

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

NOTICE IS HEREBY GIVEN that the California Architects Board (Board), is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the office of the **California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California 95834, on August 6, 2012 at 9:30 a.m.** Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on August 6, 2012, or must be received by the Board at the hearing.

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

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

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Amend Section 2614 – Examination Transition Plan

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

Existing regulations specify the transition plan for previous sections of the licensing examination to the current sections of the Landscape Architect Registration Examination (LARE). The proposed amendment of section 2614 permits current candidates to continue to take the current version of the LARE through June 2012. The proposed language outlines the transition plan effective with the first administration of the LARE, September 2012. In addition, the proposed language outlines the transition plan effective September 2012 for candidates who are not successful in passing all sections under the current LARE and who will be required to transition to the new LARE.

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the LARE, the licensing examination, to the Landscape Architects Technical Committee. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1-4) rather than five (A-E) sections and will move to a fully computerized model. Candidates in the exam process who have previously passed Sections C and D will receive transitional credit for Section 3. Candidates who have previously passed Sections D and E will receive transitional credit for Section 4. If a candidate passes either C or D but not both, the candidates must take and pass Section 3. If a candidate passes either D or E but not both, the candidate must take and pass Section 4.

BENEFITS ANTICIPATED FROM THE PROPOSED REGULATION

Please see ‘Benefits of Regulation’ under RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

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

FISCAL IMPACT ESTIMATES

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

None

Nondiscretionary Costs/Savings to Local Agencies

None

Local Mandate

None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement

None

Business Impact

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

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

Cost Impact on Representative Private Person or Business

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

Effect on Housing Costs

None

EFFECT ON SMALL BUSINESS

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/New Businesses

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

Benefits of Regulation:

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

This regulatory proposal establishes a legal provision for the transfer of previous LARE credit to the new LARE. The new LARE will add uniformity to test practices, increase the reliability of test results, increase relevance to modern practice, and increase accessibility for candidates to take the exam.

Existing regulations specify the transition plan for previous sections of the licensing examination to the current sections of the LARE. The proposed amendment of section 2614 permits current candidates to continue to take the current version of the LARE through June 2012. The proposed language outlines the transition plan effective with the first administration of the LARE, September 2012. In addition, the proposed language outlines the transition plan effective September 2012 for candidates who are not successful in passing all divisions under the current LARE and who will be required to transition to the new LARE.

CONSIDERATION OF ALTERNATIVES

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

The LATC did not consider other alternatives to the proposed regulation because this is the best way to carry out the transition plan needed to give examination credit to candidates who passed sections of the previously administered LARE to the current LARE format.

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

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

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

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

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

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

CONTACT PERSON

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

Name: John Keidel
Address: California Architects Board
Landscape Architects Technical Committee
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Telephone No.: (916) 575-7233
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E-mail Address: John.Keidel@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
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Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7230
Fax No.: (916) 575-7283
E-mail Address: trish.rodriquez@dca.ca.gov

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

**CALIFORNIA CODE OF REGULATIONS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
ORIGINALLY PROPOSED LANGUAGE**

California Code of Regulations, Title 16, Division 26

Amend Section 2614 as follows:

§ 2614. Examination Transition Plan

- (a) A candidate who has received Board credit for any section of the Uniform National Examination for Landscape Architects (hereafter UNE) shall be given credit for those sections as those sections correspond to the 1992 Landscape Architect Registration Examination (hereafter LARE) sections in accordance with the following transition chart:

| Previous Sections Passed UNE | Credit to 1992 LARE |
|-------------------------------------|---|
| Section 1 Professional Practice | Section 1 Legal and Administrative Aspects of Practice |
| Section 2 Design | Section 2 Programming and Environmental Analysis Section 3 Conceptualization Section 4 Design Synthesis |
| Section 4 Design Implementation | Section 5 Integration of Technical and Design |
| Section 5 Grading and Drainage | Section 6 Grading and Drainage |
| Section 6 California Section | Section 8 California Section |

- (b) (1) A candidate who has received Board credit for any section of the 1992 LARE shall be given credit for those sections as those sections correspond to sections of the Professional Examination for Landscape Architects (hereafter PELA) in accordance with the following transition chart:

| Previous Sections Passed 1992 LARE | Credit to PELA |
|---|-----------------------|
|---|-----------------------|

| | |
|--|----------------------------------|
| Section 1 Legal and Administrative Aspects of Practice Section 2 Programming and Environmental Analysis Section 7 Implementation of Design | Section 1 Objective |
| Section 4 Design Synthesis | Section 2 Design |
| Section 5 Integration of Technical Design Section 6 Grading and Drainage | Section 3 Construction Documents |
| Section 8 California Section | Section 4 California Section |

(2) A candidate who is transferring credit from the UNE or 1992 LARE to the PELA and has not previously received Board credit for Section 8 (California) of the LARE shall be required to take and pass either Section 1 (Objective) or Section 4 (California) of the PELA. A candidate who has been granted transfer credit from the LARE to Section 1 of the PELA may not apply such transfer credit to fulfill his or her requirement to have passed the California Section of the PELA.

(c) (1) A candidate who has received Board credit for any section of the PELA shall be given credit for the corresponding sections of the 1997 through 1998 LARE and the California Section in accordance with the following transition chart:

| Previous Sections Passed PELA | Credit to 1997 through 1998 LARE and California Section |
|--------------------------------------|---|
| Section 1 Objective | Section 1 Legal and Administrative Aspects of Practice Section 2(7) Analytical and Technical Aspects of Practice, and California Section |
| Section 2 Design | Section 3 Conceptualization and Communication Section 4 Design Synthesis |
| Section 3 Construction Documents | No Transition Credit |
| Section 4 California Section | California Section |
| No Transition Credit | Section 5 Integration of Technical Design Requirements Section 6 Grading and Drainage |

(2) To receive Board credit for Section 2 (7) – Analytical and Technical Aspects of Practice of the 1997 through 1998 LARE, a candidate shall either have passed Section 1 – Objective of the PELA or have received credit for both Section 2 – Programming and Environmental Analysis and Section 7 – Implementation of Design Through the Construction Process of the pre-1997 LARE, either by having previously passed those sections of the pre-1997 LARE or by having received transition credit from the UNE.

(d) (1) A candidate who has received credit for any section of the LARE which was administered on or before December 31, 1998 shall be given credit for the corresponding sections of the LARE administered on or after June 1999 in accordance with the following transition chart:

| Previous Sections Passed 1998 and Prior LARE | Credit to June 1999 through 2005 LARE |
|---|--|
| Section 1 Legal and Administrative Aspects of Practice | Section A Legal and Administrative Aspects of Practice |
| Section 2 Analytical and Technical Aspects of Practice | Section B Analytical Aspects of Practice |
| Section 3 Conceptualization and Communications; and Section 4 Design Synthesis | Section C Planning and Site Design |
| Section 5 Integration of Technical and Design Requirements | Section D Structural and Materials and Methods of Construction |
| Section 6 Grading and Drainage | Section E Grading, Drainage and Stormwater Management |

(2) A candidate shall receive credit for Section C of the LARE administered on or after June 1999 only if the candidate has passed both Sections 3 and 4 of the LARE administered on or before December 31, 1998. A candidate who has passed either Section 3 or 4 of the LARE administered on or before December 31, 1998, but not both, shall be required to pass Section C of the LARE administered on or after June 1999.

(e) Effective April 2006 the LARE was reformatted and the sections renamed. Credits and conversions provided for the June 1999 through June 2005 sections remain:

| Previous Sections Passed June 1999-2005 LARE | Credit to April 2006 and thereafter LARE |
|---|---|
|---|---|

| | |
|--|---|
| Section A Legal and Administrative Aspects of Practice | Section A Project and Construction Administration |
| Section B Analytical Aspects of Practice | Section B Inventory, Analysis and Program Development |
| Section C Planning and Site Design | Section C Site Design |
| Section D Structural and Materials and Methods of Construction | Section D Design and Construction Documentation |
| Section E Grading, Drainage and Stormwater Management | Section E Grading Drainage and Stormwater Management |

(f) (1) Effective September 2012 the LARE was restructured from five sections to four and the sections renamed.

(2) A candidate who has received credit for any section of the LARE which was administered April 2006 through June 2012 shall be given credit for the corresponding sections of the LARE administered on or after September 2012 in accordance with the following transition chart:

| <u>Previous Sections Passed April 2006 through June 2012 LARE</u> | <u>Credit to September 2012 and thereafter LARE</u> |
|---|---|
| <u>Section A Project and Construction Administration</u> | <u>Section 1 Project and Construction Administration</u> |
| <u>Section B Inventory, Analysis and Program Development</u> | <u>Section 2 Inventory and Analysis</u> |
| <u>Section C Site Design; and Section D Design and Construction Documentation</u> | <u>Section 3 Design</u> |
| <u>Section D Design and Construction Documentation; and Section E Grading, Drainage and Stormwater Management</u> | <u>Section 4 Grading, Drainage and Construction Documentation</u> |

(3) A candidate shall receive credit for Section 3 of the LARE administered on or after September 2012 only if the candidate has passed both Sections C and D of the previous LARE administered April 2006 through June 2012. A candidate who has passed either Section C or D of the prior LARE administered April 2006

through June 2012, but not both, shall be required to pass Section 3 of the LARE administered on or after September 2012.

(4) A candidate shall receive credit for Section 4 of the LARE administered on or after September 2012 only if the candidate has passed both Sections D and E of the previous LARE administered April 2006 through June 2012. A candidate who has passed either Section D or E of the prior LARE administered April 2006 through June 2012, but not both, shall be required to pass Section 4 of the LARE administered on or after September 2012.

**NOTE: Authority cited: Section 5630, Business and Professions Code;
Reference: Sections 5650 and 5651, Business and Professions Code.**

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS**

Hearing Date: **August 6, 2012**

Subject Matter of Proposed Regulation: **Examination Transition Plan**

Sections Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2614
As a result of legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

SPECIFIC PURPOSE OF AMENDMENT

Section 2614 – Examination Transition Plan

The Landscape Architect Registration Examination (LARE) is transitioning to a new examination format in September 2012. Currently, there is no transition plan in place to give examination credit to candidates who passed sections of the previously administered LARE to the current LARE format.

This proposal would amend section 2614 by adding subsections (f)(1) – (4), thus establishing a transition plan for those candidates who passed sections of previously administered landscape architect licensing examinations into the current LARE. The existing regulation sets forth the transition plan for previous sections of the licensing examination to the sections of the LARE through June 2012.

FACTUAL BASIS/RATIONALE

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that govern the examination of applicants for licenses to practice landscape architecture in California. BPC section 5650 describes the qualifications for eligibility for the licensing examination. BPC section 5651 requires that the Board administer a written examination that ascertains the professional qualifications of all applicants for licenses to practice landscape architecture. BPC section 5652 authorizes the LATC to issue a landscape architecture license upon successful completion of the licensing examination.

The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the LARE, the licensing examination, to the LATC. In September 2012, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. The new exam will consist of four (1-4) rather than five (A-E) sections and will move to a fully computerized model. Candidates in the exam process who have

previously passed Sections C and D will receive transitional credit for Section 3. Candidates who have previously passed Sections D and E will receive transitional credit for Section 4. If a candidate passes either C or D but not both, the candidates must take and pass Section 3. If a candidate passes either D or E but not both, the candidate must take and pass Section 4.

According to CLARB the changes expected to take effect in September 2012 result from a recent task analysis research, advancements in testing technology, and evolution of the marketplace. The changes to the exam are provided by CLARB on attachments A-C and include the following:

- Minor content changes will be consistent with the current landscape architectural practice.
- The content will be presented through four rather than five sections to better align with current practice, but will not reduce the content currently tested.
- All sections will be delivered entirely by computer. CLARB's exam development committees are currently working on creating new computerized problems for the content currently tested in the graphic exams (Sections C and E) and Section D using a mix of multiple-choice questions and advanced item types. CLARB will not use CAD software; rather the candidate will interact with on-screen graphics.

The new LARE will have the following benefits:

- Increased uniformity to test practices
- Increased reliability of test results
- Increased relevance to modern practice
- Increased accessibility for candidates to take the examination

This proposal would modify CCR section 2614 to add new language necessary to be consistent with the transition plan used by CLARB as the new version of the LARE is launched in September 2012.

UNDERLYING DATA

CLARB September 2012 LARE Transition – Frequently Asked Questions
LARE Transition Chart

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

ECONOMIC IMPACT ASSESSMENT

The Landscape Architects Technical Committee (LATC) does not license businesses or small businesses; rather, it licenses individuals practicing landscape architecture. Existing regulation

requires a candidate to take and pass the LARE prior to licensure. Businesses may only be impacted if they choose to pay the fees associated with taking the LARE to CLARB on the candidate's behalf, which may be the businesses' current practice under existing regulation. Businesses will not have an adverse economic impact as this amendment affects only candidates for examination and licensure. The Board does not know if most candidates are employed by small businesses and does not know how many landscape architectural firms are small businesses.

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.
- It will not create new business or eliminate existing businesses within the State of California because it only affects candidates for examination and licensure.
- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect the health and welfare of California residents because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect worker safety because it only affects candidates for examination and licensure.
- This regulatory proposal does not affect the state's environment because it only affects candidates for examination and licensure.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

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

CONSIDERATION OF ALTERNATIVES

The LATC did not consider other alternatives to the proposed regulation because this is the best way to carry out the transition plan needed to give examination credit to candidates who passed sections of the previously administered LARE to the current LARE format.

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.



SEPTEMBER 2012 L.A.R.E. TRANSITION - FREQUENTLY ASKED QUESTIONS

Why is the exam changing?

Every five to seven years CLARB conducts an analysis of the practice of landscape architecture to ensure that what is tested on the Landscape Architect Registration Examination (L.A.R.E.) accurately reflects the knowledge and skills required to practice as a licensed professional.

As a result of this analysis, the L.A.R.E. is changing due to the evolution of practice, advancements in testing methods and to better address marketplace needs.

What is changing on the L.A.R.E.?

1. Five to four sections. - This modest structural change will better align the content of the L.A.R.E. with current practice, as demonstrated in the 2010 Task Analysis study.
2. Full computer based testing - By December 2012 all four sections will be delivered by computer to improve relevance, reliability, and accessibility.

I've already started taking the current sections of the L.A.R.E. – What should I do?

CLARB strongly encourages candidates already in the exam process to complete the current exam prior to September 2012. Because the content that is currently tested in Section D will be split between Sections 3 and 4 in the new exam, candidates already in the exam process should complete the current exam to avoid losing credit for Sections C, D or E.

- To achieve credit for Section 1, candidates must pass section A of the current exam.
- To achieve credit for Section 2, candidates must pass Section B of the current exam.
- To achieve credit for Section 3, candidates must pass Section C and Section D of the current exam.
- To achieve credit for Section 4, candidates must pass Section D and Section E of the current exam.

Candidates who complete all sections by June 2012 will also save money, as the new exam costs will increase as expenses will be spread over four sections

I'm a new candidate and I want to start taking the exam – What should I do?

Obtaining licensure as soon as possible is an important career goal that makes you a more marketable and mobile professional (especially helpful in this challenging economy). New candidates are encouraged to begin the exam process as soon as possible to obtain licensure. If you start now, there is ample time to complete the current exam and become licensed prior to the transition to the new exam in September 2012.

If I've already passed all sections of the current exam, will I have to take the new exam?

Candidates who have already passed the current L.A.R.E. will not have to take any portion of the new exam. Licensure requirements state that passage of the *current* exam is required for initial licensure.

How long do I have to complete the current exam sections?

CLARB wants to ensure that candidates have ample time to complete the current sections of the L.A.R.E. The current exam will be offered for a full year (see schedule below) prior to implementing the new exam in September 2012.

| Section | Administration Schedule |
|---|------------------------------|
| Section A – Project and Construction Administration | September 2011 March 2012 |
| Section B – Inventory, Analysis and Program Development | September 2011 March 2012 |
| Section C – Site Design | December 2011 June 2012 |
| Section D – Design and Construction Documentation | September 2011 March 2012 |
| Section E – Grading, Drainage and Stormwater Management | December 2011 June 2012 |

When will the new exam sections be administered?

| Section | Administration Schedule |
|--|-------------------------|
| Section 1 – Project and Construction Management | September 2012 |
| Section 2 – Inventory and Analysis | September 2012 |
| Section 3 – Design | December 2012 |
| Section 4 – Grading, Drainage and Construction Documentation | December 2012 |

What will the new computerized graphic exams look like?

CLARB's exam development committees are currently working on creating new computerized problems for the content currently tested in the graphic exams (Sections C and E) using a mix of multiple-choice questions and advanced item types. CLARB will not utilize software such as CAD, rather the candidate will interact with on-screen graphics. These new item types are being developed and examples will be available in the spring of 2012.

How much will the new exam sections cost?

The exact cost per section has not yet been determined; however, the cost per section will increase as the costs will be spread out over fewer sections. We expect pricing to be announced in spring 2012.

Will all sections of the new exam be administered at computer testing facilities?

Yes. All sections of the new exam will be administered at computerized testing centers across the U.S. and Canada.

If you have additional questions or need assistance:

- [Click here to email CLARB](#) or call CLARB at 571-432-0332.

The CLARB staff is available M-F 9 a.m. to 5 p.m. Eastern Time.

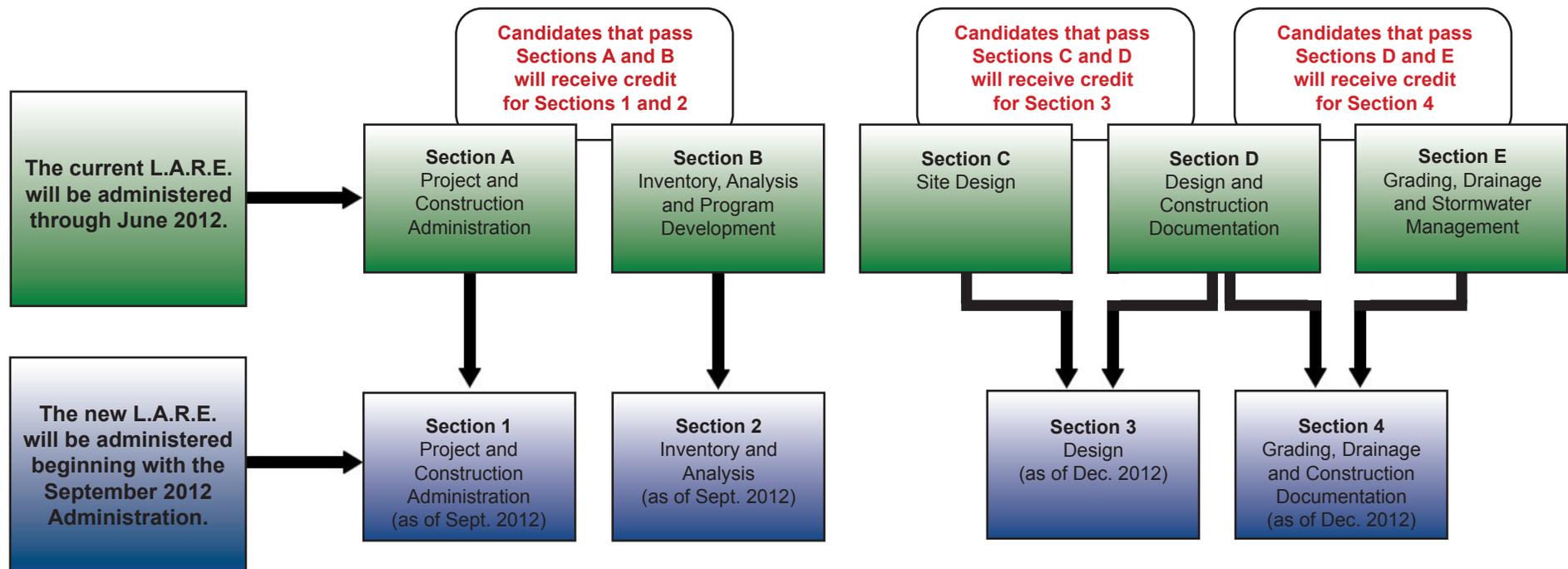


L.A.R.E. Transition Chart

Attachment B
CLARB
1840 Michael Faraday Drive
Suite 200
Reston, Virginia 20190
Phone 571-432-0332
www.clarb.org

Following best professional testing practices, CLARB conducts an analysis of the practice of landscape architecture every five to seven years to ensure that what is tested on the Landscape Architect Registration Exam (L.A.R.E.) accurately reflects the knowledge and skills required to practice landscape architecture. As a result of the 2010 task analysis study, the following changes to the L.A.R.E. will take affect starting with the September 2012 administration.

Structural Changes: Modest structural changes will take place to better align the content of the L.A.R.E. with current practice. The new exam will consist of four rather than five sections and will be administered starting in September 2012. The chart below summarizes how the content will be organized in the new exam and how the current sections translate to the new exam.



Administration Changes: CLARB explored the best possible way to assess the L.A.R.E. content. Responding to changes in marketplace dynamics, advances in testing technologies, and a desire to offer the most relevant and defensible exam possible, CLARB will move to a fully computerized model for the delivery of the exam content to improve relevance and reliability.

Questions? Contact CLARB via email (info@clarb.org) or phone (571-432-0332).