

**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:

**California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, California 95834
November 30, 2015
11:30 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 **November 30, 2015** 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 related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: 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 Board. Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific section 5650 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

A. **Informative Digest**

Amend Title 16 CCR Section 2620 – Education and Training Credits

BPC section 5650 requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the licensing examination.

CCR section 2620(c) requires candidates to have a minimum of two years of training/practice in landscape architecture and section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program, under the supervision of a licensed landscape architect.

B. Policy Statement Overview/Anticipated Benefits of Proposal

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for candidates for licensure which compliments the Department of Consumer Affairs' Licensing for Job Creation Initiative.

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the 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 business, 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: NA

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 as it only affects landscape architect applicants.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/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:

As stated above under the Policy Statement Overview/Anticipated Benefits of Proposal, the benefit of the regulation is that it adds a setting in which training/practice credit can be earned thus expanding eligibility opportunities for candidates for licensure.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective 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.

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 the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, 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 California Architects Board, 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: Kourtney Nation
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7237
Fax No.: (916) 575-7285
E-Mail Address: kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7231
Fax No.: (916) 575-7285
E-Mail Address: trish.rodriguez@dca.ca.gov

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

**CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED REGULATORY LANGUAGE**

Proposed language to amend California Code of Regulations section 2620 as follows:

§ 2620 Education and Training Credits

The Board’s evaluation of a candidate’s training and educational experience is based on the following table:

Experience Description	Education Max. Credit Allowed	Training and/ or Practice Max. Credit Allowed
(a) Experience Equivalent:		
(1) Degree in landscape architecture from an approved school.	4 years	
(2) Degree in landscape architecture from a non-approved school.	3 years	
(3) Extension certificate in landscape architecture from an approved school.	2 years	
(4) Associate degree in landscape architecture from a community college which consists of at least a 2-year curriculum.	1 year	
(5) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a 4-year curriculum.	4 years	
(6) Associate degree from a college specified in subdivision (a)(4) and an extension certificate as specified in subdivision (a)(3) of this section.	3 years	
(7) Partial completion of a degree in landscape architecture from an approved school.	1 year	
(8) Partial completion of an extension certificate in landscape architecture from an approved school where the applicant has a degree from a university or college which consists of a four-year curriculum.	1 year	
(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.	1 year	
(10) Self-employment as, or employment by, a landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		5 years
(11) Self-employment as, or employment by, a licensed architect or registered civil engineer in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		1 year

(12) Self-employment as a California licensed landscape contractor or a licensed landscape contractor in another jurisdiction where the scope of practice for landscape contracting is equivalent to that allowed in this State pursuant to Business and Professions Code Section 7027.5 and Cal. Code Regs. Title 16, Section 832.27 shall be granted credit on a 100% basis.		4 years
<u>(13) Teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.</u>		<u>1 year</u>

(b) Education credits.....

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

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

Hearing Date: **November 30, 2015**

Subject Matter of Proposed Regulation: **Education and Training Credits**

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2620

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.

1. PURPOSE

BPC section 5650 requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the Landscape Architect Registration Examination (LARE).

Currently, CCR section 2620(b) requires candidates to have at least one year of education in landscape architecture and identifies the qualifying degree programs. CCR section 2620(c) requires candidates to have a minimum of two years training/practice in landscape architecture and identifies the settings in which training/practice can be earned. CCR section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.

FACTUAL BASIS/RATIONALE

The Joint Legislative Sunset Review Committee's (JLSRC) 2010, and 2014* Recommendations and the LATC's subsequent Strategic Plans direct LATC to review the existing six-year training and education requirements for examination, identify eligibility issues and propose solutions that not only protect the public health, safety and welfare of the consumer, but also ensure that there are no barriers to the landscape architect profession for qualified individuals.

In 2013, LATC began consideration of whether credit should be given for teaching in an accredited or approved landscape architectural degree program, under the supervision of a licensed landscape architect. Several states (New York, Florida, Texas, Arizona, Hawaii, Nevada, New Mexico, Oregon, and Washington) with similar landscape architect licensing

* The 2014 Sunset Review hearings and recommendations were conducted via a joint effort of the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions.

populations grant such credit. Further, the Board and the California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG), related professions, allow up to one year of training/experience credit for teaching in accredited architectural or professional engineering degree programs.

LATC recognizes that teaching, which typically includes research, addresses the application of new ideas, theories and technologies to actual practice. The applied research creates a collaborative and mentoring situation between academia and the profession and addresses a measure of critical thinking and technical skills related to the practice of landscape architecture. While “teaching” is not the same as “working in the field,” its importance in imparting the skills and knowledge tested for in the LARE and required for safe practice, is immeasurable. As such, LATC agreed that up to one-year of training/practice credit should be granted for teaching in a landscape architecture degree program, under the supervision of a licensed landscape architect.

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for licensure candidates which compliments the Department of Consumer Affairs’ “Licensing for Job Creation Initiative.”

At its meeting on May 13, 2015, the LATC voted to approve an amendment to CCR section 2620(a)(13) to provide up to one year of training/practice credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

UNDERLYING DATA

1. JLSRC 2010 and 2014 Recommendations
2. LATC Strategic Plans – 2012/13, 2013/14, 2014/15 and 2015/16
3. CCR, Title 16, Division 2, Section 117 (a)(14)(B)
4. Professional Engineers Act – BPC Section 6753
5. Summary Report – LATC Meeting, November 7, 2013
6. Summary Report – LATC Meeting, February 10, 2015
7. Summary Report – LATC Meeting, May 13, 2015

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

This regulatory proposal will have the following effects:

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

SPECIFIC TECHNOLOGIES OR EQUIPMENT

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

CONSIDERATION OF ALTERNATIVES

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.