirchmeyer replied in the affirmative and also noted that the new BREEZE system will work for all boards and bureaus and will include all of the data that is currently captured in ATS (Applicant Tracking System) and CAS.

Ms. Landregan asked if fines could be part of the BCP for non-healing arts boards to act as a deterrent for criminal behavior and Ms. Kirchmeyer mentioned that fines are set by legislation. Doug McCauley further explained that fines are codified in regulations and statutes. He also mentioned that if fines were too high, criminals would most likely not pay the fines.

Ms. Kirchmeyer stated that the Department included in the proposed bill that died in the Legislature, SB 1111, the ability to contract with a collection agency, but since that bill failed, individual boards may try to propose legislation to allow these types of contracts in their regulations. She also stated that the Department is encouraging boards to post public disciplinary documents on their web sites, including all meeting materials.

### **C. Approve January 20-21, 2010 LATC Summary Report**

Christine Anderson commented on the discussion on page 6 of the January Summary Report regarding the lack of data to justify the combination of education and experience that result in success through licensure. Ms Anderson noted that we do have the data but have not analyzed it yet.

Mr. Bowden read a statement aloud that was to be included in the January Summary Report. The statement is as follows:

*Andy Bowden asked whether it was appropriate for pool contractors to design an entire yard as part of a pool project. Don Chang indicated that for specialty contractors, there is authority to do related work that is necessary and incidental to the specialty work for which they are licensed. As to this standard's applicability to pool contractors, Mr. Chang indicated that he would have to research the law.*

*Mr. Bowden also asked about landscape contractors using independent landscape designers to design non-exempt projects. Mr. Chang indicated that such a model might not be consistent with the law but that he would need to verify in the Contractors State License Board statutes.*

Ms. Landregan inquired about the letter to the City of Torrance regarding an interpretation of the law that prevents a landscape architect stamp on certain work. Mr. Chang commented that he does not have a copy of the letter and the LATC staff agreed to forward the letter to Mr. Chang.

- **Stephanie Landregan moved to approve the January 20-21, 2010 LATC Summary Report with the discussed changes.**
- **Christine Anderson seconded the motion.**
- **The motion carried 4-0.**

### **D. Program Manager's Report**

Mr. McCauley presented the Program Manager's Report due to the vacancy of the Program Manager position.

Mr. McCauley reviewed DCA's continuing budgetary issues, such as a strained economy and the continuation of furloughs. He also noted that all previously approved out-of-state travel requests were rescinded. Mr. McCauley stated that the LATC must conduct budget drills weekly as part of efforts to find fiscal solutions.

Mr. McCauley noted that three committee members will term out at the end of June and need to go through the reappointment process. Mr. Bowden asked if the reappointment process was led by LATC staff and Mr. McCauley replied that committee members are responsible for their own reappointments, but that he would assist them.

Mr. McCauley explained that the revised candidate and consumer publications are still in the design process and once completed, the LATC will provide the publications in print.

Mr. McCauley mentioned that the LATC has the pass rates from the December LARE exams. He explained that California's LARE pass rates are a Sunset discussion point and the LATC will only be reporting pass rates from the last four years in the upcoming Sunset Review.

Mr. McCauley mentioned that the LATC needs to be able to explain during the Sunset Review process that there are multiple paths of entry into the profession and that California is a larger and more diverse state than most other states, which may affect the pass rates.

Mr. McCauley pointed out attachment D.3, which is a chronological list of all of the actions LATC has taken in response to issues from the 2003 Sunset Review. He explained that these actions will also be part of the 2010 Sunset Review Report. Mr. McCauley addressed Issue #1 in Attachment D.3 and stated that this issue refers to the LATC's need to regulate. He explained that the LATC has demonstrated the need to license and regulate the landscape architect profession in order to protect the public and the natural environment.

Mr. McCauley continued to explain Issue #2, which addresses the experience and education components of licensing that were part of the Education Subcommittee Report. As a result of the Subcommittee's report, the LATC drafted new experience and education regulations. After meeting with the Joint Sunset Review Committee staff, Mr. McCauley was granted permission to continue with the rulemaking process to enact these new regulations.

Mr. McCauley addressed Issue #3, which recommended adding a public member to the Committee. Mr. McCauley noted that this decision lies with the Legislature and the Governor, but the Committee has effectively filled that role by requiring Board approval of all major Committee decisions and having a Board liaison attend all Committee meetings.

Mr. McCauley reviewed Issue #4, which addresses exam expenditures. He explained that this is an issue all non-healing arts boards deal with due to a lack of drug diversion programs and possible one-on-one situations that produce inappropriate contact that are more characteristic of healing arts programs. These are issues that the LATC enforcement program does not have to address, which may keep enforcement expenditures down. Mr. McCauley mentioned that contracting out the LARE and making the CSE more efficient and effective will bring down examination expenditures.

Ms. Anderson updated the Committee on the Landscape Architectural Accreditation Board's (LAAB) revised accreditation standards. Ms. Anderson noted that she has been unable to meet with Linda Gates to discuss the standards for approving certificate programs, but will try to communicate with Ms. Gates via email. Ms. Anderson also noted that she and Carmen Alexander gave an outreach presentation at UC Berkeley on April 22, 2010, which went very well.

Ms. Landregan noted on page 5 of the Program Manager's Report that the date for Ms. Gate's presentation at Merritt College needs to be included. She also stated that she would like the current committee members to be as involved as possible in these types of outreach efforts.

Ms. Landregan also pointed out that she would like the name of the publication added to the reference on page 6, paragraph 4, of the Program Manager's Report. She also asked LATC staff to include the current status of the regulations that were approved by the Board at their last meeting, as mentioned on page 8 of the Program Manager's Report. Mr. Chang noted that the regulations are not likely to go in affect for another 9-12 months.

Ms. Landregan asked that the CSE (California Supplemental Exam) section of the Program Manager's report be updated because it is a high priority. Mr. McCauley stated that the Office of Professional Examination Services (OPES) has first right of refusal on all exam-related work and they are currently in the process of drafting an inter-agency agreement with LATC to develop one new version of the CSE.

Ms. Landregan asked the LATC staff to highlight new information added to the Sunset Review Actions document (Attachment D.3) so that the Committee's progress stands out.

Mr. Bowden read aloud comments from Dick Zweifel, Chair of LATC's Education Subcommittee, who was not present at the meeting:

*Given the new task analysis scheduled for CLARB, I believe it would be valuable to look into the future possibility of "mining" information/data received from California participants in order to help validate/study the relevance of the California Exam. This is a potential opportunity that only comes around every 5-6 years. Mary Ann had previously identified that it would be possible to provide more potential survey contacts if the LATC's email data base was updated. She had suggested that the data entry to do this could be accomplished with "interns" between now and sometime in the summer. The question would be to determine if this coincides with CLARB's schedule.*

Ms. Landregan stated that the Council of Landscape Architectural Registration Boards (CLARB) is planning on doing the analysis in January and it is important to make it a high priority.

Ms. Landregan pointed out that there are no LATC Committee members on CLARB's Nominating Committee because they already have three Western District V members on the Committee.

Ms. Anderson agreed with Ms. Landregan that this issue is a high priority and the LATC needs to collect and understand information that pertains to the differences between the LARE (Landscape Architect Registration Exam) and the CSE.

Mr. McCauley pointed out that there is an opportunity with the occupational analysis to prevent duplicity between the two exams and he will check to see if OPES can test this at the micro level.

Ms. Landregan suggested creating an exit survey for the CSE to ask whether or not the candidate feels better prepared to practice in California after taking the exam.

Ms. Anderson mentioned CLARB's task analysis and the need for California landscape architects to participate in the process due to the large number of landscape architects in

California. Ms. Anderson stated that she contacted CLARB regarding how landscape architects can volunteer to act as Subject Matter Experts for the task analysis, but she did not get a sufficient response.

Committee members further discussed how to get California landscape architects to volunteer for the CLARB task analysis. Mr. Bowden suggested the professional organizations could contact their members and Baxter Miller said CCASLA could post information about volunteering on their web site.

David Taylor and Ms. Alexander confirmed their student presentation at Cal Poly, San Luis Obispo, on May 13<sup>th</sup>.

Mr. Bowden asked for an update on the ATS system and Mr. McCauley replied that he did not have an update on ATS at this time, but with the new BREEZE system in development, the ATS system might change. Mr. Bowden commented that the question always comes up regarding pass rates and the Sunset Review issue and it is important to have data that explains the low pass rates during Sunset Review.

Ms. Landregan pointed out that she had asked for the total number of LARE candidates to be included in the pass rates report. She would like to be able to see if those with degrees have higher pass rates because the determinants of success analysis performed by CLARB will not show the affects of California requirements. She mentioned that the last Sunset Review asked the LATC to increase access to licensure and raise the LARE pass rates, however, one does not exactly lead to the other. Ms. Landregan pointed out that the LATC can show increased access but not increased test scores. She noted that it is not evident that the two are linked or that increased access has helped to increase scores.

Ms. Anderson stated that the Committee cannot address exam scores without the data to see how to increase scores. She mentioned that the information collected needs to be specific, such as the type of education and experience completed. Ms. Anderson commented that the LATC first started with an Access database, but then had to use new systems, such as ATS and CAS, which has caused the information to get scrambled. She suggested that the LATC should keep using the same system it has always used.

Ms. Landregan commented that the data needs to be ready for Sunset Review and Mr. Bowden mentioned that the Committee needs to see the data first.

Ms. Alexander clarified Ms. Landregan's question regarding the LARE data report. She mentioned that CLARB does not provide the number of total candidates. Ms. Landregan asked Ms. Anderson if she could get this information from CLARB and Ms. Anderson said yes.

Vickie Mayer stated that the LATC needs to clarify the data collection system with Ms. Aguayo. She mentioned that the LATC's student assistant has been working on data input, but she needs to clarify the status of this project. Ms. Mayer asked whether or not the recent changes in the requirements would be reflected in the current data and LATC staff clarified that there have not yet been any changes in the requirements. Mr. McCauley also clarified that the data of interest will only reflect the last four years. Ms. Landregan pointed out that the LATC should consider when the last KSA (Knowledge, Skills, and Abilities) circuit was done to flag any changes in the

exam. Mr. Bowden stated that the main goal of the data analysis is to see if there are any explanations as to why the California pass rates are lower than the national pass rates.

The Committee further discussed the chances of one individual significantly affecting the pass rates and Mr. Bowden explained that the difference between the California pass rates and the national pass rates is so large in some cases, that one individual could not significantly affect the results. Ms. Anderson suggested that the data may be too difficult to analyze due to the large number of factors that affect the pass rates. Ms. Anderson mentioned the importance to have data in order to track changes in regulations that may affect test scores.

Mr. Bowden pointed out that in 2007, California pass rates exceeded the national pass rate in four out of five categories and Ms. Landregan explained that this was due to the fact that the first exam was lost and a second test was administered.

Ms. Landregan mentioned that there are two new landscape architecture schools in San Diego and asked the Committee what the process is when there are new landscape architecture schools. She stated that one of the schools is called *New School of Architecture and Design* and she could not recall the name of the other school. Mr. McCauley suggested sending the schools a letter and Ms. Alexander mentioned that New School's Master of Landscape Architecture program will not commence until the fall.

#### **G. Review and Approve July 1, 2010 through June 30, 2011 Draft Strategic and Communications Plans**

The LATC and staff discussed and made edits to the July 1, 2010 through June 30, 2011 Draft Strategic and Communications Action Plan. Mr. McCauley pointed out that due to the LATC and CAB being in the midst of Sunset Review, the Committee should focus on the most critical issues in the plan and consider pushing out the non-critical items. The Committee proceeded to review the strategic plan objectives and adjust target dates, as necessary. The Committee extended the Strategic Plan timeline for the Professional Qualifications objective to update California Code of Regulations (CCR) 2620.5, Requirements for an Approved Extension Certificate Program, to reflect the LAAB's new criteria. The Committee also discussed the need to extend the Extension Certificate Program reviews until the amendments to CCR 2620.5 are finalized.

- **Stephanie Landregan moved to approve the July 1, 2010 through June 30, 2011 Draft Strategic and Communications Action Plan as amended.**
- **Christine Anderson seconded the motion.**
- **The motion carried 4-0.**

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

Ms. Anderson presented an update on the CLARB Spring meeting. She stated that the meeting focused on the national budget issues and the participants proposed conducting more virtual meetings. She mentioned that CLARB's exam turnout projections were actually lower than actual turnout, which is believed to be due to the current economic conditions that may be inducing more people to seek licensure. CLARB is also currently in the process of red-line reviews and is asking for a volunteer committee.

Ms. Anderson described CLARB's task analysis that is currently underway. There are three phases of the analysis. The first phase is exploratory data analysis, which looks at the perceptions of the profession. The first phase has been completed and Ms. Anderson suggested asking CLARB to provide the Committee with a report on the results of the first phase.

Ms. Anderson stated that the first phase showed that the perception of the exam is that it is difficult, but CLARB found that the definition of minimum competency is valid and the cut score is valid, therefore, the perception is faulty. Phase one found that the exam failure is in the ability of takers to grasp the content of the exam. Phase one found that the ability of the test takers is actually higher than what is being tested.

Ms. Anderson described the results of several sections of the exam. Higher scoring candidates are failing on the item analysis questions in Section A because they are reading too much into a simple question. Candidate performance on Section B of the exam shows that those candidates without construction drawing experience are actually performing better than those with construction drawing experience. Candidates that work under an architect perform better on Section D than candidates that are supervised by a landscape architect.

Ms. Anderson mentioned that CLARB believes the first three phases of the task analysis will take approximately 1 ½ years, which leaves another 16-17 months until the entire analysis is complete. Ms. Anderson also stated that CLARB is trying to increase the number of exam candidates by increasing outreach efforts through online social network groups, such as Facebook and Twitter.

Ms. Anderson provided an overview of the Region V meeting. She stated that Laura Alanzo, President of the Landscape Architecture Society of Mexico, attended the meeting and discussed the possibility of using the LARE for landscape architecture candidates in Mexico. Region V decided to unofficially adopt Ms. Alanzo as a member of CLARB. Ms. Alanzo also stated at the meeting that the Landscape Architecture Society of Mexico will be having a conference in Ensenada in 2011 and encourages all Border States to attend the conference.

Ms. Anderson mentioned that the Region V meeting also discussed defining welfare as part of the task analysis, promoting the profession through web-based social networks, and the scope of practice as it relates to landscape architects, architects, and civil engineers. Ms. Anderson stated that CLARB would like to assist boards with the scope of practice issue and would like boards to provide them with case studies for review.

Mr. Bowden asked Ms. Anderson to describe the definitions of welfare that came up in the meeting. Ms. Anderson responded that there is a US Supreme Court decision. Ms. Anderson stated that the meeting participants were interested in which areas of practice were affected by the definition of welfare. Mr. McCauley mentioned that the welfare definition sounds like a similar case. Mr. McCauley noted that NCARB did some research on the case and CAB agendized the issue, which only resulted in the Sunset Review Committee asking CAB to justify their attention to the issue. He explained that public welfare is a broadly defined issue that is regulated through mechanisms other than licensure.

Ms. Alexander asked if the issue of exam cost was brought up at the meeting and Ms. Anderson responded that the issue was not discussed at the meeting but that Berkeley students at the outreach presentation were not happy about the cost of the exam. Ms. Alexander also noted that

CLARB increased the cost of the exam and added a new test site. Ms. Anderson agreed that the cost of the exam should be discussed at the next Region V meeting because it is an important issue for students. Ms. Landregan asked if any other states subsidize the exam costs and what other states are charging for the exam. Ms. Landregan pointed out that California used to subsidize the exam and thinks it would be helpful if CLARB shared that information with the Committee.

#### **F. Update on July 1, 2009 through June 30, 2010 Strategic Action Plan**

The Committee did not have any comments on this item.

#### **I. Discussion with University of Southern California Faculty on Current Activities**

Members of the USC faculty introduced themselves and provided some background on their roles within the landscape architecture program at USC. Bob Harris commenced the discussion with an introduction of the landscape architecture program at USC. He commented that USC has numerous graduate programs but the USC School of Architecture is not compartmentalized into separate departments. As the Director of the Master of Landscape Architecture Programs, Mr. Harris reports directly to the Dean of the School.

Mr. Harris provided additional background information on the School's Landscape Architecture Program. The landscape architecture program was first developed as a post-professional degree in 1983. In the last few years, Mr. Harris has expanded the program and developed the School's first professional degree program, which includes three separate curriculum based on the degree of the entering student. The new program was immediately designed for accreditation and also includes a candidacy status for students in line to be a licensed landscape architect candidate. The first class will be graduating this spring and the LAAB will be visiting the school in the fall to determine accreditation eligibility. Mr. Harris described the School's Graduate Certificate in Landscape Architecture as a supplement for students from other schools pursuing related degrees. The School also offers a dual degree for students seeking a Masters in Landscape Architecture and a Masters in Landscape Planning, which requires independent admission into each program. Mr. Harris stated that the school started a new program this year called "Distinguished Visitors in Landscape Architecture" that will continue every semester. The goal of the program is to enrich the school's landscape architecture program and to have the distinguished visitors, who are practicing landscape architects from all over California, to take back with them knowledge of Los Angeles and the USC program. Mr. Harris announced that USC will be hosting the Council of Educators in Landscape Architecture 2010-11 Annual Meeting. Mr. Harris described the program's course structure, which is divided into three separate groups, as outlined in the handout provided to the Committee.

Ms. Landregan gave an update on her student presentation at USC and discussed how USC could coordinate student presentations provided by Committee members.

Mr. Taylor asked the USC faculty how many MLA applicants enrolled each year and Mr. Harris responded that the school received approximately 45-50 applications this last year. Mr. Taylor then asked how many applicants are seeking a mid-life career change and Mr. Harris responded that he does not have that number because those types of students are part of the 3-year program, which is still in its first year of implementation. Mr. Harris also commented that there are a

number of inquiries from people thinking about changing careers and he interviewed approximately five of these individuals for next year's class.

Mr. Bowden asked how many USC faculty members are licensed landscape architects and Mr. Harris responded that approximately 50-60% of the faculty is licensed. Mr. Harris also commented that this high number of licensed faculty members is a result of rebuilding the program and taking advantage of all of the licensed professionals in the city.

Mr. Bowden asked the faculty members if they promote licensure in the program and Mr. Harris responded that faculty members advocate for all students to take the national licensing exam as soon as possible and faculty also try to educate students who have been in the profession for a while but have not taken the exam about why licensure is important. Mr. Harris noted that he has seen many students with the knowledge to take the exam but lack the education and/or experience to qualify. Mr. Bowden stated that he has visited schools that do not promote licensure and the faculty at those schools said that their students go into other fields. The USC faculty members discussed their views of the licensed profession, which they see as an opportunity for active engagement in the profession and many students also seem excited to begin practicing in the field.

Mr. Bowden explained that one reason asking faculty questions about their programs is part of an effort to analyze the historical passage rates of the LARE. He further explained that California scores are typically lower than national scores and the Committee is researching what is being taught in schools and how it relates to the pass rates. He pointed out that Section B of the LARE is almost always a double digit percentage below the national pass rate and the Committee is trying to figure out if this is due to the exam subject matter not being a high focus in schools. Mr. Bowden stated that as a practitioner, he wants to know if the knowledge required for licensure is not being taught in school. He would like to know if schools are aware of the material covered on the exam compared as it compares to the material covered in the academic program.

Ms. Landregan reviewed the title of each LARE section and commented that there are multiple pathways for exam eligibility and it is important for faculty to know when the LATC changes these requirements or the profession's regulations so that the students in turn are aware of these changes. Ms. Landregan explained that the Committee is in the process of proposing regulations that would allow a student to take the multiple choice sections of the exam immediately after the student receives his or her degree and it is important for schools to communicate these types of changes to students.

Ms. Landregan explained to the USC faculty the role of the American Society of Landscape Architects and CLARB in creating the exam content and the test preparation resources that are available to students, such as free vignettes offered to students by CLARB.

Ms. Landregan further explained that the reason for the proposed regulatory change to allow students to take sections of the exam right after they receive their degree is due to the fact that other states with higher pass rates on certain sections allow students to take these sections immediately after receiving a degree, so the Committee decided to also adopt this requirement.

Mr. Bowden stated that he would like schools to be more aware of LATC's role and function and California's pass rates in order to evaluate the school's program in comparison to the exam pass

rates. Mr. Bowden said the central question he would like schools to ask is, “Are people from our school passing the exam?”

Mr. Bowden and USC faculty continued to discuss the issues surrounding the content covered in school and the knowledge gained in the field and how that relationship may affect test takers. Mr. Bowden explained that not every student gets the same experience in the field, so material not covered in school or in the field will make those sections of the exam more difficult for the student to pass.

Mr. Harris described several courses offered by the USC program: 1) Landscape Architecture Practice; 2) Construction Methods; and 3) Landscape Planning Process. He explained that these types of courses are meant to ensure the studios are comprehensive.

Mr. Bowden asked the faculty if they promote public health, safety, and welfare in student projects and the faculty responded that they do and that this is absolutely necessary.

Ms. Landregan asked the faculty if they have a lot of international students and if so, if the students are aware of the international candidate requirements. Mr. Harris responded that their program does include international students and they provide resource materials on these requirements in the libraries. Mr. Harris stated that he believes approximately 50% of the students are international and once their program is accredited, they will recruit more domestic students. The faculty commented on California’s reputation as the gold standard for licensure requirements and Ms. Landregan noted that California offers more venues to licensure than most other states.

Ms. Anderson asked the faculty which elective courses students are allowed to take and Mr. Harris responded that that depends on whether or not the elective is related to the student’s specific interests. He noted that the electives chosen are typically in the Geography Department, the Center for Sustainability, or planning in real estate development. He also said that students from other programs elect to take the landscape architecture courses as well. Ms. Anderson commented that the crossover between programs is important to expand students’ horizons.

Ms. Landregan asked Mr. Harris how many students are graduating this year and Mr. Harris replied that 8 students are graduating this year and he expects 12 students to graduate next year.

## **H. Presentation of the 2010 LATC Volunteer Recognition Award**

Agenda Item H was postponed until the next Committee Meeting due to the absence of the award’s recipient, Linda Gates.

## **J. Education Subcommittee**

- 1. Review and Accept December 14, 2009 Meeting Summary Report**
- 2. Review and Approve Identified Action Items**

Mr. Bowden read Mr. Zweifel’s comments on Agenda Item J, as follows:

*Reference to: Items 2, 3 and 4*

*Perhaps the committee could discuss formalizing a “charge” to the Education Sub-*

*Committee to continue working on these 3 items (tracking pass-rate data, criteria for Community College curriculum and licensure Guidelines for candidates/practitioners) per the Strategic plan. Schedule another Education Committee meeting in the next 3-4 months?*

Ms. Landregan concurred with Mr. Zweifel's comments. Mr. McCauley commented that this issue should be a Strategic Plan objective and noted that the Committee discussed not taking on any major new policy objectives in the short term. Mr. McCauley also noted, in response to Mr. Zweifel's comments, that the Committee is already working on the pass rate data analysis; the Committee decided not to currently engage the associate degree issue; and the issue regarding the guidelines for candidates and practitioners was not part of the plan any more and it might be a good idea to consider it next year in view of the data and knowledge the Committee will have going into the Sunset Review.

Committee members discussed charging the Education Subcommittee with Item number 2 identified in the Education Subcommittee's Action Plan Items discussed at the Subcommittee's December 14, 2009, meeting. Ms. Landregan asked how the pass rate data is being captured and Mr. McCauley said that he would look into how the database was set up and will report back to the Committee. Ms. Anderson asked if staff should report the results of the data analysis to Mr. Zweifel so he can then report to the Education Subcommittee and Mr. Bowden responded that he believes it would be more appropriate for staff to report to Ms. Anderson and then Ms. Anderson can report to Mr. Zweifel.

Ms. Landregan asked if the Committee should vote to approve the Education Subcommittee's December 14, 2009, meeting minutes and Mr. Bowden responded that the Committee cannot amend or approve the Education Subcommittee meeting minutes.

#### **K. Update on the Sunset Review Process and Develop 2010 Plan of Action**

Mr. McCauley presented Agenda Item K and reported to the Committee on the Sunset Review process and development of the Sunset Review Report. He explained that the Sunset Review hearing is in December and the Committee will submit its report prior to the hearing, which includes all data requested by the Joint Legislative Sunset Review Committee (JLSRC). He further explained that the hearing in December is the JLSRC's opportunity to respond to the Committee's report. Mr. McCauley explained that the Committee will get questions back from the JLSRC at three different times: 1) the initial set of questions; 2) 3 weeks prior to the hearing; and 3) feedback from the Department of Consumer Affairs.

Ms. Anderson asked if there was anything in particular that required the attention of the Committee. Mr. McCauley responded that some structural issues were brought up when he met with the JLSRC but these issues have since been addressed. He said that he asked the JLSRC about proceeding with the Committee's proposed regulatory changes to the experience and education requirements and the JLSRC said it was okay for the LATC to proceed.

Mr. McCauley asked which Committee members would like to sit on the Sunset Review Subcommittee and Ms. Landregan agreed to sit on the Subcommittee and also stated that Dennis Otsuji may also be willing to sit on the Subcommittee.

Mr. McCauley commented that LATC needs to be aligned with CAB's timeline, but slightly delayed. He stated that the goal is to have a first draft of the Sunset Report ready by July. This

would require moving the Committee meeting scheduled for October to September in order to meet before the Sunset Report is due. The LATC's Sunset Report needs to be approved by the Committee and the Board before submittal to the JLSRC. Mr. McCauley informed the Committee that he has created a mentorship program for the staff, so that CAB staff is working with their LATC counterpart on the Sunset Report.

Mr. Bowden asked if there was anything the CCASLA representative could do to assist with the Sunset Review process. Mr. McCauley responded that the LATC staff does not need assistance with writing the report but would benefit from CCASLA's support at the end of the process. Ms. Landregan noted that CCASLA is sending out a survey to its members and the LATC may want to add information to the survey to gather data for Sunset Review. Mr. Miller commented that the survey is supposed to be sent out in May. Ms. Landregan asked Mr. Miller if he would be willing to share the data with Mr. McCauley and Mr. Miller replied, "Yes because the goal of the survey is to keep licensed landscape architects informed of critical issues."

Mr. McCauley reported that staff has already begun putting data together for the Sunset Report. Mr. Bowden asked Ms. Landregan to confirm with Mr. Otsuji that he is willing to sit on the Sunset Review Subcommittee. Mr. McCauley noted that it would be advantageous to only have a two-member Sunset Review Subcommittee and Mr. Chang concurred.

### **Public Comment Session Re-opened**

Mr. Bowden re-opened the public comment session in order to allow the guests from APLD to speak to the Committee.

Pamela Berstler expressed concern regarding the relationship between the landscape architect community and the landscape design community. She commented that she believes these two communities are not cooperating and are becoming more divisive. Ms. Berstler continued to comment on the affect of California's worsening economy on landscaping issues. She stated that government agencies, the Department of Water Resources, the California landscape architect community, and the landscape designer community working alone do not have the resources to educate residential property owners on these landscape issues or to create specific design and implementation solutions to solve these issues. She explained that these groups need to work together and landscape designers are in a unique position to educate and motivate residential property owners to embrace the landscape paradigm shift necessary to get California back on track. APLD is taking a lead role in what it means to be a landscape designer professional in the state of California. APLD looks forward to working with LATC and other design bodies to develop a more realistic scope of practice that will truly be for the public good.

Ms. Berstler conveyed concern regarding how the Landscape Architects Practice Act was being enforced against their members, particularly as it relates to posting photographs of completed projects, lighting plans, and hardscape plans.

In addition, Ms. Berstler discussed APLD's efforts to look into a pathway to licensure for landscape designers. Ms. Berstler presented APLD's findings. The APLD found that currently, no other states license landscape designers. However, the APLD found that many state codes outline landscape design as a profession. APLD found several definitions of landscape design that they believe are better definitions of the landscape design profession. Ms. Berstler read the definition from Vermont, which refers to landscape designers as an exclusion: "This chapter

shall not be construed to limit or restrict in any manner the right of a practitioner of another profession or occupation from carrying on in the usual manner any of the functions of that profession or occupation as their experience, education, and training allow them to practice, including the professions of landscape design, garden design, planning, forestry, and forestry management.” Ms. Berstler commented that the code is simple and allows landscape designers to practice their profession.

Ms. Berstler explained North Carolina’s code, where non-landscape architects are permitted to: engage in the occupation of grading lands, whether by hand, tool, or machinery; plant maintaining, market plants, plant materials, draft plans or specifications related to the location of plants on site; prepare, settle, or furnish plan specifications and related data or supervise construction pursuing them to, when the project involved is a single family residential site, or a residential, institutional, commercial site of one acre or less, or the project involved is more than one acre where only planting and mulching are required.

Ms. Berstler then described Washington State’s code: landscape designers are permitted to prepare construction documents, including planting plans, landscape material, and other horticultural materials. Ms. Berstler commented that the Landscape Architecture Practice Act is not supposed to be interpreted to prohibit landscape design on residential properties or the design of irrigation systems. She mentioned that the APLD in California is trying to bring in the idea that we are facing a crisis in California and residential design is really where landscape designers are experts. Ms. Berstler stated that APLD would like to make a plea that as they move forward to better define the practice of design and landscape architecture in California that they carefully consider the role of the landscape designer, especially in the residential design sector.

Ms. Landregan pointed out that Vermont does not have a landscape license, which is why there are some grandfather experiences there. She noted that California has one of the older license laws and Washington’s license law is brand new. Ms. Landregan agreed with Ms. Berstler’s comments that the LATC, APLD and other landscape groups need to work together to better define the profession so that landscape designers are not left with a big gray area, so that everyone can do their work together. Ms. Landregan reiterated that Vermont and Washington’s codes are very inclusive because they are so new. Ms. Landregan also noted that Vermont, North Carolina and Washington do not license landscape contractors, which results in less regulation in all three states.

Ms. Berstler agreed with Ms. Landregan’s comments and stated that a key to this issue is how the landscape architecture program at USC incorporates the thinking of landscape architecture and design as being central to the solutions of how we are going to live in the next century. Ms. Berstler commented that as inclusive as that idea of landscape architecture and design is, we need to also be thinking inclusively about what are the components of landscape design and landscape architecture and if all of the educational components, licensure, experience, and actual practice issues are the same for all the different ways landscape architecture can be practiced. For example, are landscape designers experts and can they prove to be experts? Is there a way for them to demonstrate to the state of California that they are experts in working with residential properties, water conservation, and storm water pollution prevention for residential properties? Ms. Berstler stated that education plays a central role in bringing the public into the understanding that we really have to change things. She explained that this is where APLD is feeling that there is a disconnection between the enforcement action process and the way landscape designers practice. She stated that APLD is seeking a better understanding on both

sides of that role and how it doesn't really conflict with the role of the landscape architect but actually enhances it. Ms. Berstler posed the question, how do we move in a direction that makes it better for everybody?

Joni Wilson explained that APLD has a certification program, which is the only national avenue that the APLD has to certification, and those with this certification have met specific requirements. Mr. Bowden asked what the requirements for certification are and Ms. Wilson replied that in order to receive this certification, a landscape designer has to: 1) be an active practitioner for four years; 2) provide a base plan, a master plan, and a planting plan, which includes construction detail drawings and perspectives, and show that these plans are appropriate to the site.

Mr. Chang stated that at this point, the conversation was reaching beyond public comment and should be an agenda item if further discussion is desired.

#### **L. Enforcement Program Update**

- 1. Overview of Enforcement Legislation**
- 2. Review of Enforcement Improvement Plan**

Mr. McCauley noted that most of this information was covered in the DCA Director's Report, such as the enforcement improvement initiative and the non-healing arts boards legislation, which was not approved by the Legislature.

Mr. Bowden asked about the reference to Board Member training at the end of CAB's Enforcement Improvement Plan (Attachment L.4). Mr. McCauley explained that this training is provided to Board members at meetings, where staff will present a specific component of the enforcement process. Mr. McCauley noted that this type of training can be replicated for LATC members. Mr. McCauley then clarified that this Board member training is different than the DCA-sponsored Board member training being held on July 27<sup>th</sup>. Ms. Landregan asked what would be covered at the DCA Board member training on July 27<sup>th</sup> and Ms. Kirchmeyer responded that the training will cover Board members' regulatory roles and other enforcement related processes, such as enforcement performance measures.

#### **M. Review and Approve Recommended Changes to California Code of Regulations (CCR) New Section (unnumbered) Defining/Clarifying Business and Professions Code Section 5641, Chapter Exceptions, Exemptions**

Ms. Landregan asked about references to the term "tangible objects" and Mr. Chang responded that this term is referenced in many other practice acts across the country.

Ms. Landregan requested that the review and approval of a new CCR section be postponed until she has conducted further research on the definition of "tangible objects".

- **Stephanie Landregan moved to postpone Agenda Item M until further research has been conducted.**
- **David Taylor seconded the motion.**
- **The motion carried 4-0.**

**N. Elect Officers for July 1, 2010 through June 30, 2011**

- **Christine Anderson moved to elect Stephanie Landregan as Chair of the Landscape Architects Technical Committee.**
- **The motion carried 4-0.**
  
- **Stephanie Landregan moved to elect Christine Anderson as Vice-Chair of the Landscape Architects Technical Committee.**
- **The motion carried 4-0.**

**O. Review Tentative Schedule and Confirm Future LATC Meeting Dates**

The LATC meeting tentatively scheduled for July 23, 2010, in Sacramento, CA, was tentatively rescheduled to July 26, 2010 and the LATC meeting tentatively scheduled for October 22, 2010, was tentatively rescheduled to September 1, 2010, in Sacramento, CA, in order to allow the Committee sufficient time to review and approve the 2010 Sunset Review Report and allow time for the Board's approval before the report is due to the Legislature in October, 2010.

**Adjourn**

- **Stephanie Landregan moved to adjourn.**
- **Christine Anderson seconded the motion.**
- **The motion carried 4-0**

The meeting adjourned at 3:00 p.m.