



SUMMARY REPORT

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

August 27, 2004
Sacramento, California

Committee Members Present

Linda Gates, Chair
Anna Mendiola (Via Telephone Conference)
Dennis Otsuji (Via Telephone Conference)

Committee Members Absent

Christine Anderson
Stephanie Landregan

Staff Present

Doug McCauley, California Architects Board (CAB) Executive Officer
Vickie Mayer, CAB Assistant Executive Officer
Mona Maggio, Landscape Architects Technical Committee (LATC) Program Manager
Mary Anderson, Examination Coordinator
Patricia Fay, Licensing Coordinator
Justin Sotelo, Enforcement/Special Projects Analyst

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

Chair Linda Gates called the meeting to order at 9:05 a.m. and Mona Maggio, LATC Program Manager, called the roll. Three members of the LATC present constitute a quorum. There being three present, a quorum was established.

B. Chair's Remarks

Ms. Gates announced the Council of Landscape Architectural Registration Boards' (CLARB) 2004 Annual Meeting will be held September 23 – 25, 2004 in Philadelphia, Pennsylvania. Ms. Gates, Ms. Maggio and Stephanie Landregan will attend.

C. Public Comment Session

There were no public comments.

D. Approve the May 7, 2004 LATC Summary Report

- ◆ **Dennis Otsuji moved to approve the May 7, 2004 LATC Summary Report.**

- ◆ **Anna Mendiola seconded the motion.**

- ◆ **The motion carried unanimously.**

E. Program Manager's Report

Ms. Maggio noted a correction in the Program Manager's Report on page 1 under the Budget heading; the dates in August should be July.

She reported two Budget Change Proposals (BCPs) were submitted to the Department of Consumer Affairs (DCA) Budget Office on August 6, 2004. The first proposal seeks an augmentation to the examination budget line for FY 2005/06 and FY 2006/07 to conduct an occupational analysis and examination redevelopment of the California Supplemental Examination (CSE); and the second proposal seeks to add an additional permanent employee at the Associate Governmental Program Analyst (AGPA) classification to the LATC staff beginning in FY 2005/06. This position will assist with the more complex enforcement cases; act as the Communication Analyst for the LATC; and draft regulation and statutory amendments.

Doug McCauley provided an overview of Governor Schwarzenegger's California Performance Review (CPR) which seeks to restructure, reorganize and reform state government to make it more responsive to the needs of its citizens and business community.

Mr. McCauley explained that the charge of the CPR is to make recommendations to Governor Schwarzenegger on transforming state government by identifying cost savings, streamlining processes, and possibly merging departments and boards so they provide the best services to the public in the most efficient way. A working group of over 250 state employees led by co-directors Billy Hamilton (Deputy Comptroller, State of Texas) and Chon Gutierrez (Director of the Department of Motor Vehicles) developed the report, which contains over 1,000 recommendations.

Mr. McCauley added that the CPR report was presented to Governor Schwarzenegger on June 30, 2004 and was released publicly on August 3, 2004. The Governor appointed a commission to hold hearings to gather public input on the report. Hearings were held August 13, 2004 at the University of California (UC) Riverside; August 20, 2004 at UC San Diego; and August 27, 2004 at California State University, (CSU) Fresno. Additional hearings are planned for September 10, 2004 at San Jose State University, September 17, 2004 at CSU, Long Beach and September 27, 2004 at UC Davis. The purpose of the public hearings is to solicit public comments/concerns/support. Mr. McCauley is working with the California Council of the American Society of Landscape Architects (CC/ASLA) and The American Institute of Architects, California Council (AIACC) in monitoring the CPR hearings and comments. A determination as to what actions if any will be taken will be decided after the hearings are concluded.

Ms. Maggio reported the Out of State Travel (OST) Blanket Request for Fiscal Year 2004/05 was submitted to the Board's budget analyst on April 14, 2004. On July 16, 2004, the DCA

Budget Office notified boards and bureaus that DCA made reductions to the blanket to conform with the Administration's stringent travel restrictions. She added that the reductions are comparable to those required by the Governor's Office during last year's FY 2003-04 OST approval process (e.g., elimination of non-statutorily mandated travel/training, etc.). The LATC's Blanket Request was reduced as follows: 1) CLARB Annual Meeting - three attendees reduced to one, and 2) CLARB Spring Regional - three attendees reduced to one. However, after some objections to the reductions made by some of the boards, DCA made a decision to submit both the original Board's request and the DCA amended request to State and Consumer Services Agency on July 22, 2004 for their consideration and possible additional amendments. The request was approved by the Governor's Office on August 20, 2004 with additional reductions. The following trips were approved: 1) CLARB Annual Meeting – one attendee, and 2) CLARB Spring Regional – one attendee.

Mr. McCauley provided an update to Senate Bill (SB) 1549 (Figueroa) which extends the sunset date for the Board and Landscape Architects Technical Committee (LATC) from July 1, 2005 to July 1, 2009. He reported that this bill also contains recommendations from the Joint Legislative Sunset Review Committee (JLSRC), such as providing statutory authority for the Intern Development Program and the LATC's exceptions and exemptions language. He stated the bill has passed by both houses; Governor Schwarzenegger must act upon the bill by September 30, 2004.

Justin Sotelo recapped the LATC's pending regulatory packages and stated that on May 7, 2004, the LATC gave preliminary approval of a proposal to amend California Code of Regulations (CCR) section 2649, Fees. This proposal will do the following: 1) delete out-dated examination fees; 2) add new examination fees for Sections C and E of the LARE, effective July 1, 2004 and July 1, 2005; 3) amend the standard and red-line review fees; and 4) amend the original license fee, as the LATC bases the fee on the applicant's month and year of birth and the month and year in which the applicant submits an application for licensure. This matter will come before the Board for final approval at its September 16, 2004 meeting.

Ms. Maggio reported the Technical Expert Training would be held on October 19, 2004 in Sacramento. Terri Villareal, Enforcement Coordinator for the LATC, is developing the training module in collaboration with Elena Almanzo, Deputy Attorney General and assistance from the Board's enforcement staff.

F. Council of Landscape Architectural Registration Boards (CLARB)

1. Review CLARB 2004 Annual Meeting Agenda, Policies, and Procedures

Ms. Gates led the discussion of the Annual Meeting Agenda, Policies and Procedures. She recommended that she, Ms. Landregan and Ms. Maggio each attend different workshops and modules to be presented during the Annual Meeting.

2. Review Letter of Delegate Credentials and Select Delegate

- ◆ **Linda Gates nominated Stephanie Landregan as the LATC Delegate for the CLARB 2004 Annual Meeting.**
- ◆ **Anna Mendiola seconded the motion.**
- ◆ **The motion carried unanimously.**

3. Review Report of the Nominations Committee and Recommend Slate of Officers

- ◆ **Linda Gates moved to endorse the Slate of Officers as proposed by the CLARB Nominating Committee. The nominees are: Sandra J. Gonzalez, President; Gregg K. Sturtevant, First Vice President/President-Elect; Jim Figurski, Second Vice President; and Dennis C. Wilkinson, Secretary.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously.**

4. Review and Approve Recommended Position on Resolutions

Ms. Gates led the discussion of the review of the two Resolutions before the CLARB membership. The LATC proposed the following amendments to Resolution #1: 1) Section IV, add: disclosure of criminal history; after the word licensure in first sentence; 2) in Section IX heading strike Requirements and replace it with Standards; and 3) after Continuing Education add: if required by member board.

- ◆ **Linda Gates moved for the LATC to support Resolution #1 with edits.**
- ◆ **Anna Mendiola seconded the motion.**
- ◆ **The motion carried unanimously.**

Regarding Resolution #2, the LATC recommended that CLARB focus on its key issues of examination development and administration of the LARE especially in light of the numerous problems with the recent administration of the multiple choice sections of the LARE. The LATC also voiced its concerns that CLARB is providing preparatory courses for the examination, which it develops; this is a possible conflict of interest. Additionally, it appears that since CLARB is a provider of continuing education courses it should not be the approver of such courses. The LATC suggested that CLARB follow the model of AIA which recognizes continuing education providers for architects, and consent to have the ASLA serve as the approver of continuing education courses and providers for the profession of landscape architecture.

- ◆ **Linda Gates moved to oppose Resolution #2.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously.**

5. Update and Possible Action on the CLARB Changes in the Administration of the Landscape Architect Registration Examination (LARE)

Mary Anderson reported that 204 California candidates took the computer administered sections A, B and D of the LARE (C/LARE) on August 9-13, 2004. The examination was initially scheduled for August 9-11, 2004; however, two additional days were added to accommodate the number of candidates who applied to take the C/LARE. LaserGrade, the computer based testing company hired by CLARB to administer the C/LARE advertised 37 testing sites in California, however, two were closed during the administration of the C/LARE.

Ms. Anderson reported a significant number of complaints were filed with CLARB and the LATC regarding the C/LARE preparatory course which a number of candidates purchased through CLARB's Center for Collaboration and Education in Design (C²Ed) and the examination process and administration. Ms. Anderson grouped the complaints in the following categories: C/LARE content; on-line registration process; C²Ed – C/LARE preparatory course; CLARB staff; exam security; LaserGrade staff and testing facilities/environment; proctors; and technology. Ms. Gates and Ms. Mendiola both reported they know of candidates who encountered similar problems but the candidates have chosen not to submit a complaint as other candidates have voiced their concerns.

Ms. Maggio shared that she and Ms. Anderson met with Tracy Montez, Ph.D., Chief of the DCA Office of Examination Resources (OER) to discuss the variety and gravity of complaints and how to address these concerns with CLARB. Ms. Montez suggested writing to CLARB asking what specific actions were under way to determine the validity of the August administration and how to resolve the problems identified with LaserGrade testing sites, proctors, exam materials, etc. Ms. Montez also offered to contact CLARB's psychometrician at The Chauncey Group to discuss the analysis being conducted to determine the validity of the examination. Ms. Maggio added that DCA administration has been notified of the problems with the exam administration and complaints received by candidates.

The LATC directed staff to draft a letter to the CLARB Board of Directors for the following purpose: 1) to formally register complaints regarding the August 2004 administration of the C/LARE and the subsequent actions taken by CLARB in response to the problems with the examination; 2) to make specific requests to CLARB with regard to these problems; and 3) to request additional information in order to fully understand the actions that CLARB is taking and how they intend to prevent similar problems from reoccurring.

The LATC also directed staff to draft a letter to the California candidates who sat for the August 2004 C/LARE administration to assure them that the LATC is concerned with problems associated with the August 2004 examination and that the LATC is taking this situation very seriously.

G. Update and Possible Action on the Education Subcommittee Meeting and Its Review of Statutes and Regulations Governing the Eligibility Requirements for Licensure in California

Ms. Anderson stated the LATC's 2004 Strategic Plan directs the LATC to identify examination eligibility issues and propose solutions. She stated that the issue of reviewing eligibility requirements dates back to the JLSRC's 1996 recommendation for the DCA to review the six-year education and experience requirement to determine if it was justified. She summarized that in 2002 the LATC discussed the need to review its current eligibility requirements for appropriateness, as well as compare the requirements of other CLARB member boards. Upon reviewing its requirements, the LATC felt that they were still appropriate for California; however, it also recognized that a more thorough evaluation should be conducted in order to support its position. During its 2003 Strategic Planning session, the LATC renewed its commitment to reviewing examination eligibility requirements. A specific objective was to review CCR section 2620 and recommend potential changes was established. At its 2004 Strategic Planning session, the LATC established an objective to identify examination eligibility issues and propose solutions.

Ms. Anderson stated that on May 7, 2004, the LATC charged its Education Subcommittee with taking on this task. The Subcommittee will meet October 8, 2004 at the LATC's office. The Subcommittee will evaluate California's current eligibility requirements, as well as those of CLARB and some of its member jurisdictions and other design profession boards. Ms. Anderson identified the Subcommittee members as Richard Zweifel, Chair, Christine Anderson, Ms. Gates, Steve Lang, Heidi Martin, Alexis Slafer, and Karina Verhoeven.

The LATC reviewed the 2004 Education Subcommittee Charge – Draft and list of resource materials. Ms. Mendiola recommended editing item #4 to read: "Evaluate alternative requirements for individual sections of the licensing examination, and editing item #5 to read: "Evaluate requirements pertaining to the type and duration of training/work experience." The LATC concurred with her recommendation.

- ◆ **Anna Mendiola moved to approve the charge of the Education Subcommittee with edits.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously.**

H. Review and Approve Draft Position Paper on Mandatory Continuing Education

Justin Sotelo presented by stating the LATC's 2004 Strategic Plan directs the Committee to develop a position paper on mandatory continuing education (MCE). The LATC realizes many states require MCE as a condition of license renewal; however, the LATC believes that there is not adequate evidence that demonstrates the need for MCE. He added the LATC does endorse the enhancement of professional skills and the concept of ensuring post-licensure competency and believes that the current voluntary approach serves the profession. Mr. Sotelo further stated as part of its Communications Plan, the LATC makes it a priority to keep licensees up-to-date regarding issues that affect the public. Such issues include changes in the laws and regulations affecting the practice of landscape architecture, updates to the Practice Act, new practice methodologies, etc. The LATC's Web site and newsletter have been the most common vehicles

for describing this information. Mr. Sotelo added that the LATC's Web site provides links to the ASLA and CLARB Web sites which both offer opportunities for professional development.

Ms. Mendiola suggested editing the first bullet on the Position Paper to read, "There has been no demonstrated need to make continuing education mandatory."

- ◆ **Anna Mendiola moved to approve the Draft Position Paper on Mandatory Continuing Education with edit.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously**

I. Review and Consider Request for Re-Licensure

The LATC reviewed a request for re-licensure from Joseph D. Hadley, former license number LA 4235. Ms. Gates reported Mr. Hadley was originally licensed in California in August 1997 and his licensed expired in August 1999.

Ms. Gates stated that she and Ms. Mendiola performed a thorough portfolio review of the work samples and supporting documents submitted by Mr. Hadley, which demonstrated his current knowledge and minimal competency for entry-level practice. The reviewers recommended that upon successful completion of the CSE, Mr. Hadley be granted a new license.

- ◆ **Linda Gates moved to grant James D. Hadley's request for waiver of the LARE. For the purpose of re-licensure Mr. Hadley shall take and pass the CSE prior to being eligible to apply for licensure.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously.**

J. Review and Update Action Plan

Mr. Sotelo presented this agenda item. The LATC discussed and updated its Action Plan in relationship to the 2004 LATC Strategic Plan.

K. Announcement of Future Meetings

Patricia Fay reported the next LATC meeting is scheduled for Friday, November 19, 2004 at the California State Polytechnic University, Pomona. Ms. Fay will contact the Student Chapter of the ASLA to determine its interest in a licensure presentation by the LATC.

The LATC's 2005 Strategic Planning Session is tentatively scheduled for January 6-7, 2005 in Berkeley, California. Daniel Iacofano, Principal with Moore Iacofano Goltsman, Inc. will facilitate the session.

L. Adjournment

- ◆ **Linda Gates moved to adjourn the meeting at 12:20 p.m.**
- ◆ **Dennis Otsuji seconded the motion.**
- ◆ **The motion carried unanimously.**