



Minutes

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

November 2, 2017
Los Angeles, California

Landscape Architects Technical Committee (LATC) Members Present

Patricia Trauth, Chair (arrived at 11:49 a.m.)
Marq Truscott, Vice Chair
Andrew Bowden
David Allan Taylor, Jr.

Staff Present

Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Brianna Miller, Program Manager
Tara Welch, Attorney III, Department of Consumer Affairs (DCA or Department)
Kourtney Nation, Examination Coordinator
Tremaine Palmer, Special Projects Analyst

Guests Present

Suzanne Baird
Katrina Coombs
Francesca Corra
Stephanie Landregan, University of California, Los Angeles (UCLA)
Tracy Morgan Hollingworth, California Council of American Society of Landscape Architects
(CCASLA)
Jim Pickel
Jon Pride, American Society of Landscape Architects, Jon Pride Designs

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

LATC Vice Chair Marq Truscott called the meeting to order at 11:23 a.m. in absence of Chair Patricia Trauth and called roll. Three members of LATC were present, thus a quorum was established.

C.* Public Comment on Items Not on the Agenda

There were no comments from the public.

D.* Presentation of Applicable Open Meeting Act Requirements (Tara Welch, Attorney III, Department of Consumer Affairs)

Tara Welch provided an overview of the Bagley-Keene Open Meeting Act (Act). She stated that the Committee's responsibility is to comply as individuals and as a body with the Act, which requires that actions of state agencies and deliberations be open to the public. Ms. Welch further discussed proper noticing of meetings and penalties for violating the Act. She offered her assistance to any Committee members and participants which may have questions or concerns.

F.* Program Manager's Report – Update on LATC's Administrative/Management, Examination, Licensing, and Enforcement Programs

In reference to Attachment F.1 (Monthly Report [October 2017]), Program Manager Brianna Miller reported that Blake Clark was selected to fill the Licensing Coordinator position and that LATC is fully staffed. She also reported that the Board and LATC are a part of Release Three for the BreEZe roll out which has already begun. She continued that she met with SOLID's Organizational Change Management Group to discuss the Gap Analysis which will assist in incorporating the Board and LATC's current licensure pathways into the BreEZe platform. Ms. Miller added that she and Board management met with the Office of Information Services to discuss their Business Modernization Report that details their process and procedures to ensure a smooth transition to the BreEZe platform.

Mr. Truscott asked Ms. Miller to explain BreEZe to the public. Ms. Miller stated that BreEZe is an updated web-based platform that facilitates licensing and enforcement processes in which candidates can track their applications and the public can search license information and submit complaints.

Ms. Miller reported that of the 59 candidates who took the California Supplemental Examination (CSE) during fiscal year 2017/18 (as of October 24, 2017), 31 passed (52%). She continued that Landscape Architect Registration Examination (LARE) administration will be held from December 4-16, 2017, and noted the results from the previous administration. Mr. Truscott expressed satisfaction with the current pass rate of 52%.

Ms. Miller reported that Senate Bill 800, which includes amendments to Business and Professions Code sections 5680.1 (Expired License – Renewal) and 5680.2 (License Renewal – Three Years After Expiration), was signed by the Governor on October 7, 2017. She continued that the amendments will take effect on January 1, 2018 and, at that time, LATC would proceed with a regulatory proposal to repeal California Code of Regulations (CCR) §§ 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration). Mr. Bowden asked if a previously licensed candidate passed the examination, would they be required to re-take it under the new law. Ms. Miller responded that, after five years, expired license holders would be required to re-test. Mr. McCauley clarified that they would be required

to re-take the CSE and not the national examination, which is the same as the Board's requirement.

Ms. Miller reported on the 2017-2018 Strategic Plan objective to advocate to the Council of Landscape Architectural Registration Boards (CLARB) to institute an internship/experience-based program. She advised that at the July 13, 2017 meeting, the LATC elected to draft a letter to CLARB to advocate the development of a structured internship program similar to the National Council of Architectural Registration Boards' (NCARB) Architectural Experience Program (AXP). Ms. Miller updated the LATC that the letter was provided to CLARB on October 13, 2017 and added that the LATC received acknowledgment of the letter.

Ms. Miller reported that LATC's *Disciplinary Guidelines* were presented to and approved by the Board with edits on September 7, 2017. She continued that the LATC will work in tandem with the Board to begin the regulatory process with the Office of Administrative Law (OAL) to update the corresponding regulation. Tracy Morgan Hollingworth requested a copy of LATC's letter to CLARB, so CCASLA could send a letter of support.

Ms. Miller referenced Attachment F.2 (California Architects Board September 7, 2017 Meeting Notice) and stated that the LATC presented an update to the Board on the Committee's recommendation regarding proposed amendments to CCR § 2620 (Education and Training Credits) and the *Disciplinary Guidelines*.

G.* Presentation on the University of California, Los Angeles Landscape Architecture Extension Program (Stephanie V. Landregan, Program Director)

Stephanie V. Landregan, Program Director of UCLA's Landscape Architecture Extension Program (Program), gave a presentation in which she provided an overview of the Program and curriculum. She stated that the Program's purpose is to provide a certificate to individuals who cannot attend school during normal hours. She continued that the Program consists of a three-year sequenced curriculum in applied theory and science with 75 percent of the instructors being licensed professionals.

Ms. Landregan stated that students participate in Capstone Presentations which are professional presentations made in front of a jury. She advised that the Program hosts an annual student show that professionals and City and county employees attend. Ms. Landregan noted that the Program recently received a city of Los Angeles award from Board of Public Works for designing sustainable mediums. She added that the Program has 395 graduates and is celebrating 40 years.

Mr. Bowden asked how many students from the Program have been licensed. Ms. Landregan responded that four students recently received their license, and 80 percent of the Program's graduates have passed Sections 1 and 2 of the LARE. Mr. Truscott asked how far students commute to the Program. Ms. Landregan responded that students commute from different cities such as Santa Barbara, Chula Vista, Riverside, and Costa Mesa.

Ms. Landregan advised that the Program recently put its history class online and is considering the same for other non-studio classes. Mr. Bowden inquired about the size of the graduating class. Ms. Landregan responded that the graduating class consisted of 13-25 students. Mr. Bowden

asked about the Program's current enrollment. Ms. Landregan informed the LATC that the Program currently has 87 enrolled students. She added that, since transitioning from a four-year program to a three-year program, there has been an increase in the retention rate and, if needed, students are allowed to take time off and still complete the Program.

Ms. Trauth asked if weekend courses are still available to study for the examination.

Ms. Landregan responded "yes" and advised that they are offered twice a year.

B.* Chair's Procedural Remarks and LATC Member Introductory Comments

Ms. Trauth thanked the UCLA and Ms. Landregan for hosting the LATC meeting and announced that the meeting would not be webcast. She introduced Ms. Welch as LATC's legal counsel and advised that all motions and seconds would be repeated, and that votes would be taken with roll call.

E.* Review and Possible Action on July 13, 2017 LATC Meeting Minutes

Ms. Trauth asked for a motion to approve the July 13, 2017 LATC Meeting Minutes.

- **Andrew Bowden moved to approve the July 13, 2017 LATC Meeting Minutes.**

Marq Truscott seconded the motion.

**Members Bowden, Taylor, Truscott, and Chair Trauth voted in favor of the motion.
The motion passed 4-0.**

H.* Update and Possible Action on Education/Experience Subcommittee's Recommendation to Amend California Code of Regulations (CCR), Title 16, Division 26, Section 2620 (Education and Training Credits) That Define Related and Non-Related Degrees (Baccalaureate and Associate) and Experience-Only Pathways and Prescribe Allowable Credit for Initial Licensure

Ms. Miller referenced Attachment H.1 (Historical Information: Development of Current CCR § 2620) and reported that a regulatory proposal was brought to the Board on June 15, 2017 in which the Board directed that LATC's initial licensure and reciprocity requirements align and, where possible, mirror the Board's requirements. She stated that staff amended CCR § 2620 to match the Board's requirements and included an experience-only pathway and provided a draft to the LATC during their meeting on July 13, 2017.

The Committee approved the proposed language and referred the newly proposed pathways that include related and non-related degrees and experience-only to the Education/Experience Subcommittee (Subcommittee) to define related and non-related degrees and prescribe allowable credit. She continued that the Subcommittee was composed of: 1) one LATC member [Marq Truscott]; 2) one licensed California landscape architect private practitioner [John Nicolaus]; 3) one educator who is a licensed California landscape architect [Nathan Lozier];

4) one licensed California landscape contractor [Steve Jacobs]; and 5) one public member from California [Pasqual Gutierrez].

Ms. Miller reported that the Subcommittee meeting was held on October 3, 2017 and that the discussion was facilitated by representatives from DCA's SOLID Office. She added that LATC staff provided the Subcommittee with resources that included other states' licensing criteria; CSE and LARE content outlines; CLARB's Model Law and Regulations; accrediting standards for landscape architects, architects, and civil engineers; and the Board's Table of Equivalents.

Ms. Miller directed the Committee's attention to Attachments H.4 (Proposed 6-Year Requirement Graphic as Recommended by the Education/Experience Subcommittee) and H.5 (Proposed Amendments to CCR § 2620 with Education/Experience Subcommittee Recommendations Incorporated) for review of the Subcommittee's recommendation and possible action to recommend for the LATC to approve amendments to CCR § 2620. Referencing the Subcommittee meeting, Mr. Truscott commented that the Subcommittee consisted of a diverse group and expressed appreciation for SOLID's facilitators.

Ms. Landregan expressed concern with accepting related degrees without reviewing their curricula. She also expressed favor with New York's approach of granting two years of education credit for any four-year degree. She opined that any degree pertaining to landscape architecture should receive three years of education credit regardless of accreditation. Ms. Landregan suggested simplifying the proposed regulatory language so that any related degree receives two years of education credits. She added that it may be difficult to justify all the degrees that were recommended by the Subcommittee.

Ms. Landregan stated that she is not opposed to an experience-only pathway but expressed concern about how a candidate's experience would be measured. She advised the LATC to not wait for CLARB to implement an internship program and suggested reviewing NCARB's requirements to create a program for candidates to be interned under landscape architects in which they would learn specific elements of landscape architecture that uphold the health, safety, and welfare of the public.

Jim Pickel agreed with Ms. Landregan about simplifying the education requirements and expressed concern that core curricula for the proposed related degrees could be validated against the minimum competencies of landscape architecture. In reference to Attachment H.11 (Education/Experience Subcommittee October 3, 2017 Meeting Minutes [Draft]), he noted that the Subcommittee recommended six years of required experience as a landscape architect without regard to a Landscape Architecture Experience Program (LAXP) and questioned how a candidate receiving training in only one area of landscape architecture would be qualified to sit for the examination. Mr. Pickel suggested a form to certify a candidate's experience that lists subject matter areas of landscape architecture. Ms. Trauth advised that LATC and CLARB have a Certification of Experience form.

Ms. Morgan Hollingworth commented that, Subcommittee Vice Chair, Mr. Gutierrez, was consistent with his view of requiring a structured internship program along with the experience-only pathway. She suggested that the Committee consider the LAXP and simplify the requirements. Ms. Landregan agreed that experience requirements should be simplified and also commented that, with respect to the proposed three years of experience credit for a candidate

directly supervised by a licensed California landscape contractor, she believes that it is difficult to discern whether someone working for a licensed California landscape contractor consistently acquires sufficient experience and suggested one year of experience credit, instead.

Mr. Bowden expressed appreciation for the Subcommittee members' recommendation. He referenced language in the Board's Meeting Notice that states protection of the public is paramount. He also expressed concern on how the related degrees were selected. He added that programs use different titles for degrees in landscape architecture.

For the recommended related degrees, Mr. Bowden inquired about their curricula and how they compare to landscape architecture. He expressed disapproval with allowing education credit for any degree and noted that the previous LATC Education Subcommittee discounted a civil engineering degree. As for an experience-only pathway, Mr. Bowden stated that the LATC should have a similar program to the AXP but should not wait for CLARB to implement it.

David Allan Taylor, Jr. agreed with the notion of simplifying the requirements and suggested not identifying specific degree programs. Ms. Trauth agreed with Mr. Taylor and offered her support for accepting any degree as it is something which CLARB provides in its Model Law. Ms. Miller asked the Committee to distinguish between related accredited and related non-accredited degrees. Ms. Trauth expressed concern with identifying the types of related degrees in the proposed non-accredited degree pathway. She suggested discussing two years of education credit for any degree, which is stipulated in CLARB's Model Law and Regulations.

Ms. Landregan suggested granting any bachelor's degree two years of education credit. Mr. Taylor stated that he is in favor of allowing for two categories of degrees: 1) landscape architecture; and 2) any degree. Mr. Bowden disagreed with any degree receiving two years of education credit.

Ms. Trauth reminded the Committee that candidates still have to pass a rigorous national examination and that the responsibility is on the candidate to acquire the necessary knowledge and skills.

With regard to designation of course curriculum, Mr. Truscott stated that it depends on the instructor of the course. Mr. Bowden asked if UCLA has to teach specific learning objectives. Ms. Landregan stated that learning objectives are on UCLA's curricula but it is not a requirement for the majority of universities. She added that it is more prevalent in community colleges.

Ms. Trauth asked if there is an appeal process for candidates who have degrees other than what is proposed by the Subcommittee. Mr. McCauley replied "no," and stated that regulations have to be clear for staff to administer. He continued that the Board's directive was clear and believes the Subcommittee's recommendation was founded on sound judgement. He added that the Chief of DCA's Division of Programs and Policy Review, which includes the Office of Professional Examination Services, approved of the Subcommittee's process and that she stated it would be held as a model for the Department.

Mr. Bowden suggested having two separate motions. He continued that, in order to certify experience, LATC's form should be more explicit to attest that a candidate has met specific requirements. Mr. Truscott asked whether a candidate could be denied if the form was more

specific and listed stringent subject matter pertaining to landscape architecture. Ms. Welch responded that subject matter would have to match the regulation and advised against selecting certain skills. She reminded the Committee that regulations would need to meet the justification standards for approval by OAL; DCA's Division of Legislative and Policy Review; and Business, Consumer Services, and Housing Agency; and that carving out skills could make it difficult for candidates to obtain licensure.

Mr. Truscott inquired about enforcement statistics for the Board's licensees who were licensed as experience-only. Mr. McCauley responded that there is no discernable difference between experience-only and education pathways. He commented that the Board had a non-structured experience component for decades without any issues. Mr. McCauley continued that the examination is effective in measuring competence; therefore, LATC could implement a general experience requirement. He continued that landscape architecture practice areas in relation to health, safety, and welfare could be included in the experience component and could be drawn from CSE and LARE Test Plans. He added that it is uncertain if CLARB will implement an internship program, so LATC should take action more readily.

Ms. Trauth asked how much detail is needed in the regulation in order to support the new pathways. Mr. McCauley responded that Attachment H.5 provides draft language in which supporting documentation would need to be developed that is consistent with the Subcommittee's recommendation. As for the experience component, he continued that a national program from CLARB would be a benefit which would be consistent with other states.

Mr. Pickel expressed that the Board's pass rate for the experience-only candidates is the lowest. He continued that a lot of people work hard to become landscape architects and that the requirements should not be lessened. Mr. Pickel further stated that an experience-only pathway needs monitoring, and that a form utilized to certify a candidate's experience should list subject matter.

Mr. McCauley stated that examination scores should not be relied upon alone because candidate pools are different. He continued that, currently, the LATC's associate degree pathway, which provides one year of education credit, does not have a structured internship component and there have not been any issues. He added that the Board had an experience-only pathway for decades without any issues as well.

Ms. Welch stated that the LATC could validate a candidate's experience by signed affirmation, which would list subject matter from the Practice Act or CSE. She added that it would demonstrate public protection while fulfilling the justification standard.

Mr. Bowden advised that for the experience-only pathway, one year has to be under a landscape architect and opined that there needs to be a monitor to verify that candidates have been exposed to all facets of landscape architecture. Ms. Welch reminded the Committee that the current form has licensed professionals certify the candidate's experience under penalty of perjury.

- **Marq Truscott moved to accept the Subcommittee's recommended amendments to CCR § 2620 (Education and Training Credits) as presented.**

Patricia Trauth seconded the motion.

Ms. Landregan expressed her disapproval of the motion and stated that she would oppose it to the Board and OAL. She continued that the proposed regulations are complicated and unsupported, and that the degrees selected by the Subcommittee were not justified. Ms. Morgan Hollingworth agreed with Ms. Landregan.

Mr. Taylor commented that the requirements should be simplified. He continued that all of his experience had to be under a landscape architect and believes, for the experience-only pathway, the six years of experience should be under the direct supervision of a landscape architect. With regard to the form, Mr. Taylor commented that if a landscape architect signs a candidate's form despite the candidate not receiving the mandated amount of training, they are doing that candidate a disservice.

Mr. Bowden requested data that shows an overlay between landscape architecture and other related degrees. Mr. Truscott commented that the same degree at a different university may consist of different courses. Mr. Taylor added that it could take years to research and review every curriculum and suggested accepting any related degree.

Mr. McCauley reminded the Committee that the Board requested an alignment with their requirements and expects a proposal in December. Ms. Welch asked if the Subcommittee's recommendation is closer to the Board's directive. Mr. McCauley responded "yes."

Members Truscott and Chair Trauth voted in favor of the motion. Members Bowden and Taylor opposed the motion. The motion did not pass 2-2.

Mr. Taylor asked about validating a candidate's experience. Kourtney Nation responded that, currently, one year is required to be under a licensed landscape architect. She continued that candidates can combine remaining experience as an architect, civil engineer, or under the supervision of a landscape contractor or landscape contractor licensed in another jurisdiction within the guidelines of the proposed language.

Mr. Taylor proposed to accept the Subcommittee's recommendation for CCR § 2620 with an amendment to move related degrees to the non-related degree category. Messrs. McCauley and Bowden disagreed with Mr. Taylor's proposal because accredited related degrees would be equal with non-accredited, non-related degrees. Mr. Bowden proposed that architects and civil engineers receive two years of education credit, and other degrees, one year. He continued that experience under a landscape contractor or a landscape contractor licensed in another jurisdiction should not receive more credit than experience as, or under the supervision of, a landscape architect.

The Committee reviewed the proposed language and agreed to eliminate CCR §§ 2620(a)(5), (a)(8), and (b)(1) while modifying CCR § 2620(a)(17) to receive up to one year of experience credit in order to achieve parity with the other pathways. Ms. Welch directed the Committee's attention to CCR § 2620(c)(5) to clarify that it does not represent reciprocity and is not an exemption for the national examination. The Committee concurred.

- **Marq Truscott moved to approve the Subcommittee’s recommendation with the following amendments: 1) eliminate CCR §§ 2620(a)(5), (a)(8), and (b)(1); and 2) modify CCR § 2620(a)(17) to receive up to one year of experience credit.**

David Allan Taylor, Jr. seconded the motion.

Ms. Landregan expressed satisfaction with the motion.

Members Bowden, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 4-0.

With regard to updating the LATC’s Certification of Experience form, Mr. McCauley explained that updating the form would require regulatory amendments. Ms. Welch commented that the form could be updated to current regulations. Mr. Bowden opined that the form alone does not monitor candidates. Mr. Taylor suggested listing subject matter that relates to landscape architecture on the form. Ms. Nation informed the Committee that candidates can verify their experience through CLARB or LATC. Ms. Trauth requested staff to obtain a copy of CLARB’s Experience Verification form.

Mr. Truscott commented that the goal is to have an LAXP. Mr. Bowden expressed concern that CLARB may not implement the program. Mr. Taylor asked if CLARB could be contacted again. Mr. McCauley stated that if CLARB is not interested, then LATC would consider an alternative. Ms. Landregan commented that CLARB is an association of regulatory agencies and if LATC garners another agency’s interest in a structured internship program, it may help expedite the process. She added that the British Columbia Society of Landscape Architects has an experience verification monitoring program similar to a structured internship program that already exists and suggested that the LATC contact them.

Mr. McCauley referenced CCR § 2670 (Rules of Professional Conduct) (c)(2) which ensures a candidate’s experience is in landscape architecture. He continued that the regulation could be modified to compel supervisors to accurately report landscape architecture experience. Ms. Trauth suggested staff research how other states monitor their experience-only pathways.

I. Update on the 2017 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting

Ms. Miller reported that CLARB’s Annual Meeting was held on September 14-16, 2017 and that Mr. McCauley, Ms. Miller, and Board Secretary (and LATC Liaison), Tian Feng were in attendance. She continued that the meeting consisted of discussions about federal and state deregulation issues and the health of the landscape architecture profession. Ms. Miller also reported that the meeting featured an introduction to friction analysis, which is aimed at identifying “friction” in licensure processes. She added that the results of the election were revealed and CLARB members elected to adopt the draft Model Law and Regulations.

J. Discuss and Possible Action on the Following 2017-2018 Strategic Plan Objectives to:

- 1. Incorporate a Quick Link on the Website That will Enable Consumers to Search Enforcement Actions and More Easily Identify Licensee Violations**
- 2. Expand Communication to Licensees Utilizing an “Opt-In” E-Mail Component on the Website to Increase Stakeholder Awareness of LATC**

Ms. Miller referenced Attachment J.1 (LATC Website Screenshot for Enforcement Actions) which depicts the location of enforcement actions and Attachment J.2 (LATC Website Screenshot for Email Alert Subscription) which depicts the location of email subscriptions. She continued that, in order to increase visibility, staff consulted with the DCA Office of Publications, Design and Editing to design more attention-grabbing buttons to be placed on the home page as opposed to embedded links.

Ms. Miller suggested removing the LATC web button which directs stakeholders back to the homepage and enhancing communication to LATC’s interested parties to include information on subject matter expert recruitment, examinations, and other relevant issues. Mr. Bowden asked how LATC’s website compares to the Board’s website. Ms. Miller responded that it is currently different and that staff is working to bring them in alignment. She clarified that once transitioned to the new web format, only the layout would change and that the information would stay the same.

- **Marq Truscott moved to approve the design and placement of the website buttons for LATC’s website.**

Andrew Bowden seconded the motion.

Members Bowden, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 4-0.

K. Election of 2018 LATC Officers

- **Marq Truscott moved to nominate Patricia Trauth as Chair for 2018.**

Andrew Bowden seconded the motion.

Members Bowden, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 4-0.

- **Andrew Bowden moved to nominate Marq Truscott as Vice Chair for 2018.**

David Allan Taylor, Jr. seconded the motion.

Members Bowden, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 4-0.

Ms. Landregan asked when the fifth Committee seat would be filled. Mr. McCauley responded that the Speaker of the Assembly elects the fifth member; however, no appointment has been made.

L. Review Tentative Schedule and Confirm Future LATC Meeting Dates

Mr. Truscott was receptive to Mr. Pickel's suggestion made during Public Comments to hold meetings on Saturdays but was concerned about staff and overtime. Mr. Taylor asked if the LATC could hold meetings on Fridays. The Committee was receptive to the idea and proposed the following meeting dates for 2018: February 9, May 11, August 10, and November 15-16. Mr. Truscott also advised that he would be in attendance for the December 7, 2017 Board meeting.

M. Adjournment

The meeting adjourned at 3:00 p.m.

**Agenda items for this meeting were taken out of order to accommodate full Committee participation. The order of business conducted herein follows the transaction of business.*