

SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee

November 7, 2013
Sacramento, California
&

Various Teleconference Locations

Landscape Architects Technical Committee (LATC) Members Present

Stephanie Landregan, Chair (via teleconference)
Andrew Bowden, Vice Chair (via teleconference)
Nicki Johnson
Katherine Spitz (arrived at 10:16 a.m. via teleconference)
David Allan Taylor, Jr. (via teleconference)

California Architects Board (Board) Member Present

Fermin Villegas, Board Liaison

Staff Present

Doug McCauley, Executive Officer, Board
Vickie Mayer, Assistant Executive Officer, Board
Gary Duke, Legal Counsel, Department of Consumer Affairs (DCA)
Rebecca Bon, Legal Counsel, DCA
Trish Rodriguez, Program Manager, LATC
John Keidel, Special Projects Coordinator, LATC
Gretchen Kjose, Examination Coordinator, LATC
Matthew McKinney, Enforcement Officer, LATC

Guests Present

David Binsacca, University of San Diego Center for Public Interest Law (via teleconference)
Pamela Galera, California Council/American Society of Landscape Architects (ASLA), Southern California Chapter ASLA (via teleconference)
Amelia Lima, Association of Professional Landscape Designers, San Diego (via teleconference)

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

Chair Stephanie Landregan called the meeting to order at 10:10 a.m. and Andrew Bowden called the roll. Four members of LATC were present, thus a quorum was established.

H.* Election of LATC Officers for Fiscal Year 2013/2014

Ms. Landregan directed the Committee to hold the election of LATC officers to allow the new Chair and Vice Chair to assume their respective duties for the remainder of the meeting. She asked the members to submit nominations for Chair, and both Mr. Bowden and David Allan Taylor, Jr. nominated themselves for the position. Ms. Landregan then asked the members to cast their votes for Chair, and the voting resulted in a tie with two votes for each candidate. Due to the tied vote, Ms. Landregan directed the Committee to return to Agenda Item A to address the Public Comment Session, allowing time for member Katherine Spitz to arrive to cast the deciding vote for Chair, as well as conduct the vote for Vice Chair.

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

Chair’s Remarks

Public Comment Session

Ms. Landregan called for public comment and the Committee members introduced the public present at their respective teleconference locations. Gary Duke introduced Rebecca Bon as the new DCA Legal Office Counsel for LATC, succeeding Don Chang. Trish Rodriguez introduced Gretchen Kjose as a newly hired retired annuitant who will temporarily fill the Examination Coordinator position. Ms. Rodriguez noted that Ms. Kjose was a former LATC Program Manager and the Committee welcomed Ms. Kjose back to the LATC.

Ms. Landregan introduced Attachment A, a letter from Matthew Collar, requesting the LATC to consider his experience as a “B - General Contractor” for training credit towards taking the Landscape Architects Registration Examination (LARE). Mr. Duke reminded the members that no action on the requests mentioned in Mr. Collar’s letter could be made at today’s meeting. He said that the topics mentioned in Mr. Collar’s letter call into question several scope of practice issues, and recommended the Committee defer the letter to Ms. Bon for a response. Doug McCauley suggested the letter could be addressed as an agenda item at a future meeting, or during the next Strategic Planning session. Ms. Landregan requested a legal opinion from Ms. Bon responding to Mr. Collar’s letter and to have the legal opinion presented to the Committee at the January 16, 2014 meeting.

H.* Election of LATC Officers for Fiscal Year 2013/2014

Ms. Landregan noted that Ms. Spitz arrived to the meeting at 10:16 a.m. and directed the Committee to return to Agenda Item H to complete the election of LATC officers. Ms. Spitz cast her vote for Mr. Bowden as Chair, resulting in three votes for Mr. Bowden and two votes for Mr. Taylor. Ms. Landregan then asked the members to cast their votes for Vice Chair, and the members unanimously voted for Mr. Taylor.

- **Katherine Spitz made a motion to ratify the elections of Andrew Bowden as LATC Chair and David Allan Taylor, Jr. as LATC Vice Chair.**

Nicki Johnson seconded the motion.

The motion carried 5-0.

Mr. Bowden assumed Chair duties and Mr. Taylor assumed Vice Chair duties.

B. Approve August 20, 2013 LATC Summary Report

Mr. Bowden called for comments on the August 20, 2013 LATC Summary Report.

Ms. Rodriguez noted that on page five of the Summary Report under Agenda Item D, the phrase “he said that the CSE [California Supplemental Examination] is updated approximately every six years for currency,” should instead read, “he said that the OA [occupational analysis] is updated approximately every six years for currency.” Additionally, Ms. Johnson noted that Fermin Villegas should be added as being present on page one.

The Committee concurred with both suggested revisions.

- **Stephanie Landregan moved to approve the August 20, 2013 LATC Summary Report with the corrections on pages one and five, as noted.**

David Allan Taylor, Jr. seconded the motion.

The motion carried 4-0-1 (Katherine Spitz abstained).

C. Program Manager’s Report

Ms. Rodriguez presented the Program Manager’s Report. She informed the members that Release 1 of the BreEZe project was implemented on October 9, 2013, and a BreEZe update is tentatively scheduled for the January 16, 2014 LATC meeting. She stated that staff continue to work on the negative budget change proposal to reduce LATC’s spending authority by \$200,000, and she anticipates having a budget update for the Committee at the next meeting. She shared that outreach presentations are scheduled at the University of Southern California in November 2013, and staff will continue to contact schools to schedule presentations. She updated the Committee on recent rulemaking activity, explaining that at the September 12, 2013 Board meeting, the Board approved the proposed amendments to California Code of Regulations (CCR) section 2610 (Application for Examination), and the regulatory package is being prepared to submit to the Office of Administrative Law (OAL). She also said that a new regulatory package to amend CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) is being prepared by staff. She added that, at the September 12, 2013 Board meeting, the proposed amendments to CCR section 2649 (Fees) were approved by the Board, and noted that these amendments would temporarily reduce license renewal fees from \$400 to \$220 from July 1, 2015 through June 30, 2017, once adopted by OAL. She informed the Committee that the frequently asked questions on the LATC website were recently updated, and encouraged the members to review them. She said that the August 2013 LARE administration results were released in October 2013, and staff continue to process applications for the upcoming December LARE administration. She updated the members on the status of the OA, stating that a survey was recently distributed to licensees and the completed surveys are being collected. She explained that, once the OA survey data is tabulated, it will be used in several upcoming OA workshops and the final validation report will be provided to the LATC. She updated the members on enforcement efforts, noting that staff continue to work towards reducing the pending enforcement caseload. She concluded her report by noting that a proposed timeline for the processing of the rulemaking file for CCR section 2620.5 is attached to the meeting packet.

Ms. Landregan asked if the recent approvals of both the University of California (UC) Berkeley and the UC Los Angeles (UCLA) Extension Certificate Programs would be affected by the resubmission of the rulemaking file for CCR section 2620.5. Ms. Rodriguez responded that both

extension certificate programs were recently approved based on existing law, and the resubmission of this rulemaking file should not affect the programs' approvals. Mr. Bowden asked if the dates and milestones listed on the proposed timeline are subject to change. John Keidel responded that the dates and milestones on the timeline are estimates based on typical review timeframes, and actual dates may vary. Ms. Spitz commented that the public may perceive the rulemaking file is being processed slowly and asked if the process could be expedited. Mr. McCauley responded that the rulemaking file may be processed faster than indicated on the proposed timeline; however, rulemaking amendments are a sequential process, and each of the control agencies required to review the rulemaking file have a stipulated timeframe in which to conduct their reviews. He summarized that the rulemaking process can take a substantial amount of time and the attached timeline provides realistic expectations. Ms. Rodriguez noted that both extension certificate programs are approved through 2020, meaning that there is ample time remaining to process the proposed amendments to CCR section 2620.5 before the programs will be due for another site review by the LATC. The Committee thanked Ms. Rodriguez for her presentation.

D. Report on Council of Landscape Architectural Registration Boards Election Results

Ms. Landregan provided an update on the recent Council of Landscape Architectural Registration Boards (CLARB) elections. She announced that she was elected CLARB President and former LATC member Christine Anderson was elected CLARB Treasurer, and noted California as having a significant presence on the CLARB Board of Directors (BOD). She commented that it is beneficial for California to have a strong presence on the BOD because the majority of landscape architects in the United States are licensed in California. She also noted that Karen Kiest was elected CLARB Region V Director, succeeding Ms. Anderson. She commended Ms. Anderson for her performance during her tenure as Region V Director.

Ms. Landregan continued her update by reporting that LATC participated in the 2013 CLARB Annual Meeting via teleconference. She recalled that, at the meeting, the Council on Licensure, Enforcement and Regulation (CLEAR) provided a very informative presentation that addressed how licensing boards can be effective. She noted that the CLEAR presentation received the highest rated reviews of any presentation ever given at a CLARB meeting, and she expressed strong interest in having CLEAR provide the same presentation to the LATC and the Board.

Mr. Bowden called attention to the August 2013 LARE Section 4 results listed in Attachment D.3, highlighting that California had a 71% pass rate versus the national pass rate of 55%. He commented that California examinees are performing well on Section 4 and hopes that other sections of the LARE have similar pass rates in the future. Ms. Landregan suggested that the Committee share LARE pass rate information with California landscape architecture educational programs, and notify them that California is behind the national average on Section 1 and 2. She explained that the topics covered in Section 1 and 2 of the LARE should be taught during classroom instruction, and suggested LATC request the assistance of educational programs in improving instruction for these sections. Mr. Bowden concurred with Ms. Landregan's suggestion, and asked Ms. Rodriguez how the LATC could communicate such information to California schools. Ms. Rodriguez agreed that staff could prepare a letter to schools per Ms. Landregan's suggestion, and noted that such a letter could also serve as a reminder to the schools of the mission and purpose of LATC. Additionally, Ms. Rodriguez suggested that LARE pass rate information could be included in future outreach PowerPoint presentations. Ms. Landregan recommended that the LATC Chair sign the letter to the schools, and Mr. Bowden agreed. Ms. Spitz asked if sample tests for the LARE could be generated based on

the test results data that has been gathered thus far. Ms. Landregan confirmed that there is an adequate amount of test data available to generate sample tests and questions, and that she is preparing a CLARB PowerPoint presentation for the ASLA Board of Trustees regarding the revised LARE. Ms. Landregan offered to share the CLARB PowerPoint presentation with the Committee at the January 16, 2014 LATC meeting, and Mr. Bowden accepted the suggestion. The Committee thanked Ms. Landregan for her update.

E. Discuss and Possible Action on 2013/15 Strategic Plan Objective to Review Reciprocity Requirements of Other States to Determine Possible Changes to California Requirements to Improve Efficiencies

Ms. Rodriguez stated that the LATC Strategic Plan contains an objective to “Review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies.” She commended Ms. Kjose for efficiently gathering the state eligibility and reciprocity information in Attachment E.1.1. Ms. Rodriguez explained that 27 states do not have education as a prerequisite for licensure, and there are 10 states with similar education, experience, and examination requirements as California for reciprocity purposes. Ms. Kjose said that, in addition to the ten states that have similar licensure requirements as California, three other states (Minnesota, Ohio, and Tennessee) also require CLARB certification for reciprocity purposes.

Mr. Bowden asked Ms. Landregan if CLARB is making efforts to standardize reciprocity requirements across states. Ms. Landregan explained that CLARB created the Council Record to encourage standardization among states; however, since the Council Record is expensive to maintain, it is not currently accepted in a standardized way among licensing boards. She said that as CLARB President, she would like to propose asking all states to agree to standardized reciprocity requirements, while recognizing that each state has the right to set their own standards. She continued that such a proposal would still allow each state to mandate supplemental requirements for licensure such as the CSE for California candidates, or the Alaska permaculture class for Alaska candidates. She indicated that New York and Florida have more restrictive requirements for reciprocity than California, and if CLARB were to obtain a standardized reciprocity agreement, these two states would probably propose six years as a minimum requirement for licensed experience. Ms. Rodriguez said that a CLARB representative recently informed her that the topic of standardized reciprocity is tentatively scheduled to be addressed at the next CLARB annual meeting, and recommended the Committee consider this when taking action on this agenda item.

Ms. Landregan suggested that the reciprocity information in Attachment E.1.1 should be modified to increase its usefulness. She recommended that the column labeled “Initial Education/Experience Requirements” include a field for “Years of Education” and a field for “Years of Experience.” Additionally, she suggested adding a column for “State-Specific Requirements,” and a column indicating whether the state requires a degree to obtain reciprocity. Ms. Rodriguez acknowledged Ms. Landregan’s suggestions, and asked the Committee to confirm they are directing staff to continue working on this objective despite CLARB’s efforts towards standardizing reciprocity requirements. Mr. Bowden confirmed that staff should continue working on this objective because the LATC cannot ensure CLARB will obtain standardized reciprocity, and it is important for the Committee to have state reciprocity information available. Ms. Spitz commented that this agenda item is being discussed partly because of a recent letter that was sent to the LATC from an individual in Washington who requested LATC to consider allowing his licensed experience in another jurisdiction to supplement deficiencies in qualifying

for reciprocity in California. She said that allowing reciprocity by such means is worth considering, and both Ms. Johnson and Mr. Taylor concurred. Ms. Landregan also agreed that it is worth considering having licensed experience supplement educational deficiencies for reciprocity; however, there could be other options to consider that would not require a regulation amendment. She inquired if there is a way for the LATC to review unusual licensure requests without needing to amend the law, or if evaluating such requests would be considered capricious and arbitrary. Mr. Duke responded that CCR section 2620 (Education and Training Credits) has very specific requirements and a regulation amendment would likely be required to allow for more flexibility in evaluating reciprocity applications. Mr. Bowden agreed that it is worth considering modifying reciprocity requirements, as well as considering the request of Mr. Collar discussed earlier in the public comment session. Ms. Kjose noted that 27 states allow people to obtain licensure through experience only, and this is a substantial amount. Ms. Landregan said that in recent years, the education element of licensure has become more important as the topics of grading, drainage, survey, and low-impact development have evolved. She asked Ms. Bon to review the experience requirements in CCR section 2620, specifically the sequence and type of experience required for reciprocity, to determine if there is a way to allow for more flexibility in reciprocity requirements without needing to substantially amend the law. Mr. Bowden asked when the Committee could re-examine this topic and Ms. Rodriguez said that it will be added to the agenda for the January 16, 2014 meeting.

F. Discuss and Possible Action on 2013/15 Strategic Plan Objective to Review the Table of Equivalents for Training and Experience and Consider Expanding Eligibility Requirements to Allow Credit for Teaching Under a Licensed Landscape Architect

Ms. Rodriguez stated that the LATC Strategic Plan contains an objective to “Review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect.” She summarized that ten states allow training credit for teaching experience. Ms. Kjose explained that most of the ten states that allow the training credit require the teaching experience to be gained in a Landscape Architectural Accreditation Board (LAAB) accredited program; however, none of the states require the teaching experience to be under the supervision of a licensed landscape architect. She also noted that several states grant one year of training credit for teaching experience. Mr. Bowden questioned what measures could be taken to ensure that instructors are qualified to teach landscape architecture if a licensed landscape architect does not supervise them. He said that if a person teaches a drawing class, which is an elective, it would be questionable to allow LARE training credit for teaching landscape architecture, even if the program were accredited by LAAB. Ms. Kjose said that only one state had definitive language available that clearly specified which courses would grant training credit for teaching. Mr. Bowden expressed interest in finding out how people who do not meet the education requirement for licensure as a landscape architect are allowed to teach landscape architecture in the ten states that were mentioned. Ms. Landregan stated that the University of Southern California is the only landscape architecture school in California that does not have licensed landscape architects on their faculty. She said that allowing training credit for teaching under a licensed landscape architect could serve as an affirmation that research is another form of practice, and it could encourage the hiring of licensed landscape architects in the educational field. She commented that she was completely opposed to the idea of allowing such training credit in the past; however, she changed her opinion on the subject after researching the issue. Mr. Bowden asked how licensed faculty members could verify the experience of another teacher if they are not always present in the classroom with the teacher they intend to certify. Ms. Landregan responded that

currently, licensees certify the experience of individuals even though they are not always in the same office with them, and that licensed faculty members could certify experience in a similar manner. Mr. Taylor added that there are also syllabi, curricula, and learning outcomes that the licensed faculty member could evaluate to determine if the teacher was performing successfully in the classroom. Ms. Landregan suggested that this topic should be addressed at a future meeting to further discuss the questions posed during today's conversation, and recommended inviting educators to partake in the dialogue. Mr. Bowden asked if it would be possible for the Education Subcommittee to review allowing training credit for teaching under a licensed landscape architect. Ms. Rodriguez suggested that, since the Education Subcommittee has not convened in several years, the summary reports for the meetings could be reviewed to see if training credit for teaching experience was ever discussed, and staff could report the findings to the Committee at the next meeting. She said that meeting participation from educators and students could be increased if this agenda item were to be addressed during a Committee meeting held in Southern California, since the majority of landscape architecture schools in the State are located in that region. Mr. Bowden concurred with Ms. Rodriguez's suggestions and directed staff to: 1) determine if the LATC meeting subsequent to January 16, 2014 can be held in Southern California; 2) add the topic of allowing LARE training credit for teaching under a licensed landscape architect to the agenda for the LATC meeting subsequent to January 16, 2014; and 3) review the Education Subcommittee summary reports to see if allowing training credit for teaching experience under a licensed landscape architect was ever discussed by the Education Subcommittee, and include the findings when this agenda item is addressed.

G. Discuss and Possible Action for University of California Los Angeles Extension Certificate Program Curriculum Change from Four to Three Years

As the Program Administrator for the UCLA Extension Certificate Program, Ms. Landregan recused herself from participation in discussion and voting on Agenda Item G due to a conflict of interest. As a member of the UCLA Guidance Committee, Mr. Bowden also recused himself from participation in discussion and voting on Agenda Item G due to a conflict of interest. Mr. Taylor temporarily assumed Chair duties.

Ms. Rodriguez said that LATC received a letter from the UCLA Extension Certificate Program dated October 17, 2013, requesting LATC to allow the program to change their curriculum from four to three years and obtain LATC approval. She reminded the Committee that a site review of the UCLA Extension Certificate Program was conducted on April 22-24, 2013 by the UCLA site review team appointed by the UC Extension Certificate Program Task Force. She said that after receiving the letter from UCLA in October, she notified Christine Anderson, Task Force Chair, who felt that the proposed curriculum change would be very practical. Ms. Rodriguez explained that approving the change to a three-year curriculum could be accomplished by reconvening the UCLA site review team via teleconference to review any supporting documentation, and suggested the Committee direct staff to reconvene the site review team to review the program's request. Ms. Johnson expressed support for the proposed curriculum change as it could expedite the pathway to licensure for students. Mr. McCauley asked if the proposal would decrease the number of units required to graduate, as current law requires 90 quarter or 60 semester units to receive approval, and Ms. Rodriguez verified that UCLA would still meet these requirements. Ms. Rodriguez noted that UCLA offered to prepare a voluntary annual report in January 2014 that would address the proposed curriculum change and any other recommendations in the site review team's report from April 2013. She said the site review team should have an opportunity to review their previous recommendations after reviewing the voluntary annual report and consider any additional recommendations. Mr. Taylor asked when the site review team should

reconvene. Ms. Rodriguez explained that UCLA proposes to change to a three-year curriculum starting in fall semester 2014; therefore, the curriculum change would need to be approved and implemented before summer 2014 to allow students to register for classes in time for the fall.

- **Katherine Spitz made a motion to reconvene the UCLA site review team consisting of Christine Anderson, Jon Wreschinsky, and Joseph Ragsdale, to review the UCLA Extension Certificate Program's proposed curriculum change from four to three years, based on the letter from Stephanie Landregan dated October 17, 2013.**

Nicki Johnson seconded the motion.

The motion carried 3-0. Andrew Bowden and Stephanie Landregan recused themselves.

Ms. Rodriguez said she would advise Ms. Anderson of the motion made by the Committee today, and reminded the members that the UCLA site review team will not be able to reconvene until the UCLA Extension Certificate Program submits a voluntary annual report in January 2014. Mr. Taylor returned Chair duties to Mr. Bowden.

I. Review Tentative Schedule and Confirm Future LATC Meeting Dates

LATC meetings tentatively scheduled:

January 16, 2014 - Sacramento

Ms. Rodriguez said she would poll the Committee members to determine availability for meetings after January 16, 2014. The Committee briefly discussed who will attend the December 5-6, 2013 Board meeting, and Mr. Bowden said he could tentatively attend the Board meeting on December 5, 2013. Ms. Spitz mentioned that ASLA and LATC should be aware of potential repercussions from Assembly Bill 630 (Holden), and noted that this was a topic discussed at the September 12, 2013 Board meeting. Ms. Landregan suggested that future LATC meetings include an update on the Board meeting that preceded the LATC meeting. Mr. McCauley suggested that, for future LATC meetings, an update could be added to the Program Manager's Report indicating the date and location of the most recent Board meeting, highlights from the meeting, who attended the meeting on behalf of the LATC, and the Board's Notice of Meeting could be attached to the Program Manager's Report. Mr. Bowden agreed with Mr. McCauley's suggestions and directed staff to add a Board meeting update to future Program Manager's Reports.

J. Adjourn

- **Andrew Bowden adjourned the meeting.**

The meeting adjourned at 12:18 p.m.

** Agenda items were taken out of order to hold the election of LATC officers at the beginning of the meeting. The order of business conducted herein follows the transaction of business.*