

NOTICE OF MEETING
Landscape Architects Technical Committee

LATC MEMBERS

Patricia Trauth, Chair
Marq Truscott, Vice Chair
Andy Bowden
Susan M. Landry
David Allen (DJ) Taylor, Jr.

December 6-7, 2018

*Action may be
taken on any
item listed on
the agenda.*

**2420 Del Paso Road
Sequoia Conference Room, Suite 109
Sacramento, CA 95834
(916) 575-7230 (LATC)**

The Landscape Architects Technical Committee (LATC) will hold a meeting, as noted above.

**Agenda
December 6, 2018
11:00 a.m. – 3:30 p.m.
(or until completion of business)**

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Introductory Comments
- C. Public Comment on Items Not on the Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Review and Possible Action on July 20, 2018 LATC Meeting Minutes
- E. Program Manager's Report - Update on LATC's Administrative/Management, Examination, Licensing, and Enforcement Programs
- F. Discuss and Possible Action on Model Water Efficient Landscape Ordinance (MWEL0)
- G. Update on 2018 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting
- H. Update on Amendments to the LATC's Member Administrative Procedure Manual

(Continued)

- I. Update on 2017-2018 Strategic Plan Objective to Follow the Board's Determination Regarding the Necessity for a Licensure Fingerprint Requirement and the Alternatives for Implementation as a Means of Protecting Consumers
- J. Review and Discuss California Code of Regulations (CCR), Title 16, Division 26, Article 1, Section 2620.5 (Requirements for an Approved Extension Certificate Program)
- K. Election of 2019 LATC Officers
- L. Review Tentative Schedule and Discuss Future LATC Meeting Dates
- M. Recess

**Agenda
December 7, 2018
8:30 a.m. – 2:30 p.m.
(or until completion of business)**

**2420 Del Paso Road
Sequoia Conference Room, Suite 109
Sacramento, CA 95834**

- N. Call to Order – Roll Call – Establishment of a Quorum
- O. Strategic Planning Session
- P. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public. The LATC plans to webcast the December 6, 2018 meeting on its website at latc.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend the physical location.

(Continued)

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)). The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Blake Clark

Telephone: (916) 575-7236

Email: Blake.clark@dca.ca.gov

Telecommunication Relay Service: Dial 711

Mailing Address:

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the LATC in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code section 5620.1).

Agenda Item A

CALL TO ORDER - ROLL CALL - ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

LATC MEMBER ROSTER

Patricia Trauth, Chair

Marq Truscott, Vice Chair

Andrew Bowden

Susan M. Landry

David Allan Taylor, Jr.

Agenda Item B

CHAIR'S PROCEDURAL REMARKS AND LATC MEMBER INTRODUCTORY COMMENTS

LATC Chair Patricia Trauth or, in her absence, the Vice Chair will review the scheduled LATC actions and make appropriate announcements.

Agenda Item C

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Members of the public may address the Committee at this time. The Committee Chair may allow public participation during other agenda items at their discretion.

The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Agenda Item D

REVIEW AND POSSIBLE ACTION ON JULY 20, 2018 LATC MEETING MINUTES

The Landscape Architects Technical Committee (LATC) is asked to review and take possible action on the attached July 20, 2018 LATC Meeting Minutes.

Attachment:

July 20, 2018 LATC Meeting Minutes (Draft)

Minutes

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

July 20, 2018
San Diego, California

Landscape Architects Technical Committee (LATC) Members Present

Patricia Trauth, Chair
Marq Truscott, Vice Chair
Andrew Bowden
Susan M. Landry
David Allan Taylor, Jr.

Staff Present

Vickie Mayer, Interim Executive Officer
Brianna Miller, Program Manager
Trish Rodriguez, Special Projects Manager
Tara Welch, Attorney III, Department of Consumer Affairs (DCA or Department)
Kourtney Nation, Examination Coordinator
Stacy Townsend, Enforcement Analyst

Guests Present

Amelia B. Lima, Association of Professional Landscape Designers
Tracy Morgan Hollingworth, California Council of American Society of Landscape Architects (CCASLA)
Rich Risner, CCASLA
Michael Watts, Michael Watts and Associates

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

LATC Chair Patricia Trauth called the meeting to order at 10:04 a.m., and Vice Chair Marq Truscott called roll. Five members of LATC were present, thus a quorum was established.

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

Ms. Trauth thanked Woodbury University for hosting the LATC meeting and announced that the meeting would be webcast. Ms. Trauth also announced her reappointment to the Committee by the Governor on June 8, 2018 and noted that Senior Environmental Scientist of the California Department of Water Resources (DWR), Julie Saare Edmonds, would provide a presentation on the Model Water Efficient Landscape Ordinance (MWELo). Lastly, Ms. Trauth advised that all motions and seconds would be repeated, and that votes would be taken with roll call.

C. Public Comment on Items Not on the Agenda

There were no comments from the public.

D. Review and Possible Action on May 4, 2018 LATC Meeting Minutes

Ms. Trauth asked for a motion to approve the May 4, 2018 LATC Meeting Minutes.

- **Susan Landry moved to approve the May 4, 2018 LATC Meeting Minutes.**

Andrew Bowden seconded the motion.

Members Bowden, Landry, Truscott, and Chair Trauth voted in favor of the motion. Member Taylor abstained. The motion passed 4-0-1.

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

In reference to Attachment E.1 (Monthly Report [June 2018]), Brianna Miller reported that the California Architects Board (Board) selected a candidate to fill the Executive Officer (EO) position at its meeting on June 13, 2018 and that the new EO would begin employment on August 1, 2018.

Ms. Miller reported that, as part of LATC's 2017-2018 Strategic Plan, the Committee has an objective to "Explore and adopt DCA's best practices for using social media with a goal of developing a social media strategy to increase awareness to the public." She informed the Committee that she and staff met with DCA's Office of Public Affairs (OPA) on June 22, 2018 to discuss execution of this objective. Ms. Miller relayed that OPA recommended creating an LATC Facebook and Instagram account and requested access to LATC's Twitter handle to verify the account and research enhancing account activity. Ms. Miller further conveyed OPA's recommendation that creation of new social media accounts should wait until the new EO is on board to align the objective with his/her vision.

Ms. Miller reported that, as part of LATC's 2017-2018 Strategic Plan, the Committee has an objective to "Consult with DCA's Public Affairs Office to optimize the LATC website on search engines for individuals searching for a landscape architect to enhance LATC's ability to reach

more consumers interested in using a landscape architect.” She stated that, in the same meeting held with OPA on June 22, 2018, staff discussed this objective and, ultimately, determined that the implementation of the developmental website would be the first step before beginning the process of optimizing search engine results for LATC.

As the third Strategic Plan update, Ms. Miller reported that, the 2017-2018 Strategic Plan contains an objective to “Revamp the website (using the Board’s website as a possible template) to be more user-friendly for consumers.” She advised that, following the Committee’s approval of the developmental website during their meeting on May 4, 2018, staff engaged with DCA’s Office of Information Services (OIS) to carry out the Committee’s requested revisions and launch the website. She advised that the website is anticipated to be launched at the end of August and that the LATC will notify its e-subscribers of the launch date upon its determination.

In reference to LATC’s Occupational Analysis (OA), Ms. Landry expressed concern regarding possible outdated reference materials being used to develop examination questions and noted that these reference materials are listed in the study guide for the California Supplemental Examination (CSE). Ms. Miller stated that the OA is current; however, potential revisions could occur in 2019. Ms. Miller further stated that the Office of Professional Examination Services has offered to perform a reference material review. Vickie Mayer advised that resource materials may appear outdated; however, they still have current and relevant information that is applicable to the practice of landscape architecture. She continued that the Committee could discuss re-examining the materials during strategic planning and ultimately decide if it necessitates becoming an objective to research further.

In reference to Attachment E.2 (California Architects Board June 13, 2018 Meeting Notice), Ms. Miller reported that she provided a summary to the Board of the May 4, 2018 LATC meeting and that the Board approved LATC’s *Disciplinary Guidelines* during their meeting and advised that staff would begin work on a regulatory change proposal for California Code of Regulations (CCR) section 2680 (Disciplinary Guidelines) to incorporate the updated *Disciplinary Guidelines*. She also advised the Committee that, in addition to a verbal public comment being received at the Board meeting, a written public comment was received from John Pride expressing his desire for the Board to move forward and approve the Committee’s proposed regulatory language for CCR sections 2615 (Form of Examinations) and 2620 (Education and Training Credits), which was provided as a handout.

F. Presentation Regarding the Model Water Efficient Landscape Ordinance (MWELo) by Julie Saare Edmonds, Senior Environmental Scientist of the California Department of Water Resources

Ms. Saare Edmonds gave a presentation in which she provided proposed updates to MWELo. She stated that, due to the drought in 2015, the Governor declared an emergency and the water budget was reduced. She continued that Assembly Bill 2515 was enacted, which requires an update to MWELo every three years with the goals of improving water efficiency and administration.

Ms. Saare Edmonds advised that a Landscape Stakeholder Advisory Group was created to assist in finding solutions. She explained that, in February 2018, members in each workgroup organized

conference calls, submitted issues for discussion, and forwarded their recommendations to DWR. Ms. Saare Edmonds advised that the proposed MWELo updates would be released for public comment by October 2018.

A member of the public, Amelia B. Lima, asked when the public would be able to provide comment on the proposed MWELo changes. Ms. Saare Edmonds responded that the Notice should be published by October 2018 and, thereafter, the public comment period would commence for 45 days. Mr. Truscott asked if the MWELo update would be included in the California Building Standards Code. Ms. Saare Edmonds responded, “yes.”

Ms. Landry asked if MWELo references Senate Bill 1383, which creates a waste stream and reduces organic waste in landfills. Ms. Saare Edmonds responded that DWR could reference the Department of Resources Recycling and Recovery’s program in their Guidebook. Mr. Truscott suggested a review of the proposed MWELo provisions as they relate to the Landscape Architects Practice Act to determine who can sign the documents contained in the ordinance. Ms. Trauth recommended that the review be placed on a future agenda.

I.* Council of Landscape Architectural Registration Boards (CLARB)

I.1. Review CLARB September 27-29, 2018 Annual Meeting Agenda

Ms. Miller reported that the Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting will be held on September 27-29, 2018 in Toronto, Ontario. She stated that the meeting would include a vote on the resolution to update CLARB’s Bylaws and governance structure; in addition, the meeting would include updates on Landscape Architect Registration Examination (LARE) performance, results of CLARB’s Friction Analysis, the current legislative and regulatory environment, and a discussion on technology’s impact to the profession.

Ms. Miller reported that the LATC was advised by DCA that its request to attend the Annual Meeting was denied and that the LATC is pursuing approval. Ms. Mayer advised that California requires out-of-state travel to be mission critical and subject to approval by the Governor’s Office. In reference to Attachment I.2.3 (CLARB 2018 Election Ballot), Ms. Miller stated that election candidates could receive votes by mail-in ballot; however, a delegated representative must be present to vote on the Bylaws. She added that the newly elected officials would be announced at the Annual Meeting.

With regard to attending CLARB’s Annual Meeting, Mr. Truscott asked if LATC pays dues to CLARB and Ms. Mayer responded “yes.” Andrew Bowden inquired about CLARB offering participation through a video conference. Ms. Mayer advised that Ms. Miller’s request to CLARB to provide a video conference was denied; however, due to other states being unable to participate, a second request should be provided. A member of the public, Tracy Morgan Hollingworth, commented that the Committee should request an amendment to the Bylaws to allow for written comments.

I.3. Review and Possible Action on Resolution to Approve Proposed Amendments to CLARB Bylaws

Ms. Miller referenced Attachment I.3.1 (Summary of Changes by Article to CLARB Bylaws [March 2018]) and Attachment I.3.2 (Proposed Changes to Bylaws with Explanatory Comments), which denote the substantive proposed changes to the Bylaws. She asked the Committee to review the information and take possible action to recommend to the Board approval of the proposed amendments to CLARB's Bylaws.

Ms. Trauth expressed concern that regional representation is being removed and that there are more appointments than candidates. She also noted that CLARB has selected individuals other than landscape architects to be eligible for office. Refencing Attachment I.3.5 (Evolving CLARB Leadership FAQs for Members), David Allan Taylor, Jr. responded to Ms. Trauth's concern by quoting the document as saying, "A hybrid board mean[s] that some members of the Board would be elected by the membership, and some members of the Board would be appointed by the Board as recommended by the Leadership Advisory Council."

Ms. Landry expressed concern about the possibility of being unable to attend CLARB's Annual Meeting. She read from Attachment I.3.2 which states that, "There shall be no voting by proxy. Voting by written ballot is permitted only for the election of officers of the Board of Directors and for members of the Leadership Advisory Council" and suggested proposing an amendment to CLARB's Bylaws to allow for technology-based participation for voting on the Bylaws. Mr. Bowden suggested contacting the President of CLARB, Christine Anderson, to address the Committee's concerns. Ms. Trauth agreed with Mr. Bowden.

Ms. Landry read from the proposed Bylaws which stated that amendments to resolutions can only be provided at CLARB meetings and re-asserted that a request be made to CLARB to provide web conferenced meeting participation. Tara Welch advised that CLARB's Bylaws do not have a provision prohibiting video conference participation, only a provision prohibiting a vote by proxy; therefore, if the delegated representative is present through a video conference, CLARB should allow the delegated representative to vote. Ms. Welch suggested reaching out to other states who might be interested in attending the Annual Meeting through a video conference.

Ms. Landry suggested that LATC send a written comment to CLARB regarding the Bylaws. Ms. Welch advised the Committee on the persons to contact regarding the Bylaws listed in Attachment I.3.5. Mr. Bowden reminded the Committee that they have seen the proposed edits of the Bylaws from previous CLARB correspondences and that today's iteration is a culmination of all the comments received by CLARB.

- **Susan Landry moved for the Committee Chair or delegated representative to draft a written comment and/or attend the Annual Meeting with the authorization to make decisions on the Committee's behalf.**

Andrew Bowden seconded the motion.

Ms. Morgan Hollingworth asked for clarification of the motion. Ms. Landry responded that regardless of whether a Committee member attends the Annual Meeting, the LATC would send a written comment.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

- **Susan Landry moved to provide amendments to Sections 5 and 7 of the Bylaws to allow digital representation.**

David Allan Taylor, Jr. seconded the motion.

Susan Landry moved to amend the motion to allow the delegated representative to address Sections 5 and 7 of the Bylaws regarding digital representation in the written comment to be distributed to the individuals listed in Attachment I.3.5 and member boards and/or attend the Annual Meeting with the authorization to make decisions on the Committee's behalf.

David Allan Taylor, Jr. seconded the amended motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

I.2. Review and Possible Action on 2018 CLARB Board of Directors and Committee on Nominations Elections Ballot

Ms. Miller referenced Attachment I.2.2 (CLARB 2018 Credentials Letter) and advised that CLARB has requested for the Credentials Letter to be submitted by September 21, 2018, which would enable a delegated representative to vote on the Committee's behalf.

- **Andrew Bowden moved to support Stan Williams for CLARB President-Elect; Karen Kiest for CLARB Vice President; Bob Gunderson for CLARB Secretary; and Edward Kinney for CLARB Committee on Nominations.**

Susan Landry seconded the motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

L.* Review of Future LATC Meeting Dates

Ms. Miller advised that the next Board meeting would be held on September 12, 2018. Ms. Landry volunteered to attend this meeting to represent the LATC. In the event Ms. Landry was unavailable to attend the Board meeting, Messrs. Bowden and Taylor agreed to serve as alternates.

Due to scheduling conflict for Legal Counsel, Ms. Mayer suggested rescheduling the LATC meeting and Strategic Planning session designated to take place on November 15-16, 2018. The Committee agreed to reschedule the meeting to take place November 8-9, 2018 in Sacramento. Ms. Morgan Hollingworth requested the Committee conduct strategic planning on

November 8, 2018 and the business meeting on November 9, 2018. The Committee responded that they would consider her request.

G.* Discuss and Possible Action on LATC's Certification of Experience Form to Incorporate Proposed Amendments to California Code of Regulations (CCR), Title 16, Division 26, Article 1, Section 2620 (Education and Training Credits)

Ms. Miller reported that, at the May 4, 2018 LATC meeting, the Committee reviewed and approved proposed language to CCR sections 2615 and 2620. She continued that, at this meeting, the Committee directed staff to review the experience verification forms of selected states (Washington and New York) with experience-only pathways to determine the states' regulatory authority to assess the detailed experience criteria on their verification forms as well as ascertain their review procedures. Due to the additional research needed, Ms. Miller advised that amendments to CCR sections 2615 and 2620 were approved and put on hold for staff to conduct additional research regarding experience verification information. She continued that a questionnaire was sent to 10 states that have experience-only pathways and verification of experience forms to ascertain their authority and procedures for evaluating applications.

Ms. Miller referenced Attachment G.2 (Questionnaire Responses From Other States Regarding Their Experience Verification Forms Including Each State's Verification Form for Reference [New York, North Carolina, Oregon, Virginia, Washington]) and stated that, in summary, staff determined that none of the 10 states researched have statutory or regulatory authority requiring diversity in experience gained and do not specify their procedures for evaluating experience verification forms in their laws or regulations. She continued that New York is a minor exception which does have regulatory language that allows the Board to deny an application if a supervisor rates the candidate as unsatisfactory on the experience verification form. Ms. Miller further reported that the Oregon State Landscape Architects Board collaborated with CLARB to identify experience areas which correspond to the LARE. She continued that while the Oregon State Landscape Architect Board attempted to expand its regulations to include these identified experience areas, the endeavor became difficult to justify and the Board determined that the experience areas denoted on their form would provide a candidate a guide for experience obtainment.

Ms. Miller reported that staff reviewed the records of active candidates and individuals licensed after the transition from the Board of Landscape Architects (BLA) to LATC who qualify/qualified for licensure with five years of work experience and one year of education credit. She explained that staff reviewed these candidates' and licensees' examination scores, experience reported, and the enforcement records (of licensees). She referenced the examination findings in the chart on the coversheet noting that the data is for referential purposes to show the pass rates of these groups of candidates. She went on to report that staff's research yielded the most common types of experience gained from this group were preliminary drawings/drafts/designs, construction documents, planting, irrigation, and project management. Finally, Ms. Miller advised that staff reviewed licensee enforcement records and determined that there were no enforcement actions taken against the licensees who qualified for licensure with one year of education credit and five years of experience. She asked the Committee to consider the data along with the proposed Certification of Experience form and the previously approved amendments to CCR section 2620

and take possible action to determine whether amendments are needed to section 2620 and/or the Certification of Experience form.

Ms. Trauth expressed her desire to advocate that CLARB implement a landscape architecture internship program; Mr. Truscott agreed. Ms. Trauth also suggested modeling LATC's Certification of Experience form after New York's Verification of Professional Experience form and to have the supervisory certification section on a separate form. Mr. Truscott suggested including supervisory ratings on the form for the purpose of gathering data to identify trends. Mr. Bowden expressed his concern about the lack of specific training criteria listed on the form. He opined that, under the BLA, the experience-only pathway produced poor pass rates, which may have contributed to the BLA being sunset.

Mr. Bowden asked if any provisions exist that would disallow amendments to the Certification of Experience form. Ms. Welch responded that the form must reflect current regulations and that data would be required to justify any changes to the regulations. She suggested implementing the proposed changes in CCR sections 2615 and 2620 and, thereafter, collect data to review the success of candidates entering licensure via these new pathways. She added that, in three to four years, enough data may be collected that could be used to justify the necessity of possible amendments to CCR section 2620 and/or the form.

Ms. Trauth inquired about incorporating New York's experience verification criteria into LATC's Certification of Experience form. Ms. Welch responded that the LATC must have the authority to request ratings information contained in New York's Verification of Professional Experience form. Ms. Trauth asked if LATC could utilize the Board's experience verification form. Ms. Welch responded that the Board has an internship program through the National Council of Architectural Registration Boards; therefore, the Board's Experience Verification Form is not applicable to the LATC.

Mr. Taylor asked whether information could be listed on the Certification of Experience form with an asterisk citing examples of desired experience. Ms. Welch cautioned that an asterisk could appear as a list of requirements and suggested including an informational page listing desired experience. She advised that the form should reference examination content areas delineated in the OA's for the CSE and LARE. Mr. Bowden suggested approving the Certification of Experience form and reviewing it after data is collected on the success of candidates entering licensure via the new pathways in three to four years.

- **Andrew Bowden moved to approve the proposed amendments to the Certification of Experience form.**

Marq Truscott seconded the motion.

Andrew Bowden moved to amend the motion to approve the proposed language of CCR sections 2615 and 2620 along with the proposed amendments to the Certification of Experience form.

Marq Truscott seconded the amended motion.

Ms. Morgan Hollingworth commented that the LATC should reference CLARB's Employment Verification Form and inquired about LATC's use of CLARB's Council Records. Kourtney Nation responded that when LATC receives a candidate's Council Record, staff compare the information against LATC's records for verification.

With regard to Mr. Taylor inquiring about listing examples of desired experience on the Certification of Experience form, Ms. Welch asked whether the Committee would like to direct staff to amend the Certification of Experience form to include a separate information page. The Committee agreed for staff to create an information page to be associated with the form.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

H.* Discuss and Possible Action on CCR, Title 16, Division 26, Article 1, Section 2620.5 (Requirements of an Approved Extension Certificate Program)

Ms. Miller introduced this Agenda item with a brief reporting of its history of review by the LATC. Ms. Miller began that in 2009, the Landscape Architectural Accreditation Board (LAAB) implemented changes to its accreditation standards which the Committee used as a basis for proposed amendments to CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) which were approved at the December 15, 2010 Board meeting. She also reported that, in June 2012, with the assistance of the University of California (UC) Extension Certificate Program Task Force, the rulemaking file to amend section 2620.5 was submitted to OAL and, thereafter, in July 2013, OAL issued a "Decision of Disapproval of Regulatory Action," citing deficiencies in the rulemaking file relating to the necessity standard and lack of justification of Government Code section 11349.1. She continue that, thereafter, at the August 20, 2013 LATC meeting, the Committee voted to: 1) not pursue a resubmission of the rulemaking file for CCR section 2620.5 to OAL; 2) have staff analyze the proposed modification to CCR section 2620.5 and attempt to provide sufficient justification for each proposed change that would meet OAL standards; and 3) submit a new rulemaking file to OAL once sufficient justification for the proposed changes have been developed.

Ms. Miller reported that, subsequent to the August 2013 LATC meeting, staff consulted with DCA Legal Counsel and Chair of the UC Extension Certificate Program Task Force to identify the best approach to resubmit the rulemaking file, which revealed the need for regulations that address: 1) the application process; 2) annual reporting requirements; 3) denial, suspension, and withdrawal of approval; and 4) appealing denial, suspension, and withdrawal of approval actions. She continued that staff developed additional proposed language, CCR sections 2620.2, 2620.3, and 2620.4, to address the application and approval processes and new proposed amendments were made to CCR section 2620.5. Ms. Miller advised that the new proposed language was submitted to the Committee in February 2015, which resulted in a new working group to review the language; however, in March 2016, LAAB released updated accreditation standards, making significant, expansive changes to curriculum requirements.

At the January 17, 2017 LATC meeting, Ms. Miller reported that proposed language was presented to the Committee that reflected the updated accreditation standards and, thereafter, a subcommittee was formed at the April 18, 2017 LATC meeting. She continued that, due to

competing priorities at that time, staff focus was redirected due to other Strategic Plan priorities and a subcommittee was not formed in 2017. Ms. Miller advised that, since the halt of the subcommittee, LATC learned that UC Berkley's Extension Certificate Program is anticipated to close in Fall 2019 and is currently no longer accepting new students. Ms. Miller asked the Committee to consider the information provided in Attachment H.1 (Proposed Language to Amend CCR Section 2620.5 Disapproved by OAL in July 2013), Attachment H.3 (Proposed Language to Add CCR Sections 2620.2, 2620.3, and 2620.4 Provided to LATC on February 10, 2015), and Attachment H.5 (Amendments to CCR Section 2620.5 that Incorporate the 2016 LAAB Standards Provided to LATC on January 17, 2017 and April 18, 2017) and determine how to proceed. She added that public comment was received and has been provided as a handout.

Mr. Bowden expressed a possible conflict of interest due to his membership as the Chair on the UC Los Angeles Landscape Architecture Guidance Committee and recused himself from the discussion.

Due to the change in number of Extension Certificate Programs, Ms. Welch suggested gathering information from the public and proposing amendments to the current version of the regulation. A member of the public, Michael Watts, asked if the Education/Experience Subcommittee (Subcommittee) would review the information. Ms. Trauth responded that the Subcommittee was created to address the new pathways proposed in CCR section 2620; therefore, a new subcommittee would be formed to address possible revisions to CCR section 2620.5. Mr. Truscott opined that LATC should not certify programs and suggested advocating for LAAB to certify the programs.

Ms. Trauth read from Attachment H.6 (UCLA Extension Program Directors' March 15, 2017 Letter) provided by Program Director of UCLA's Landscape Architecture Extension Program, Stephanie Landregan, which states that, "At present, California is the only state providing this alternative educational path, addressing adult learners, and providing an evening alternative to working adults," and expressed her own support of the program.

Due to the urgency to review the Extension Certificate Program, Mr. Truscott asked if the Program is in legal jeopardy. Ms. Welch responded, "no." Mr. Watts opined that the ability of a program to self-certify makes the program more viable and noted that the Extension Certificate Program receives more education credit than an associate degree in landscape architecture.

Ms. Welch stated that the discussion should consist of the benefits of the Program against the benefits of other LAAB accredited programs, and whether the Program could be accredited by a private entity through a contract with the Board. Ms. Lima asked about the cause for reviewing the Extension Certificate Programs. Ms. Trauth responded that a review is required every six years and that the LATC is attempting to follow LAAB's accreditation standards. Ms. Trauth expressed her desire for the Extension Certificate Programs and community college programs to self-certify. Mr. Truscott recommended that LATC request LAAB to consider certifying the Extension Certificate Programs, four-year programs, and community college programs, and for LATC staff to research appropriate private entities to conduct certification of the Extension Certificate Programs.

Mr. Watts asked if Mr. Truscott's recommendation included private colleges and state colleges. Mr. Truscott responded, "yes." Ms. Morgan Hollingworth commented that most schools will not provide financial aid without state certification.

Mr. Truscott amended his prior recommendation to research and correspond with LAAB to certify the Extension Certificate Programs, four-year programs, and community college programs before submitting a formal request. Mr. Taylor agreed.

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

J.1. Revisit Development of the Annual Enforcement Report Using the Board as a Model to Assess the Effectiveness of Consumer Protection Efforts

Stacy Townsend reported that, as part of its 2017-2018 Strategic Plan, the LATC has an objective to "Revisit development of the annual enforcement report using the Board as a model to assess the effectiveness of consumer protection." She continued that, in past years, staff presented the annual enforcement statistics to the Committee via a table displaying data from the past five fiscal years (FY) as well as graphics that displayed data related to the source of complaints, complaint aging comparisons, and comparisons of pending complaints. She stated that, in order to fulfill the Strategic Plan objective, staff is proposing to transition its statistical reporting of annual enforcement statistics to match the Board's formatting. She advised that the new format is attached to the Enforcement Program Report in the meeting packet and includes tables and graphs with the following information: 1) types of complaints received by the LATC during the current FY; 2) comparison of complaints received, closed, and pending by FY; 3) comparison of the age of pending complaints by FY; 4) summary of closed complaints by FY; 5) summary of disciplinary and enforcement actions by FY; and 6) most common violations of the Act and LATC regulations that resulted in enforcement action during the current and previous two FYs.

Ms. Townsend stated that, at today's meeting, the Committee is asked to review the proposed Enforcement Program Report and take possible action in determining whether the information provided fulfills this Strategic Plan objective. Ms. Trauth asked if the presented format of statistical data is the same used by the Board. Ms. Townsend responded, "yes." Ms. Miller clarified that the information provided is an update on the enforcement program statistics; however, the statistics are portrayed in the new format per the Strategic Plan objective.

Mr. Bowden inquired about the large increase in complaints. Ms. Townsend responded that the increase is due to opening cases when candidates disclose that they had a conviction. Ms. Mayer stated that, although cases have always been reviewed when a conviction is disclosed, this review is now tracked by the opening of cases. In reference to the Closure of Complaints by FY chart, Ms. Landry inquired about the 19 complaints for the "No Violation" category. Ms. Townsend responded that those cases were not substantially related to the scope of licensure for landscape architecture and/or not in violation of the Practice Act.

- **Susan Landry moved to approve the new format of the Enforcement Program Report to meet the Strategic Plan objective.**

David Allan Taylor, Jr. seconded the motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

J.2. Review Data Respective to Unlicensed Activity and Licensee Violations to Identify if Trends Exist in Order to Shape Consumer Education and Enhance Enforcement Efforts

Ms. Townsend reported that, as part of its 2017-2018 Strategic Plan, the LATC has an objective to “Collect and review data respective to unlicensed activity and licensee violations to identify if trends exist (in such areas as how unlicensed activity was identified, who reported the allegation, and the matters which lead to an investigation) in order to shape consumer education and enhance enforcement efforts.” She continued that, in an effort to address this Strategic Plan objective, LATC enforcement staff collected and analyzed enforcement data for the previous four FYs, FY 14/15 through FY 17/18. She advised that, during that time, LATC received 76 practice-related complaints and, of these complaints, 50 were for unlicensed individuals, and 26 complaints were against licensees, which included 10 settlement reports.

In reference to the attachment, Ms. Townsend reported that data was collected and divided into three categories based on the type of complaint: 1) complaints against licensees, 2) settlements against licensees, and, 3) complaints alleging unlicensed activity. She asked the Committee to discuss the information provided and take possible action.

Regarding the 43 complaints against unlicensed individuals that have been fully investigated, Ms. Trauth inquired about the follow-up action taken by the LATC. Ms. Townsend responded that, upon research, 16 individuals were found to be licensed landscape contractors. With regard to follow-up, she continued that LATC works with the subject of a complaint to gain compliance with the law and, upon demonstration of corrective action, an additional letter is sent acknowledging the corrective action and the case is closed.

Ms. Landry opined that a landscape architect’s license number should be required to be displayed on advertisements. Ms. Mayer advised that requiring the display of a landscape architect’s license number on advertisements would require the adoption of a regulation. Ms. Landry stated that most social media websites incorrectly allow their users to use the term “landscape architect.” As an example, Ms. Mayer stated that Linked In does not have a landscape designer category whereby its users, by default, select landscape architect as their profession. She suggested contacting websites to advocate for the inclusion of professions and verifying licenses before allowing their users to select protected professions.

As an aside, Ms. Morgan Hollingworth inquired about the Consumer’s Guide. Ms. Mayer responded that the Guide has been approved; however, due to transitioning to the new website, address links need to be updated to reflect the new website.

(See additional discussion and motion continued after Agenda Item J.3.)

J.3. Research the Possibility of Enhancing the Statutory Written Contract Requirement to Include a Consumer Notification to Enhance Consumer Education

Ms. Miller reported that the Strategic Plan contains an objective to “Research the possibility of enhancing the statutory written contract requirement to include a consumer notification to enhance consumer education” in which proposed language to amend Business and Professions Code (BPC) section 5536.22 was approved by the Board at its December 15, 2016 meeting. She continued that the proposed language was submitted to the Senate Business, Professions and Economic Development (BP&ED) Committee on October 27, 2017, for inclusion in the Committee’s 2018 Omnibus bill; however, BP&ED suggested that the proposed language be presented to the Legislature for consideration via the “New Issues” section of the Sunset Review Report. Ms. Miller stated that LATC staff reviewed the Board’s amendments and attempted to incorporate amendments pertinent to LATC’s written contract requirements delineated in BPC section 5616 (Landscape Architecture Contract – Contents, Notice Requirements) and that the proposed amendments are shown in Attachment J.3.1 (Proposed Language to Amend Business and Professions Code Section 5616), which will be included for the Legislature’s consideration via the “New Issues” section of the Sunset Review Report. She asked the Committee to review and discuss the proposed amendments to BPC section 5616 and take possible action.

Ms. Landry commented that the section does not specify who owns the land nor who has the legal right to improve the property. Messrs. Bowden, Taylor, and Truscott concurred that the written contract language should not be expanded to address these proposed provisions. Ms. Mayer advised that LATC would have to demonstrate the necessity for Ms. Landry’s proposed language by establishing the existence of a problem and justification. Ms. Welch reminded the Committee that, as a consumer protection agency, provisions must be developed to protect the consumer and the areas suggested were more of a license/profession issue.

- **Andrew Bowden moved to approve the proposed language to amend BPC section 5616.**

Susan Landry seconded the motion.

Mr. Watts inquired about the availability of a sample contract with the new language. Mr. Bowden responded that LATC does not provide sample contracts and that the American Society of Landscape Architects may be able to accommodate his request.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

J.2. Review Data Respective to Unlicensed Activity and Licensee Violations to Identify if Trends Exist in Order to Shape Consumer Education and Enhance Enforcement Efforts (Continued)

Due to the amount of complaints regarding website advertising, Ms. Mayer suggested that the Committee direct staff to research whether LinkedIn can add a landscape designer option as a professional vocation. Ms. Welch advised that the LATC could send a request.

- **Marq Truscott moved to request social media platforms to add a landscape designer option as a professional vocation.**

David Allan Taylor, Jr. seconded the motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

K.* Discuss and Possible Action on LATC's 2018 Sunset Review Report and Member Administrative Procedure Manual

Ms. Miller reported that the Sunset Review Report is due to the Legislature on December 1, 2018. She continued that, using the 2017 Report template, a draft of LATC's Report was reviewed by the LATC during its meeting on May 4, 2018 and, thereafter, was presented to the Board's Executive Committee during its meeting on May 16, 2018. She added that, subsequently, the draft Report was presented to the Board at its meeting on June 13, 2018.

Ms. Miller reported that the 2018 Sunset Review Report template was released on June 29, 2018 and, accordingly, staff has transposed the draft responses made to the 2017 Report to the 2018 Report template. She continued that the 2018 template included three new questions (all in Section 4) not previously presented to the LATC and that the LATC is asked to review the draft Report and take possible action to recommend to the Board approval of LATC's Report. Ms. Miller added that the LATC is asked to appoint a two-person working group for review of the updated Member Administrative Procedure Manual to be included in Section 12 of the report, which was last updated in 2001.

Mr. Bowden asked whether all of the tables in the Report are complete. Ms. Miller responded that, due to the DCA Budget Office finalizing fiscal year-end figures, some budget information is not included. Ms. Mayer commented that final figures were received on July 19, 2018 and are under review.

- **Marq Truscott moved to approve the draft Sunset Review Report and delegate authority to the working group and EO to make minor technical or non-substantive changes to the Report, if needed.**

David Allan Taylor, Jr. seconded the motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

- **Marq Truscott moved to direct staff to prepare the update to the Member Administrative Procedure Manual using the Board's manual as a model, and delegated authority to staff and the EO to make minor technical or non-substantive changes to the language, if needed.**

David Allan Taylor, Jr. seconded the motion.

Members Bowden, Landry, Taylor, Truscott, and Chair Trauth voted in favor of the motion. The motion passed 5-0.

M.* Adjournment

The meeting adjourned at 3:37 p.m.

**Agenda items for this meeting were taken out of order to allow ample time to discuss Agenda Item I. The order of business conducted herein follows the transaction of business.*

DRAFT

Agenda Item E

PROGRAM MANAGER'S REPORT – UPDATE ON LATC'S ADMINISTRATIVE/ MANAGEMENT, EXAMINATION, LICENSING, AND ENFORCEMENT PROGRAMS

The California Architects Board and Landscape Architects Technical Committee's (LATC) October 2018 Monthly Report provides a synopsis of current activities and is attached for the LATC's review.



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MEMORANDUM

DATE: November 13, 2018

TO: Board and Landscape Architects Technical Committee (LATC)
Members

FROM: Laura Zuniga, Executive Officer

SUBJECT: OCTOBER 2018 MONTHLY REPORT

The following information is provided as an overview of Board activities and projects as of October 31, 2018.

ADMINISTRATIVE/MANAGEMENT

Board The Board's next meeting is scheduled for December 13-14, 2018, in Sacramento. This meeting will include a Strategic Planning session.

Business Modernization In late December, the Board, in collaboration with the Department of Consumer Affairs (DCA), finalized its Business Modernization Plan (Plan) to effectively facilitate the analysis, approval, and potential transition to a new licensing and enforcement platform. The Plan is an academic look at the purpose, guiding principles, objectives, and activities needed to achieve the Board's goals of business modernization. The Plan has an accompanying document, the Business Modernization Report (Report), which is an artifact specific to the Board that documents the business modernization activities that will be conducted. The Report includes proposed timelines, milestone documentation, business planning artifacts, project approval documents, among other items. Together, these documents outline a specific framework, and the Board's progress within such framework.

The primary objective of the Plan is to ensure that business modernization efforts for the Board follow a structured approach based on best practices and lessons learned, with more accurately planned, managed, and implemented technology solutions. The thorough planning, business analysis, and program-specific nature of this effort will ensure success for the Board and DCA.

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An initial meeting was held on July 11, 2017, with the Board and DCA's Office of Change Management (OCM) to discuss the Business Modernization Plan and approach. On August 17, 2017, staff met with OCM staff to discuss the initial inventory of the Board's existing administrative, enforcement, and licensing business processes. This inventory will inform the proposed timeline for the effort, currently under development. At the request of the DCA, on October 11, 2017, staff provided suggested edits to the business processes. Staff completed the Project Charter for the business activities phase of the modernization effort. The Charter specifies our role and responsibilities as key project stakeholders. It also describes the project decision-making authority for our business area, and the commitment DCA needs from the Board to conduct a successful project. Staff and management met with SOLID on November 7, 2017, to review the draft Project Charter and discuss combining the Board and LATC charters into one document. The consolidated Charter was submitted to OCM in January 2018, after approval from the Board President and LATC Chair.

Key elements of Business Modernization specific to the needs of the Board and LATC include: 1) Business Activities, 2) Project Approval Lifecycle, and 3) System Implementation. Jason Piccione, DCA Chief Information Officer, updated the Executive Committee and the Board on the Business Modernization project; he stressed that the progression of activities to implement the Business Modernization project will be based on the overall organizational readiness of both programs and ability to support an aggressive (or less aggressive) timeframe regarding staff resources. Furthermore, he reported that Business Activities are scheduled from October 2018 through October 2019, the Project Approval Lifecycle from July 2019 through November 2020, and System Implementation from November 2020 through November 2022. The proposed schedule employs a minimum viable product strategy, which could reduce the total proposed time of implementation to November 2021. The Board business process inventory has since been finalized and provided to OCM on May 21, 2018. OCM advised they would reach out to the Board near the fourth quarter to begin preparation for the mapping process in October 2018. Executive managers met with OCM on October 23, 2018, to discuss the business modernization activities. Next, the project charter will be reviewed by staff to determine if any updates are necessary, and subject matter experts (SME) will be assigned. Meetings will be scheduled to discuss system impacts and conduct SME introductory workshops and process mapping workshops. The process mapping phase will include developing various process maps, and a functional requirements document. A meeting was held on October 30, 2018, to discuss the process inventory and scheduling of activities.

Because this planned approach will take time and to address the delayed implementation of a new platform, the Board and LATC are pursuing a stop gap measure to accept credit card payment for license renewal applications, our highest volume transaction. Staff met with DCA Office of Information Services (OIS) on May 14, 2018 along with Release 3 boards and bureaus interested in the Interim Credit Card Acceptance Portal initiative. Staff worked with DCA Budget and Legal staff to assess the projected credit card costs. Based on the assessment, the estimated 3% vendor convenience fee cannot be readily absorbed by the Board at this time. However, the Board will continue to monitor and assess the feasibility of absorbing the convenience fee in the future. The Board and LATC will be in the first group along with California State Board of Pharmacy and California Board of Accountancy. OIS identified the Board as the primary organization in the first group and has initiated the data analysis for credit card renewal payments. Staff met with OIS to determine initial screening questions for credit card eligibility and assess whether additional

features could be implemented. Features such as online address changes could be implemented in the future. Further research and testing is underway for a planned launch date of December 17, 2018.

Communications Committee The next Communications Committee meeting has not been scheduled at this time.

Executive Committee The next Executive Committee meeting has not been scheduled at this time.

Legislation Assembly Bill (AB) 2138 [Chapter 995, Statutes of 2018] limits the current discretion provided to regulatory entities within DCA to apply criminal history background, as it relates to denial of an application for licensure. This bill was signed by the Governor on September 30, 2018, and becomes effective on January 1, 2019.

Senate Bill (SB) 721 [Chapter 445, Statutes of 2018] establishes minimum inspection requirements for the exterior elevated elements, including balconies and decks, of buildings with three or more multifamily dwelling units. This bill was signed by the Governor on September 17, 2018, and becomes effective on January 1, 2019.

SB 826 [Chapter 954, Statutes of 2018] requires each publicly held corporation whose principal executive offices are located in California to have a minimum number of females on its board of directors. The bill was signed by the Governor on September 30, 2018, and becomes effective on January 1, 2019.

SB 1137 [Chapter 414, Statutes of 2018] requires the Department of Veterans Affairs and the DCA, in consultation with each other, to take appropriate steps to increase awareness regarding professional licensing benefits available to veterans and their spouses. A letter conveying the Board's support was sent to Senator Vidak on August 16, 2018. SB 1137 was signed by the Governor on September 14, 2018, and becomes effective on January 1, 2019.

SB 1480 [Chapter 571, Statutes of 2018] reduces the requirement that boards within DCA meet three times per year to two times per year. This bill was signed by the Governor on September 19, 2018, and becomes effective on January 1, 2019.

Newsletter The next issue of the *California Architects* newsletter is planned for publication in November 2018.

Sunset Review The Board's and LATC's 2018 Sunset Review Reports are due for submission to the Legislature on December 1, 2018. The draft reports were approved by the Board at its September 12, 2018 meeting.

Personnel Reynaldo Castro was selected to fill the Enforcement Office Technician position and his first day was October 31, 2018. An appointment to the vacant Enforcement Analyst position is expected in November.

Social Media The Board has expanded its social media presence to include three platforms, which are shown in the following table:

Platform	Current Followers	Followers 1 Year Prior	Difference
Twitter (launched in 2014)	1,204	1,116	8%
Instagram (launched in 2016)	433	202	214%
Facebook (launched in 2017)	73		N/A

Training The following employee(s) have been scheduled to participate in upcoming training:

11/7/18 Excel 2016 Charts (Ryan and Amir)
 11/13/18 Completed Staff Work (Katie)
 11/14/18 Business and Email Etiquette (Katie)
 11/27/18 Interviewing Techniques for Investigators and Inspectors (Idris)
 12/19/18 Microsoft Word 2016 Track Changes and Collaborative Editing Tools (Katie)

Website In October, staff posted the notice for the October 25, 2018 Professional Qualifications Committee meeting. Staff also developed a Requirements for Eligibility page which allows individuals to view how much credit they may receive for their education or experience through the use of a dropdown menu.

EXAMINATION AND LICENSING PROGRAMS

Architect Registration Examination (ARE) Effective July 1, 2018, NCARB retired ARE 4.0. Candidates who did not complete the entirety of ARE 4.0 were transitioned to ARE 5.0. Transitioned candidates with partial ARE 4.0 credit were granted ARE 5.0 credit based upon the rules set by NCARB ARE 5.0 Credit Model. Following the transition, Examination and Licensing staff manually reviewed candidate records for accuracy and granted individual testing authorizations for each ARE 5.0 division to nearly 8,000 actively testing candidates. The result of which was a smooth transition process for candidate and the avoidance of unnecessary delays in the scheduling of ARE 5.0 examinations.

The pass rates for ARE divisions taken by California candidates between September 1–30, 2018, are shown in the following tables:

September 2018 ARE 5.0

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Construction & Evaluation	49	32	65%	17	35%
Practice Management	102	47	46%	55	54%
Programming & Analysis	82	32	39%	50	61%
Project Development & Documentation	115	46	40%	69	60%
Project Management	68	37	54%	31	46%
Project Planning & Design	111	52	47%	59	53%

Pass rates for ARE divisions taken by California candidates during the first three quarters of this calendar year (January 1, 2018 to September 30, 2018) are shown in the following tables:

2018 ARE 5.0 (1st thru 3rd Quarters Combined)

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Construction & Evaluation	335	215	64%	120	36%
Practice Management	682	329	48%	353	52%
Programming & Analysis	502	223	44%	279	56%
Project Development & Documentation	627	300	48%	327	52%
Project Management	466	268	58%	198	42%
Project Planning & Design	808	337	42%	471	58%

2018 ARE 4.0 (Quarters 1 and 2 Combined)

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Building Design & Construction Systems	114	85	75%	29	25%
Building Systems	118	58	49%	60	51%
Construction Documents & Services	601	246	41%	355	59%
Programming, Planning, & Practice	755	298	39%	457	61%
Schematic Design	65	45	69%	20	31%
Site Planning & Design	438	223	51%	215	49%
Structural Systems	168	82	49%	86	51%

National pass rates for 2017 ARE 5.0 and ARE 4.0 are shown in the following tables:

2017 ARE 5.0

DIVISION	CALIFORNIA		NATIONAL	DIFFERENCE
	Total	Passed	Passed	
Construction & Evaluation	238	54%	61%	-7%
Practice Management	488	42%	50%	-8%
Programming & Analysis	296	43%	53%	-10%
Project Development & Documentation	602	47%	56%	-9%
Project Management	292	58%	59%	-1%
Project Planning & Design	774	42%	50%	-8%

2017 ARE 4.0

DIVISION	CALIFORNIA		NATIONAL	DIFFERENCE
	Total	Passed	Passed	
Building Design & Construction Systems	607	56%	62%	-6%
Building Systems	636	56%	59%	-3%
Construction Documents & Services	1,607	46%	52%	-6%
Programming, Planning, & Practice	1,507	48%	52%	-4%
Schematic Design	317	80%	81%	-1%
Site Planning & Design	1,087	59%	64%	-5%
Structural Systems	585	59%	59%	0%

California Supplemental Examination (CSE) Staff, at the direction of the Board, researched with the Office of Professional Examination Services (OPES) the feasibility of reducing the mandatory 180 day wait time after a candidate fails the CSE while maintaining examination security and defensibility. The Board was provided an update on the research at its December 7, 2017 meeting, and directed staff to proceed with a regulatory proposal to reduce the wait time from 180 to 90 days. At its March 1, 2018 meeting, the Board received a presentation from OPES detailing how the reduction in the wait time will be implemented in March 2019, and approved proposed regulatory language to commence the rulemaking process. Staff is working with DCA to develop a regulatory proposal for submittal to the Office of Administrative Law (OAL) and notice to the public.

The current Intra-Departmental Contract (IAC) with the OPES for examination development for fiscal year (FY) 2018/19 expires on June 30, 2019.

The pass rates for the CSE taken by candidates between October 1–31, 2018, and prior FY are displayed in the following tables:

October 2018 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
112	72	64%	40	36%

FY 2018/19 CSE
(as of October 31, 2018)

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
407	248	61%	159	39%

FY 2017/18 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
1,144	645	56%	499	44%

NCARB Integrated Path to Architectural Licensure (IPAL) Board staff contacted NCARB to provide any updated information regarding the program. NCARB indicated there were more than 400 students enrolled across 17 IPAL programs. Presently, over 60 students have taken one or more ARE divisions, and five students graduated from IPAL programs receiving their license. NCARB anticipates being able to provide more robust data in three to five years when more students have progressed through the program.

Professional Qualifications Committee (PQC) The PQC met on October 25, 2018, in Sacramento. At the meeting the PQC reviewed a draft of the new *Licensure Handbook*, which replaces the *Candidate's Handbook*, and provided its feedback to staff. The Committee also reviewed historical examination statistics for the ARE and CSE.

Regulatory Proposals California Code of Regulations (CCR) Sections 124 (California Supplemental Examination) and 124.5 (Review of California Supplemental Examination) – At its June 15, 2017 meeting, the Board directed staff to collaborate with OPES and research the feasibility of reducing the CSE retake waiting period. Based upon the results of its research, OPES determined and advised staff the waiting period could be reduced from 180 to 90 days with no compromise of examination integrity. Staff presented OPES' findings to the Board at its December 7, 2017, meeting and advised members it could bring a regulatory proposal to amend CCR section 124 for approval at the next Board meeting in March 2018. Board members subsequently voted in support of reducing the waiting period to 90 days and directed staff to commence the rulemaking process.

Staff developed proposed regulatory language to amend CCR section 124 and reduce the CSE waiting period. Staff also proposed language to amend CCR section 124.5 as it pertains to the CSE review process and release of examination results. The Board approved the proposed regulatory language to amend CCR sections 124 and 124.5 at its March 1, 2018, meeting and

delegated authority to the EO to adopt the regulations, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical or non-substantive changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR sections 124 and 124.5:

March 1, 2018	Proposed regulatory language approved by the Board
June 12, 2018	Proposed regulation submitted to DCA Legal for prereview.
July 2, 2018	DCA Legal concluded prereview and returned regulation to staff
July 5, 2018	Proposed regulation submitted to DCA Legal for Initial Analysis

ENFORCEMENT PROGRAM

Architect Consultants Building Official Contact Program: Architect consultants are available on-call to Building Officials to discuss the Board's policies and interpretations of the Architects Practice Act (Act), stamp and signature requirements, and scope of architectural practice.

Education/Information Program: Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In October, there were 83 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for 35 of the contacts and included inquiries regarding written contract requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

Collection Agency Contract The Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties. At its November 5, 2015 meeting, the REC reviewed and discussed this objective, and voted to recommend to the Board that it should encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the EO. The Board approved the REC's recommendation at its December 10, 2015 meeting. Following the meeting, staff identified outstanding accounts that could be referred to a collection agency and obtained quotes for full-service debt collection services, including "skip-tracing," credit reporting, and filing legal actions as appropriate. Staff is in the process of securing a contract with a collection agency through the informal solicitation method (Government Code (Gov.) section 14838.5) to allow the Board to refer unpaid accounts aged beyond 90 days to a collection agency. The collection agency contract is planned to be presented to the Board for review and possible action at a future meeting.

Enforcement Actions

Scott J. Glass (Brooklyn, New York) The Board issued a one-count citation that included a \$500 administrative fine to Glass, architect license number C-31542, for an alleged violation of Business and Professions Code (BPC) section 5600.05(a)(1) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Glass certified false or misleading information on his 2018 License Renewal Application. Glass paid the fine, satisfying the citation. The citation became final on September 14, 2018.

Kirk Edward Van Cleave (Rancho Mission Viejo) The Board issued a one-count citation that included a \$500 administrative fine to Van Cleave, architect license number C-25012, for an alleged violation of BPC section 5600.05(b) (License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements). The action alleged that Van Cleave failed to maintain records of completion of the required coursework for two years from the date of license renewal and failed to make those records available to the Board for auditing upon request. The citation became final on September 5, 2018.

<u>Enforcement Statistics</u>	<u>Current Month</u> October 2018	<u>Prior Month</u> September 2018	<u>FYTD</u> 2018/19	<u>5-FY Avg</u> 2013/14- 2017/18
Complaints				
Received/Opened (Reopened):	20 (0)	17 (0)	80 (1)	331 (2)
Closed:	34	8	80	316
Average Days to Close:	251 days	190 days	198 days	124 days
Pending:	158	172	168*	121
Average Age of Pending:	231 days	232 days	220 days*	148 days
Citations				
Issued:	6	1	18	48
Pending:	15	14	13*	11
Pending AG: †	2	2	2*	4
Final:	5	2	15	43
Disciplinary Actions				
Pending AG:	4	4	4*	5
Pending DA:	1	1	1*	1
Final:	0	0	1	3
Continuing Education (§5600.05)**				
Received/Opened:	1	0	3	66
Closed:	1	1	12	64
Pending:	1	1	3*	19
Settlement Reports (§5588)**				
Received/Opened:	6	4	15	27
Closed:	4	3	12	28
Pending:	17	15	16*	8

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations."

Most Common Violations The majority of complaints received are filed by consumers for allegations such as unlicensed practice, professional misconduct, negligence, and contract violations, or initiated by the Board upon the failure of a coursework audit.

During FY 2018/19 (as of October 31, 2018), 15 citations with administrative fines became final with 18 violations of the provisions of the Act and/or Board regulations. Below are the most common violations that have resulted in enforcement action during the current FY:

- BPC section 5536(a) - Practice Without License or Holding Self Out as Architect [5.5%]
- BPC section 5600.05(a)(1) or (b) - License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements [77.8%]
- CCR section 160(b)(2) - Rules of Professional Conduct (Willful Misconduct) [16.7%]

Planning Department Outreach On October 10, 2018, staff distributed a letter to planning departments throughout the state educating them on the Act and requesting that they verify licensure when plans for non-exempt projects are submitted for their review to prevent unlicensed activity.

Regulatory Proposals *CCR section 152.5 (Contest of Citations, Informal Conference)* - Staff developed proposed regulatory language to amend CCR section 152.5 to allow the EO to delegate to a designee, such as the Assistant Executive Officer or the Enforcement Program Manager, the authority to hold an informal conference with a cited person and make a decision to affirm, modify, or dismiss a citation. The proposed regulatory language also contains additional revisions to CCR section 152.5, including: changing the deadline for requesting an informal conference for consistency with the deadline for requesting a formal administrative hearing; authorizing the EO or a designee to extend the 60-day period for holding the informal conference for good cause; and clarifying that the decision to affirm, modify, or dismiss a citation is made following (rather than at the conclusion of) an informal conference, and a copy of the decision will be transmitted to the cited person within 30 days after the conference. The REC reviewed and discussed staff's draft proposed regulation to amend CCR section 152.5 at its November 8, 2016 meeting, and voted to recommend to the Board that it approve the regulation and authorize staff to proceed with the regulatory change. At its December 15, 2016 meeting, the Board approved the proposed regulation to amend CCR section 152.5, authorized staff to proceed with the required regulatory change to amend CCR section 152.5, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

CCR section 154 (Disciplinary Guidelines) - The Board's 2013 and 2014 Strategic Plans included an objective to review and update the Board's *Disciplinary Guidelines*. The REC reviewed recommended updates to the Board's *Disciplinary Guidelines* in 2013 and 2014. Additionally, at the request of the REC, staff consulted with a representative of AIACC to address a proposed modification to the "Obey All Laws" condition of probation. The representative concurred with the revision and indicated that there was no issue with the proposal. Staff then consulted with the REC Chair who agreed to provide the *Disciplinary Guidelines* with recommended revisions to the Board for consideration at its December 2014 meeting due to the target date established for the Strategic Plan objective. At its December 2014 meeting, the Board approved the proposed revisions to the *Disciplinary Guidelines* and authorized staff to proceed with a regulatory proposal to amend CCR section 154 in order to incorporate the revised *Disciplinary Guidelines* by reference. Staff prepared the required regulatory documents for the Board's review and approval at its June 10, 2015 meeting. The Board approved the proposed regulatory language to amend CCR section 154 at its June 10, 2015 meeting and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes, if needed.

At its August 6, 2015 meeting, the LATC reviewed recommended updates to LATC's *Disciplinary Guidelines* based on the revisions made to the Board's *Guidelines*. Following the meeting, Legal Counsel advised LATC staff that additional research may be necessary regarding Optional Conditions 9 (CSE) and 10 (Written Examination) in LATC's *Guidelines*. LATC staff subsequently discussed the matter with Legal Counsel on September 30, 2015. Board staff reviewed Legal Counsel's comments as they relate to the Board's *Disciplinary Guidelines*, and determined the Board's *Guidelines* would also need to be amended. On October 21, 2015, Board and LATC staff sent proposed edits to these conditions to Legal Counsel for review. Legal Counsel notified Board and LATC staff on November 12, 2015, that the proposed edits were acceptable, but substantive, and would require re-approval by the Board.

On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board's Quarterly Report of Compliance form (1/11) as "Attachment A" in the Board's *Disciplinary Guidelines*, as this method was previously approved by OAL for the 2000 edition of the *Guidelines*. At its December 10, 2015 meeting, the Board reviewed and approved the additional recommended revisions to the Board's *Disciplinary Guidelines* and the proposed regulation to amend CCR section 154, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR section 154. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR section 154 were presented to the Board for consideration at its December 15, 2016 meeting. At the meeting, the Board approved the additional revisions to the *Disciplinary Guidelines* and the proposed regulation to amend CCR section 154, authorized staff to proceed with the required regulatory change to amend CCR section 154 in order to incorporate the revised *Guidelines* by reference, and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and make minor technical or non-substantive changes to the language, if needed.

Following the December 15, 2016 Board meeting, LATC staff updated LATC's *Disciplinary Guidelines* to include the approved revisions that are appropriate for LATC. On July 13, 2017, LATC approved the revised *Guidelines* and recommended that they be presented to the Board for approval. On September 5, 2017, Legal Counsel advised LATC staff that additional substantive changes to LATC's *Guidelines* and the proposed language to amend CCR section 2680 were necessary prior to Board approval and submission of the regulatory package. The Board approved the revisions to LATC's *Guidelines* and the proposed language to amend CCR section 2680, including the necessary changes identified by Legal Counsel, at its September 7, 2017 meeting. Following the meeting, Board staff reviewed Legal Counsel's recommendations as they relate to the Board's *Disciplinary Guidelines* and determined that they would also need to be amended. Staff prepared additional, recommended revisions to the Board's *Guidelines* and the proposed language to amend CCR section 154 in response to Legal Counsel's recommendations, and

presented those revisions to the Board for review and approval at its December 7, 2017 meeting. At the meeting, the Board accepted the additional revisions to the *Guidelines*, and directed Legal Counsel and staff to conduct further research to determine if the Board has the statutory authority to impose fines through the disciplinary process and whether it should be referenced in the *Guidelines*.

Legal Counsel subsequently researched the Board's statutory authority to assess an administrative penalty or fine through discipline and found that BPC section 5565(d) authorizes the Board to assess a fine for any of the causes of action specified in BPC section 5577 (Conviction of a Crime Substantially Related to the Qualifications, Duties, or Functions of an Architect), and BPC section 5588(e) authorizes the Board to impose a civil penalty against a licensee who fails to report a civil action judgment, settlement, or arbitration award of \$5,000 or greater against the licensee to the Board within 30 days. Based on Legal Counsel's research, staff revised the Board's *Disciplinary Guidelines* to: 1) include the fine and civil penalty provisions authorized by BPC sections 5565(d) and 5588(e); 2) provide information regarding the Board's citation authority in the General Considerations section; and 3) update the descriptions of BPC sections 140, 5536.5, 5577, 5579, 5582.1, 5583, 5584, 5585, and 5586, to more accurately reflect the nature of the violations. At its March 1, 2018 meeting, the Board reviewed and approved the proposed regulatory changes to the *Disciplinary Guidelines* and CCR section 154 as modified, directed the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified. As a result of guidance from DCA, staff will need to make additional changes to the *Disciplinary Guidelines* due to the passage of AB 2138.

Regulatory and Enforcement Committee (REC) The next REC meeting has not been scheduled at this time.

Written Contract (BPC section 5536.22) A proposal was previously submitted by the Board to the Senate Business, Professions and Economic Development Committee (BP&ED) for possible inclusion in an omnibus bill. The amendment to BPC section 5536.22 sought to clarify that the following elements are needed in architects' written contracts with clients for professional services: 1) a description of the project; 2) the project address; and 3) a description of the procedure to accommodate contract changes. BP&ED staff determined that the proposal was substantive and, as such, would need to be included in another bill. At its April 28, 2016 meeting, the REC accepted staff's recommendation to also include a: 1) statement identifying the ownership and/or reuse of instruments of service prepared by the architect; and 2) notification to the client that the architect is licensed by the Board, in the amendment to BPC section 5536.22. Staff developed proposed language for BPC section 5536.22 to include these two additional elements, and presented it to the REC for consideration at its November 8, 2016 meeting. At the meeting, the REC supported adding the two additional provisions to the written contract requirement, but expressed concerns that the use of the word "complaints" in the proposed language for subsection (a)(9) could result in frivolous complaints to the Board against architects. The REC ultimately voted to recommend to the Board that it approve the proposed language to amend BPC section 5536.22 with the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9). The Board considered the REC's recommendation at its December 15, 2016 meeting, and approved the proposed language to amend BPC section 5536.22 with the exception

of proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure. The language was submitted to the BP&ED Committee on October 27, 2017, for consideration to be included in the 2018 Omnibus Committee bill. BP&ED staff determined that the proposal would not be included in the omnibus bill because it was deemed substantive, and instead, suggested that the Board present it to the Legislature for consideration via the “New Issues” section of the Sunset Review Report.

At its August 23, 2018 meeting, the REC reviewed and discussed the prior issues regarding the phrase “Any questions or concerns about an architect may be referred to the California Architects Board” in the proposed subsection (a)(9) and noted the potential challenges with including subsection (a)(9) in a written contract with a public agency. The REC voted to recommend to the Board that it approve revised wording of subsection (a)(9) and consider exempting public agency contracts from the requirement(s) in subsection (a)(9) or all of subdivision (a) of BPC section 5536.22. Following the REC meeting, staff reviewed the written contract requirements for landscape architects and professional engineers, which include an exemption for professional services rendered to a public agency, and recommended that the Board consider including a similar provision, subsection (b)(5), in the proposed language to amend BPC section 5536.22. Staff also recommended changing the minimum type size from 10-point to 12-point for consistency with current accessibility requirements. The Board approved the REC’s and staff’s recommendations and the proposed language to amend BPC section 5536.22 at its September 12, 2018 meeting. The Board’s proposal to amend BPC section 5536.22 will be presented to the Legislature for consideration via the “New Issues” section of the Sunset Review Report.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Personnel Program Manager, Brianna Miller’s last day with the LATC will be November 2, 2018. Trish Rodriguez resumed the Program Manager’s position on November 5, 2018. Additionally, Special Projects Analyst, Tremaine Palmer’s last day with the LATC was November 9, 2018. The LATC will begin recruitment efforts to fill the analyst position.

Business Modernization Refer to section under Board’s Administrative/Management.

Committee The next LATC’s next meeting is scheduled for December 6-7, 2018, in Sacramento. This meeting will include a Strategic Planning session.

Committee member mandatory trainings must be completed as follows:

- Ethics Orientation – completed within the first six months of appointment and repeat every two years throughout a member’s term
- Sexual Harassment Prevention – completed within the first six months of appointment and every two years throughout a member’s term
- Board Member Orientation – completed within one year of a member’s appointment and reappointment
- Defensive Driver – once every four years

Social Media The LATC maintains a Twitter account that currently has 147 followers. This account largely permits the LATC to have active social media participation with the public and professionals.

Website In October, staff , published the updated “Licensee Search” lists to the website. On October 23, 2018, the LATC transitioned to its new website design format, which is largely modeled after the Board’s. The new website also includes the electronic version of the new *Consumer’s Guide to Hiring a Landscape Architect*. The new web design fulfills the LATC’s 2017-2018 Strategic Plan objective.

On October 30, LATC staff met with DCA’s Office of Information Services to discuss the LATC’s transition to the DCA’s updated and modernized Web License Look Up in 2018. This is the first step of LATC’s License Look Up conversion which is slated to launch by December 2018. Presently, the LATC’s License Look Up feature is a PDF that is updated and re-posted on the website on a monthly basis. The modernized license search feature will be compatible for smart phones and provide consumers with enhanced licensee information. Specifically, this new search tool will enable the LATC to display current information on an ongoing basis as well as enable consumers to view all license related data for a licensee (i.e., display all licenses that a person may hold from DCA’s boards and bureaus as well as enforcement actions). It will also make searches easier by enabling search filters to distill search results. At the onset of conversion, LATC staff will engage with DCA’s OIS to participate in user-testing before rollout of the Web License Look Up.

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE) LATC’s Intra-Departmental Contract with OPES for examination development will expire on June 30, 2019.

OPES provides the LATC with Occupational Analysis (OA) and examination development services. BPC section 139 requires that an OA be conducted every five to seven years. An OA was completed by OPES for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. Staff recruits subject matter experts to participate in examination development workshops to focus on item writing and examination construction.

During the exam development workshops held on August 24-25, 2018 and September 14-15, 2018, OPES facilitated a review of the reference materials used for the CSE. Based on SME findings in these workshops, OPES recommended changes to the reference list that will be incorporated in the *CSE Candidate Guide* and reflected on the LATC website. OPES will inform the LATC when the updated list should be distributed.

CSE Results The pass rates for the CSE taken by candidates during FY 2018/19 (as of October 31, 2018) and prior FYs are shown in the following tables:

FY 2018/19 CSE
(as of October 31, 2018)

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
85	64	75%	21	25%

FY 2017/18 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
181	107	55%	89	45%

FY 2016/17 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
153	80	52%	73	48%

FY 2015/16 CSE

EXAMINATIONS ADMINISTERED	CANDIDATES PASSED		CANDIDATES FAILED	
	Total	Percent	Total	Percent
132	94	71%	38	29%

Landscape Architect Registration Examination (LARE) The LARE was administered from August 6-18, 2018. The candidate application deadline was June 22, 2018. The next LARE administration will be held December 10-22, 2018, and the candidate application deadline was October 26, 2018. Examination results for all LARE administrations are released by the Council of Landscape Architectural Registration Boards (CLARB) within six weeks of the last day of administration.

The pass rates for LARE sections taken by California candidates during the August 6-18, 2018, administration are shown below:

SECTION	NUMBER OF SECTIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Sections	Passed	No. of Sections	Failed
Project and Construction Management	67	41	61%	26	39%
Inventory and Analysis	71	42	59%	29	41%
Design	46	23	50%	23	50%
Grading, Drainage and Construction	59	43	73%	16	27%

National pass rates for LARE sections taken during the August 6-18, 2018, administration are shown below:

SECTION	CALIFORNIA		NATIONAL		DIFFERENCE
	Total	Passed	Total	Passed	
Project and Construction Management	67	61%	312	69%	-8%
Inventory and Analysis	71	59%	363	71%	-12%
Design	46	50%	331	64%	-14%
Grading, Drainage and Construction Documentation	59	73%	335	70%	3%

National pass rates for LARE sections taken in 2017 are shown below:

SECTION	CALIFORNIA		NATIONAL		DIFFERENCE
	Total	Passed	Total	Passed	
Project and Construction Management	235	66%	1,192	72%	-6%
Inventory and Analysis	225	66%	1,108	73%	-7%

SECTION	CALIFORNIA		NATIONAL		DIFFERENCE
	Total	Passed	Total	Passed	
Design	223	66%	1,094	70%	-4%
Grading, Drainage and Construction Documentation	224	66%	1,136	68%	-2%

Regulatory Proposals CCR sections 2615 (*Form of Examinations*) and 2620 (*Education and Training Credits*)- At its meeting on February 10, 2015, LATC directed staff to draft proposed regulatory language to specifically state that California allows reciprocity to individuals who are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. At the LATC meeting on November 17, 2015, the Committee approved proposed amendments to CCR section 2615(c)(1), and recommended that the Board authorize LATC to proceed with a regulatory change. At its December 10, 2015 meeting, the Board approved the regulatory changes and delegated authority to the EO to adopt the corresponding regulations to amend CCR section 2615 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

The LATC received extensive input during the public comment period expressing concern about the proposed length of post-licensure experience (at least 10 years, within the past 15 years) to be required of reciprocity candidates who do not meet California's educational requirements (specifically, a degree in landscape architecture). At its November 4, 2016 meeting, LATC reviewed and discussed the public comments, heard from several members of the audience, and directed staff to provide additional research and possible options for its next meeting in January 2017. At its January 17, 2017 meeting, the Committee directed staff to draft proposed regulatory language allowing reciprocity licensure to applicants licensed to practice landscape architecture by any US jurisdiction, Canadian province, or Puerto Rico, upon passing the CSE. Staff consulted with legal counsel to draft new, proposed regulatory language in accordance with the Committee's direction. Staff was also advised that it would be more timely to begin a new regulatory proposal for this new language in lieu of continuing with the existing proposal. Pursuant to Government Code (GC) section 11346.4, the one-year deadline to finalize the existing regulatory proposal was August 12, 2017, which did not allow sufficient time to complete the required review/approval process through the control agencies.

At its April 18, 2017 meeting, the Committee approved the new proposed regulatory language to amend CCR section 2615(c)(1) and recommended that the Board authorize LATC to proceed with the regulatory change. The LATC's recommendation was considered by the Board at its June 15, 2017, meeting. Following discussion, the Board voted to reject the proposed regulatory language. The Board directed staff to prepare a proposal that addresses both the LATC's initial and reciprocal licensure requirements, and that closely aligns with the Board's current licensure requirements. The Board requested that the LATC's proposal should be presented to the Board at its next meeting.

At the July 13, 2017 meeting, the LATC reviewed proposed language to amend CCR section 2620 (Education and Training Credits) composed by staff and DCA Legal. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to establish an Education and Experience Subcommittee (Subcommittee) to determine the execution for these proposed pathways to licensure. Specifically, the Committee directed the Subcommittee to determine the appropriate amount of credit to grant for these new pathways, and define related versus unrelated degrees and the execution of an 'experience-only' pathway. The Subcommittee met on October 3, 2017, and issued recommendations in accordance with its charge. These recommendations were provided to the LATC at its meeting on November 2, 2017. The LATC made minor revisions to the Subcommittee's recommendations and voted to recommend to the Board the approval of amendments to CCR section 2620. Upon the Board's review of amendments for CCR section 2620 during its meeting on December 7, 2017, the Board voted to approve the language. As initial licensing provisions and reciprocity provisions are closely tied, the LATC voted on July 13, 2017, to recommend to the Board that reciprocity requirements align with the final, amended provisions to CCR section 2620.

Further, per LATC and Board directive to align reciprocity and initial license requirements, staff evaluated CCR section 2615 to determine if updates are necessary to bring reciprocity requirements in congruence with the newly proposed initial licensure requirements. Staff determined that updates related to reciprocity are not needed as the existing language defers to CCR section 2620 to determine licensure eligibility. However, it was found that minor changes are necessary for consistency with the proposed amendments to CCR section 2620. Specifically, these changes will replace the term "Board approved degree" with "degree from an accredited program" and update a reference to CCR section 2620(a)(7). This new language was presented to the LATC for review and possible approval at their meeting on May 4, 2018. During this meeting, the Committee expressed concern that the Certification of Experience form may not adequately structure the experience a candidate gains, especially as it would pertain to the proposed experience-only pathway. Following discussion, the Committee directed staff to conduct further research regarding experience credit allocation of other licensing jurisdictions and present findings at the next Committee meeting.

Subsequent to the Committee meeting on May 4, 2018, staff gathered research from other licensing jurisdictions who have detailed experience criteria on their experience verification forms as well as gathered data for California licensees and active candidates who qualify for licensure with one-year of education credit and five years of experience inclusive of examination pass rates, the types of experience gained, and whether enforcement actions were taken. The findings of staff research were presented to the LATC during its meeting on July 20, 2018; at which time the Committee granted approval to staff to move forward with the combined rulemaking file for CCR sections 2615 and 2620. The Board approved the LATC's proposed regulatory language at its meeting on September 12, 2018. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR section 2615:

November 17, 2015 Proposed regulatory language approved by the LATC

December 10, 2015	Proposed regulatory language approved by the Board
August 2, 2016	Notice of Proposed Changes in the Regulations submitted to OAL
August 12, 2016	Notice of Proposed Changes in the Regulations published by OAL
September 27, 2016	Public hearing, public comments received during 45-day period
April 18, 2017	LATC voted to withdraw regulatory proposal and approved new proposed regulatory language
June 15, 2017	Board requested LATC prepare an alternate proposal that refines both initial and reciprocal licensure requirements to be more closely related to those of the Board's
July 13, 2017	LATC voted to recommend to the Board that reciprocity requirements align with initial licensure requirements once they are determined by the Education/Experience Subcommittee and approved by the LATC and the Board at subsequent meetings
October 3, 2017	The Education/Experience Subcommittee met and recommended expanded initial licensure pathways (and their respective education/experience credit allocations) as amendments to CCR section 2620 for the LATC's consideration
November 2, 2017	LATC met to review the Education/Experience Subcommittee's recommendations and voted to recommend that the Board approve proposed amendments to CCR section 2620 to expand initial licensure pathways
December 7, 2017	Board reviewed and approved the LATC's proposed amendments to CCR section 2620
May 4, 2018	LATC reviewed revised proposed regulatory language, to amend CCR 2615 and 2620, and directed staff to conduct further research regarding experience credit allocation of other licensing jurisdictions and present findings at a future Committee meeting
July 20, 2018	LATC voted to recommend to the Board to proceed with the combined rulemaking file for CCR sections 2615 and 2620
September 12, 2018	Proposed regulatory language approved by Board
Pending	Staff preparing regulatory package for DCA legal prereview

CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) – LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended that the Board authorize LATC to proceed with a regulatory change. At the December 15–16, 2010 Board meeting, the Board approved the regulatory change and delegated authority to the EO to adopt the regulations to amend CCR section 2620.5 provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed. The regulatory proposal to amend CCR section 2620.5 was published by the OAL on June 22, 2012.

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing procedures for the review of the extension certificate

programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, LATC approved the Task Force's recommended modifications to CCR section 2620.5, with an additional edit. At the January 24–25, 2013 LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR section 2620.5 at their March 7, 2013 meeting.

On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by OAL. The disapproval was based on OAL's determination that the regulatory package did not meet the necessity standard of the GC section 11349.1, subdivision (a)(1). GC section 11349(a) defines "necessity" as demonstrating the need for the regulatory change through evidence not limited to facts, studies, and expert opinion. Based on OAL's disapproval, staff worked with DCA Legal Counsel and the Task Force Chair to refine the proposed language and identify appropriate justification that would meet OAL's requirements.

In May 2014, the LATC Special Projects Analyst prepared draft language for CCR section 2620.5 incorporating Legal Counsel's recommendation that regulatory language be added to address the application, approval, denial, and annual review processes. On December 8, 2014, staff was advised by LAAB that the accreditation standards are scheduled to be reviewed and updated beginning with draft proposals in the spring of 2015. LAAB anticipated adopting new standards in early 2016. On December 30, 2014, staff met with the Task Force Chair to discuss proposed changes to CCR section 2620.5 and the probability that new LAAB accreditation standards will be implemented in 2016. Staff also met with Legal Counsel on January 14, 2015, to discuss justifications to proposed changes and again on January 28, 2015, to further review edits and justifications.

Proposed regulatory language was presented to the LATC at its February 10–11, 2015 meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

On June 5, 2015, LAAB confirmed that they are in the process of updating their Standards and Procedures for the Accreditation of Landscape Architecture Programs. The process included a public call for input and commentary that took place in the fall of 2014. LAAB met in the summer of 2015 to draft revisions to the Standards. In the fall of 2015, additional public input and comments were received.

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which included several suggested changes to curriculum requirements. LAAB implemented its new Accreditation Standards and Procedures in March 2016, making significant changes to the curriculum requirements beginning in 2017. Staff recommended that LATC review the LAAB Accreditation Standards and Procedures at its January 2017 meeting, and determine how to proceed. Prior to the

meeting, Stephanie V. Landregan, Director of the University of California Los Angeles Extension Certificate program, requested that discussion be postponed until the April 18, 2017 LATC meeting. Her request was granted, and this topic was tabled, accordingly.

At the April 18, 2017 LATC meeting, the Committee heard comments from Mses. Landregan and Anderson, president-elect of the Council of Landscape Architectural Registration Boards, that offered insight on how LATC could incorporate LAAB accreditation standards and continue to approve University of California Extension Certificate programs. In addition, the LATC was presented with several written public comments addressing the University of California Extension Certificate programs. After discussion, the Committee directed staff to form a subcommittee to recommend regulatory changes for LATC's consideration at a later meeting date.

At the July 20, 2018 LATC meeting, the Committee reviewed the proposed language to amend CCR section 2620.5 that was rejected by OAL on July 17, 2013. Following discussion, the Committee directed staff to explore options to engage LAAB as well as research private entities regarding the accreditation of extension certificate programs. The Committee requested that staff present their research findings for consideration at the next meetings on December 6-7, 2018.

Following is a chronology, to date, of the processing of LATC's regulatory proposal for CCR section 2620.5:

November 22, 2010	Proposed regulatory language approved by LATC
December 15, 2010	Proposed regulatory language approved by Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted on website
January 9, 2013	Written comment (one) received during 40-day period
January 24, 2013	Modified language to accommodate public comment approved by LATC
February 15, 2013	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Policy Review
March 7, 2013	Final approval of modified language by Board
May 31, 2013	Final rulemaking file submitted to OAL for approval
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff worked with Task Force Chair to draft justifications for proposed changes
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015
February 10, 2015	LATC approved the appointment of a new working group to assist staff
October 8, 2015	LATC received LAAB's suggested revisions to curriculum requirements
March 2016	LAAB implemented its new Accreditation Standards and Procedures
April 18, 2017	LATC directed the formation of a subcommittee to recommend regulatory changes for LATC's consideration
March 2018	LATC staff consulted with legal counsel regarding previously proposed amendments to CCR 2620.5

July 20, 2018	LATC directed staff to explore options to engage LAAB and private entities in the approval process of extension certificate programs
December 6, 2018	LATC to review staff's findings

CCR sections 2624 (Expired License – Three Years After Expiration) and 2624.1 (Expired License – Five Years After Expiration) – SB 800 amended BPC section 5680.2 to authorize a license to be renewed within five years of its expiration. The bill also prohibits a license that is expired for more than five years from being renewed, restored, reissued, or reinstated, but would authorize the holder of the expired license to apply for a new license, as specified. SB 800 was approved by the Governor on October 7, 2017, and took effect on January 1, 2018.

With the passage of SB 800, CCR sections 2624 and 2624.1 are obsolete as they delineate application processes for re-licensure requirements that are no longer specified in statute. Accordingly, LATC staff have begun work on submitting a request to OAL to repeal CCR sections 2624 and 2624.1. Staff is pursuing this regulatory change in accordance with CCR section 100, which allows for a more expeditious regulatory change process because the proposed amendments are the deletion of regulatory provisions for which the statutory authority was repealed.

2017–2018 Strategic Plan Below is a summary of progress made toward the Strategic Plan objectives:

Explore and Adopt DCA's best practices for using social media: Staff met with DCA's Office of Public Affairs (OPA) on June 22, 2018 to discuss the Department's tools and recommendations for how to achieve this Strategic Plan objective. During this meeting, OPA staff suggested the development of enhanced LATC social media including creation of Facebook and Instagram accounts; however, OPA cautioned that development of these sites should await the start of the Board's new Executive Officer to ensure congruency with his/her vision. In the meantime, OPA requested access to LATC's Twitter account to research posting ideas aimed at increasing LATC's social media activity as well as verifying LATC's Twitter account to ensure its credibility. On September 20, 2018, LATC staff, along with Executive Officer, Laura Zuniga, met with OPA to discuss social media options for the LATC. It was suggested that staff track interest (i.e., "likes", comments, and re-posts) in successive social media posts/articles to determine LATC's intended audience.

Consult with DCA Public Affairs to optimize the LATC website on search engines: On June 22, 2018, LATC staff met with OPA to discuss means by which the LATC can optimize its website in search engines such that an individual searching for landscape architectural services would be more likely to see the LATC website in their results. During the meeting, OPA staff informed LATC that they will be able to provide assistance in this matter; however, it would be best to wait until implementation of the LATC's developmental website because the site's up-to-date web coding better facilitates optimization. OPA staff further cautioned that optimization can be a lengthy process given that it should involve the LATC optimizing such web content as publications, which are often posted as PDF documents and, therefore, may require re-formatting of content. The LATC's website transitioned to its new, updated format on October 23, 2018. Accordingly, LATC staff have reached out to OPA to continue efforts toward website optimization.

Revamp the Website (Using the Board's website as a possible template) to be More User-Friendly for Consumers - In pursuit of fulfilling this Strategic Plan objective, a developmental website has been developed using the California Department of Technology's (CDT) template for state government websites. The purpose for this template is to provide all state government websites a standardized look and feel as well as implement a consistent display of information across state agencies. Staff utilized v5 of the California State Template and the Board's website as a model. The developmental website contains the same information as the LATC's existing website; however, the information on the developmental website is displayed in a manner consistent with CDT standards as well as the Board's own layout.

The proposed developmental website was presented to the LATC at its May 4, 2018 meeting. The Committee approved the developmental website with additional revisions. Following this meeting, staff provided the website content to DCA's Office of Information Services, including the revisions determined during the LATC meeting discussion, for finalization and implementation.

On June 28, 2018, LATC staff met with OIS to discuss revisions to the developmental website. During this meeting, OIS recommended several revisions to the coding of the website to better facilitate maintenance. On October 23, 2018, OIS transitioned the LATC to the new website format. Accordingly, this Strategic Plan objective is fulfilled.

Continue to Explore and make a determination with regard to licensure for individuals who have related degrees to expand pathways to licensure -- At its January 17, 2017 meeting, the LATC considered options of granting education credit for related, as well as unrelated, degrees in landscape architecture or architecture. After discussion and receiving public comments, the Committee directed staff to conduct a public forum to receive additional input from the public by the next scheduled meeting, on April 18, 2017. The first public forum was facilitated by DCA SOLID on March 17, 2017, in Sacramento; the second public forum was held on April 18, 2017, in Pomona during the LATC meeting. Feedback collected during the forums addressed support and opposition to the expansion of education requirements. LATC staff also collected all submitted written comments and presented them to the Committee for consideration.

At the June 15, 2017 Board meeting, the Board directed the LATC to develop a proposal to align its initial and reciprocal licensure requirements with one another, and where possible, mirror those of the Board.

At the July 13, 2017 LATC meeting, the Committee reviewed proposed language to amend CCR section 2620 (Education and Training Credits) composed by staff and DCA Legal Counsel. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to establish an Education/Experience Subcommittee (Subcommittee) to determine the execution for these proposed pathways to licensure. Specifically, the Subcommittee was charged to define related and non-related degrees (baccalaureate and associate) and experience-only pathways and prescribe allowable credit for initial licensure.

The Subcommittee met on October 3, 2017, in Sacramento. The meeting discussion was facilitated by DCA SOLID and resulted in recommended credit for each of the five initial licensure pathways under its charge and identified degrees to be defined as “related degrees.” At the November 2, 2017 LATC meeting, the Committee reviewed the Subcommittee’s recommendations which included prescribed education and experience credit for the following proposed pathways: Related Degrees (Accredited), Related Degrees (Unaccredited), Any Bachelor’s Degree, and Experience-Only. The LATC accepted the Subcommittee’s recommended pathways as presented with a modification to degrees accepted under the proposed “Related Degrees (Unaccredited)” category to be accepted under “Any Bachelor’s Degree”.

The LATC voted to recommend to the Board the approval of amended language to CCR section 2620 that expands the approved pathways for initial licensure. This proposed language was approved by the Board during its December 7, 2017, meeting.

Following the Board meeting in December 2017, it was found that two additional minor changes are necessary for CCR section 2620 for consistency with the previously approved amendments. Specifically, these changes will replace the term “Board approved degree” with “degree from an accredited program” and update a reference to CCR section 2620(a)(7).

At the May 4, 2018 meeting, the Committee approved the proposed language to CCR 2620 with revisions to CCR 2620(a)(10) and CCR 2620(a)(11). The revisions would correct references to the definition of partial completion of a landscape architecture degree or extension certificate program, in 2620(b)(1).

The Board approved the LATC’s proposed regulatory language at its meeting on September 12, 2018. Staff is preparing the proposed regulatory package for submission to DCA for review, prior to publicly noticing with the OAL.

LATC ENFORCEMENT PROGRAM

Disciplinary Guidelines As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board in order to review and update LATC’s *Disciplinary Guidelines*. At its December 2014 meeting, the Board approved the proposed updates to their *Disciplinary Guidelines* and authorized staff to proceed with the required regulatory change in order to incorporate the revised *Disciplinary Guidelines* by reference. At its February 10, 2015 meeting, LATC approved proposed revisions to its *Disciplinary Guidelines* based on the recent Board approval for their *Guidelines*. Staff provided the revised *Disciplinary Guidelines* to the new Deputy Attorney General Liaison for review. He suggested several amendments, which staff added to the *Guidelines*. The amended *Disciplinary Guidelines* and proposed regulatory package were approved by LATC at its August 6, 2015 meeting and by the Board at their September 10, 2015 meeting.

On October 21, 2015, staff sent DCA Legal Counsel suggested edits to the Optional Conditions section in the *Disciplinary Guidelines* for review. Legal Counsel notified staff on November 12, 2015, that the edited portions were sufficient and substantive, and would require re-approval by the Board. On November 25, 2015, Legal Counsel further advised staff to include the current version of the Board’s Quarterly Report of Compliance form (1/11) as “Attachment A” in the *Disciplinary Guidelines*. At its December 10, 2015, meeting, the Board approved the revised

Disciplinary Guidelines and the proposed regulation to amend CCR § 2680, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel's review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Board staff developed recommended revisions to the *Guidelines* in response to Legal Counsel's concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016 meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR section 154 in order to incorporate the revised *Guidelines* by reference. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR section 154 were approved by the Board at its December 15, 2016 meeting. Staff updated its *Guidelines* to include the approved revisions that are appropriate to the LATC. On July 13, 2017, the Committee approved the revised *Guidelines* and recommended they be presented to the Board for approval.

On September 5, 2017, Legal Counsel advised LATC staff that additional substantive changes to LATC's *Guidelines* and the proposed language to amend CCR section 2680 were necessary. These changes were communicated by Legal Counsel during the Board's September 7, 2017 meeting. The Board approved the revisions to LATC's *Guidelines*, including the necessary changes identified by Legal Counsel, as well as proposed language to amend CCR section 2680. Following the meeting, Board staff prepared additional, recommended revisions to the Board's *Guidelines* and the proposed language to amend CCR section 154 in response to Legal Counsel's concerns, and presented those revisions to the Board for review and approval at its December 7, 2017 meeting. At the meeting, the Board accepted the additional revisions to the Board's *Guidelines*, and directed Legal Counsel and staff to conduct further research to determine if the Board has the statutory authority to impose fines through the disciplinary process and whether it should be referenced in the *Guidelines*. At its March 1, 2018 meeting, the Board was presented with and approved the additional edits to its *Disciplinary Guidelines* with no changes and authorized staff to proceed with a regulatory amendment. Following the Board's approval of its *Guidelines*, LATC staff incorporated the changes made to the Board's *Guidelines* that were relevant to the LATC's *Guidelines*. On May 4, 2018, the Committee reviewed and approved the revised *Guidelines* and recommended they be presented to the Board for approval.

At its June 13, 2018 meeting, the Board reviewed and approved the proposed regulatory changes to the LATC's *Disciplinary Guidelines* and CCR section 2680 as modified, directed the EO to make any technical or non-substantive changes to the rulemaking package, notice the proposed text for a 45-day comment period, and, if no adverse comments are received during the 45-day comment period and no hearing is requested, adopt the proposed regulatory changes, as modified. As a result of guidance from DCA, staff will need to make additional changes to the *Disciplinary Guidelines* due to the passage of AB 2138.

<u>Enforcement Statistics</u>	<u>Current Month</u> October 2018	<u>Prior Month</u> September 2018	<u>FYTD</u> 2018/19	<u>5-FY Avg</u> 2013/14- 2017/18
Complaints				
Received/Opened (Reopened):	7 (0)	0 (0)	13 (0)	28 (0)
Closed:	3	2	16	31
Average Days to Close:	178 days	90 days	145 days	247 days
Pending:	13	9	11*	16
Average Age (Pending):	107 days	170 days	151 days*	252 days
Citations				
Issued:	1	0	1*	3
Pending:	2	1	1*	3
Pending AG: †	0	0	0*	1
Final:	0	0	0	3
Disciplinary Actions				
Pending AG:	1	1	1*	1
Pending DA:	0	0	0*	0
Final:	0	0	1	1
Settlement Reports (§5678)**				
Received/Opened:	1	0	1	2
Closed:	0	0	1	2
Pending:	1	0	0*	2

* Calculated as a monthly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations."

CALENDAR OF EVENTS

November

12

Veterans Day Observed

Office Closed

22-23

Thanksgiving Holiday

Office Closed

December

6-7

Landscape Architects Technical Committee Meeting
& Strategic Planning Session

Sacramento

13-14

Board Meeting & Strategic Planning Session

Sacramento

25

Christmas Day

Office Closed



Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF BOARD MEETING

Board Members

Sylvia Kwan, President
Tian Feng, Vice President
Pasqual V. Gutierrez
Ebony Lewis
Matthew McGuinness
Robert C. Pearman, Jr.
Nilza Serrano
Barry Williams

September 12, 2018

**Elihu M. Harris State Office Building
1515 Clay Street, Room 11 (2nd Floor)
Oakland, CA 94612
(916) 574-7220 (Board Office)**

*Action may be taken
on any item listed on
the agenda.*

The California Architects Board will hold its quarterly meeting as noted above.

Agenda

**10:00 a.m. to 5:00 p.m.
(or until completion of business)**

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Public Comment on Items Not on the Agenda
The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Presentation by the National Council of Architectural Registration Boards (NCARB) Chief Executive Officer, Mike Armstrong, on the following items:
 - 1. Recap of the June 2018 Annual Business Meeting
 - 2. October 12-13, 2018 Member Board Chairs / Member Board Executives Leadership Summit
 - 3. Commitment to Diversity
 - 4. Modernization of Model Law and Model Regulations
 - 5. Legislative Trends
 - 6. Integrated Path to Architectural Licensure (IPAL)
 - 7. Architect Registration Examination (ARE) 5.0
 - 8. Architectural Experience Program (AXP)
- E. Review and Possible Action on June 13, 2018 Board Meeting Minutes
- F. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs

2420 DEL PASO ROAD,
SUITE 105
SACRAMENTO,
CA 95834

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916-575-7283 F

cab@dca.ca.gov
www.cab.ca.gov

(Continued)

- G. Update and Possible Action on Proposed Legislation:
 - 1. Assembly Bill (AB) 2138 (Chiu and Low, 2018) Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction
 - 2. AB 2483 (Voepel, 2018) Indemnification of Public Officers and Employees: Antitrust Awards
 - 3. Senate Bill (SB) 721 (Hill, 2018) Building Standards: Decks and Balconies: Inspection
 - 4. SB 984 (Skinner, 2018) State Boards and Commissions: Representation: Appointments
 - 5. SB 1137 (Vidak, 2018) Veterans: Professional Licensing Benefits
 - 6. SB 1480 (Hill, 2018) Professions and Vocations
- H. Regulatory and Enforcement Committee (REC) Report
 - 1. Update on August 23, 2018 REC Meeting
 - 2. Discuss and Possible Action on REC's Recommendations to the Board Regarding 2017-2018 Strategic Plan Objectives to:
 - a. Measure the Effectiveness of the Board's Citation Collection Methods as a Means of Protecting Future Consumers
 - b. Develop Educational Materials for Newly Licensed Architects to Provide More Information About the Requirements in Order to Avoid Future Violations
 - c. Determine the Necessity and Implementation Alternatives of a Licensure Fingerprint Requirement as a Means of Protecting Consumers
 - 3. Discuss and Possible Action on REC's Recommendation to the Board Regarding Proposed Language to Amend Business and Professions Code (BPC) Section 5536.22 (Written Contract)
- I. Landscape Architects Technical Committee (LATC) Report
 - 1. Update on July 20, 2018 LATC Meeting
 - 2. Review and Possible Action on LATC's Recommendation to the Board Regarding Proposed Amendments to California Code of Regulations (CCR), Title 16, Division 26, Article 1, Sections 2615 (Form of Examinations) and 2620 (Education and Training Credits)
 - 3. Discuss and Possible Action on Proposed Language to Amend BPC Section 5616 (Written Contract)
 - 4. Review and Possible Action on LATC's Recommendation to the Board Regarding 2017-2018 Strategic Plan Objective to Follow the Board's Determination Regarding the Necessity for a Licensure Fingerprint Requirement and the Alternatives for Implementation as a Means of Protecting Consumers
- J. Discuss and Possible Action on 2017-2018 Strategic Plan Objective to Conduct an Analysis to Determine the Effectiveness of the Continuing Education (CE) Requirement and Prepare a Report (Letter) for the Legislature
- K. Review and Possible Action to Approve Proposed Amendments to the Board and LATC Member Administrative Procedure Manuals
- L. Review and Possible Action to Approve the Board's and LATC's 2018 Sunset Review Reports to be Submitted to the Legislature
- M. Review of Future Board Meeting Dates

N. Election of Board Secretary for Remainder of 2018 Term

O. Closed Session – Pursuant to Government Code Sections 11126(c)(3), 11126(f)(4), and 11126.1, the Board Will Meet in Closed Session to:

1. Review and Possible Action on June 13, 2018 Closed Session Minutes
2. Deliberate and Vote on Disciplinary Matters
3. Adjourn Closed Session

P. Reconvene Open Session

Q. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public. The Board may webcast this meeting on its website at www.cab.ca.gov. Webcast availability cannot be guaranteed due to limitations on resources or technical difficulties. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend the physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Mel Knox

Telephone: (916) 575-7221

Email: mel.knox@dca.ca.gov

Telecommunications Relay Service: Dial 711

Mailing Address:

California Architects Board

2420 Del Paso Road, Suite 105

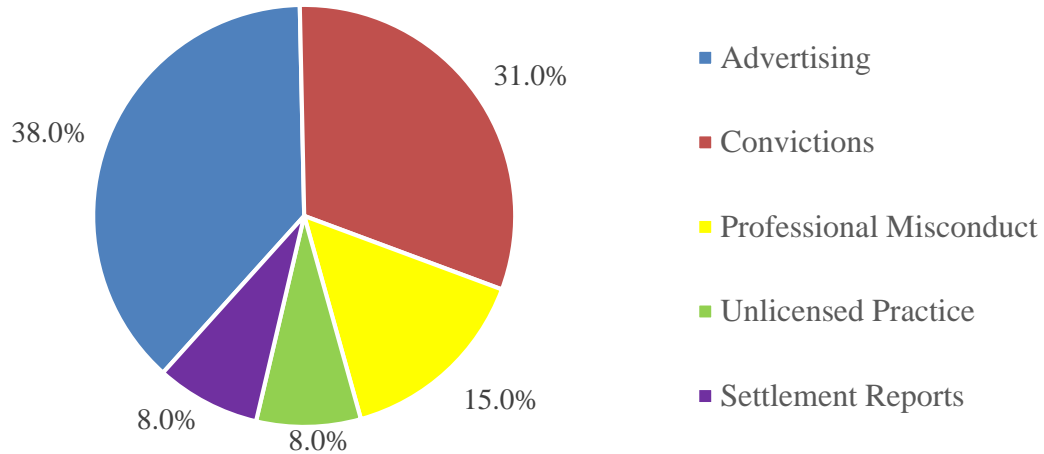
Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

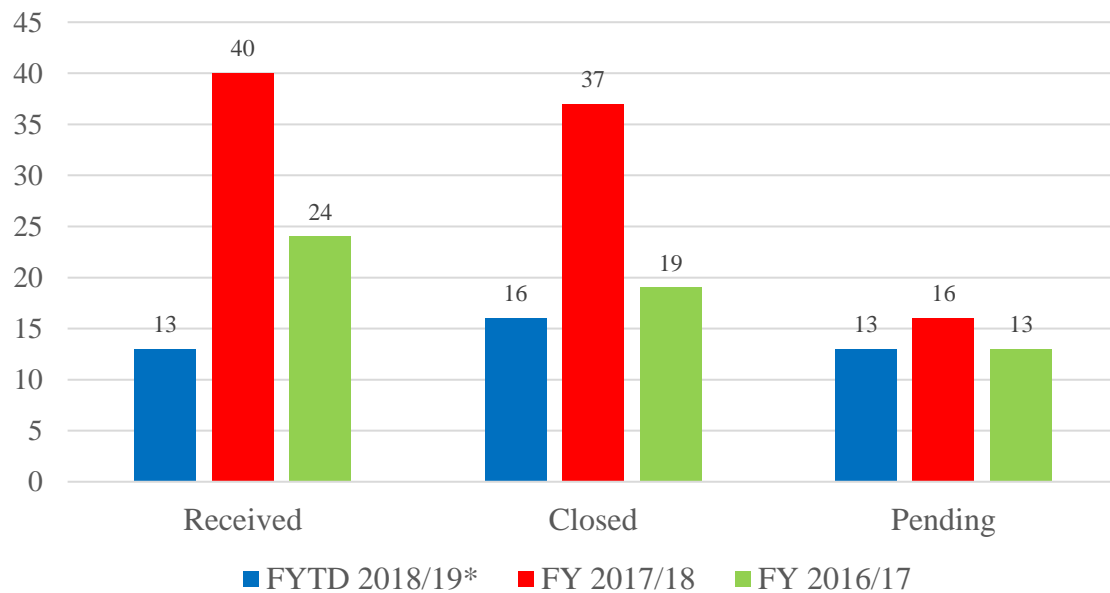
Protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code section 5510.15.)

ENFORCEMENT PROGRAM REPORT

Types of Complaints Received FYTD 2018/19*

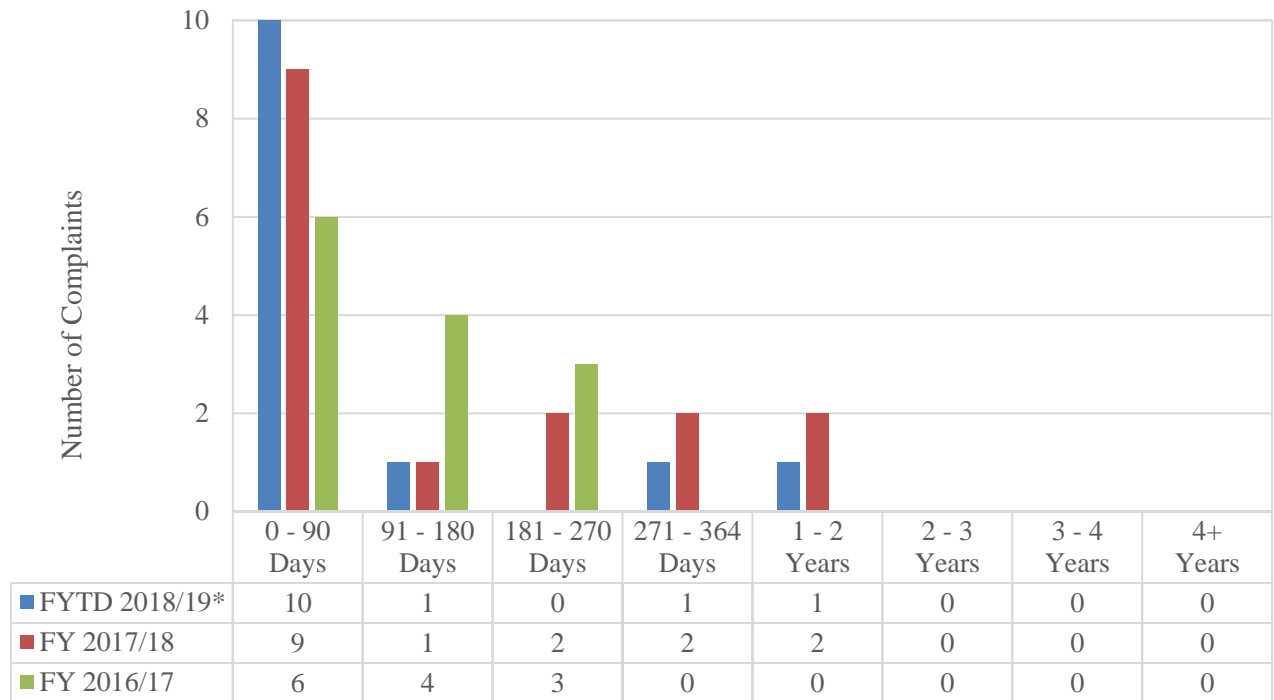


Complaints Received, Closed, and Pending by FY



*FYTD reflects data as of October 31, 2018.

Comparison of Age of Pending Complaints by FY



*FYTD reflects data as of October 31, 2018.

Closure of Complaints by FY

Type of Closure	FYTD 2018/19*	FY 2017/18	FY 2016/17
Cease/Desist Compliance	0	5	3
Citation Issued	2	0	4
Complaint Withdrawn	0	2	0
Insufficient Evidence	0	0	1
Letter of Advisement	3	8	4
No Jurisdiction	1	1	1
No Violation	10	19	4
Referred for Disciplinary Action	0	1	1
Other (i.e., Deceased, Error, etc.)	0	1	1

* FYTD reflects data as of October 31, 2018.

Disciplinary and Enforcement Actions by FY

Action	FYTD 2018/19*	FY 2017/18	FY 2016/17
Disciplinary Cases Initiated	0	1	1
Pending Disciplinary Cases	1	1	1
Final Disciplinary Orders	0	1	2
Final Citations	0	0	5
Administrative Fines Assessed	0	0	\$20,250

*FYTD reflects data as of October 31, 2018.

Most Common Violations by FY

The most common violations that resulted in enforcement action during the last three fiscal years are listed below.

Business and Professions Code (BPC) Section	FYTD 2018/19*	FY 2017/18	FY 2016/17
BPC § 5640 – Unlicensed Person Engaging in Practice - Sanctions	2 (100%)	0 (0%)	4 (80%)
BPC § 5675 – Felony Conviction - Disciplinary Action	0 (0%)	0 (0%)	1 (20%)

*FYTD reflects data as of October 31, 2018.

Agenda Item F

DISCUSS AND POSSIBLE ACTION ON MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO)

At the Landscape Architects Technical Committee (LATC) meeting on July 20, 2018, the Committee suggested a review of the proposed Model Water Efficient Landscape Ordinance (MWELO) revisions. Staff followed up with the Department of Water Resources (DWR) which has no proposed amendments at this time.

Until amendments are proposed by DWR, the LATC would like to continue the review and discussion of the current ordinance in anticipation of any proposed revision to the MWELO and preparation for any public comment during the rulemaking process.

Attachment:

Title 23 Chapter 2.7 Model Water Efficient Landscape Ordinance

entering into the loan contract. For investor-owned utilities, meetings or hearings held by the Public Utilities Commission may serve as Project Feasibility Meetings.

(b) Before a Project Feasibility Meeting, the supplier shall:

(1) Make available information describing the project in a form and location that will enable the water users to review it and to make appropriate comments. The information must be made available for a period of at least fifteen days before the Project Feasibility Meeting.

(2) Establish a date for the meeting agreeable to the Department and Department of Health Services.

(3) Notify the Department, the Department of Health Services and appropriate county health agencies in writing at least twenty calendar days before the meeting, and notify all water users and the local news media in writing at least fifteen calendar days before the meeting. The notice shall state: the date, time, location, and purpose of the meeting and the location of information describing the project for review by the water users. Sample notice forms will be provided by the Department.

(4) Obtain a meeting place of sufficient size and at a convenient location to accommodate the anticipated attendance.

(c) The agenda of the meeting shall include the following matters: (1) A discussion of applicable public health and water works standards, existing and potential health hazards associated with the water system, how the proposed project will bring the system to minimum health standards, and alternative solutions to the problem. (2) The supplier shall describe the proposed project in detail, using maps, charts, and other illustrative devices, if appropriate. The discussion shall include the costs, sources of funds, the amount of the loan-grant commitment, and changes in water costs resulting from the project.

(3) A representative of the State may describe the Act, the State's role in its administration and the Department's recommendation regarding the supplier's loan application. Persons present at the meeting shall be permitted to ask questions regarding all subjects discussed at the meeting.

(d) If no representative of the Department is present at the meeting, the supplier shall submit an official written report to the Department describing the meeting and its outcome including the results of any vote taken. NOTE: Authority cited: Section 13834, Water Code. Reference: Section 13834, Water Code.

§ 489.1. Plans and Specifications.

Before commencing construction, each Supplier shall provide detailed plans and specifications to the Department of Health Services for review and approval by a registered Civil Engineer employed by the Department of Health Services. Unless otherwise authorized in writing by the Department of Health Services, the supplier shall not commence construction without written notification from the Department of Health Services that the plans and specifications have been approved.

NOTE: Authority cited: Section 13834, Water Code. Reference: Section 13837, Water Code.

§ 489.2. Certification of Completion.

Department of Health Services shall inspect the completed project and if satisfied that the project has been completed in accordance with approved plans and specifications, shall provide the supplier and the Department with written certification to that effect.

NOTE: Authority cited: Section 13834, Water Code. Reference: Section 13834, Water Code.

Chapter 2.6. Weather Resources Management [Repealed]

NOTE: Authority cited: Sections 161, 401, 403 and 6078, Water Code. Reference: Sections 401, 402 and 403, Water Code and Sections 21000 et seq., Public Resources Code.

HISTORY

1. New Subchapter 2.6 (Articles 1–5, Sections 490–495.03, not consecutive) filed 9–28–79; effective thirtieth day thereafter (Register 79, No. 39).
2. Repealer of Subchapter 2.6 (Articles 1–5, Sections 490–495.03, not consecutive, not previously repealed by OAL Order of Repeal) filed 6–5–86; effective

thirtieth day thereafter (Register 86, No. 23). For prior history, see Register 85, No. 26; 81, Nos. 40 and 38; and 80, No. 7.

Chapter 2.7. Model Water Efficient Landscape Ordinance

§ 490. Purpose.

(a) The State Legislature has found:

(1) that the waters of the state are of limited supply and are subject to ever increasing demands;

(2) that the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;

(3) that it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;

(4) that landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development;

(5) that landscape design, installation, maintenance and management can and should be water efficient;

(6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

(b) Consistent with the legislative findings, the purpose of this model ordinance is to:

(1) promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water;

(2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects by encouraging the use of a watershed approach that requires cross-sector collaboration of industry, government and property owners to achieve the many benefits possible;

(3) establish provisions for water management practices and water waste prevention for existing landscapes;

(4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;

(5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;

(6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and

(7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

(c) Landscapes that are planned, designed, installed, managed and maintained with the watershed based approach can improve California's environmental conditions and provide benefits and realize sustainability goals. Such landscapes will make the urban environment resilient in the face of climatic extremes. Consistent with the legislative findings and purpose of the Ordinance, conditions in the urban setting will be improved by:

(1) Creating the conditions to support life in the soil by reducing compaction, incorporating organic matter that increases water retention, and promoting productive plant growth that leads to more carbon storage, oxygen production, shade, habitat and esthetic benefits.

(2) Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.

(3) Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.

(4) Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materi-

als, and using compost, mulch and efficient irrigation equipment to prevent erosion.

(5) Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.

NOTE: Authority cited: Section 65593, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 65591, 65593 and 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New chapter 2.7 (sections 490-495) filed 7-31-92; operative 7-31-92 (Register 92, No. 32).
2. Amendment of section and NOTE filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
3. Amendment of subsections (a)(4) and (b)(1)-(2), new subsections (c)-(e)(5) and amendment of NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 490.1. Applicability.

(a) After December 1, 2015, and consistent with Executive Order No. B-29-15, this ordinance shall apply to all of the following landscape projects:

(1) new construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;

(2) rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;

(3) existing landscapes limited to Sections 493, 493.1 and 493.2; and

(4) cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11, and 492.12; and existing cemeteries are limited to Sections 493, 493.1, and 493.2.

(b) For local land use agencies working together to develop a regional water efficient landscape ordinance, the reporting requirements of this ordinance shall become effective December 1, 2015 and the remainder of this ordinance shall be effective no later than February 1, 2016.

(c) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.

(d) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft. of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5).

(e) This ordinance does not apply to:

- (1) registered local, state or federal historical sites;
- (2) ecological restoration projects that do not require a permanent irrigation system;
- (3) mined-land reclamation projects that do not require a permanent irrigation system; or
- (4) existing plant collections, as part of botanical gardens and arboreta open to the public.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 491. Definitions.

The terms used in this ordinance have the meaning set forth below:

(a) "applied water" means the portion of water supplied by the irrigation system to the landscape.

(b) "automatic irrigation controller" means a timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

(c) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

(d) "Certificate of Completion" means the document required under Section 492.9.

(e) "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.

(f) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.

(g) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

(h) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.

(i) "compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.

(j) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year.

(k) "distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.

(l) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(m) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

(n) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.

(o) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.

(p) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.

(q) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.

(r) "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 492.4.

(s) "ET adjustment factor" (ETAF) means a factor of 0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.

(t) "evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

(u) "flow rate" means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.

(v) "flow sensor" means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.

(w) "friable" means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

(x) "Fuel Modification Plan Guideline" means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.

(y) "graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.

(z) "hardscapes" means any durable material (pervious and non-pervious).

(aa) "hydrozone" means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

(bb) "infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).

(cc) "invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.

(dd) "irrigation audit" means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association's Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency "Watersense" labeled auditing program.

(ee) "irrigation efficiency" (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The irrigation efficiency for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems.

(ff) "irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.

(gg) "irrigation water use analysis" means an analysis of water use data based on meter readings and billing data.

(hh) "landscape architect" means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.

(ii) "landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Wa-

ter Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

(jj) "landscape contractor" means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

(kk) "Landscape Documentation Package" means the documents required under Section 492.3.

(ll) "landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section 490.1.

(mm) "landscape water meter" means an inline device installed at the irrigation supply point that measures the flow of water into the irrigation system and is connected to a totalizer to record water use.

(nn) "lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.

(oo) "local agency" means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.

(pp) "local water purveyor" means any entity, including a public agency, city, county, or private water company that provides retail water service.

(qq) "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

(rr) "main line" means the pressurized pipeline that delivers water from the water source to the valve or outlet.

(ss) "master shut-off valve" is an automatic valve installed at the irrigation supply point which controls water flow into the irrigation system. When this valve is closed water will not be supplied to the irrigation system. A master valve will greatly reduce any water loss due to a leaky station valve.

(tt) "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 492.4. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0. $MAWA = (ET_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$

(uu) "median" is an area between opposing lanes of traffic that may be unplanted or planted with trees, shrubs, perennials, and ornamental grasses.

(vv) "microclimate" means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

(ww) "mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

(xx) "mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

(yy) "new construction" means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.

(zz) "non-residential landscape" means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.

(aaa) "operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.

(bbb) "overhead sprinkler irrigation systems" or "overhead spray irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).

(ccc) "overspray" means the irrigation water which is delivered beyond the target area.

(ddd) "parkway" means the area between a sidewalk and the curb or traffic lane. It may be planted or unplanted, and with or without pedestrian egress.

(eee) "permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.

(fff) "pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.

(ggg) "plant factor" or "plant water use factor" is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is 0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the publication "Water Use Classification of Landscape Species". Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).

(hhh) "project applicant" means the individual or entity submitting a Landscape Documentation Package required under Section 492.3, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.

(iii) "rain sensor" or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.

(jjj) "record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

(kkk) "recreational area" means areas, excluding private single family residential areas, designated for active play, recreation or public assembly in parks, sports fields, picnic grounds, amphitheaters or golf course tees, fairways, roughs, surrounds and greens.

(lll) "recycled water," "reclaimed water," or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for nonpotable uses such as landscape irrigation and water features. This water is not intended for human consumption.

(mmm) "reference evapotranspiration" or "ETo" means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowances so that regional differences in climate can be accommodated.

(nnn) "Regional Water Efficient Landscape Ordinance" means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.

(ooo) "rehabilitated landscape" means any relandscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet.

(ppp) "residential landscape" means landscapes surrounding single or multifamily homes.

(qqq) "run off" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, run off may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

(rrr) "soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

(sss) "soil texture" means the classification of soil based on its percentage of sand, silt, and clay.

(ttt) "Special Landscape Area" (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water.

(uuu) "sprinkler head" or "spray head" means a device which delivers water through a nozzle.

(vvv) "static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.

(www) "station" means an area served by one valve or by a set of valves that operate simultaneously.

(xxx) "swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

(yyy) "submeter" means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.

(zzz) "turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

(aaaa) "valve" means a device used to control the flow of water in the irrigation system.

(bbbbb) "water conserving plant species" means a plant species identified as having a very low or low plant factor.

(cccc) "water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(dddd) "watering window" means the time of day irrigation is allowed.

(eeee) "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension and the Department of Water Resources 2014.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 65592 and 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 7-31-92; operative 7-31-92 (Register 92, No. 32).
2. Amendment of section and NOTE filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
3. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492. Provisions for New Construction or Rehabilitated Landscapes.

(a) A local agency may designate by mutual agreement, another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596,

Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 7-31-92; operative 7-31-92 (Register 92, No. 32).
2. Amendment of section heading, repealer and new section and amendment of NOTE filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
3. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.1. Compliance with Landscape Documentation Package.

(a) Prior to construction, the local agency shall:

- (1) provide the project applicant with the ordinance and procedures for permits, plan checks or design reviews;
- (2) review the Landscape Documentation Package submitted by the project applicant;
- (3) approve or deny the Landscape Documentation Package;
- (4) issue a permit or approve the plan check or design review for the project applicant; and
- (5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

(b) Prior to construction, the project applicant shall:

- (1) submit a Landscape Documentation Package to the local agency.
- (c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:

(1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;

(2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and

(3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

NOTE: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 492.2. Penalties.

(a) A local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

NOTE: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 492.3. Elements of the Landscape Documentation Package.

(a) The Landscape Documentation Package shall include the following six (6) elements:

- (1) project information;
 - (A) date
 - (B) project applicant
 - (C) project address (if available, parcel and/or lot number(s))
 - (D) total landscape area (square feet)
 - (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - (G) checklist of all documents in Landscape Documentation Package
 - (H) project contacts to include contact information for the project applicant and property owner
 - (I) applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".

(2) Water Efficient Landscape Worksheet;

(A) hydrozone information table

(B) water budget calculations

1. Maximum Applied Water Allowance (MAWA)

2. Estimated Total Water Use (ETWU)

(3) soil management report;

(4) landscape design plan;

(5) irrigation design plan; and

(6) grading design plan.

NOTE: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 492.4. Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet in Appendix B which contains information on the plant factor, irrigation method, irrigation efficiency, and area associated with each hydrozone. Calculations are then made to show that the evapotranspiration adjustment factor (ETAF) for the landscape project does not exceed a factor of 0.55 for residential areas and 0.45 for non-residential areas, exclusive of Special Landscape Areas. The ETAF for a landscape project is based on the plant factors and irrigation methods selected. The Maximum Applied Water Allowance is calculated based on the maximum ETAF allowed (0.55 for residential areas and 0.45 for non-residential areas) and expressed as annual gallons required. The Estimated Total Water Use (ETWU) is calculated based on the plants used and irrigation method selected for the landscape design. ETWU must be below the MAWA.

(1) In calculating the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ET values from the Reference Evapotranspiration Table in Appendix A. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.

(b) Water budget calculations shall adhere to the following requirements:

(1) The plant factor used shall be from WUCOLS or from horticultural researchers with academic institutions or professional associations as approved by the California Department of Water Resources (DWR). The plant factor ranges from 0 to 0.1 for very low water using plants, 0.1 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.

(2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.

(3) All Special Landscape Areas shall be identified and their water use calculated as shown in Appendix B.

(4) ETAF for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.5. Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

(1) Submit soil samples to a laboratory for analysis and recommendations.

(A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

(B) The soil analysis shall include:

1. soil texture;
2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
3. pH;
4. total soluble salts;
5. sodium;
6. percent organic matter; and
7. recommendations.

(C) In projects with multiple landscape installations (i.e. production home developments) a soil sampling rate of 1 in 7 lots or approximately 15% will satisfy this requirement. Large landscape projects shall sample at a rate equivalent to 1 in 7 lots.

(2) The project applicant, or his/her designee, shall comply with one of the following:

(A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or

(B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.

(3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of subsection (a)(1)(B), new subsection (a)(1)(C) and amendment of NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.6. Landscape Design Plan.

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) Plant Material

(A) Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. Methods to achieve water efficiency shall include one or more of the following:

1. protection and preservation of native species and natural vegetation;
2. selection of water-conserving plant, tree and turf species, especially local native plants;
3. selection of plants based on local climate suitability, disease and pest resistance;
4. selection of trees based on applicable local tree ordinances or tree shading guidelines, and size at maturity as appropriate for the planting area; and
5. selection of plants from local and regional landscape program plant lists.

6. selection of plants from local Fuel Modification Plan Guidelines.

(B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 492.7(a)(2)(D).

(C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the

project site. Methods to achieve water efficiency shall include one or more of the following:

1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth; and

3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

(D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).

(E) High water use plants, characterized by a plant factor of 0.7 to 1.0, are prohibited in street medians.

(F) A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches. Refer to the local Fuel Modification Plan guidelines.

(G) The use of invasive plant species, such as those listed by the California Invasive Plant Council, is strongly discouraged.

(H) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.

(2) Water Features

(A) Recirculating water systems shall be used for water features.

(B) Where available, recycled water shall be used as a source for decorative water features.

(C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.

(D) Pool and spa covers are highly recommended.

(3) Soil Preparation, Mulch and Amendments

(A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.

(B) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).

(C) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.

(D) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.

(E) Stabilizing mulching products shall be used on slopes that meet current engineering standards.

(F) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.

(G) Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.

(b) The landscape design plan, at a minimum, shall:

(1) delineate and label each hydrozone by number, letter, or other method;

(2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;

(3) identify recreational areas;

(4) identify areas permanently and solely dedicated to edible plants;

(5) identify areas irrigated with recycled water;

(6) identify type of mulch and application depth;

(7) identify soil amendments, type, and quantity;

(8) identify type and surface area of water features;

(9) identify hardscapes (pervious and non-pervious);

(10) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples are provided in Section 492.16.

(11) identify any applicable rain harvesting or catchment technologies as discussed in Section 492.16 and their 24-hour retention or infiltration capacity;

(12) identify any applicable graywater discharge piping, system components and area(s) of distribution;

(13) contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and

(14) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.).

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; Section 1351, Civil Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.7. Irrigation Design Plan.

(a) This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) System

(A) Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq. ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

1. a customer service meter dedicated to landscape use provided by the local water purveyor; or

2. a privately owned meter or submeter.

(B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.

(C) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regu-

lating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.

(G) Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.

(H) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.

(I) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.

(J) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.

(K) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

(L) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.

(M) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard. All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(N) It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.

(O) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.

(P) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(Q) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.

(R) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.

(S) Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.

(T) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.

(U) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or

2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or

3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(I). Prevention of overspray and runoff must be confirmed during the irrigation audit.

(V) Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

(A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.

(D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:

1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or

2. the plant factor of the higher water using plant is used for calculations.

(E) Individual hydrozones that mix high and low water use plants shall not be permitted.

(F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

(1) location and size of separate water meters for landscape;

(2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;

(3) static water pressure at the point of connection to the public water supply;

(4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;

(5) recycled water irrigation systems as specified in Section 492.14;

(6) the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and

(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized

to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.8. Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.

(1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:

(A) height of graded slopes;

(B) drainage patterns;

(C) pad elevations;

(D) finish grade; and

(E) stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:

(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;

(B) avoid disruption of natural drainage patterns and undisturbed soil; and

(C) avoid soil compaction in landscape areas.

(3) The grading design plan shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

NOTE: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 492.9. Certificate of Completion.

(a) The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:

(1) project information sheet that contains:

(A) date;

(B) project name;

(C) project applicant name, telephone, and mailing address;

(D) project address and location; and

(E) property owner name, telephone, and mailing address;

(2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;

(A) where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;

(B) A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.

(3) irrigation scheduling parameters used to set the controller (see Section 492.10);

(4) landscape and irrigation maintenance schedule (see Section 492.11);

(5) irrigation audit report (see Section 492.12); and

(6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).

(b) The project applicant shall:

(1) submit the signed Certificate of Completion to the local agency for review;

(2) ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.

(c) The local agency shall:

(1) receive the signed Certificate of Completion from the project applicant;

(2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. New subsection (a)(2)(B) and amendment of NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.10. Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic irrigation controllers.

(2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:

- (A) the plant establishment period;
- (B) the established landscape; and
- (C) temporarily irrigated areas.

(5) Each irrigation schedule shall consider for each station all of the following that apply:

- (A) irrigation interval (days between irrigation);
- (B) irrigation run times (hours or minutes per irrigation event to avoid runoff);
- (C) number of cycle starts required for each irrigation event to avoid runoff;
- (D) amount of applied water scheduled to be applied on a monthly basis;

- (E) application rate setting;
- (F) root depth setting;
- (G) plant type setting;
- (H) soil type;
- (I) slope factor setting;
- (J) shade factor setting; and
- (K) irrigation uniformity or efficiency setting.

NOTE: Authority cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 492.11. Landscape and Irrigation Maintenance Schedule.

(a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.

(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.

(d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices for all landscape maintenance activities.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.12. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape.

(b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.

(c) For new construction and rehabilitated landscape projects installed after December 1, 2015, as described in Section 490.1:

(1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming;

(2) the local agency shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.13. Irrigation Efficiency.

(a) For the purpose of determining Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75 for overhead spray devices and 0.81 for drip system devices.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596,

Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.14. Recycled Water.

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water.

(b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.

(c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.15. Graywater Systems.

(a) Graywater systems promote the efficient use of water and are encouraged to assist in on-site landscape irrigation. All graywater systems shall conform to the California Plumbing Code (Title 24, Part 5, Chapter 16) and any applicable local ordinance standards. Refer to § 490.1 (d) for the applicability of this ordinance to landscape areas less than 2,500 square feet with the Estimated Total Water Use met entirely by graywater.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Renumbering of former section 492.15 to 492.16, new section 492.15 and amendment of NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.16. Stormwater Management and Rainwater Retention.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration are encouraged.

(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater technical requirements.

(c) All planted landscape areas are required to have friable soil to maximize water retention and infiltration. Refer to § 492.6(a)(3).

(d) It is strongly recommended that landscape areas be designed for capture and infiltration capacity that is sufficient to prevent runoff from impervious surfaces (i.e. roof and paved areas) from either: the one inch, 24-hour rain event or (2) the 85th percentile, 24-hour rain event, and/or additional capacity as required by any applicable local, regional, state or federal regulation.

(e) It is recommended that storm water projects incorporate any of the following elements to improve on-site storm water and dry weather runoff capture and use:

- Grade impervious surfaces, such as driveways, during construction to drain to vegetated areas.

- Minimize the area of impervious surfaces such as paved areas, roof and concrete driveways.
- Incorporate pervious or porous surfaces (e.g., gravel, permeable pavers or blocks, pervious or porous concrete) that minimize runoff.
- Direct runoff from paved surfaces and roof areas into planting beds or landscaped areas to maximize site water capture and reuse.
- Incorporate rain gardens, cisterns, and other rain harvesting or catchment systems.
- Incorporate infiltration beds, swales, basins and drywells to capture storm water and dry weather runoff and increase percolation into the soil.
- Consider constructed wetlands and ponds that retain water, equalize excess flow, and filter pollutants.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Renumbering of former section 492.16 to section 492.17 and renumbering of former section 492.15 to new section 492.16, including amendment of section heading, section and NOTE, filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.17. Public Education.

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

(1) A local agency or water supplier/purveyor shall provide information to owners of permitted renovations and new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes based on a water budget.

(b) Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.

(1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme. Signage shall include information about the site water use as designed per the local ordinance; specify who designed and installed the water efficient landscape; and demonstrate low water use approaches to landscaping such as using native plants, graywater systems, and rainwater catchment systems.

(2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Renumbering of former section 492.17 to new section 492.18 and renumbering of former section 492.16 to new section 492.17, including amendment of section and NOTE, filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 492.18. Environmental Review.

(a) The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

NOTE: Authority cited: Section 21082, Public Resources Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Sections 21080 and 21082, Public Resources Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. Renumbering of former section 492.17 to new section 492.18, including amendment of NOTE, filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 493. Provisions for Existing Landscapes.

(a) A local agency may by mutual agreement, designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 7-31-92; operative 7-31-92 (Register 92, No. 32).
2. Repealer and new section and amendment of NOTE filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
3. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 493.1. Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) This section, 493.1, shall apply to all existing landscapes that were installed before December 1, 2015 and are over one acre in size.

(1) For all landscapes in 493.1 (a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: $MAWA = (ET_o)(LA)(0.62)$.

(2) For all landscapes in 493.1(a), that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of subsection (a) and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 493.2. Water Waste Prevention.

(a) Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violation of these prohibitions shall be established locally.

(b) Restrictions regarding overspray and runoff may be modified if:

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or

(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

NOTE: Authority cited: Section 65594, Government Code. Reference: Section 65596, Government Code.

HISTORY

1. New section filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

§ 494. Effective Precipitation.

(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:

$MAWA = (ET_o - Eppt)(0.62) [(0.55 \times LA) + (0.45 \times SLA)]$ for residential areas.

$MAWA = (ET_o - EPPT)(0.62) [(0.45 \times LA) + (0.55 \times SLA)]$ for non-residential areas.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. Repealer and new section; new NOTE and new Appendices A-C filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).
2. Amendment of section and NOTE filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

§ 495. Reporting.

(a) Local agencies shall report on implementation and enforcement by December 31, 2015. Local agencies responsible for administering individual ordinances shall report on their updated ordinance, while those agencies developing a regional ordinance shall report on their existing ordinance. Those agencies crafting a regional ordinance shall also report on their new ordinance by March 1, 2016. Subsequently, reporting for all agencies will be due by January 31st of each year. Reports shall be submitted to the Department of Water Resources.

(b) Local agencies are to address the following:

(1) State whether you are adopting a single agency ordinance or a regional agency alliance ordinance, and the date of adoption or anticipated date of adoption.

(2) Define the reporting period. The reporting period shall commence on December 1, 2015 and the end on December 28, 2015. For local agencies crafting regional ordinances with other agencies, there shall be an additional reporting period commencing on February 1, 2016 and ending on February 28, 2016. In subsequent years, all local agency reporting will be for the calendar year.

(3) State if using a locally modified Water Efficient Landscape Ordinance (WELO) or the MWELo. If using a locally modified WELO, how is it different than MWELo, is it at least as efficient as MWELo, and are there any exemptions specified?

(4) State the entity responsible for implementing the ordinance.

(5) State number and types of projects subject to the ordinance during the specified reporting period.

(6) State the total area (in square feet or acres) subject to the ordinance over the reporting period, if available.

(7) Provide the number of new housing starts, new commercial projects, and landscape retrofits during the reporting period.

(8) Describe the procedure for review of projects subject to the ordinance.

(9) Describe actions taken to verify compliance. Is a plan check performed; if so, by what entity? Is a site inspection performed; if so, by what entity? Is a post-installation audit required; if so, by whom?

(10) Describe enforcement measures.

(11) Explain challenges to implementing and enforcing the ordinance.

(12) Describe educational and other needs to properly apply the ordinance.

NOTE: Authority cited: Section 65595, Government Code; and sections 11 and 30, Governor's Exec. Order No. B-29-15 (April 1, 2015). Reference: Section 65596, Government Code; and section 11, Governor's Exec. Order No. B-29-15 (April 1, 2015).

HISTORY

1. New section filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38). For prior history, see Register 2009, No. 37.

Appendix A. Reference Evapotranspiration (ET_o) Table

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0

Appendix A - Reference Evapotranspiration (ET_o) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
FRESNO													
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopla	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
KINGS													
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Coulterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
MENDOCINO													
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9
MERCED													
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	3.1	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Desert	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1

Appendix A - Reference Evapotranspiration (ET _o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
SAN DIEGO													
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6
SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0

Appendix A - Reference Evapotranspiration (ET_o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET_o
SANTA CLARA													
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
STANISLAUS													
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7
Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3

Appendix A - Reference Evapotranspiration (ET_o) Table*

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET _o
STANISLAUS													
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4

* The values in this table were derived from:

- 1) California Irrigation Management Information System (CIMIS);
- 2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922;
- 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426

HISTORY

1. New Appendix A filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Repealer and new Appendix A filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

Appendix B — Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ET_o) _____

Hydrozone # /Planting Description ^a	Plant Factor (PF)	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) ^e
Regular Landscape Areas							
				Totals	(A)	(B)	
Special Landscape Areas							
				1			
				1			
				1			
				Totals	(C)	(D)	
						ETWU Total	
						Maximum Allowed Water Allowance (MAWA)^e	

^aHydrozone #/Planting Description

E.g.

1.) front lawn

2.) low water use plantings

3.) medium water use planting

^bIrrigation Method

overhead spray

or drip

^cIrrigation Efficiency

0.75 for spray head

0.81 for drip

^dETWU (Annual Gallons Required) =

ET_o x 0.62 x ETAF x Area

where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

^eMAWA (Annual Gallons Allowed) = (ET_o) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]

where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations**Regular Landscape Areas**

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B ÷ A

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for non-residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	(B+D) ÷ (A+C)

HISTORY

1. New Appendix B filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Repealer and new Appendix B filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

Appendix C — Sample Certificate of Completion.

CERTIFICATE OF COMPLETION

This certificate is filled out by the project applicant upon completion of the landscape project.

PART 1. PROJECT INFORMATION SHEET

Date		
Project Name		
Name of Project Applicant	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location:

Street Address		Parcel, tract or lot number, if available.
City		Latitude/Longitude (optional)
State	Zip Code	

Property Owner or his/her designee:

Name	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Property Owner

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Property Owner Signature

Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency _____
2. Date the Landscape Documentation Package was approved by the local agency _____
3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to the local water purveyor _____

PART 2. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

"I/we certify that based upon periodic site observations, the work has been completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone No.	
	Fax No.	
Title	Email Address	
License No. or Certification No.		
Company	Street Address	
City	State	Zip Code

*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.

PART 3. IRRIGATION SCHEDULING

Attach parameters for setting the irrigation schedule on controller per ordinance Section 492.10.

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

Attach schedule of Landscape and Irrigation Maintenance per ordinance Section 492.11.

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT

Attach Landscape Irrigation Audit Report per ordinance Section 492.12.

PART 6. SOIL MANAGEMENT REPORT

Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 492.6.

Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 492.6.

HISTORY

1. New Appendix C filed 9-10-2009; operative 9-10-2009 pursuant to Government Code section 11343.4 (Register 2009, No. 37).

2. Repealer and new Appendix C filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

Appendix D — Prescriptive Compliance Option.

(a) This appendix contains prescriptive requirements which may be used as a compliance option to the Model Water Efficient Landscape Ordinance.

(b) Compliance with the following items is mandatory and must be documented on a landscape plan in order to use the prescriptive compliance option:

(1) Submit a Landscape Documentation Package which includes the following elements:

- (A) date
- (B) project applicant
- (C) project address (if available, parcel and/or lot number(s))
- (D) total landscape area (square feet), including a breakdown of turf and plant material
- (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
- (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
- (G) contact information for the project applicant and property owner
- (H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELO".

(2) Incorporate compost at a rate of at least four cubic yards per 1,000 square feet to a depth of six inches into landscape area (unless contraindicated by a soil test);

(3) Plant material shall comply with all of the following:

(A) For residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 75% of the plant area excluding edibles and areas using recycled water; For non-residential areas, install climate adapted plants that require occasional, little or no summer water (average WUCOLS plant factor 0.3) for 100% of the plant area excluding edibles and areas using recycled water;

(B) A minimum three inch (3") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.

(4) Turf shall comply with all of the following:

(A) Turf shall not exceed 25% of the landscape area in residential areas, and there shall be no turf in non-residential areas;

(B) Turf shall not be planted on sloped areas which exceed a slope of 1 foot vertical elevation change for every 4 feet of horizontal length;

(C) Turf is prohibited in parkways less than 10 feet wide, unless the parkway is adjacent to a parking strip and used to enter and exit vehicles. Any turf in parkways must be irrigated by sub-surface irrigation or by other technology that creates no overspray or runoff.

(5) Irrigation systems shall comply with the following:

(A) Automatic irrigation controllers are required and must use evapotranspiration or soil moisture sensor data and utilize a rain sensor.

(B) Irrigation controllers shall be of a type which does not lose programming data in the event the primary power source is interrupted.

(C) Pressure regulators shall be installed on the irrigation system to ensure the dynamic pressure of the system is within the manufacturers recommended pressure range.

(D) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be installed as close as possible to the point of connection of the water supply.

(E) All irrigation emission devices must meet the requirements set in the ANSI standard, ASABE/ICC 802-2014. "Landscape Irrigation Sprinkler and Emitter Standard." All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(F) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produces no runoff or overspray.

(6) For non-residential projects with landscape areas of 1,000 sq. ft. or more, a private submeter(s) to measure landscape water use shall be installed.

(c) At the time of final inspection, the permit applicant must provide the owner of the property with a certificate of completion, certificate of installation, irrigation schedule and a schedule of landscape and irrigation maintenance.

HISTORY

1. New Appendix D filed 9-15-2015; operative 9-15-2015. Exempt from OAL review and submitted to OAL for printing only pursuant to Governor's Executive Order No. B-29-15 (4-1-2015) (Register 2015, No. 38).

Chapter 2.7.1. Flood Protection Corridor Program of the Costa-Machado Water Act of 2000

§ 497.1. Scope.

(a) These regulations implement Sections 79035 through 79044, and 79044.9 in Article 2.5 of Chapter 5 of Division 26 of the Water Code, which Division is the Costa-Machado Water Act of 2000. They establish a process for funding acquisition of property rights and related activities for flood protection corridor projects undertaken by the Department of Water Resources directly or through grants to local public agencies or nonprofit organizations.

(b) The Flood Protection Corridor Program is statewide in scope. Within the geographic scope of the CALFED Bay-Delta Program, funds in the subaccount for this program shall be used for projects that, to the greatest extent possible, are consistent with the CALFED long-term plan identified in the Programmatic Record of Decision of August 28, 2000.

NOTE: Authority cited: Sections 8300, 12580 and 79044.9, Water Code; 2000 Cal. Stat. Ch. 52, Item No. 3860-101-6005; 2001 Cal. Stat. Ch. 106, Item No. 3860-001-0001, Provision 3; and 2002 Cal. Stat. Ch. 379, Item No. 3860-101-6005. Reference: Sections 79037, 79043, 79044 and 79044.9, Water Code

HISTORY

1. New chapter 2.7.1 (sections 497.1-497.12) and section filed 8-19-2003; operative 8-19-2003 pursuant to Government Code section 11343.4 (Register 2003, No. 34).

§ 497.2. Definitions.

The words used in this chapter have meanings set forth as follows:

(a) "A List" means the preferred priority list of projects described in Section 497.6.

(b) "Applicant" means an entity that is acting as the principal party making an application for funding under the provisions of the Costa-Machado Water Act of 2000.

(c) "B List" means the reserve priority list of projects described in Section 497.6.

(d) "CEQA" means the California Environmental Quality Act, Public Resources Code Sections 21000 *et seq.*

(e) "Department" means the California Department of Water Resources.

(f) "Director" means the Director of the Department of Water Resources.

(g) "FEMA" means the Federal Emergency Management Agency.

(h) "Fully funded" with respect to a grant project means funded to the full amount of the requested funds or to the funding limit, whichever is less.

(i) "Grant application form" means the Department's form entitled "Flood Protection Corridor Program Project Evaluation Criteria and Competitive Grant Application Form" dated April 9, 2003 and incorporated herein by this reference.

(j) "Local public agency" means any political subdivision of the State of California, including but not limited to any county, city, city and county, district, joint powers agency, or council of governments.

(k) "Milestone" means a time when a significant portion of a project is completed, as defined in the contract as a time for disbursement of grant funds.

(f) "Nonprofit organization" means an organization that does not operate for profit and has no official governmental status, including but not limited to clubs, societies, neighborhood organizations, advisory councils, conservation organizations and privately run local community conservation corps.

(m) "Program" means the Flood Protection Corridor Program established by Water Code Division 26, Chapter 5, Article 2.5.

(n) "Property interest" means any right in real property, including easement, fee title, and any other kind of right acquired by legally binding means.

(o) "Project" means all planning, engineering, acquisition of real property interests, construction and related activities undertaken to implement a discrete action undertaken under the program pursuant to Water Code Section 79037.

(p) "Sponsor" means an applicant who has received grant funding through the application process described in these regulations.

(q) "Subaccount" means the Flood Protection Corridor Subaccount created by Water Code Section 79035(a).

NOTE: Authority cited: Sections 8300, 12580 and 79044.9, Water Code. Reference: Sections 79035, 79037, 79038(a) and 79043, Water Code; and Sections 21000 *et seq.*, Public Resources Code.

HISTORY

1. New section filed 8-19-2003; operative 8-19-2003 pursuant to Government Code section 11343.4 (Register 2003, No. 34).

§ 497.3. Program Management Process.

The Department selects, approves, funds, and monitors projects funded by grants under the program. The process of managing the program includes these steps:

(a) The Department shall appoint and maintain a Project Evaluation Team composed of Department staff and other consulting governmental agencies. The Department may request consultation with any appropriate government agency, including but not limited to the Department of Conservation, the Department of Fish and Game, the Department of Food and Agriculture, the Office of Emergency Services, and the CALFED Bay-Delta Program.

(b) Local public agencies or nonprofit organizations qualified under Section 497.4 may apply for program grants for projects at such times as

the Department may designate. Applications for proposed projects shall be submitted in response to a solicitation issued by the Department. As long as uncommitted funds remain available to fund new projects, the Department shall solicit proposals at least once per calendar year. The time period for submitting applications shall be 90 days from the date notice is given by the Department that project proposals are being solicited. Notices shall be provided to cities, counties, flood control districts, reclamation districts, and other local government entities that manage flood plains and flood control projects. The Department will also provide notice to nonprofit organizations with interest in flood management issues, and shall send notice to all individuals and organizations that have requested notice of the opportunity to submit applications. Notices may be given by mail, electronic mail, website posting, or any other method that provides easy access and prompt availability. Projects shall meet the requirements of Section 497.5. Applications shall meet the requirements of Section 497.7.

(c) The Project Evaluation Team shall review each application and evaluate the subject project within 60 days of the close of the specified submittal period, or within 60 days of receipt of requested additional information, whichever is later.

(d) The Project Evaluation Team shall notify the Department to request the applicant to provide additional information within 30 days of the Department's request if:

- (1) The project appears potentially eligible but is missing information needed to evaluate the merits of the project, or
- (2) Additional information is needed to evaluate the merits of the project in comparison to others received.

(e) If the requested additional information cannot be provided in 30 days, the applicant may refile its application with the additional information at the Department's next solicitation of proposals.

(f) When a proposal that meets minimum qualifications is complete and all requested additional information has been supplied, the Project Evaluation Team shall complete the evaluation of the project including recommending its place on a priority list as described in Section 497.6.

(g) After each solicitation of proposals, Department staff, using the evaluations and recommended priorities of the Project Evaluation Team, shall recommend projects, priority, and amounts per project to be funded and submit the recommendations to the Director for approval of the priority lists. Department staff may recommend:

[The next page is 38.15.]

Agenda Item G

UPDATE ON 2018 COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB) ANNUAL MEETING

The CLARB Annual Meeting was held on September 27-29, 2018 in Toronto, Canada. Attachment 1 is the Annual Meeting agenda. The Landscape Architects Technical Committee (LATC) did not receive approval to attend this meeting.

At its meeting on July 20, 2018, the LATC selected from the slate of candidates for the CLARB Board of Directors and Committee on Nominations elections. (Attachment 2 is the LATC's election ballot submitted to CLARB and shows the LATC's candidate selections.) In addition, the LATC discussed CLARB's proposed updates to its Bylaws and moved to approve the Bylaws; but, in doing so, the LATC requested that a letter be issued to CLARB to encourage virtual attendance capabilities at Annual Meetings and for CLARB to amend the Bylaws to enable remote voting on all matters. Accordingly, Attachment 3 is the letter from Committee Chair, Patricia Trauth, dated September 13, 2018, to CLARB President, Christine Anderson, regarding remote participation at Annual Meetings. On September 20, 2018, the LATC received the following emailed response from Ms. Anderson:

I'd like to thank you personally for your thoughtful letter outlining California's concerns about virtual participation in future annual meetings. The CLARB Board, in its foresight role, has already begun looking into greater uses of technology to support our members and stakeholders. We have explored these possibilities in the past, but quickly realized the limitations of past technologies. I feel we can agree that with each passing year the technology improves to the point where we might consider this again. There are a number of issues and implications that the Board will need to consider in moving forward with this request however, not the least of which is how it might affect all of our 54 member jurisdictions. Please know that we will discuss this thoroughly at the Board level in the coming months and will keep you updated on progress. I hope that we can circle back to you if we have questions as we move through discussion.

Following the July 20, 2018 meeting, the LATC was notified that CLARB would permit voting for the Bylaws via webcast to enable participation by Member Boards that are unable to attend the Annual Meeting. On September 29, 2018, Ms. Trauth issued the LATC's vote to approve the Bylaws during the webcast. CLARB needed approval 75% of the quorum to pass the Bylaws but fell slightly short. Accordingly, the Bylaws did not pass.

On October 18, 2018, CLARB distributed an email to Member Boards featuring various materials from the Annual Meeting, including the full PowerPoint presentation on the "Understanding the Successful Student" report (a study regarding success of students who take the Landscape Architect Registration Examination [LARE] prior to graduation), and the results of CLARB's Board of Directors and Committee on Nominations elections. For the Committee's reference,

included as attachments are Annual Meeting presentation slides (Attachment 4) and the “Understanding the Successful Student” report (Attachment 5). Notably, the provided slides are only for the discussions: “Preparing for the 2019 Legislative Session,” “Working Toward Frictionless Licensure,” and “Understanding the Characteristics of Student Success on the LARE.” Only these three presentations were included in this packet due to the Committee’s perceived interest in the presented subject matter and to minimize the number of included slides.

Finally, CLARB released the election results as follows:

- Stan Williams – President Elect
- Karen Kiest – Vice President
- Bob Gunderson – Secretary
- Edward Kinney – Committee on Nominations
- Ellen White – Committee on Nominations

Attachments:

1. 2017 CLARB Annual Meeting Agenda
2. LATC Letter of Delegate Credentials and Election Ballot dated September 6, 2018
3. Letter from LATC Chair Regarding Remote Participation in CLARB Annual Meetings dated September 13, 2018
4. CLARB Annual Meeting Session Presentation Slides for “Preparing for the 2019 Legislative Session,” “Working Toward Frictionless Licensure,” and “Understanding the Characteristics of Student Success on the LARE”
5. “Understanding the Successful Student” Report



Meeting Agenda (all times listed are ET)

All sessions will be located on the Mezzanine level.

Wednesday, September 26

*Everyone is welcome to attend.

1:00 p.m. – 6:30 p.m.

Colonnade

Registration*

5:30 p.m. – 6:30 p.m.

Regency D and E

What to Expect*

Is this your first Annual Meeting? Are you an Annual Meeting veteran? Either way, this interactive session was made with you in mind. We'll start off with some brief introductions and end up in a round of speed-networking so you can get to know your peers better. As we follow that with a review of this year's mobile app, you can't say technology hasn't caused a disruption - remember when meeting schedules used to be on paper?

6:30 p.m. – 8:30 p.m.

King 2

Welcome Reception*

President Christine Anderson will officially welcome everyone to this year's Annual Meeting. This reception provides an opportunity for you to network, mingle and relax a little before we kick off our three-day meeting discussing the types of disruption we have and expect to face. Come experience a few future-focused games.

Thursday, September 27

*Everyone is welcome to attend.

8:00 a.m. – 5:00 p.m.

Colonnade

Hospitality Area Open*

8:00 a.m. – 9:00 a.m.

King 2

Breakfast*

9:00 a.m. – 9:15 a.m.

King 1

Opening Remarks

Disruption comes in many forms, and always brings change or a new awareness. As we open this year's Annual Meeting, you'll learn what this means for you, CLARB, and the regulation of the practice of landscape architecture.

9:15 a.m. – 12:00 p.m.
King 1

Legislative and Regulatory Environment Updates

Now more than ever, our regulatory community is being disrupted by legislative attacks and threats to licensure. During this session, you'll hear what is currently happening, how the landscape architecture regulatory community is responding to this disruption as well as responses from the broader regulatory (state and federal) and design profession community. Speakers will include representatives from the local, national and federal regulation realms.

12:00 to 1:30 p.m.
MBE: Regency E
MBM: King 2

MBE Lunch

MBM Lunch

Take advantage of this opportunity to meet and network with your respective counterparts in other jurisdictions. What are the hot topics on their mind? What might you want an opinion on?

1:30 p.m. – 2:30 p.m.
2:45 p.m. – 3:45 p.m.
4:00 p.m. – 5:00 p.m.
Regency A, B and C

Rotating Empower Sessions

Empowering members to be ready to prepare for and defend against attacks to the regulatory systems in your jurisdictions as you know it as been a major focus over the past year. These sessions will provide some background information and allow for you to have an opportunity to apply your expertise to your jurisdiction's situations.

- **Building Relationships**

A panel discussion will talk through case studies and best practices for board and chapter relationships which is a transferable skill your board will be able to use when speaking with legislators, peers and other industry-related organizations.

- **Exercising Your Voice**

You, as a CLARB member, represent the voice in support of regulation of landscape architecture to continue protecting the health, safety and welfare of the public. One voice can go a long way in making an impact and through this workshop you will have the opportunity to develop (or fine-tune!) your elevator speech in support of what we do.

- **Planning for 2019**

CLARB and ASLA came together three times over the past year, twice via webcast and finally at an in-person Licensure Summit in June. We'll discuss the benefits of this partnership, the outcomes of these Summits and work to plan ahead while looking at our existing licensure support tools to think of ideas for new ones.

Check the app or ask a CLARB staff member to help you identify the order in which you'll rotate through these sessions.

Friday, September 28

*Everyone is welcome to attend.

8:00 a.m. – 4:15 p.m.
Colonnade

Hospitality Area Open*

8:00 a.m. – 9:00 a.m.
King 2

Breakfast*

9:00 a.m. – 10:45 a.m.

King 1

Friction Analysis Results

The year-long research plan to identify and assess points of friction in the licensure process has now come to a close. Results of this research will be presented in large-group format followed by small group discussions to explore options to reduce friction and what steps your board can specifically take to reduce friction in your own jurisdiction.

10:45 a.m. – 11:00 a.m.

Break

11:00 a.m. – 12:00 p.m.

King 1

Student Research Update

Katie Brown, CLARB's Student Outreach Consultant, will present findings from the student research pilot program which hypothesized student preparedness to take the L.A.R.E. prior to graduation. Disturbing the licensure process as it currently exists, and removing friction for candidates in this process, will be explored along with next steps for this opportunity. An example from Indiana as well as what the Ontario Association of Landscape Architects (OALA) has already implemented will be shared and discussed.

12:00 p.m. – 1:30 p.m.

Regency A, B and C

Lunch (By board type)

Today's lunch will offer you another opportunity to network and have open discussions with your peers from boards structured similarly to yours not only about common issues you are facing but follow-up conversations from our sessions so far. Re-fuel and get ready, we're at the halfway point.

Check the app or ask a CLARB staff member to help you identify your board type's lunch location.

1:30 p.m. – 4:00 p.m.

King 1

Technology as a Disruptor

You've heard the words and acronyms: "blockchain;" "AI;" "AR;" "VR;" and "Alexa, Google Home and Siri;" but what are they? This deep dive into new technology and how it impacts both regulation and the practice of landscape architecture will certainly explain CLARB's focus on utilizing its foresight of this knowledge to need to change. Our community needs to be aware of this impact so we are not blindsided when inevitable changes occur. It is already happening in the regulation world; the Federation of State Medical Boards (FSMB) is working to implement credentials verification via blockchain technology.

4:00 p.m. – 5:00 p.m.

King 1

L.A.R.E. Update

Prepared with the knowledge of how technology can impact how and what we need to regulate the practice of landscape architecture, come listen to CLARB's psychometrician, Adrienne Cadle, discuss how technology has impacted the history and evolution of the L.A.R.E. Learn the process of editing exam questions from start to finish and try your hand at working through question updates.

6:30 p.m. – 9:00 p.m.

To Be Announced

President's Dinner*

Christine Anderson welcomes everyone to this evening's dinner event at one of Toronto's must-see locations where you will have time to relax and reflect on session content before our final day together.

Saturday, September 29

*Everyone is welcome to attend.

8:00 a.m. – 4:30 p.m.

Colonnade

Hospitality Area Open*

8:00 a.m. – 9:00 a.m.

King 2

Breakfast*

9:00 a.m. – 10:30 a.m.

King 1

Membership in the Face of Disruption

In this new interactive open-forum style session, your peers will be your panelists. With prepared topics to use as a guide (practice overlap, LA minority voices on multi-disciplinary boards, enforcement disconnect, and more) your panelists will open the floor to discuss real-time challenges boards are facing, swap ideas, and help create solutions through shared experiences.

10:30 a.m. – 10:45 a.m.

Break

10:45 a.m. – 12:00 p.m.

King 1

General Business Session

As a member, you have a responsibility to the current and future efforts to sustain landscape architecture regulation. Our world is already being disrupted and we anticipate new threat arrivals becoming the norm rather than an outlier. The Governance Enhancement work group, appointed by the Board of Directors, understands this effect and the requirements needed to allow the organization to remain agile and flexible. During this session, member boards represented will cast their vote on the [resolution](#) to update CLARB's bylaws and governance structure and hear the results of this year's leadership elections.

12:00 p.m. – 1:30 p.m.

King 2

Awards Luncheon

Join us for one last meal together as we celebrate the presentation of the Presidential Recognition Award to a member of our CLARB community. As we thank our outgoing volunteers for their service, you might just find out your participation over the last three days earned you a special nod as well.

1:30 p.m. – 2:30 p.m.
King 1

CLARB Leadership Academy

Just how much opportunity do you, as a member (either yourself or representing your board) have to provide input in the leadership elections process? The answer is quite a bit and specifically twice per year. Join us to learn what that means and what specifically CLARB's leadership needs are now and moving forward. During this session you can also explore potential leadership opportunities for yourself and learn how to get involved.

2:30 p.m. – 2:45 p.m.

Break

2:45 p.m. – 3:30 p.m.
King 1

Town Hall

Ask me (us!) anything! CLARB's President Christine Anderson, President-Elect Phil Meyer and CEO Joel Albizo will answer any and all questions you've always wondered about the organization, leadership, membership, etc. Come ready to go or feel free to feed off of requests your peers have made and dig deeper.

3:30 p.m. – 4:00 p.m.
King 1

What's Next

As this year's Annual Meeting concludes, witness the hand-off of leadership from one Board to the next with the traditional presidential pinning ceremony. Meet your newly elected leaders, hear outcomes from the work you accomplished this weekend, and learn what's next to come.

4:00 p.m.

Meeting Adjourns



DATE: September 6, 2018

TO: CLARB Board of Directors

FROM: California Landscape Architects Technical Committee (LATC)

RE: Letter of Delegate Credentials for 2018 CLARB Annual Meeting

In accordance with Article VI, Section 3 of the Bylaws of the Council of Landscape Architectural Registration Boards, the CLARB Member Board indicated above has designated the following member(s) as its delegate(s) to the CLARB Annual Meeting in Toronto, ON, Canada, September 27-29, 2018.

We understand that delegates are eligible to vote on behalf of the Member Board on all business matters and that only one ballot per Board may be cast regardless of the number of delegates present. The LATC delegate is:

NAME	POSITION
Patricia Trauth	Member Board Member

The LATC is presently seeking approval for meeting attendance. In addition to Ms. Trauth, requests for approval also include the following, additional, representatives to be in attendance:

NAME	POSITION
Laura Zuniga	Member Board Executive
Vickie Mayer	Member Board Executive

Sincerely,

BRIANNA MILLER
Program Manager

2018 Board of Directors & Committee on Nominations Elections Ballot

MEMBER BOARD: California Landscape Architects Technical Committee

COMPLETED BY: Patricia Trauth

Please note- Ballots may only be completed by a Member Board Member who has been authorized on the credentials letter to represent the member board's vote. Member Board Executives and staff are not eligible to complete this ballot.

Each Member Board may vote for one candidate per office, unless noted.

Please check the boxes to cast your vote:

President-Elect

- ☐ Allison Fleury
☒ Stan Williams

Vice President

- ☒ Karen Kiest
☐ Bob Mercier

Secretary

- ☐ Michael Beresnak
☒ Bob Gunderson

Committee on Nominations (select 2)

- ☒ Edward Kinney
☐ Todd Reade (MBE*)
☐ Ellen White (MBE*)

**Only one MBE can be elected to the Committee on Nominations based on the current bylaws; the candidate receiving the most votes will be elected.*

You may choose any of the following options to submit your voting package to CLARB:

- *Mail* – Mailed submissions must be received at the CLARB office by **Friday, September 21.**
- *Email* – As an attachment (Word or PDF) to [Andrea Elkin](#) by **Friday, September 21.**
- *In-person* – At CLARB's Annual Meeting registration table by **noon, Friday, September 28.**



September 13, 2018

Ms. Christine Anderson, President
Council of Landscape Architectural Registration Boards
1840 Michael Faraday Drive, Suite 200
Reston, Virginia 20190

RE: Remote Participation in CLARB Annual Meetings

Dear Christine:

I am writing to you on behalf of the Landscape Architects Technical Committee (LATC) regarding the currently proposed Council of Landscape Architectural Registration Boards (CLARB) Bylaws which will be voted upon at the Annual Meeting on September 29, 2018.

CLARB has presented extensive edits to its Bylaws which have been reviewed by our Committee. The Committee noted that Section 7 (Voting) of these Bylaws states (with proposed amendments included):

The affirmative vote of the majority of the member boards represented at any CLARB meeting is required to pass any resolution except to amend the bylaws. Resolutions to amend the bylaws are governed by Article XII. There shall be no voting by proxy. Voting by written ballot is permitted only for the election of officers of the Board of Directors and for members of the Leadership Advisory Council.

The LATC finds concern with the stipulation that, with exception of elections for officers and members, voting cannot be issued by proxy. Customarily, voting on resolutions transpires during the Annual Meeting and so only those Member Boards who are able to attend the Annual Meeting may participate in the voting process. As is likely the case for many other Member Boards, LATC participation in CLARB Annual Meetings is contingent upon obtaining authorization from various State approving officials to travel. For California, requests for travel approval are submitted each year and are assessed on a case-by-case basis for adherence to State policies, which limit travel to that which is mission-critical. Despite the LATC's interest to attend and participate in each Annual Meeting, we cannot guarantee consistent and ongoing representation. We surmise that other Member Boards face this uncertainty each year, as well.

For the 2018 Annual Meeting in Toronto, the LATC recognizes that an exception has been granted to allow voting of the Bylaws to be conducted virtually by those Member Boards who are unable to attend the meeting. However, this a special case. The LATC respectfully requests that CLARB consider the following to allow wide participation in the Annual Meeting:

1. Institute a virtual attendance capability at each successive Annual Meeting so that Member Boards who are unable to travel to the meeting location can still remotely participate in discussions and cast votes to considered resolutions.

2. Consider additional amendments to its Bylaws by incorporating language that permits the ability for Member Board Members to vote on all proposed resolutions, regardless of Members' physical presence at the Annual Meeting.

The LATC feels that participation in CLARB Annual Meetings provides us with tools and education that contribute to our ability to uphold our mission to protect the public's health, safety and welfare. Participation also ensures that California's 3600 licensed landscape architects have voice in the development and adoption of policies regulating their profession. Accordingly, we feel that assurance of presence at these meetings, by having the option to participate virtually, will better safeguard California's and other Member Boards' opportunity to contribute to a robust and educational meeting forum.

We appreciate your consideration of this request and look forward to an expansion of opportunities to participate in the Annual Meetings.

Sincerely,

A handwritten signature in cursive script, reading "Patricia Trauth".

PATRICIA TRAUTH, PLA, AICP, LEED AP
Chair

cc: Joel Albizo, CLARB Chief Executive Officer
CLARB Member Board Executives

CLARB

Preparing for the 2019 Legislative Session

Veronica Meadows, Senior Director of Strategy

Elizabeth Hebron, ASLA Director of State Government Affairs



Areas of Focused Support in 2019

1

Responding to Mandated
Reviews

2

Preparing for “The
Occupational Licensing
Consumer Choice Act”

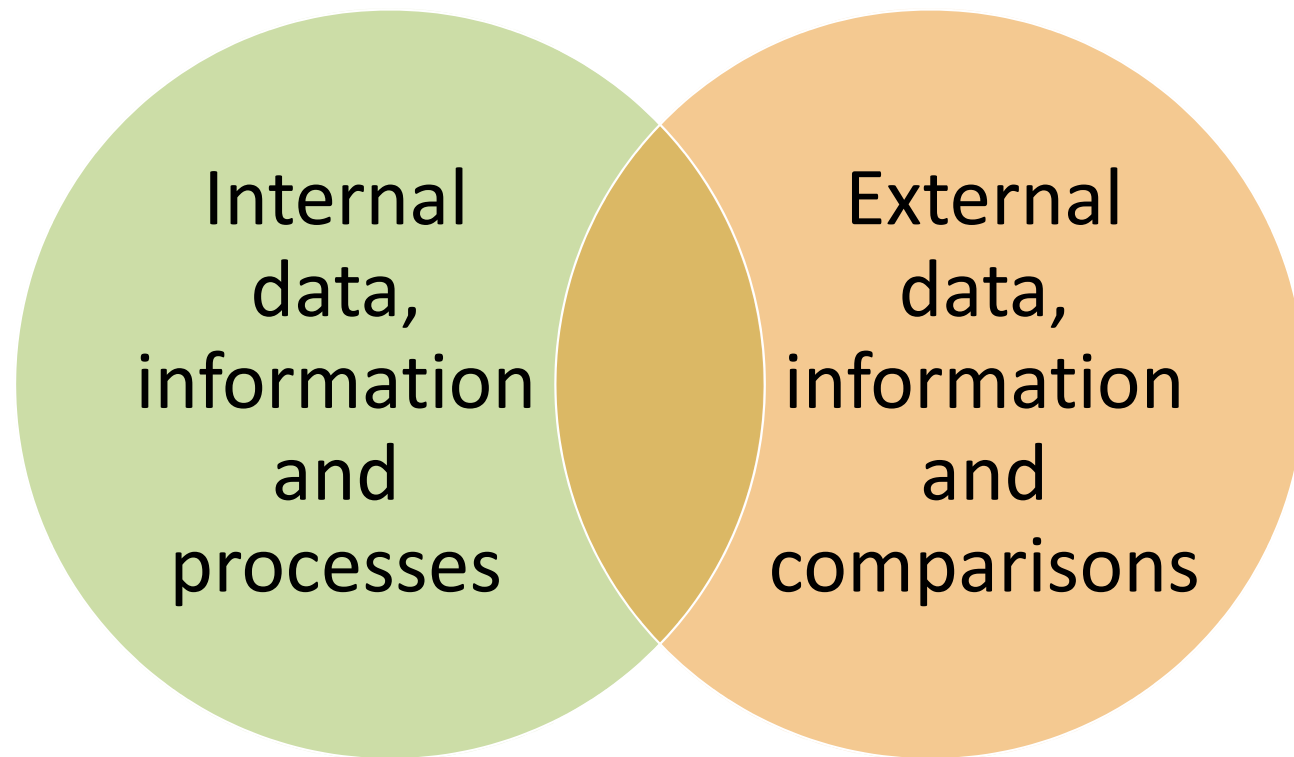


Responding to Mandated Reviews

Veronica Meadows,
Senior Director of Strategy

Mandated Reviews Trending Up

Planning Your Response





Internal Data and Information

RULES AND REGULATIONS

- Current rules, regulations and procedures for the regulated profession and oversight body, and associated reports
- Recent changes to rules and regulations, or requests for legislative changes to rules & regulations, and resulting actions



Justification

- Need for the regulation of the profession
- Justification for the current level of regulation
- Evidence that the agency is properly, effectively and efficiently exercising its regulatory duties

Board Operations

Public
engagement
process

Board
structure and
membership

Operating and
administrative
costs

Licensure
process and
timelines





The Numbers

- Licensees
- Applications
- Renewals
- Fees and penalties
- Demographics
- Denials
- Complaints
- Disciplinary actions

Barriers

- Initial licensure requirements
- Reciprocal licensure requirements
- Licensure maintenance requirements
- Criminal history disqualifications
- Military spouse accommodations



CLARB

Working Toward Frictionless Licensure

Phil Meyer, President-Elect

Veronica Meadows, Senior Director of Strategy



Our agenda

How we got here

Key points of friction workshop

Vision for the future

Next steps

CLARB

How we got here

Phil Meyer, President-Elect



Case for Change (Why)

- Advancement in technology
- Push for regulatory reform
- Changing stakeholder preferences
- Changing demographics

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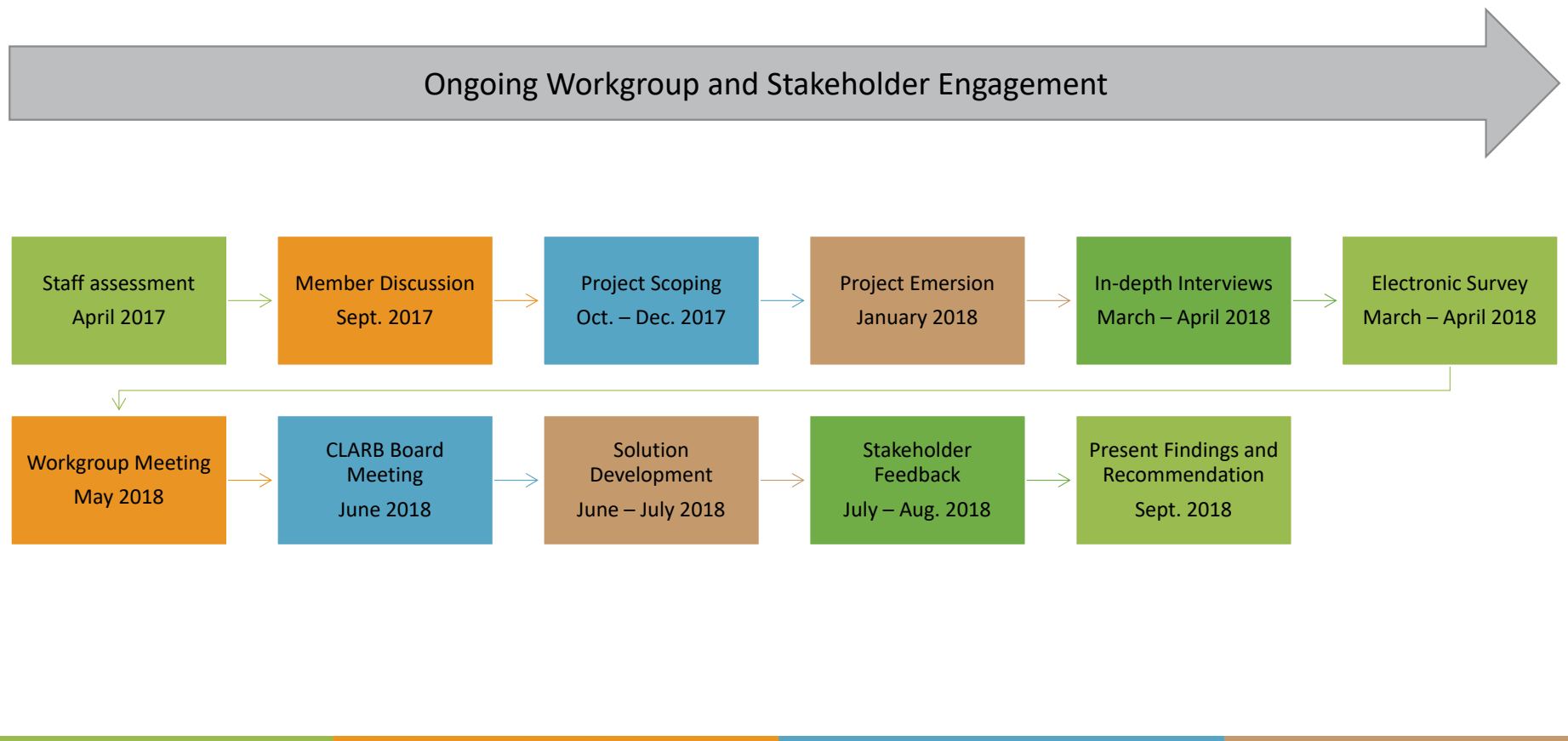


Strategy (What)

Design a simpler, more frictionless framework and complementary process for licensure resulting in enhanced experience, improved credibility and confidence of the stakeholders of landscape architecture licensure



Timeline





Key points of friction workshop

Veronica Meadows,
Senior Director of Strategy

Key Points of Friction

Time to licensure

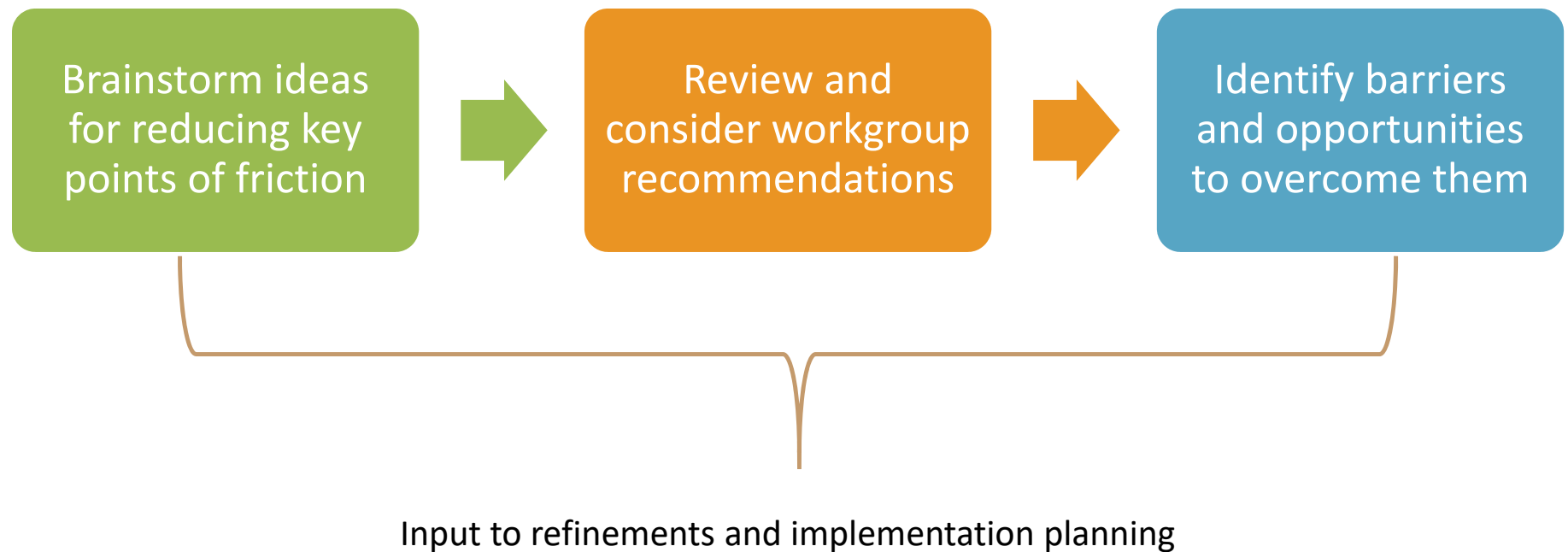
Duplication of documentation

Varying licensure requirements

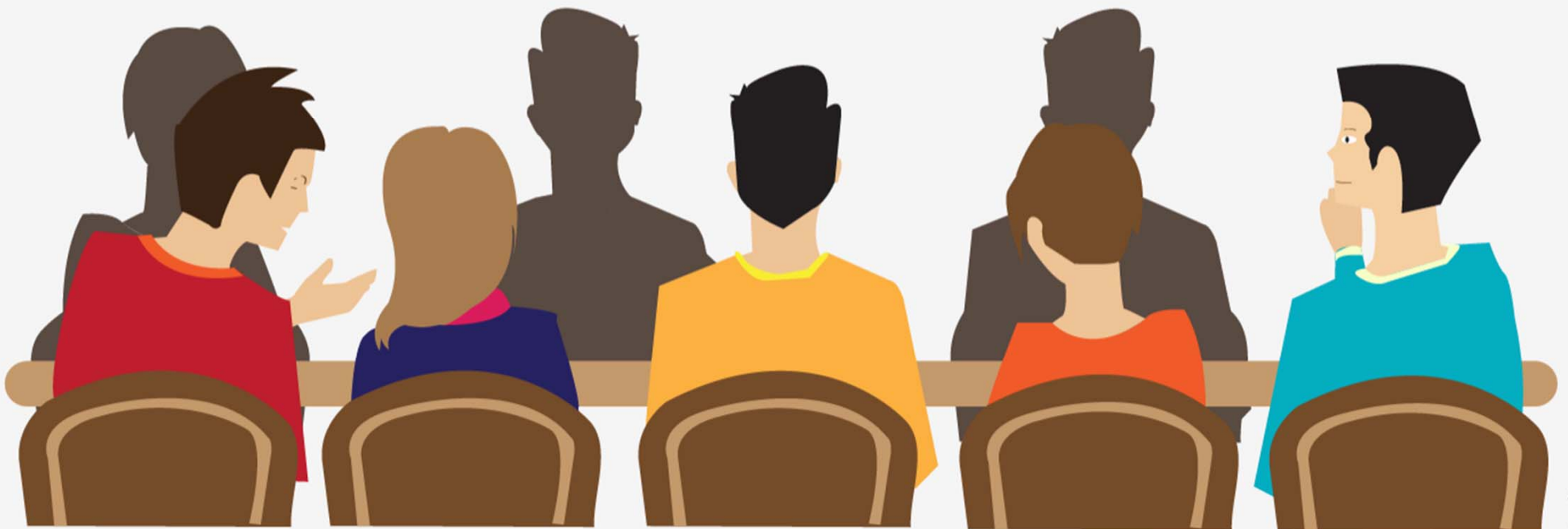
Levels of customer service/support



Workshop Process



What can we do to reduce the time it takes to
become licensed?





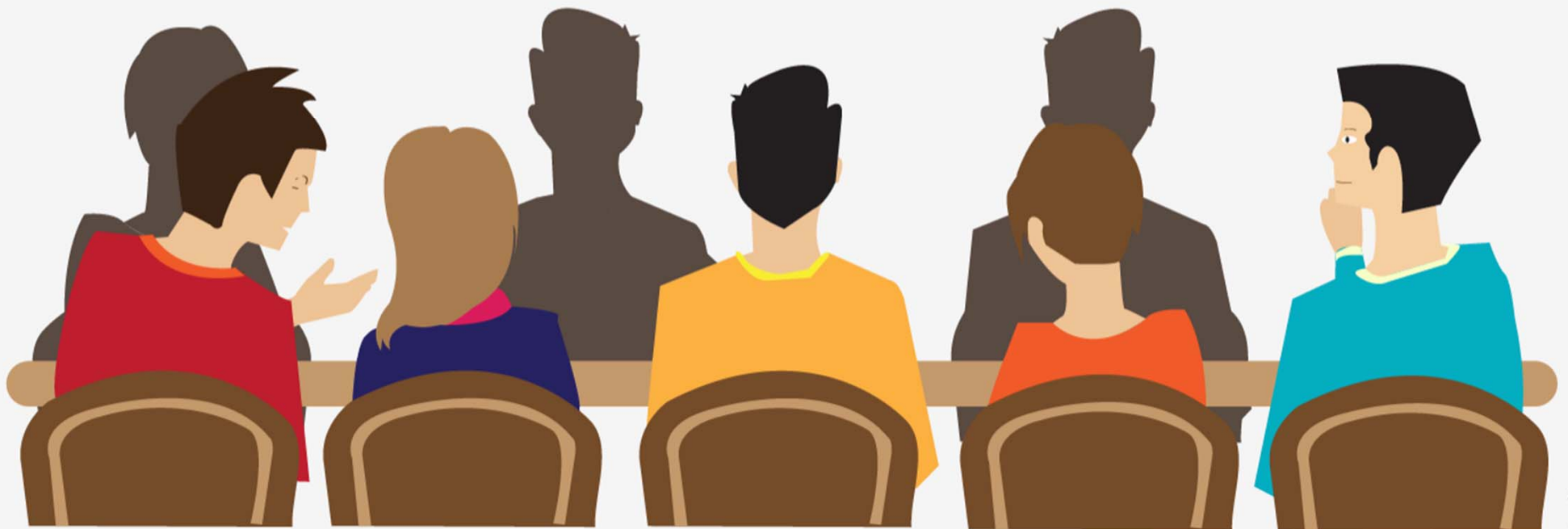
Workgroup recommendation

- Administrative approval
- Consistent application process/procedures
- Non-sequential requirements

- What are the barriers to implementing the recommendations for reducing the time to licensure?
- How can we overcome these barriers?



How can we eliminate duplication of documentation?





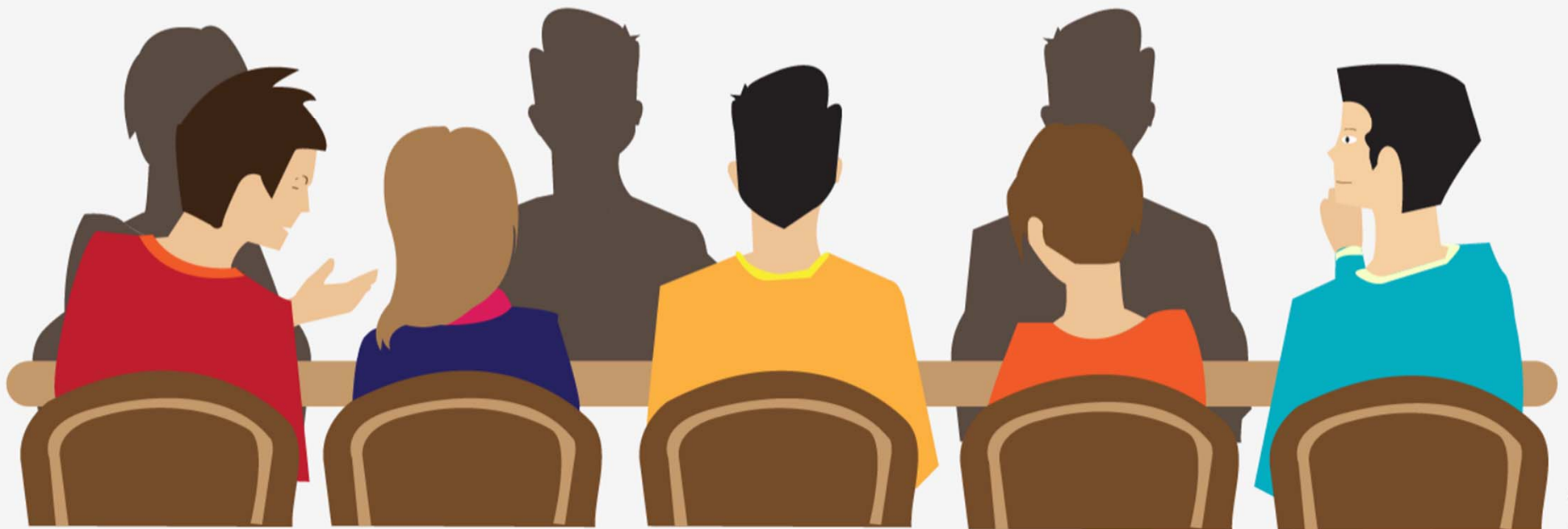
Workgroup recommendation

- Common application for licensure

- What are the barriers to implementing the recommendation to eliminate duplicate documentation?
- How can we overcome these barriers?



How can we achieve consistent licensure requirements
across the membership?





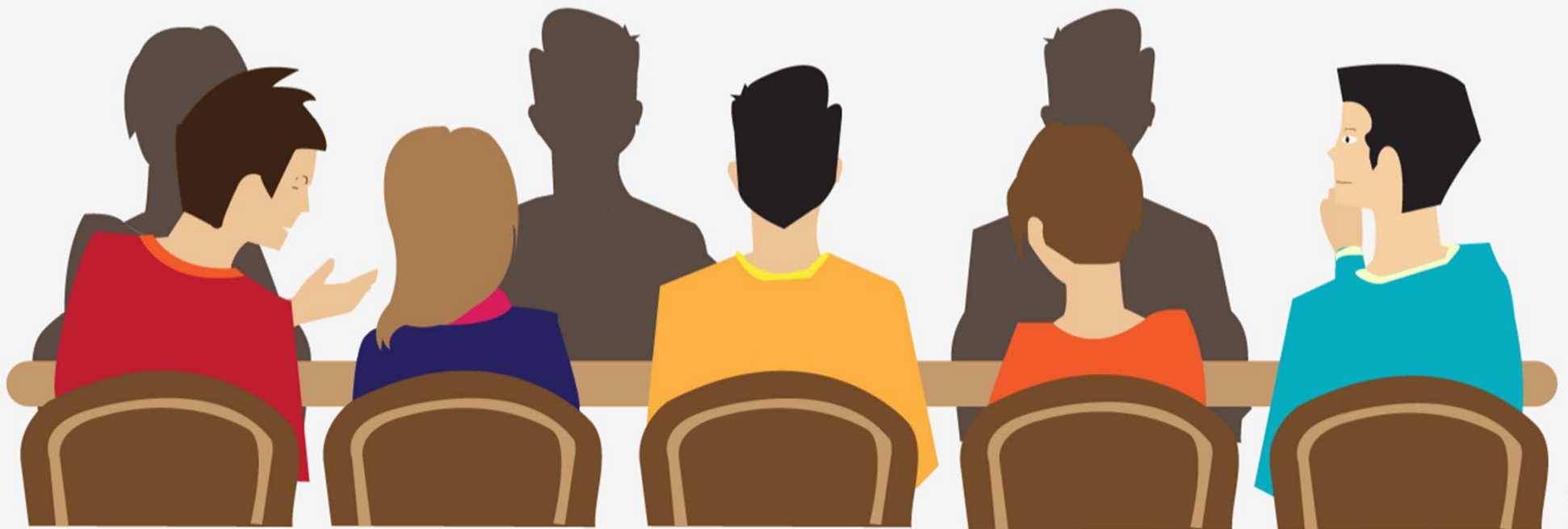
Workgroup recommendation

- Shared standard for licensure
- No difference between initial and reciprocal licensure requirements

- What are the barriers to implementing the recommendation to achieve consistent licensure requirements?
- How can we overcome these barriers?



How can we improve service and support to candidates and licensees?





Workgroup recommendation

- 24/7 customer support
- Licensing advisor/mentor

- What are the barriers to implementing the recommendation to provide improved service and support to candidates and licensees?
- How can we overcome these barriers?





Vision for the future

Phil Meyer, President-Elect

Regulation 4.0 (How)

Attributes:

- Embraces outcome-focused, **non-sequential** requirements
- Celebrates **interdependence** of the member boards
- Leverages **advanced tools** for performance verification
- Uses a **shared standard** of evaluation

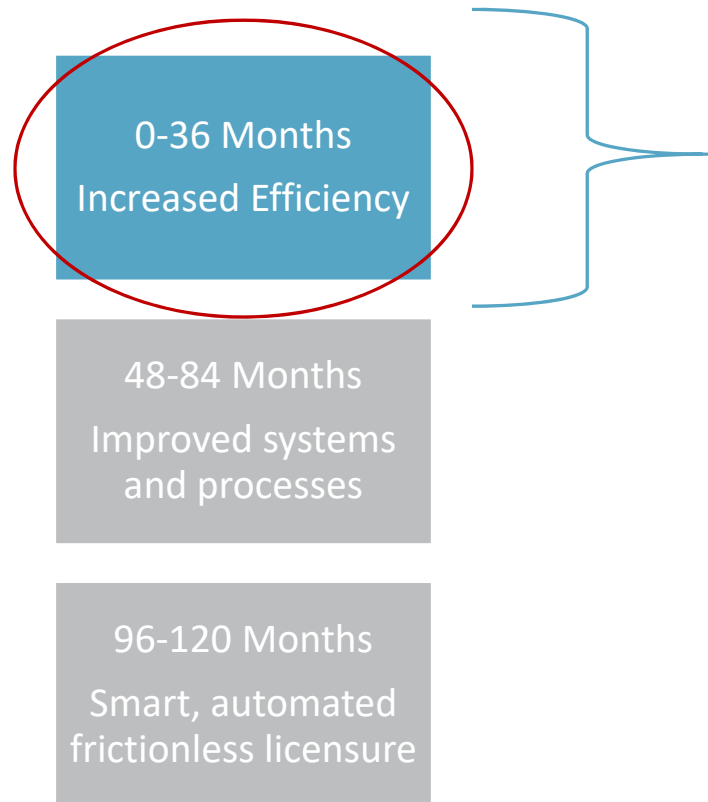
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graph LR; A[Attributes] --> C((CLARB as Facilitator of the Network to Protect Public HSW)); C --> B[Outcomes]
```

CLARB as Facilitator of the Network to Protect Public HSW

Outcomes

- **Harmonization** of the process promotes continuity for stakeholders
- More members are **engaged** in policy making at a national level
- Increased **trust** in regulatory model
- Increased positive **perceptions** of CLARB and boards promoting low-friction, high HSW process
- **Adaptable** and future-ready framework that anticipates changes in technology as well as regulation

Outcomes & Focus



Reduce time to licensure

- Administrative approval
- Consistent application process/procedures
- Non-sequential requirements

Eliminate duplication of documentation

- Common application for licensure

Achieve consistent licensure requirements

- Shared standard for licensure
- No difference between initial and reciprocal requirements

Improve customer service/support

- 24/7 customer support
- Licensing advisor/mentor

Learn, refine and iterate

- Member/user engagement
- Acceptance and adoption
- Agile, entrepreneurial

CLARB

Understanding the Characteristics of Student Success on the L.A.R.E.

Pilot Studies at the University of Guelph

Katie Brown, Student Outreach Consultant

Veronica Meadows, Senior Director of Strategy

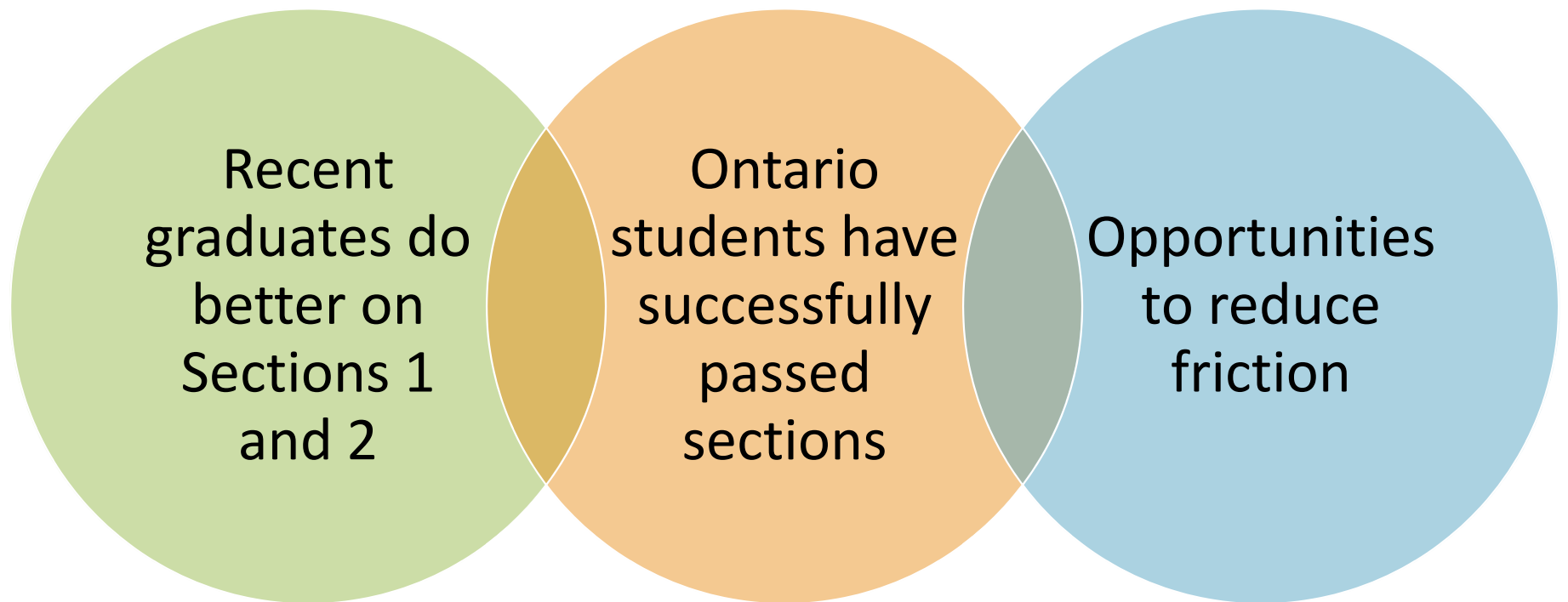




Background

Veronica Meadows, Senior Director of Strategy

The Case



Purpose of the Study

- Explore student success on the L.A.R.E.
- Identify the characteristics of the successful student
- Develop content to assist in navigating the path to licensure
- Learn and explore the possibility of enabling students to take the L.A.R.E.



Study Authors

Kate Brown

Student Outreach
Consultant at
CLARB, Urban
Designer and
Landscape
Architectural Intern
at Stantec, Master
of Urban Design,
Bachelor of
Landscape
Architecture



Dr. Nathan Perkins

Co-Author and
Research Supervisor,
FASLA, Professor of
Landscape
Architecture at the
University of Guelph



Research

Three pilot studies were conducted with 37 volunteer student participants (BLA and MLA) at the University of Guelph from January 2016 to April 2018.



Research Questions



The questions posed for these pilot studies were:

What are the outcomes for students enrolled in a landscape architecture program electing to take Section One of the L.A.R.E.?

Do students have a greater or lesser 'pass' percentage than professionals with a degree and practice experience?

Do students with successful pass rates have identifiable qualities that distinguish them from unsuccessful students?

How do students that are given the opportunity to take the L.A.R.E. reflect on their experience with exam preparation and the exam itself?



Important Note

NOT a L.A.R.E. 'preparation' course

Content focused on navigating the path

Student participation was independent

Required deliverables enabled authors to track progress, ensure deadline adherence, and achieve academic credit.

Prevention of conflict of interest, and avoidance of tampering with the results.



Questions



Methods and Results

Kate Brown, CLARB
Student Outreach
Consultant



Procedure: a shifting model

- Digital via online learning
- Digital via file transfer
- Academic course integrated into University curriculum for credit



Structure

Content delivered over 4 weeks

- Module 1: Introduction to Section 1 of the L.A.R.E.
- Module 2: L.A.R.E. Resources
- Module 3: Study Strategies
- Module 4: What to Expect

Independent study period lasted 3-4 months

Students submitted weekly updates, mid-term reports and final papers.

Credit was not based on pass/fail



Sample

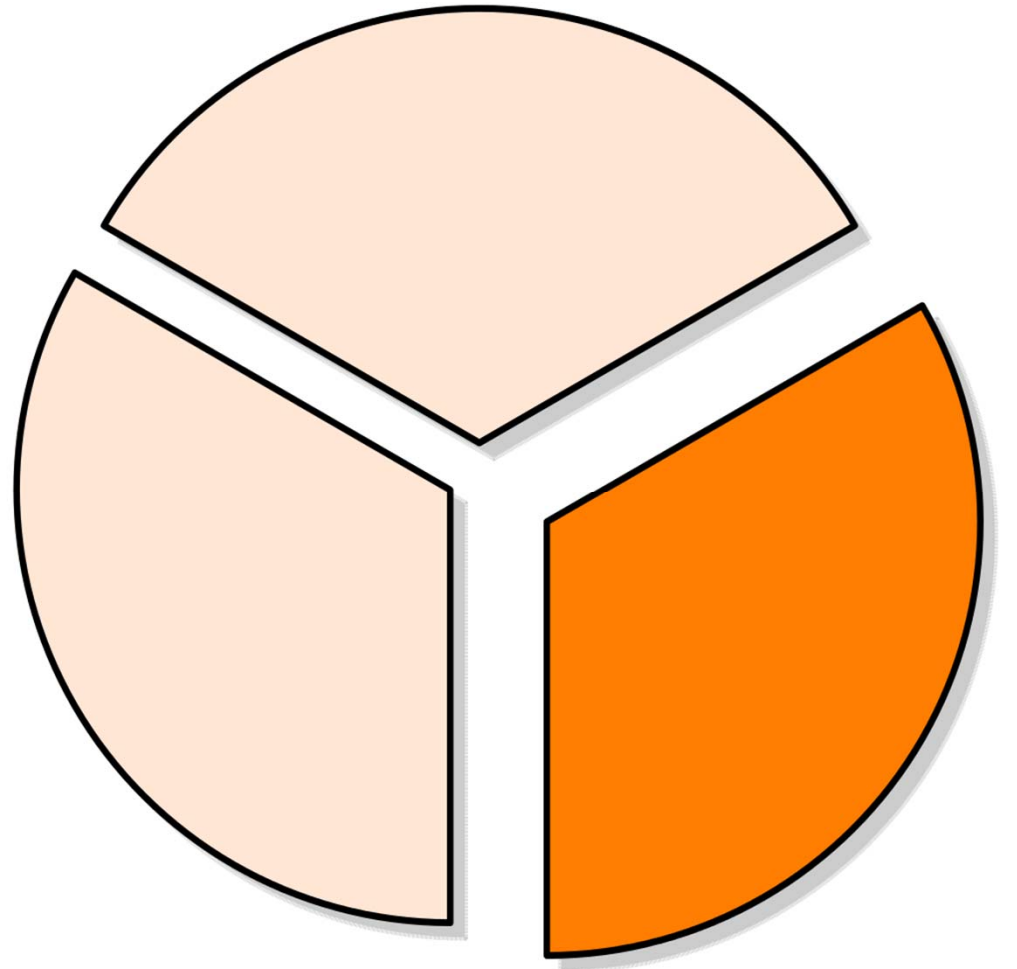
- 37 students total: BLA and MLA
- Pilot I = 5 students
- Pilot II = 6 students
- Pilot III = 26 students

Data

- Qualitative Data: Interview, Qualtrics Survey
- Quantitative Data: Exam Pass Rates



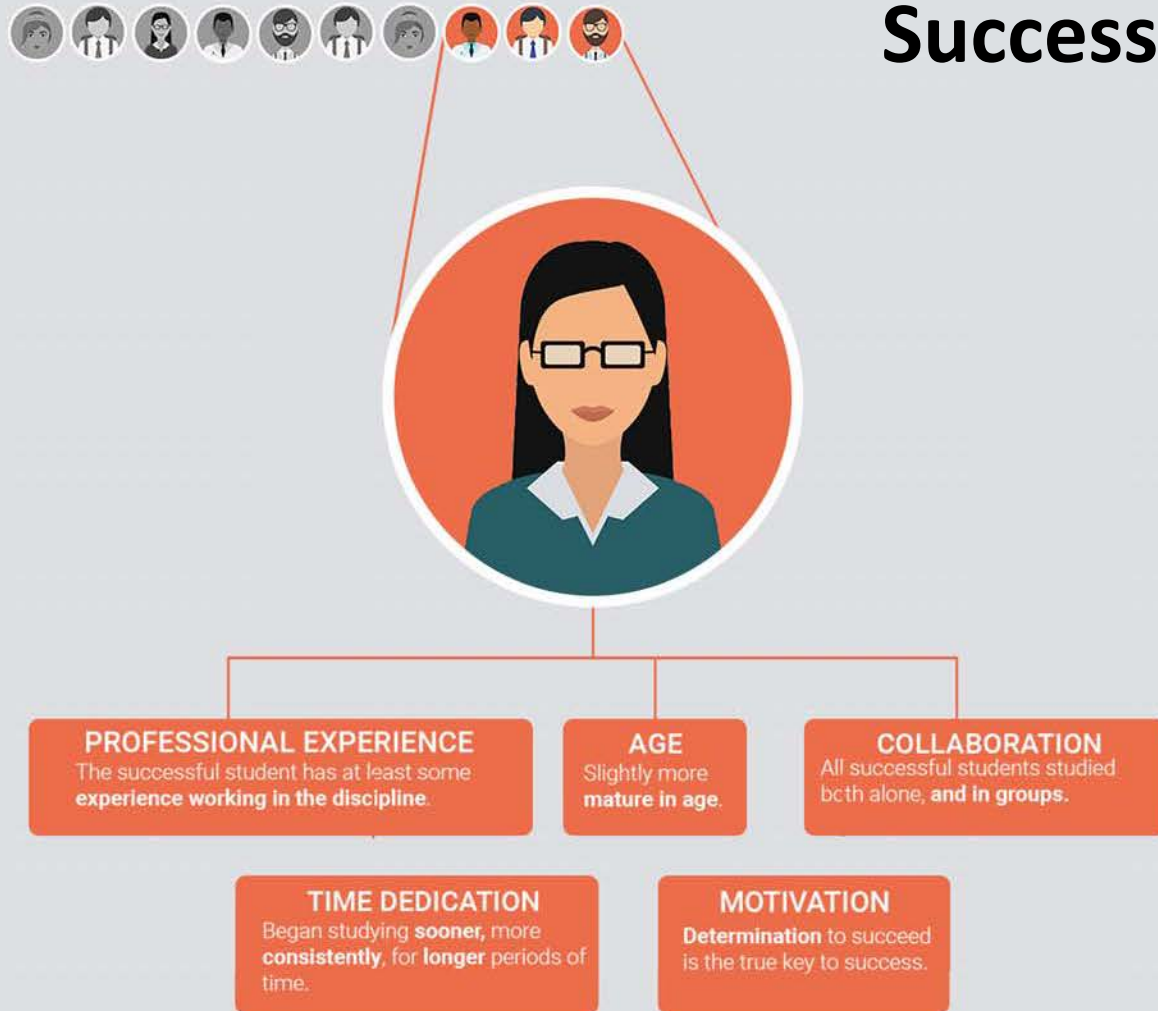
Success rate



Lack of Success Factors

- Less professional practice experience
- Younger
- Less collaboration with peers (e.g., study groups, go it alone optimism)
- Time Commitment (significantly fewer hours spent in total)
- Motivation (desire to 'succeed' not as evident)

Success Factors





Professional Experience

Most, but not all, of the successful students had office experience either through the formal internship program at Guelph or summer jobs.

Age

Successful students were slightly older in age but also slightly more experienced and mature.



Collaboration with Peers

Successful students had regular, at least weekly, face-to-face meetings with their peers.



Time Commitment

Passing students worked consistently over time and for longer periods than their less successful peers.



Motivation

Motivation seems to be the best predictor of L.A.R.E. success.



Conclusion

- Enabling highly motivated, qualified students to start their education at a younger age and graduate earlier would reduce the time to become a physician
- Introduction of structured licensure related curriculum into universities would benefit all students
- We should explore the possibilities for reducing friction by working toward non-sequential requirements

UNDERSTANDING THE **SUCCESSFUL STUDENT**

PILOT STUDIES AT THE UNIVERSITY OF GUELPH

CLARB

UNDERSTANDING THE SUCCESSFUL STUDENT

Pilot Studies at the University of Guelph

Prepared for:

The Council of Landscape Architectural Registration Boards (CLARB)

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Without your involvement and belief in this initiative, an endeavor of this magnitude would not have been possible. The authors owe you their immense gratitude and thank you for your key contributions to this research.

TABLE OF CONTENTS

Executive Summary2

Introduction4

Pilot Studies8

Results12

Conclusion/Summary20





SUBSECTION 1

Executive Summary

Landscape architecture is a regulated profession- a license is required to practice throughout the United States, three Canadian provinces and Puerto Rico. The Landscape Architect Registration Examination (L.A.R.E.) is one of the key requirements to obtaining a license to practice as a landscape architect. Licensed landscape architects have demonstrated their ability to practice without compromising the health, safety and welfare of the public.

Despite common professional understanding of the importance of licensure, in the United States there has been an increased interest in, and push for, licensure reform to remove barriers that would enable greater access to practice and increased mobility. CLARB believes it is important to explore ways that landscape architectural licensure can be streamlined, reducing unnecessary friction in the licensure process and perhaps reducing the amount of time it takes to become a licensed practitioner.

In many jurisdictions across the United States and Canada, the completion of a degree is required prior to being permitted to start the L.A.R.E. However, in Ontario, a small number of students have been permitted to begin taking the exam prior to graduation. Prior to this study, three students from the University of Guelph successfully passed one or two sections of the L.A.R.E. while in their undergraduate studies. This raises a key question: *Would allowing students to begin the L.A.R.E. prior to graduation reduce the time to licensure and better streamline the licensure process?*

To explore this question, CLARB teamed up with the University of Guelph in Ontario, along with the support of the OALA, to conduct a series of pilot studies to measure student success on the L.A.R.E., and determine what characteristics successful students possess.





All students that participated in the study sample were enrolled in the Bachelor of Landscape Architecture (BLA) and Master of Landscape Architecture (MLA) degree programs at the University of Guelph.

The studies were conducted in three pilots:

PILOT I

BLA Sample + Digital Delivery

PILOT II

BLA/MLA Sample + Digital Delivery

PILOT III

Large BLA/MLA Sample + Academic Integration

The results of the research suggest that particularly motivated individuals can take and pass Section 1 of the L.A.R.E. prior to graduation. As such, the following outlines the contents of this research summary:

SUBSECTION 2. INTRODUCTION

1. Background

SUBSECTION 3. PILOT STUDIES

1. Participants
2. Procedure

SUBSECTION 4. RESULTS

1. Respondent Profile
2. Gender
3. Age
4. Program Level
5. How Students Became Involved
6. Prepare For and Take Additional Sections of the L.A.R.E. in the Future
7. Time Commitment
8. Study Aids
9. Cost
10. Exam Registration
11. The Self-Motivated Student

SUBSECTION 5. SUMMARY

1. Closing Remarks

SUBSECTION 2

Introduction

The Landscape Architect Registration Examination (L.A.R.E.) has been a key element in Canadian professional practice for almost two decades. The L.A.R.E., in addition to an accredited degree and supervised two-year Professional Development Period (PDP) is intended to ensure that professionals meet the minimum competency standards of professional practice, and as such form a measurable standard of knowledge and skills. The L.A.R.E. is administered by the Council of Landscape Architectural Registration Boards (CLARB). CLARB has managed the L.A.R.E. process that includes exam development, scoring and candidate management in the U.S., Canada and Puerto Rico since 1970.

In 2009, CLARB conducted the Determinants of Success study to provide greater insights for the profession and regulatory community on which to base policy, practice and support decisions. The key results of the study were the factors contributing to success in passing the L.A.R.E.:

Obtaining a **landscape architecture degree** from a LAAB-or LAAC accredited institution,

Gaining **diversified experience** (for Section 4) in the years spent working in landscape architecture,

Increasing **study time** both alone and in groups, Utilizing the ASLA practice problems,

Spending more time on digital applications but **designing by hand**, and significantly,

Taking Sections 1 and 2 of the L.A.R.E. closer to graduation (rather than waiting to gain more years of experience in landscape architecture practice).



This last finding, that candidate success in passing Sections 1 and 2, is in part dependent on time since graduation raises some interesting implications for professional licensure. That recent graduates have a higher success rate may be due to many factors, some of them being that recent graduates are familiar with taking exams, their study methods are still fresh and effective in helping them pass exams and the content tested in these sections has typically been taught as part of the education curriculum.

These findings led to the question, “If candidates are more successful immediately following graduation, how successful might they be while still in their academic program?”

Presently, in most jurisdictions across the US and Canada, candidates are required to have obtained their degree prior to taking the L.A.R.E. In some jurisdictions, candidates must also complete a professional practice period before being eligible to take the exam, further removing them from their university studies.

Considering that a handful of students in Ontario have successfully passed one or two sections of the exam, CLARB wanted to better understand the characteristics of successful students and to possibly explore the idea of allowing candidates to begin taking the L.A.R.E. prior to graduation. If students can begin taking the L.A.R.E. prior to graduation, they might begin their path to licensure sooner and therefore obtain their professional designation more quickly.

PILOT STUDIES

CLARB proposed undertaking a study of student success to present to the CLARB membership in September 2018. By assessing success of students on the L.A.R.E., and identifying the characteristics of successful students, this may create an opportunity for dialog to enable highly motivated students to begin their path to licensure prior to graduation in all jurisdictions.

PARTICIPANTS

The participants of the pilot studies were students enrolled in the University of Guelph Bachelors or Masters of Landscape Architecture programs at the time of the study. The students were recruited and volunteered for participation.

KEY FINDINGS

Of the 30% of passing students, seven key factors were crucial to their success. See the following for further detail.

WHAT MAKES THE SUCCESSFUL STUDENT?

STUDENT SUCCESS PILOT STUDIES

The pilot studies set out to explore the fundamental questions of what type of student would elect to take the L.A.R.E. while in school and why. In essence, student motivation to pursue professional exam success outside of the formal curriculum was, we felt, key to understanding the issue. In addition to motivation, we were interested in how students prepared to take the L.A.R.E. and evaluated the support they received and resources they felt they required.

30%

APPROXIMATE SUCCESS RATE
OF STUDY PARTICIPANTS



FACTORS OF SUCCESS

Students face unique challenges when it comes to their likelihood of success on the L.A.R.E. The students comprising the 1/3 passing group shared the following characteristics:



WHY HOLD THEM BACK?

If overall success in completing the L.A.R.E. in a timely fashion is the goal of the profession, it cannot but help to better introduce them (the L.A.R.E.) within university programs. An earlier introduction to the L.A.R.E. in landscape architecture program curriculum will help integrate licensure into student knowledge of the discipline and their future as a professional.

PROFESSIONAL EXPERIENCE

The successful student has at least some **experience working in the discipline.**

AGE

Slightly more **mature in age.**

COLLABORATION

All successful students studied both alone, **and in groups.**

TIME DEDICATION

Began studying **sooner**, more **consistently**, for **longer** periods of time.

MOTIVATION

Determination to succeed is the true key to success.

SUBSECTION 3

Pilot Studies

Introduction

Since only a small number of students prior to 2017 had elected to take and successfully pass portions of the exam, it was felt that before examining the primary question of L.A.R.E. timing and success it was important to explore the fundamental questions of what type of student would elect to take the L.A.R.E. while in school and why. In essence, student motivation to pursue professional exam success outside of the formal curriculum was, we felt, key to understanding the issue. In addition to motivation, we were interested in how students prepared to take the L.A.R.E. and evaluated the support they received and resources they felt they required.

Pilot studies, by definition, are exploratory, so three conditions were created that presented varied approaches to how navigating the exam process might take place with the measure, 'success in passing the L.A.R.E.' as the outcome or dependent variable. These conditions ranged from digital delivery during the summer months, to integration into academic curriculum at the University of Guelph. There were, of course, some limitations, first of which was identifying and recruiting students interested in participating.

Participants

The first pilot in early 2017 was with five selected students that responded to a call for volunteers. The students were not selected or screened, and all were either third or fourth year BLA students at the University of Guelph.

The second pilot study in the summer of 2017 was comprised of 10 students (MLA and BLA) and this group, while composed of volunteers, was recruited based on interest and prior academic success.

The third pilot study in the fall of 2017 similarly consisted of approximately 19 recruited BLA and MLA students with one important distinction. This group of students was enrolled in an independent study course in landscape architecture with some of the structure of a traditional university course such as an instructor with students 'on-site' for the duration of their study period. Figure one shows the progression of the pilot studies.



PILOT I

5 self-selected students

3RD AND 4TH YEAR BLA

PILOT II

6 self-selected and recruited students

3RD YEAR BLA AND 2ND YEAR MLA

PILOT III

26 recruited students enrolled in independent study course

3RD YEAR BLA AND 2ND YEAR MLA

PARTICIPANT PROFILE

Due to semester timing and registration, perhaps unique to the University of Guelph, this third pilot study with 19 BLA students did not actually begin until late October 2017 and it quickly became evident that a December exam date allowed for only about six weeks of study during a very busy time of the academic year for the participants. During a scheduled meeting with the participants it was noted that the timing of the December 2017 L.A.R.E. administration coincided with University exams and all participants felt that they would be unprepared to take the L.A.R.E. during the scheduled December time frame.

After consultation with the students and CLARB, the authors proposed that the 19 BLA students reschedule their L.A.R.E. for the April 2018 administration and the pilot be expanded to include 7 MLA students. The reasons for this were to allow for a sufficient and reasonable study duration that would more closely resemble the time a typical person might require to study and to add MLA students that were not included in the third pilot due to timing limitations in the fall 2017 period.

The result of this action is that, rather than a fourth pilot study in W2018, the original third pilot study (F2017) was expanded to include MLA students and the entire group carries over into the winter 2018 period. The authors examined the potential risks to the integrity of the pilot study and the implications this change may have on the 'results.' Our conclusion is that,

- 1) Multiple case pilot studies, by definition, are each unique and the overall design of three versus four pilot studies is not a serious concern. In each iteration, the number of participants was expanded (5 to 6 to 26) and the 'structure' has increased from truly independent to semi-structured to 'course-like' organization.
- 2) The addition of up to seven MLA students in the last iteration addresses a concern the authors had about not having representation from this group. MLAs represent a meaningful number of landscape architecture students, at Guelph and elsewhere, that will be entering the profession and only pilot two had any MLA representation. Although smaller in number than total BLA participants, the authors felt the necessity to at least provide some data for this group. It was suspected that MLA students would likely bring a different set of motivations and expectations to pursuing the L.A.R.E. as students.
- 3) Lastly, although these pilot studies were focused on predictors of student success and the L.A.R.E., the authors were learning about what supports are necessary and most effective to the research. We felt that a 'roll-over' or extension to pilot three allowed us to have these supports in place. The study materials for the L.A.R.E., specifically a number of recommended books, are very expensive and likely pose a barrier to many post-degree applicants because pilot study two demonstrated this for in-course students.

We were aware that some larger professional offices have a library of appropriate materials for employees, however many smaller offices do not. The University of Guelph library has many of these books; however, to be accessible to more than one student at a time the books needed to be placed on reserve so they were available when needed. We learned this lesson and had most of the materials available on reserve through the library for pilot three.

Procedure

Note: None of the pilot studies were approached as an L.A.R.E. 'preparation' course. This is a critical point to make as neither CLARB nor the authors intended to teach the content of the L.A.R.E., rather, the content presented to students was directed at presenting the process for establishing a CLARB Council Record, how the L.A.R.E. fits into the licensure process and the materials necessary for independent study.

The authors were available for mentoring, answering procedural questions and offering advice but the use of the word 'course' does not imply that a face-to-face or distance format was used to teach the specific content of the exam. In cases where the authors were presented with questions regarding specific content questions or asked to structure the materials in what most people would consider a 'course,' we asked ourselves, "If the candidate were in a professional office what could or would, an informed and supportive manager offer?" This served as a check on keeping our roles to that of advisors and not teachers.



In the first two pilot studies the 'course' materials were presented over a period of four weeks, with each week focusing on a specific module. Delivered online via Udemy (<https://www.udemy.com>), students were provided an interactive lecture, student-to-student, and student-to-instructor communication to be able to collaborate and fully understand the L.A.R.E. process.

Module One focused on giving an introduction to what the L.A.R.E. is and why it is important for students to know about. In module one, students were also introduced to a break-down of the sections on the exam and the percentage of material that would be on the exam. For example, project management makes up 30% of the exam, and bidding makes up 20% of the exam.

Module Two was focused on exam preparation material that included a reading list, important definitions, case law, and other resources that are helpful to successfully passing the exam.

Module Three gave helpful hints for studying for the exam that allows for the students to narrow their focus, prepare for time management, flashcard ideas, and ways that students can test their knowledge as they study.

Module Four was focused on taking the exam itself, including what to expect on the day of the exam and exam tips. At the end of the examination period students also were to provide feedback to be able to develop and refine the L.A.R.E. course for the next round of research.

In the third pilot study some lessons learned from the first two iterations were incorporated. First, an independent study course was created so that students were enrolled in a course with four scheduled face-to-face meetings with the instructors.



PRESCRIBED FREEDOM

Diagram illustrating the concept of Prescribed Freedom, showing four types of stream channel patterns (Type 1, Type 2, Type 3, Type 4) and their associated ecological benefits.

Diagram illustrating the relationship between stream channel patterns and various ecological factors (Habitat, Sediment, Wildlife, etc.).

Landscape rendering showing a stream with people walking on a boardwalk, illustrating the concept of Prescribed Freedom.

RECHARGE

STEELHEAD TROUT HABITAT

Steelhead trout habitat requirements include:

- Shaded stream banks
- Gravel substrate
- Overhanging branches
- Large woody debris
- Deep pools
- Shallow riffles
- Bankside vegetation

USING NATURAL SYSTEMS

Using natural systems for water treatment involves:

- Constructed wetlands
- Bioremediation
- Phytoremediation
- Microbial treatment
- Plant-based filtration

TREATMENT STRATEGIES

Water treatment strategies include:

- Water treatment plants
- Wastewater treatment
- Water recycling
- Water conservation
- Water quality monitoring

RECREATE

CONNECTION

Image showing people walking and cycling on a path, illustrating the concept of Connection.

EXPLORATION

Image showing people standing on a wooden platform overlooking a lake, illustrating the concept of Exploration.

Image showing people walking on a path at sunset, illustrating the concept of Recreation.

For all pilot studies, basic background information was collected such as year in the program, gender, etc. and both during and after the whole period qualitative information was solicited on appropriateness of study materials. At the end of the pilot periods, students were asked to complete a voluntary short questionnaire regarding the process of L.A.R.E. preparation they followed.

Other questions we asked related to what level in their programs might they prepare for and take their exams, were there differences between graduate (MLA) and undergraduate (BLA) students and what were their motivations to participate?

In summary, three pilot studies were conducted with both BLA and MLA students at the University of Guelph. What follows are the results of student responses to questionnaires and in some cases interviews following the survey format.

PILOT	TIME PERIOD	BLA	MLA
Pilot I	Winter 2017	5	0
Pilot II	Summer 2017	4	2
Pilot III	Fall 2017- Winter 2018	19	7

Some of the students listed in the above table are ‘carry-over’ students from a previous pilot and/or some students were unable to complete the entire process for various reasons such as a death in the family or significant illness.

SUBSECTION 4

Results

From Pilots I to III, a total of 37 students registered to participate in the study. Of those 37, 31 sat to take their exam at the end of the academic period.

Participants for Pilot I were 5 BLA students, and 6 BLA/MLA students for Pilot II.

Participants for Pilot III were 19 BLA and 7 MLA students for a total of 26. From Pilots I-III, 6 students were not able to take the exam for various personal reasons (i.e., health or family emergencies) resulting in a final group of 21 students that took the exam and responded to the survey and/or interview.

A digital survey using QualtricsTM (a University licensed software program) was delivered to all. There were a total of 19 responses (90.5 response rate) and for those that did not respond, a follow-up telephone interview asking the same questions was held bringing the total response rate up to 96.4 percent.

What follows are characteristics of the participants. Unless otherwise stated N=21 for the data presented within this chapter.

Gender

The male/female ratio for the participants reported on below was, in comparison to the population of the program, skewed to female. The program has approximately 325 BLA and MLA students, with approximately 55 percent male and 45 percent female. In the case of this study, 40 percent of the participants were male and 60 percent female. There is nothing to infer from this statistic, we are simply presenting characteristics of the sample.

	MALE	FEMALE
BLA	4	10
MLA	2	5



Age

The range in age for participants was from 22 – 32 years old with a mean for the group of 26 years. For the BLA participants the mean age was just over 22 years old and for the MLA participants the mean age was 27.

	MEAN AGE	AVERAGE AGE
BLA	22	21-24
MLA	27	24-32
OVERALL	26	22-32

Program Level

All BLA students were in their 3rd or 4th year of the program and all MLA students were in the 2nd year of their 3-year MLA program.

How students became involved

While the population of participants was students enrolled in landscape architecture at the University of Guelph, the pilot studies by necessity relied on volunteers. Because of this, the participants were not randomly selected nor could a convenience sample be used. The implication of using volunteers is that the characteristics of the participant sample likely was not representative of the population of students at Guelph.

Volunteered: 84 percent

Recruited: 16 percent

Prepare for and take additional sections of L.A.R.E. in near future

Three questions were created to elicit the participants overall satisfaction with the experience of preparing for and taking the exam and their motivation to continue with additional sections. These were, "How satisfied or dissatisfied were you with your L.A.R.E. experience?," "How likely are you to continue to prepare for and take additional sections of the L.A.R.E.?", and "Would you recommend talking the L.A.R.E., while a student, to a peer?"

The overwhelming response was very positive with over 80 percent of the responses positive for all three questions. The open-ended responses, however, added some nuance to the participants 'satisfaction.'

While the participants felt very satisfied with the opportunity to participate, and the actual process, they did offer some criticisms of either their own approach or of general procedures. Some participants elected to pursue a strategy that fit their circumstances and in some cases, on reflection, this didn't lead to success.

As one participant wrote,

"Having attempted this exam on my own, I will never go back to that strategy. Studying alone and without a time-management plan was clearly a mistake. The experience as a whole was isolating and lonely."

Another said,

"I didn't really have a strategy in the beginning and wasted a lot of time. Having a support system, not just for studying, but for registration and reminders would have helped me to be more efficient."

These types of comments were common. Successful and unsuccessful participants spoke to the value of working in groups for the benefit of shared resources and mutual support. A few participants also mentioned that peer pressure provided an extra incentive to stay on track with their preparation for the exam. So while there were no truly surprising comments, the general themes seem to be that group study was a key strategy; that regular and consistent meetings with a group (generally reported as from 2-6 people) and the delegation of tasks and responsibilities among group members was a satisfying experience.

While satisfaction was not clearly correlated with a successful outcome, the participants who reported that they were satisfied all reported that they would recommend taking the L.A.R.E. exams to fellow students and all reported they would be continuing to prepare for either 're-taking' L.A.R.E. section 1 or beginning to study for additional sections.

Most Useful Study Aids

Participants were asked to comment on the usefulness of study materials. A number of recommended L.A.R.E. study print references are available to students at the University of Guelph. In addition, participants listed sources of information they would recommend when asked what resources they found most useful (i.e., web-based tutorials, blogs, etc.)



STUDY RESOURCES	NOT USEFUL	NEITHER	VERY USEFUL
HINZE: CONSTRUCTION CONTRACTS	0%	6%	94%
SHARKY: READY, SET, PRACTICE	0%	39%	61%
MATHES: L.A.R.E. REVIEW PRACTICE PROBLEMS	0%	41%	59%
RUSS: SUSTAINABILITY AND DESIGN ETHICS	0%	80%	7%
TAYLOR: PROFESSIONAL PRACTICE	43%	12%	43%
WEB RESOURCES: GENERAL	0%	0%	0%
CLASSMATES	6%	35%	67%
PREVIOUS EXAM TAKERS	12%	29%	58%
OTHER	0%	50%	50%

NOTE: Responses in rounded percentages.

Cost of Study Materials

About 52 percent of the participants felt that the costs of the primary study materials were 'unreasonable' if they had to pay themselves. The remaining 48 percent did not feel the materials were reasonable or unreasonable. It is telling that no participants felt the material costs were reasonable. A rough estimate of the cost of the basic study materials in 2018 was 800 Canadian Dollars. As the primary texts were available for loan this was not an issue but students did purchase some study exams on their own.

Exam Registration

Participants were asked, "How easy or difficult was it to register for the L.A.R.E. exams." All participants felt the registration process was easy and efficient.

Despite a few scheduling constraints for exam dates and locations, all participants felt the 'process' was smooth and efficient. Many participants were complimentary of the CLARB staff for answering their questions and facilitating registration.

The Self-Motivated Student

As previously stated, prior to these pilot studies, three Canadian students successfully took a section(s) of the L.A.R.E. on their own initiative with no supplemental academic or financial guidance. Each of these students were in their undergraduate studies in their third year, approximately at the same time many of the study participants were engaged in the pilot.

As each of these students were successful, it is important to understand why they were motivated to pursue the professional exam. Each of these subjects were undergraduate students at the University of Guelph at the time of their exam, and all are practicing professionals actively pursuing their license and carrying out meaningful work in the discipline.

One student noted that their motivation to begin the exam was internal eagerness to experience the “real” professional world, outside of the classroom. Another was highly dedicated to their studies and possessed a strong desire for academic and professional excellence. All self-motivated students acknowledged that they are uniquely positioned, as Ontario landscape architecture students are able to begin their licensure exams.

One student noted that the experience of taking the exam benefited her greatly, on a professional and personal level. Employers took notice of her “milestone” achievement and she was proud to list the accomplishment on her resume. It inspired her to continue pursuing additional sections of the exam and increased her self confidence.

Each of these self-motivated students pursued their exam while finishing an internship semester at landscape architecture firms in Ontario. While this level of experience is very small, it may have contributed to their understanding of the exam material.



SUBSECTION 5

Summary

The passing percentage for students taking the exam at Guelph was approximately 29 percent – far lower than the 72 percent pass rate for this exam period overall. This surprised not only us but many of the students as well. In looking at the information provided by the participants, some explanations can be ruled out.

Age and maturity did not seem to be a predictor of exam success given the restricted age and level in program of the group. All students participating, both MLA and BLA, were upper year students with experience in study strategies and testing. All were ‘A’ or ‘B’ students and thus had performed at a respectable level in their previous studies.

All students ‘volunteered’ and thus were more likely to be motivated to succeed, particularly, as the challenge of preparing for the exam was clearly presented beforehand. In essence, students had a fair idea of the preparation necessary and they had information on what they would need to do within the context of their semester schedule.

What is left to explain for a pass rate of less than 30 percent for the pilot taking Section One? In analyzing both the survey and interviews and then comparing information from students that passed versus those that did not, a few possible explanations emerge.

Almost all students that passed the L.A.R.E. section spent significantly more time preparing than those that did not. As well, the time that passing students spent was more consistent for the whole study period. So, passing students worked consistently over time and for longer hours than did their less successful peers. Although it is difficult to ‘tease’ this information out of open-ended responses to questions, it appears that students that developed a strategy beforehand that accounted for time, fared better.

All students that passed the L.A.R.E. worked with peers to develop and execute a study plan. Some of these study groups were very organized while others were more opportunistic. For the most part, successful students had regular, at least weekly, face-to-face meetings with their peers.

Follow-up interviews with many of the successful students clearly identified motivation as a primary factor in success. Students that passed the exam indicated that their primary goal was to pass the exam.

Most, but not all, of the successful students had office experience either through the formal internship program at Guelph or through summer jobs. Each of these students felt that office experience gave them more confidence going into the exam. A few mentioned that while they did not have direct professional experience with the L.A.R.E. content, their exposure gave them some insight into the subject matter being tested.

Students who passed the exam were slightly older in age but also slightly more experienced and mature. This is based on a familiarity with the students as the data collected did not assess maturity.

Almost all students, both those that passed and those that failed, commented that the exam format (i.e., the phrasing of the questions, the subtle differences in possible answers, etc.) was intimidating and often frustrating. Further probing of why this might be the case suggested that students were uncomfortable with an exam that wasn’t simply ‘fact-based.’ We (the authors) suspect that Canadian students also have less experience with standardized exams on the whole and this may make a difference.

Many students felt that they needed more structured-learning opportunities to be successful. There were a number of comments on the order of, “I hoped there would be more formal classes,” or “I really needed a professor to answer some question.” It should be emphasized that participants were told in the beginning and frequently reminded that this was not a course and no structured course material sessions would be offered.

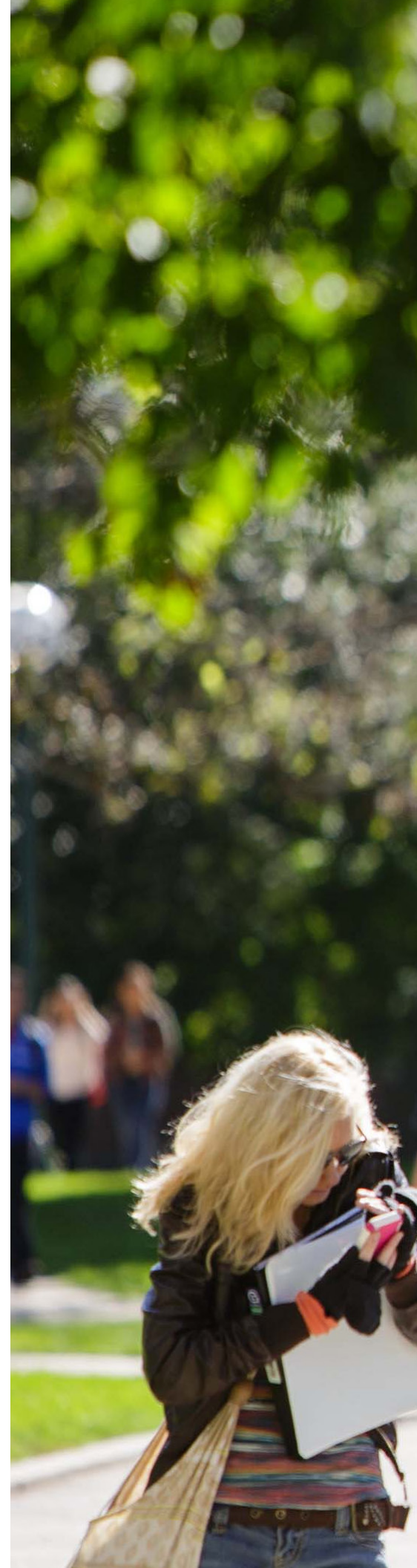
The implications arising out of 37 students participating in three L.A.R.E. pilots and examinations over four semesters are mixed. Given that these were pilot studies, and this comes with some analysis limitations, the following can be said with some confidence.

First, in the landscape architecture programs at the University of Guelph there is interest and enthusiasm among students in preparing for and taking the L.A.R.E. Yet, based on the responses to questionnaire/ interviews and the exam results themselves, it is fairly clear that the students want and need structure in the form of a course or perhaps as part of an internship semester. There was overwhelming support for a formalized course that, at a minimum, was structured to fit within a university semester schedule that could include an internship.

Secondly, while there is some support for the following contention, it is based on observation and informal conversation with students as much as the more formal 'data.' Motivation, the right kind of motivation at that, seems to be the best predictor of L.A.R.E. success. Self-motivated and diligent students that are willing to study on a consistent basis are more likely to pass the exam. This seems rather obvious, yet, we suspect that motivation is quite complex to unravel and there are many different reasons behind it. The pattern that presents itself for the one-in-three students that were successful is that they were willing to, in their own words, "...grind it out," "...approach their preparation the same as athletic practice" and most memorably, "Show a prospective employer that they have more than just a degree."

Finally, if overall success in completing the L.A.R.E. in a timely fashion is the goal of the profession, it cannot but help to better introduce the L.A.R.E. within university programs. Many of the participants in these studies did not have a meaningful grasp of the purpose and content of the L.A.R.E. although they have had some exposure in their courses. An earlier introduction to the L.A.R.E. in landscape architecture program curriculum will help integrate licensure into student knowledge of the discipline and their future as a professional.

Reinforcing the value of licensure in education will ensure that future generations of landscape architects carry forward this understanding-strengthening and empowering them in their call to protect the health, safety and welfare of the public.





Agenda Item H

UPDATE ON AMENDMENTS TO THE LATC'S MEMBER ADMINISTRATIVE PROCEDURE MANUAL

Section 12 of the 2018 Sunset Review Report template contains a prompt for inclusion of a Member Administrative Procedure Manual (Manual) with the submitted Report. The California Architects Board (Board) previously revised its Manual in 2012; likewise, the Landscape Architects Technical Committee's (LATC) Manual was previously updated in 2001.

On May 24, 2018, the Department of Consumer Affairs sponsored a Sunset Review Training that included a presentation from the Legislature's Business and Professions Committee staff. During this presentation, boards were encouraged to provide a current, updated iteration of their Manual in the Report. Following this training, Board and LATC staff obtained Manuals from the Contractors State License Board and the California Acupuncture Board – both were updated in 2017 – for use as references to update the Board and LATC Manuals.

During the LATC meeting on July 20, 2018, the Committee was apprised that staff was in the process of updating the LATC's Manual and that it would be modeled from the Board's updated Manual. Further, due to the Manual's inclusion in the LATC's Sunset Review Report, the Committee was advised that the proposed updates would be presented to the Board at its meeting on September 12, 2018 for review and approval.

Attachment 1 is the Board's updated manual, showing all changes to the Manual in tracked changes. Attachment 2 shows updates to the LATC's Manual; however, notably, this document uses the new language of the Board's Manual with only the language specific to LATC shown in tracked changes. For comparative reference, the LATC's current Manual (2001) is included as Attachment 3.

At its September 12, 2018 meeting, the Board reviewed and approved amendments to the Board's and LATC's Manuals (as shown in Attachments 1 and 2). Accordingly, the approved iteration of the LATC's Manual was included as an attachment in the LATC's Sunset Review Report upon its submission to the Legislature on December 1, 2018.

Attachments:

1. Proposed Amendments to Board Administrative Procedure Manual
2. Proposed Amendments to LATC Administrative Procedure Manual
3. LATC Administrative Procedure Manual (2001)

California Architects Board Member Administrative Manual

Approved by Board 9/12/18

Table of Contents

Chapter 1 -- Introduction

Overview.....	1
Mission.....	1
Vision.....	2
Values.....	2
General Rules of Conduct.....	2
Abbreviations	2

Chapter 2 -- Board Meeting Procedures

Bagley-Keene Open Meeting Act	3
Public Comment	3
Closed Session.....	3
Frequency of Meetings	4
Meeting Location.....	4
Board Member Attendance at Board Meetings.....	5
Board Member Participation.....	5
Teleconference Meetings.....	5
Special Meetings	6
Emergency Meetings.....	6
Quorum	6
Agenda Items	6

Notice of Meetings to be Sent to Individuals	6
Notice of Meetings to be Posted on the Internet	7
Mail Ballots	7
Record of Meetings	7
Voting on Motions	8
Audio/Visual Recording	8

Chapter 3 -- Travel & Salary Policies/Procedures

Travel Approval.....	8
Travel Arrangements.....	8
Out-of-State Travel	9
Travel Reimbursement	9
Salary Per Diem.....	9

Chapter 4 -- Other Policies/Procedures

Board Member Disciplinary Actions.....	11
Removal of Board Members	11
Resignation of Board Members	11
Officers of the Board.....	11
Election of Officers	12
Officer Vacancies	12
Nomination of Officers	12
Committee Appointments.....	12
Attendance at Committee Meetings	13
Board Staff	13
Executive Officer Evaluation	13
Board Administration	14

Board Budget	14
Conflict of Interest	14
Financial Disclosure	15
Incompatible Activities	15
Ex Parte Communications	17
Communications with Other Organizations/Individuals	18
Legislation	18
Contact with Candidates	18
Gifts from Candidates	18
Request for Records Access	18
Business Cards	19
Letterhead	19

Chapter 5 -- Training

Board Member Orientation	19
Ethics	19
Sexual Harassment Prevention	20
Defensive Driver	20

Appendix

A. Member Position Description	21
B. Committee Policy	23
C. DCA Incompatible Work Activities (OHR 14-01)	
D. Process for Annual Performance Evaluations of Executive Officer Memorandum (Dated March 9, 2015)	

Chapter 1

Introduction

Overview

The California Board of Architectural Examiners was created by the California Legislature in 1901 to safeguard the public's health, safety, and welfare. It was renamed the California Architects Board (Board) in 2000. It is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the Business, Consumer Services and Housing Agency under the aegis of the Governor. The Department is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While the DCA provides administrative oversight and support services, the Board has policy autonomy and sets its own policies, procedures, and regulations.

The Board is presently composed of 10 members that, by law, 5 are public members, and 5 are architects. The five architect members are all appointed by the Governor. Three of the public members are also gubernatorial appointees; while one public member is appointed by the Assembly Speaker and the other is appointed by the Senate Rules Committee. Board members may serve up to two four-year terms. Board members fill non-salaried positions but are paid \$100 per day for each meeting day or day spent in the discharge of official duties (see section entitled "Salary Per Diem") and are reimbursed travel expenses.

This Board Member Administrative Manual is provided to Board members as a reference of important laws, regulations, DCA policies, and Board policies to guide the actions of the Board members and ensure Board effectiveness and efficiency.

Mission

The California Architects Board protects consumers by establishing standards for professional qualifications, ensuring competence through examinations, setting practice standards, and enforcing the Architects Practice Act.

Vision The California Architects Board will be the national leader in the regulation of architectural practice.

Values Collaborative
Professional
Innovative
Proactive

General Rules of Conduct All Board members shall act in accordance with their oath of office, and shall conduct themselves in a courteous, professional and ethical manner at all times. The Board members serve at the pleasure of the Governor and the Legislature, and shall conduct their business in an open manner, so that the public that they serve shall be both informed and involved, consistent with the provisions of the Bagley-Keene Open Meeting Act and all other governmental and civil codes applicable to similar boards within the State of California.

- Board members shall not act or speak on the Board's behalf without proper authorization from the Board president.
- Board members shall maintain the confidentiality of confidential documents and information.
- Board members shall commit the time to prepare for Board responsibilities.
- Board members shall recognize the equal role and responsibilities of all Board members.
- Board members shall act fairly, be nonpartisan, impartial, and unbiased in their role of protecting the public.
- Board members shall treat all applicants and licensees in a fair and impartial manner.
- Board members' actions shall serve to uphold the principle that the Board's primary mission is to protect the public.
- Board members shall not use their positions on the Board for personal, familial, or financial gain.

Abbreviations

ARE	Architectural Registration Examination
B&P	Business and Professions Code
DCA	Department of Consumer Affairs

EO	Executive Officer
Gov.	Government Code
NCARB	National Council of Architectural Registration Boards
SAM	State Administrative Manual
WCARB	Western Council of Architectural Registration Boards

Chapter 2

Board Meeting Procedures

Bagley-Keene Open Meeting Act

(Gov. Code Section 11120 et seq.)

All meetings are open for public attendance and subject to all provisions of the Bagley-Keene Open Meeting Act. This act governs meetings of the state regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda.

Public Comment

(Gov. Code Section 11125.7)

Public comment must be allowed on open session agenda items before or during discussion of each item and before a vote.

The Board may accept public comment on an item not on the agenda, provided that the Board takes no action or does not discuss the item at the same meeting. The Board may refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting. The Board cannot prohibit public criticism of the Board's policies or services. The Board president may set reasonable time limitations.

Due to the need for the Board to maintain fairness and neutrality when performing its adjudicative function, the Board shall not receive any substantive information from a member of the public regarding matters that are currently under or subject to investigation, or involve a pending or criminal administrative action.

Closed Session

(Gov. Code Sections

Any general discussion of exams or disciplinary procedures shall be held in public. The Board may meet in closed session to discuss examinations

11125.2, 11126, 11126.1)

where a public discussion would compromise the integrity of the examination and to deliberate on disciplinary cases. Examples of types of closed session meetings include:

- Discuss and vote on disciplinary or enforcement matters under the Administrative Procedure Act (APA);
- Prepare, approve, or grade examinations;
- Discuss pending litigation; or;
- Discuss the appointment, employment, or dismissal of the EO unless the EO requests that such action be taken in public.

If the agenda contains matters that are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

No members of the public are allowed to remain in the meeting room for closed sessions. At least one staff member must be present at all closed sessions to record topics discussed and decisions made.

Closed session must be specifically noticed on the agenda (including the topic and legal authority). Before going into closed session, the Board president should announce in open session the general nature of the item(s) to be discussed. If the item involves the EO's employment, appointment, or dismissal, and action is taken in closed session, the Board must report that action and any roll call vote that was taken at the next public meeting.

Frequency of Meetings

(B&P Code Section 5522)

The Board shall meet at least once a quarter for the purpose of transacting such business as may lawfully come before it and may meet more often as it determines necessary.

Meeting Location

(Gov. Code Sections 11123.1 & 11131; B&P Code Section 101.7)

The Board is required to hold its meetings at locations that are easily accessible to the public and individuals with disabilities in compliance the Americans with Disabilities Act (ADA). The Board will hold meetings in different locations throughout

the state and is required to hold at least one meeting in Northern California and one meeting in Southern California.

**Board Member Attendance
at Board Meetings**

(Board Policy)

Board members shall attend each meeting of the Board. If a member is unable to attend he/she must contact the Board president or the EO and ask to be excused from the meeting for a specific reason. Should a member miss two consecutive meetings, the Board president may notify the Director of the DCA.

**Board Member
Participation**

(Board Policy)

The Board president may ascertain from members whose level of participation is below standard whether or not the member is no longer able to continue serving as an active member of the Board. In such a case, the Board president may suggest that the member resign. If such resignation is not forthcoming within a reasonable time, the Board, by resolution, may request the appointing authority to have the member replaced. However, the member shall be given the opportunity to present to the Board his/her arguments against the resolution prior to such a resolution being adopted by the Board.

Teleconference Meetings

(Gov. Code Section 11123)

Special rules for notice of teleconference meetings are as follows:

- Same 10-day notice requirement as in-person meetings.
- Notice and agenda must include teleconference locations.
- Every teleconference location must be open to the public and at least one Board member must be physically present at every noticed location. Board members must attend the meeting at a publicly noticed location.
- Additional locations may be listed on the notice that allow the public to observe or address the Board by electronic means without a Board member present.

Special Meetings

(Gov. Code Section 11125.4)

A special meeting may be called at any time by the Board president, or in his or her absence the vice president or by a majority of the members of the Board and held with 48 hours' notice in specified situations (e.g., consideration of proposed legislation). At the commencement of any special meeting, the Board must make a finding in open session that the delay necessitated by providing notice 10 days prior to a meeting would cause a "substantial hardship on the Board or that immediate action is required to protect the public interest." The finding shall be adopted by two-thirds vote of the Board if less than two-thirds members present, a unanimous vote of those members present.

Emergency Meetings

(Gov. Code Section 11125.5)

An emergency meeting may be held after finding by a majority of the Board at a prior meeting or at the emergency meeting that an emergency situation exists due to work stoppage or crippling disaster. [A quorum is required for the Board to meet in the event of emergency, such as a work stoppage or crippling disaster.] Emergency meetings require a one-hour notice.

Quorum

(B&P Code Section 5524)

Six of the members of the Board constitute a quorum of the Board for the transaction of business. The concurrence of five members of the Board present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board, except that when all 10 members of the Board are present at a meeting duly held, the concurrence of six members shall be necessary to constitute an act or decision of the Board.

Agenda Items

(Board Policy)

The Board president, with the assistance of the EO, shall prepare the agenda and tentative meeting timeframe. Any Board member may submit items for a Board meeting agenda to the EO 15 days prior to the meeting.

Notice of Meetings to be Sent to Individuals

According to the Bagley-Keene Open Meeting Act, meeting notices (including agendas for Board meetings) shall be sent to persons on the Board's

(Gov. Code Section 11120 et seq.; B&P Code Section 101.7)

mailing or email list at least 10 calendar days in advance. The notice shall include a staff person's name, work address, and work telephone number who can provide further information prior to the meeting.

Notice of Meetings to be Posted on the Internet

(Gov. Code Section 11125)

Unless the meeting meets the requirements for a special or emergency meeting under the Bagley-Keene Open Meeting Act, notice shall be given and made available on the Internet at least 10 calendar days in advance of the meeting, and shall include the name, address, and telephone number of a staff person who can provide further information prior to the meeting but need not include a list of witnesses expected to appear at the meeting. The written notice shall additionally include the Internet address where notices required by the Bagley-Keene Open Meeting Act are made available.

Mail Ballots

(Gov. Code Section 11500 et seq.)

The Board must approve any proposed decision or stipulated settlement before the formal discipline becomes final and the penalty can take effect. Due to time limitations, mail ballots may be executed. If needed, stipulated settlements and proposed decisions will be mailed to each Board member for his or her vote. For stipulations, a background memorandum from the assigned deputy attorney general accompanies the mail ballot. A five-calendar day deadline generally is given to complete the ballot and return it to the Board's office.

Record of Meetings

(Board Policy; B&P Section 5521; Gov. Code Sections 11123(c), 11126.1)

The minutes are a summary, not a transcript, of each Board meeting. They shall be prepared by Board staff and submitted for review by Board members before the next Board meeting. The minutes must contain a record of how each member present voted for each item on which a vote was taken. Board minutes shall be approved at the next scheduled meeting of the Board. When approved, the minutes shall serve as the official record of the meeting.

Voting on Motions

*(B&P Code Section 5524;
Gov. Code Sections 11120,
11122, 11123, 87100 et seq.;
68 Ops.Cal.Atty.Gen. 65,
69-70)*

As a general rule, all votes must be taken publicly. However, votes taken on closed session matters are not required to be taken publicly. In addition, the APA (disciplinary matters) authorizes mail voting on all questions arising under that act. Secret ballots and proxy votes are prohibited. A majority of the board or committee vote is determined by the votes actually cast. Abstentions are recorded, but not counted, unless a law provides otherwise.

Options for Board members:

- 1) Support / in Favor / Yes / Aye
- 2) Oppose / No / Nay
- 3) Abstain (not counted as a vote)
- 4) Recused (not counted as a vote)

Audio/Visual Recording

(Board Policy)

The meeting may be audio/video recorded and/or broadcast live via the Internet. Recordings shall be disposed of upon Board approval of the minutes. If a webcast of the meeting is intended, it shall be indicated on the agenda notice.

Chapter 3**Travel & Salary Policies/Procedures****Travel Approval**

*(DCA Memorandum
96-01)*

Board members shall have Board president approval for all travel except for regularly scheduled Board and committee meetings to which the Board member is assigned.

Travel Arrangements

(Board Policy)

Board members are encouraged to coordinate with the EO secretary for any Board-related travel arrangements, including air or train transportation, car rental, and lodging accommodations through Cal Travel Store's online booking tool, Concur.

Board members must also utilize the most economic source of transportation available. For example, if the hotel provides a shuttle from the airport to the hotel it is not fiscally responsible to rent a car or take a taxi. Reimbursement may be reduced or denied if the most economical sources are not used.

All Board-related travel must be booked using Cal

Travel Store's self-service reservation system, Concur, if a Board member seeks reimbursement.

In advance of Board and committee meetings, the EO secretary will provide members information detailing the name and address of the chosen hotel where state rates are available if an overnight stay is required.

Out-of-State Travel

(SAM Section 700 et seq.)

For out-of-state travel, Board members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Out-of-state travel for all persons representing the state of California is controlled and must be approved by the Governor's Office.

Travel Reimbursement

(SAM Section 700 et seq. & DCA Memorandum 96-01)

Rules governing reimbursement of travel expenses for Board members are the same as for management level state staff. Board members must submit the originals of all receipts, with the exception of meals, and, when applicable, a copy of the airline itinerary and hotel receipt showing the balance paid, to the EO secretary. All expenses shall be claimed on the appropriate travel expense claim forms. The EO secretary maintains these forms and completes them as needed. The EO secretary completes travel expense reimbursements in CalATERS Global and maintains copies of these reports and submitted receipts. It is advisable for Board members to submit their travel expense forms immediately after returning from a trip and not later than two weeks following the trip.

In order for the expenses to be reimbursed, Board members shall follow the procedures contained in DCA Departmental Memoranda that are periodically disseminated by the Director and are provided to Board members on at least an annual basis by the EO secretary.

Salary Per Diem

(B&P Code Section 103)

Each member of a board, commission or committee created in various chapters of Division 3 (commencing with section 5000) is eligible to receive a per diem of \$100 for each day actually spent in the discharge of official duties, unless on

any day served, the member also received compensation for their regular public employment. Reimbursement of travel and other related expenses for Board members is also regulated by section 103.

In relevant part, this section provides for the payment of salary per diem for Board members **“for each day actually spent in the discharge of official duties,”** and provides that the Board member **“shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.”**

(Board Policy)

Accordingly, the following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

No salary per diem or reimbursement for travel-related expenses shall be paid to Board members except for attendance in official Board or committee meetings, unless a substantial official service is performed by the Board member. Attendance at gatherings, events, hearings, conferences, or meetings other than official Board or committee meetings in which a substantial official service is performed shall be approved in advance by the Board president. The EO shall be notified of the event and approval shall be obtained from the Board president prior to Board member's attendance.

The term “day actually spent in the discharge of official duties” shall mean such time as is expended from the commencement of a Board or committee meeting to the conclusion of that meeting. Where it is necessary for a Board member to leave early from a meeting, the Board president shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

For Board specified work, Board members will be compensated for actual time spent performing work authorized by the Board president. That work includes, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences; NCARB committee work;

and travel time on non-meeting days (out-of-state). That work does not include preparation time for Board or committee meetings. Board members cannot claim salary per diem for time spent traveling to and from a Board or committee meeting.

Chapter 4

Other Policies/Procedures

Board Member Disciplinary Actions

*(Board Policy; Gov. Code
Section 11125.4)*

A member may be censured by the Board if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

The Board president shall preside over the hearing unless the censure involves the president's own actions, in which case the Board vice president shall preside. In accordance with the Bagley-Keene Open Meeting Act, the censure hearing shall be conducted in open session.

Removal of Board Members

*(B&P Code Sections 106 &
106.5)*

The Governor has the power to remove from office at any time any member of any board appointed by him/her for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct. The Governor may also remove from office a board member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

Resignation of Board Members

(Gov. Code Section 1750)

In the event that it becomes necessary for a Board member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of DCA, the Board president, and the EO.

Officers of the Board

(B&P Code Section 5518)

The Board shall elect from its members a president, a vice president, and a secretary to hold office for one year or until their successors are duly elected and qualified.

Election of Officers*(Board Policy)*

The Board shall elect the officers at the last meeting of the calendar year. Officers shall serve a term of one year. All officers may be elected on one motion or ballot as a slate of officers unless more than one Board member is running per office. An officer may be re-elected and serve for more than one term.

Officer Vacancies*(Board Policy)*

If an office becomes vacant during the year, an election shall be held at the next meeting. If the office of the president becomes vacant, the vice president shall assume the office of the president. Elected officers shall then serve the remainder of the term.

Nomination of Officers*(Board Policy)*

The Board president shall appoint a Nominations Committee prior to the last meeting of the calendar year and shall give consideration to appointing a public and a professional member of the Board to the Committee. The Committee's charge will be to recommend a slate of officers for the following year. The Committee's recommendation will be based on the qualifications, recommendations, and interest expressed by the Board members. A survey of Board members will be conducted to obtain interest in each officer position. A Nominations Committee member is not precluded from running for an officer position. If more than one Board member is interested in an officer position, the Nominations Committee will make a recommendation to the Board and others will be included on the ballot for a runoff if they desire. The results of the Nominations Committee's findings and recommendations will be provided to the Board members in the meeting packet prior to the election of officers. Notwithstanding the Nominations Committee's recommendations, Board members may be nominated from the floor at the meeting.

Committee Appointments*(Board Policy)*

The Board president shall establish committees, whether standing or special, as he or she deems necessary. The composition of the committees and the appointment of the members shall be determined by the Board president in consultation with the vice president, and the EO. When

committees include the appointment of non-Board members, all impacted parties should be considered. (See *Committee Policy in Appendix B.*)

Attendance at Committee Meetings

(Board Policy; Gov. Code Section 11122.5(c)(6))

If a Board member wishes to attend a meeting of a committee in an official capacity of which he/she is not a member, that Board member shall obtain permission from the Board president to attend and shall notify the committee chair and staff. Board members who are not members of the committee that is meeting cannot vote during the committee meeting and may attend only as observers. If there is a quorum of the Board at a committee meeting, Board members who are not members of the committee must sit in the audience and cannot participate in committee deliberations.

Committees operate at the direction of the Board to fulfill specific goals in the Strategic Plan. Committee chairs shall lead committees' actions toward such goals without undue influence on the part of Board officers or members.

The Board and LATC maintain an ongoing practice of providing regular updates regarding key issues at each other's respective meetings to sustain understanding of each entity's priorities. The Board appoints an LATC liaison, who attends LATC meetings on behalf of the Board.

Board Staff

(DCA Reference Manual)

Employees of the Board, with the exception of the EO, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by civil service laws, regulations, and collective bargaining labor agreements. Because of this complexity, it is most appropriate that the Board delegate all authority and responsibility for management of the civil service staff to the EO. Board members shall not intervene or become involved in specific day-to-day personnel transactions or matters.

Executive Officer Evaluation

(Board Policy; Gov. Code

Board members shall evaluate the performance of the EO on an annual basis in accordance with DCA's memorandum Process for Annual Performance Evaluations of EO (Appendix D). The

Section 11126(a)(1))

evaluation shall be conducted in Closed Session during a meeting of the Board pursuant to Gov. Code section 11126(a)(1).

Board Administration*(DCA Reference Manual)*

Board members should be concerned primarily with formulating decisions on Board policies rather than decisions concerning the means for carrying out a specific course of action. It is inappropriate for Board members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the EO.

Consistent with the budget and Strategic Plan, requests by individual Board members that are not directly associated with a committee's goals or have an impact on staff workload, as determined by the president and EO, may be declined. In the event the request is by the president, the vice president shall review the request.

Board Budget*(Board Policy)*

The Board vice president shall serve as the Board's budget liaison with staff and shall assist staff in the monitoring and reporting of the budget to the Board. Staff will conduct an annual budget briefing with the Board with the assistance of the Board vice president. The EO or his/her designee will attend and testify at legislative budget hearings and shall communicate all budget issues to the Administration and Legislature.

Conflict of Interest*(Gov. Code Section 87100)*

No Board member may make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any Board member who has a financial interest shall disqualify himself/herself from making or attempting to use his/her official position to influence the decision. Any Board member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the EO or the Board's legal counsel. The question of whether or not a member has a financial interest that would present a legal conflict of interest is complex and must be decided on a case-by-case

review of the particular facts involved. For more information on disqualifying yourself because of a possible conflict of interest, please refer to the Fair Political Practice Committee's manual on their website: fppc.ca.gov.

Financial Disclosure

(Gov. Code Section 87302(b))

The Conflict of Interest Code also requires Board members to file annual financial disclosure statements by submitting a Form 700 – Statement of Economic Interest. New Board members are required to file a disclosure statement within 30 days after assuming office. Annual financial statements must be filed no later than April 1 of each calendar year.

A "leaving of office statement" must be filed within 30 days after an affected Board member leaves office.

Board members are not required to disclose all of their financial interests. Gov. Code section 87302 (b) explains when an item is reportable:

An investment, interest in real property, or income shall be made reportable by the Conflict of Interest Code if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of his or her position.

Refer to the Fair Political Practices Commission's website fppc.ca.gov to determine what investments, interests in property, or income must be reported by a member. Questions concerning particular financial situations and related requirements should be directed to DCA's Legal Affairs Division.

Incompatible Activities

(Gov. Code Section 19990)

Following is a summary of the employment, activities, or enterprises that might result in or create the appearance of being inconsistent, incompatible, or in conflict with the duties of state officers:

- Using the prestige or influence of a state office or employment for the officer's or employee's

private gain or advantage, or the private gain or advantage of another.

- Using state time, facilities, equipment, or supplies for the officer's or employee's private gain or advantage, or the private gain or advantage of another.
- Using confidential information acquired by the virtue of state employment for the officer's or employee's private gain or advantage or advantage of another.
- Receiving or accepting money, or any other consideration, from anyone other than the state for the performance of an act which the officer or employee would be required or expected to render in the regular course or hours of his or her state employment or as a part of his or her duties as a state officer or employee.
- Performance of an act other than in his or her capacity as a state officer or employee knowing that such an act may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by such officer or employee of the agency by which he or she is employed. (This would not preclude an "industry" member of the Board from performing normal functions of his or her occupation.)
- Receiving or accepting, directly or indirectly, any gift, including money, any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value from anyone who is seeking to do business of any kind with the state or whose activities are regulated or controlled in any way by the state, under circumstances from which it reasonably could be inferred that the gift was intended to influence him or her in his or her official duties or was intended as a reward for any official action on his or her part.

The aforementioned limitations do not attempt to specify every possible limitation on member or employee activity that might be determined and prescribed under the authority of Gov. Code section 19990. DCA's Incompatible Work Activities

OHR 10-01 is included in Appendix C.

Ex Parte Communications

*(Gov. Code Section
11430.10 et seq.)*

The Government Code contains provisions prohibiting ex parte communications. An "ex parte" communication is a communication to the decision-maker made by one party to an enforcement action without participation by the other party. While there are specified exceptions to the general prohibition, the key provision is found in subdivision (a) of section 11430.10, which states:

"While the proceeding is pending, there shall be no communication, direct or indirect, regarding any issue in the proceeding to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and an opportunity for all parties to participate in the communication."

Board members are prohibited from an ex parte communication with Board enforcement staff while a proceeding is pending.

Occasionally an applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact Board members.

If the communication is written, the person should read only far enough to determine the nature of the communication. Once he or she realizes it is from a person against whom an action is pending, they should reseal the documents and send them to the EO.

If a Board member receives a telephone call from an applicant or licensee against whom an action is pending, he or she should immediately tell the person that discussion about the matter is not permitted, he or she will be required to recuse him or herself from any participation in the matter, and continued discussion is of no benefit to the applicant or licensee.

If a Board member believes that he or she has received an unlawful ex parte communication, he

or she should contact the Board's assigned Legal Affairs Division counsel.

**Communications with
Other Organizations/
Individuals**

(Board Policy)

All communications relating to any Board action or policy to any individual or organization including NCARB, WCARB, or a representative of the media shall be made only by the Board president, his/her designee, or the EO. Any Board member who is contacted by any of the above should immediately inform the Board president or EO of the contact. All correspondence shall be issued on the Board's standard letterhead and will be created and disseminated by the Board office.

Board members shall not act on behalf of the Board without Board approval and consensus, including but not limited to meeting or interacting with other professional organizations, governmental entities, educational institutions, architectural associations, intern associations, etc. All actions on behalf of the Board shall be documented and communicated to the EO. The EO will then convey such information to the Board via the monthly report or by other means, as determined necessary.

Legislation

(Board Policy)

In the event time constraints preclude Board action, the Board delegates to the EO the authority to take action on legislation that would change the Architects Practice Act, impact a previously established Board policy, or affect the public's health, safety, or welfare. Prior to taking a position on legislation, the EO shall consult with the Board president. The Board shall be notified of such action as soon as possible.

Contact with Candidates

(Board Policy)

Board members shall not intervene on behalf of a candidate for any reason. They should forward all contacts or inquiries to the EO or Board staff.

Gifts from Candidates

(Board Policy)

Gifts of any kind to Board members or the staff from candidates for licensure with the Board shall not be permitted.

Request for Records Access

No Board member may access a licensee or candidate file without the EO's knowledge and

(Board Policy) approval of the conditions of access. Records or copies of records shall not be removed from the Board's office.

Business Cards

(Board Policy)

Business cards will be provided to each Board member upon request with the Board's name, address, telephone, fax number, and website address. A Board member's business address, telephone, and fax number, and e-mail address may be listed on the card at the member's request.

Letterhead

(Board Policy)

Only correspondence that is transmitted directly by the Board office may be printed or written on Board letterhead stationery. Any correspondence from a Board member requiring the use of Board stationary or the Board's logo should be transmitted to the Board office for finalization and distribution.

Chapter 5**Training**

Once a Board member is appointed, the EO secretary will send an email containing a list of all the required trainings, their due dates, and instructions about their completion. Board members should send the certificate of completion or signature page to the EO secretary who maintains Board members' records. For additional information, Board members may refer to DCA's online Board Member Resource Center which may be found at: dca.boardmembers.ca.gov

Board Member Orientation

(B&P Code Section 453)

Newly appointed and reappointed Board members must attend a Board Member orientation training course offered by DCA within one year of assuming office. The orientation covers information regarding required training, in addition to other topics that will ensure a member's success, including an overview of DCA.

Ethics

(Gov. Code Section 11146 et seq.)

State appointees and employees in exempt positions are required to take an ethics orientation within the first six months of their appointment and

every two years thereafter. To comply with that directive, Board members may take the interactive course provided by the Office of the Attorney General, which can be found at oag.ca.gov/ethics.

Sexual Harassment Prevention

(Gov. Code Section 12950.1)

Board members are required to undergo sexual harassment prevention training and education once every two years, in odd years. Staff will coordinate the training with DCA.

Defensive Driver

(SAM Section 0751)

All state employees, which includes Board and committee members, who drive a vehicle (state vehicle, vehicles rented by the state, or personal vehicles for state business) on official state business must complete the Department of General Services (DGS) approved defensive driver training (DDT) within the first six months of their appointment and every four years thereafter.

APPENDIX A

Member Position Description

The California Architects Board exists to regulate the practice of architecture in the interest and for the protection of the public health, safety, and welfare. The Board is comprised of ten members, five architects and five public members. To ensure the most effective representation of the interests of both the public and the profession, the Board seeks to have among its members a broad cross-section of architects and consumers of architectural services (e.g., representatives from large and small firms, developers, building officials, educators). Whether a public or a professional member, each member of the Board is responsible first and foremost for public protection.

The Board manages its responsibilities by delegating to a number of committees and task forces and its staff, thereby enabling the Board to more effectively fulfill its mission. The Board appoints an EO to exercise the powers and perform the duties delegated by the Board. The EO manages the Board's staff (currently 29.8 positions including Landscape Architects Technical Committee [LATC] staff positions). With direction from the Board and the Strategic Plan, the Board staff implements the Board's examination, licensing, enforcement, and administration programs.

As a whole, the Board's responsibilities include the following:

- Delineation of the basic professional qualifications and performance standards for admission to and practice of the profession of architecture. The Board accomplishes this objective by setting minimum qualifications for licensure and administering the California Supplemental Examination.
- Establishment and administration of a fair and uniform enforcement policy to deter and prosecute violations of the Architects Practice Act and related regulations.
- Setting policy and procedures for the Board, its committees, task forces, and staff in carrying out the duties of the Board.
- Disseminating information to consumers, licensees, and professional and educational organizations about the Board's services and activities, and rules and regulations governing the profession.

Individual Board member responsibilities include:

- Attendance at Board meetings. (The Board regularly meets quarterly, but may meet more often if necessary. Meetings are generally one-day and are scheduled in locations throughout California. Overnight travel may be necessary. Every two years, the Board meeting includes a Strategic Planning session.)
- Participation on Board committees and task forces. (Time commitment for committees and task forces vary. Most committees meet 1-2 times per year. Meetings are generally one-day and are scheduled in locations throughout

California. Overnight travel may be necessary.)

- Board members are also expected to invest the time to review the "recommended reading" necessary to participate effectively in Board business. Such readings include the Board Member Administrative Procedure Manual, Sunset Review Report, Board and committee packets, recent studies and reports, and related material.
- Acting as a representative of the Board to communicate information to the professional and educational communities. (Board members may be assigned an architectural school and a constituency group with which they act as a liaison.)
- Possible participation in meetings of the National Council of Architectural Registration Boards (NCARB) and Western Council of Architectural Registration Boards' (WCARB) meetings and committees. (Each organization holds at least one meeting per year. NCARB committees typically meet twice per year. Meetings are usually two days, and up to two days travel time may be required, depending on meeting location.)
- Possible participation as a WCARB or NCARB officer or director. (The Board has a goal of exercising more influence on WCARB/NCARB by encouraging its members to participate at officer levels of these two organizations.)

APPENDIX B**Committee Policy**Committees

The standing committees of the Board are the:

- Executive
- Professional Qualifications
- Regulatory and Enforcement
- Communications

Board committees are the deliberative bodies that assist the Board in developing policy. Committees make recommendations for consideration by the Board. All Board members should serve on at least one committee each year. Commencing with the committees for the 2014 Strategic Plan, no committee should have more than nine members.

The committees should meet regularly. At a minimum, once the Board's Strategic Plan is adopted in March, committees should conduct meetings to complete assigned objectives and present them to the Board for consideration, clarification, direction, etc. before the end of the biennial Strategic Plan. New issues that emerge during the course of the year, unless they are critical emergencies, should be referred to the next strategic planning session. Teleconference meetings can be utilized for meetings on urgent or single-subject issues.

In the event that additional new committee members are needed, the Board president shall ask Board and committee members for suggested interested persons; if an insufficient pool exists, the Board may request names from various organizations, including, but not limited to: The American Institute of Architects, California Council; Society of American Registered Architects; Construction Specifications Institute; California Building Officials, etc.

Chairmanships

With the exception of the Executive Committee, each committee chair and vice chair shall be appointed by the Board president (in consultation with the vice president and EO) and shall be a Board member, absent extenuating circumstances (numerous vacancies on the Board). The Executive Committee shall be comprised of the current Board president, vice president, secretary, and the immediate past Board president. Chairs should serve for two to three years, if possible, and in the best interest of the Board. The Board should endeavor to offer opportunities for all Board members to serve as a chair or vice chair during their tenure on the Board. The list of committee members will be reproduced as part of the Strategic Plan every other year so it is memorialized in a centralized location.

Review

Committee chairs should prepare a report for the Board president and president-elect by November 30th each year. The report would consist of a list of committee members, their committee meeting attendance record, and a synopsis of their contributions, as well as a recommendation as to whether they should be reappointed. Staff shall prepare a template for the report with the attendance data. Each chair shall consult with the EO in preparing the report.

Approved by the Board June 14, 2012

Revised and approved by the Board on September 12, 2018

APPENDIX C

DCA Incompatible Work Activities (OHR 14-01)

APPENDIX D

Process for Annual Performance Evaluations of Executive Officer Memorandum
(Dated March 9, 2015)

DEPARTMENTAL POLICY



TITLE	INCOMPATIBLE WORK ACTIVITIES		
POLICY OWNER	OFFICE OF HUMAN RESOURCES		
POLICY NUMBER	OHR 14-01	SUPERSEDES	OHR 10-01
ISSUE DATE	NOVEMBER 24, 2014	EFFECTIVE	IMMEDIATELY
DISTRIBUTE TO	ALL EMPLOYEES		
ORIGINAL APPROVED BY	Original signature on file Awet P. Kidane Director		
NUMBER OF PAGES	1 of 10	ATTACHMENT	ATTACHMENT A

POLICY

It is the policy of the Department of Consumer Affairs (“DCA” and “Department”) that all policy directives and all laws, rules, and regulations concerning incompatible work activities are promoted and adhered to by its employees, governmental officials, and temporary staff.

APPLICABILITY

This policy applies to all employees, governmental officials, Board members and Bureau Advisory Committee members, and temporary staff of DCA, and any of its offices, divisions, bureaus, boards, programs, commissions, committees, and other constituent agencies. Within this policy, the terms “DCA” and “Department” apply to all of these entities.

PURPOSE

The purpose of this policy is to outline the State laws set forth in the standards of conduct with which State civil service officers and employees, and appointees and employees exempt from civil service are expected to comply. All employees of the DCA have a responsibility to their employer, their fellow employees, and the people of California to conduct themselves in an ethical manner so as not to bring discredit to themselves or the State and the Department.

AUTHORITY

- CA Government Code section 11475.10
- CA Government Code section 19990 et seq.
- CA Penal Code Section 502
- Executive Order B-66-2, "Standards of Ethical Conduct"
- Political Reform Act (CA Government Code section 81000 et seq.)
- Title II of the California Code of Regulations (CCR) section 599.859

PROVISIONS

Pursuant to Government Code section 19990 and Executive Order B-66-2, there is a code of ethical standards, which is applicable to State employees and gubernatorial appointees/exempt employees. This code of ethical standards is to be followed in addition to all other statutes, executive orders, or rules (i.e. the Fair Political Practices Act) which might affect questions of conflict of interest, incompatibility, or ethics relating to gubernatorial appointees/exempt employees.

Applicable portions of the Executive Order are stated below. Exempt employees are requested to carefully read these sections and to comply with both their letter and spirit:

Standards of Ethical Conduct for Exempt Appointees

"Standards of Ethical Conduct"

"No employment, activity, or enterprise shall be engaged in by any officer or employee of the Executive Department of the State which might result in, or create the appearance of resulting in any of the following:

- (1) **Using the prestige or influence of a State office or employment** for the officer's or employee's private gain or advantage, or the private gain or advantage of another.
- (2) **Using State time, facilities, equipment, or supplies** for the officer's or employee's private gain or advantage, or the private gains or advantage of another.
- (3) **Using confidential information** acquired by virtue of State employment for the officer's or employee's private gain or advantage, or the private gain or advantage of another.
- (4) **Receiving or accepting money or any other consideration** from anyone other than the State for the performance of an act which the officer or employee would be required or expected to render in the regular course or hours of his [or her] State employment or as a part of his [or her] duties as a State officer or employee.
- (5) **Performance of an act in other than his [or her] capacity as a State officer or employee** knowing that such an act may later be subject, directly or indirectly, to the

control, inspection, review, audit or enforcement by such officer or employee or the agency by which he or she is employed. [This would not preclude an "industry" member of a board or commission from performing the normal functions of his or her occupation.]

- (6) **Receiving or accepting, directly or indirectly, any gift**, including money, any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value from anyone who is doing or is seeking to do business of any kind with the State or whose activities are regulated or controlled in any way by the State, under circumstances from which it reasonably could be inferred that the gift was intended to influence him or her in his or her official duties or was intended as a reward for any official action on his or her part." (Emphasis added.)

Responsibility of All Employees, Both Exempt and Civil Service

Employees of the DCA have a responsibility to their employer, their fellow employees, and the people of California to conduct themselves in an ethical manner so as not to bring discredit to themselves or the State and the Department.

This policy must be followed by each employee of the DCA in order to avoid activities which are clearly inconsistent, incompatible, or in conflict with his or her official duties. Employees must review this policy with consideration toward their particular job duties and responsibilities.

This policy specifically relates to incompatible activities and does not include all provisions of law or regulations with which employees must comply.

If an employee is uncertain as to whether certain activity, employment, or enterprise is in violation of this policy, the employee should immediately consult with his or her supervisor who will indicate in writing whether the activity, employment, or enterprise is prohibited.

To protect the integrity of the California State Civil Service, State law sets forth standards of conduct with which State civil service officers and employees are expected to comply. Section 19990 of the Government Code requires that:

“A state officer or employee shall not engage in any employment, activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical to his or her duties as a state officer or employee.”

Each appointing power shall determine, subject to approval of the California Department of Human Resources (CalHR), those activities which, for employees under its jurisdiction, are inconsistent, incompatible, or in conflict with their duties as State officers or employees. Activities and enterprises deemed to fall in these categories shall include, but not be limited to, all of the following:

Using Prestige or Influence

- (a) Using the prestige or influence of the State or the appointing authority for the officer's or employee's private gain or advantage or the private gain of another.

Examples of such activities include:

1. *Soliciting business from persons licensed by the employee's employer (DCA entity) under the guise that the licensee may receive special benefits from the employee's agency.*
2. *Soliciting money from a licensee or from other departmental employees for the employee's private gain.*
3. *Providing or using the names and/or addresses of licensees, vendors, or other entities subject to regulation by DCA for mailing lists or solicitation unless authorized to do so as part of the employee's duties.*
4. *Using the badge, uniform, or identification card of a State position for private gain or advantage.*

Use of State Time, Facilities, etc.

- (b) Using State time, facilities, equipment, or supplies for private gain or advantage.

Examples of such activities include:

1. *Using State vehicles or credit cards for personal gain or for personal transactions.*
2. *Using State letterhead stationery for private correspondence.*
3. *Using State office supplies, State postage stamping facilities, State copy machines, or computer equipment and software for home or personal business.*
4. *Selling products such as cosmetics, jewelry, stationery, plastics, etc., at times other than regularly scheduled breaks and lunch periods, or to other employees when they are not on such breaks.*

Using Confidential Information

- (c) Using, or having access to, confidential information available due to State employment for private gain or advantage or providing confidential information to persons to whom issuance of said information has not been authorized may be inconsistent, incompatible or in conflict with a State employee's or officer's duties.

Examples of such activities include:

1. *Disclosing confidential investigative reports or confidential examination materials or information.*
2. *Providing or using, unless authorized to do so by the Department or by someone to whom that responsibility has been delegated, licensee social security numbers, birth dates, gender, and/or complaint activity reports.*

3. *Requesting, acquiring, examining, or disseminating confidential or employee personnel records or personal information maintained by the Department unless authorized in the assignment of related duties.*
4. *Willfully misusing, misplacing, or destroying confidential information, including but not limited to, the disclosure of passwords or permitting access to computer information systems, programs, or other data to unauthorized personnel.*

Accepting Money or Other Consideration

- (d) Receiving or accepting money, or any other consideration, from anyone other than the State for the performance of his or her duties as a State employee.

Examples of such activities include:

1. *Requesting or accepting money, or other consideration, from applicants or licensees for the priority processing of license applications.*
2. *Charging a fee for helping an applicant complete documents for licensure.*

Performance of an Activity

- (e) Performance of an activity, in other than his or her capacity as a State employee, which is subject directly or indirectly, to the control, inspection, review, audit, or enforcement by the employee.

Each DCA entity should evaluate its own mission and job classifications to determine what activities are covered by this category. Specific applications may vary by the DCA entity. The following examples are provided for guideline purposes only:

1. *Engaging in a personal medical practice or activity which is regulated by the employee's licensing board, when the employee's duties are to review, inspect, audit, or enforce the regulated activity.*
2. *Engaging in a nursing practice or activity which is regulated by the employee's licensing board, when the employee's duties are to review, inspect, audit, or enforce the regulated activity.*
3. *Engaging in a construction business or activity which is regulated by the employee's licensing board, when the employee's duties are to review, inspect, audit, or enforce the regulated activity.*
4. *Engaging in an automobile related business or activity which is regulated by the employee's bureau, when the employee's duties are to review, inspect, audit, or enforce the regulated activity.*

5. *Engaging in a private legal practice where the employee represents clients in any matter or venture subject to the regulation of an agency in DCA, or represents any licensee in any enforcement matter before a DCA entity.*

Exception to this Provision

Each DCA entity may determine that it is in the interests of the agency to allow specified employees to engage in activities which would otherwise be prohibited under the above guidelines. Examples may include allowing employees holding professional or vocational licenses to engage in the licensed business or profession in order to maintain current skills.

Any DCA entity deciding to allow such employment or activities shall develop criteria to evaluate whether requests to engage in such employment or activities will be approved. The criteria must include, but need not be limited to: the time-base of the employee, the benefit to the organization of the employment or activity, a policy to avoid an actual conflict of interest or the appearance of a conflict of interest, and periodic review of the employment or activity.

Any employee currently engaged in, or desiring to engage in, such employment or activities shall submit a written request to his or her supervisor, describing the type and scope of outside employment or activity. The supervisor shall review the request and make a recommendation to approve or disapprove the request, based on the criteria developed by the DCA entity. The request and recommendation shall be submitted through the supervisory chain to the Program Manager, Division Chief, Bureau Chief, Executive Officer, Executive Director, Registrar, Commissioner, or designee who will make the determination. The approving officer may review the matter with the DCA Legal Office and request legal review and a legal opinion regarding the proposed activity. The decision of the approving officer shall be in writing with reasons set forth for the decision.

If an exception request is denied, represented employees may request further review in accordance with the terms of the employee's Memorandum of Understanding.

Gratuities, Gifts, and Other Things of Value

- (f) Receiving or accepting, directly or indirectly, any gift, including money, or any service, gratuity, favor, entertainment, hospitality, loan, or other thing of value from anyone who is doing or seeking to do business of any kind with the employee's appointing authority, or whose activities are regulated or controlled by the appointing authority under circumstances from which it could reasonably be substantiated that the gift was intended to influence the employee in his or her official duties, or was intended as a reward for any official action performed by the employee.

Although this section does not preclude acceptance of gifts, it clearly establishes that if the intent of the giver is to influence future, or reward past, official actions, the gift cannot be accepted.

Since determining intent may be difficult, the following guidelines are provided:

1. *Does the value of the gift, in itself, suggest an intent other than routine hospitality or gratuity? It may be useful to apply the Fair Political Practices laws as a general guide. These laws require that certain employees (**only those who meet specific "Designated Employee" criteria**) shall not receive gifts that exceed \$460 during any twelve-month period from any one source; establish a financial interest between the source and the recipient; and must report gifts worth \$50 or more. Thus, it follows that gifts approaching these value limits could raise questions under Government Code Section 19990. In addition, gifts considerably below these limits can also be inappropriate if they raise concern under any of the following standards:*
 - a. *Do the circumstances surrounding the gift suggest an improper intent? For example, a gift given on the eve of an important decision involving the donor is of much greater concern than a routine holiday gift or an invitation to an annual reception. Gifts directly or indirectly identified as a reward for specific past decisions or actions usually raise questions of improper relationships.*
 - b. *Is the gift characteristic of the gratuities, hospitalities, or other items typically received from organizations and/or individuals, similar to the donor? The key here is to not accept a gift from one party, which could be viewed as an attempt to gain an advantage over others who have a similar relationship with the recipient.*
 - c. *How strongly does the form of the gift suggest that it is a routine part of an on-going business relationship as opposed to something more? For example, occasional business lunches or the receipt of mementos bearing the name or insignia of the donor raise fewer questions than gifts of cash, merchandise, extraneous travel or entertainment that have value beyond the business relationship.*

With consideration to the above-noted guidelines and rules set forth by the Fair Political Practices Commission, the best practice for addressing gifts (i.e. food, beverages, goods, etc.) is to always report them upon receipt to supervisors, regardless of the value of the gift. The supervisor will confer with Legal Affairs in making a determination to accept or return the gift.

DCA employees should not accept gifts for performing their expected scope of duties, as it creates the perception that employees can be influenced by gifts and gratuities, especially if the giver is a licensee or someone who will benefit from our services. A gift offered to one individual should not be accepted. If a gift is presented to an office, and it is determined to be acceptable, the gift may be shared with all employees within the office.

Not Devoting Full Time Efforts to State Office or Employment

- (g) Subject to any other laws, rules, or regulations as pertained thereto, not devoting his or her full time, attention, and efforts to his or her State office or employment during his or her hours of duty as a State employee.

An example of such activity would be conducting private or personal business during an employee's regular hours of duty.

Other Acts that May Be Incompatible

The aforementioned limitations do not attempt to specify every possible limitation on employee activity that might be determined and prescribed under the authority of Section 19990 of the Government Code. If later experience shows a need for additions to, deletions from, or clarification of the aforementioned limitations, the DCA will request the approval of CalHR in making changes it determines necessary. Upon such approval, the listing will be amended. Nothing in this statement or listing should be construed by any employee as the sole provisions of law and administrative rules, which should be observed by each State employee of this Department.

Procedures for Determining Incompatible Work Activity

This procedure applies to all requests to engage in outside employment or activity other than a request for an exemption from the prohibitions contained in Government Code Section 19990(e). To determine whether an activity is an Incompatible Work Activity, the following procedures shall be performed:

- Any DCA employee who is engaging, or intends to engage, in outside employment or an activity or enterprise which may be in conflict with the provisions of this policy shall submit a written request for review of the matter to his or her immediate supervisor.

The written request from the employee shall include the following information:

1. The name of the employee.
 2. The name of the DCA entity, i.e., the office, board, bureau, committee, commission, division, or program under which the person is employed.
 3. The classification of the employee.
 4. The collective bargaining unit representing the employee, if applicable.
 5. The employee's duty statement, along with a statement describing the extent to which the employee's duties pertain to any confidential information that would come under his or her direct review.
 6. A detailed description of the specific activity in which the employee intends to engage.
- The immediate supervisor shall review the request and discuss it with the head of the DCA entity, as applicable.
 - The head of the DCA entity may review the matter with the DCA's Legal Office and request a legal opinion on whether the proposed activity is prohibited by the DCA's Incompatible Work Activity Policy.
 - If the activity is determined to be compatible with the employee's duties or position, the employee's supervisor will approve the employee's request, and

the employee may continue to, or proceed to, engage in the activity or business.

- If activity is determined to be incompatible with the employee's duties or position, the supervisor shall provide a written statement detailing the reason(s) for the denial to the employee.

Represented employees may appeal a denial in accordance with the terms of the employee's Memorandum of Understanding (MOU). Non-represented employees may appeal under CCR 599.859 to the DCA Director. In all cases, the DCA Director's decision shall be final.

Appeal Process

If an employee is notified that he/she has violated any provision of this statement, or if an employee is notified that any outside employment in which the employee wishes to engage is in violation of any provision of this statement, the employee may file an appeal as follows:

1. The employee may appeal the determination to the Director/Chief Deputy Director within ten (10) working days after receipt of denial. The appeal should contain:
 - a. A copy of the original request for clarification;
 - b. The response prepared by the Deputy Director of the Administrative Services Division; and
 - c. A statement explaining why the employee believes the employment, activity, or enterprise in question is not incompatible, inconsistent, or in conflict with his/her assigned duties as a State employee.
2. Within fifteen (15) working days after receipt of the appeal, the Director/Chief Deputy Director or his/her designee will meet with the Deputy Director of the Administrative Services Division and the appropriate Division Chief to review the appeal and issue a final determination. The employee will be advised of the time and date of said meeting and will be given an opportunity to attend.

If the employee submits proof to the Director/Chief Deputy Director that the length of the appeal process would cause him/her to lose the opportunity to participate in the employment, activity, or enterprise in question, an accelerated appeal procedure may be used. Under this procedure, the employee is required to submit the appeal to the Director/Chief Deputy Director within five (5) working days of receipt of the determination from the Deputy Director of the Administrative Services Division. The Director/Chief Deputy Director or her/his designee shall respond with a final determination within fifteen (15) working days.

Service on Governmental Bodies

Service on a local appointed or elected governmental board, bureau, commission, committee, program, or other body or as a local elected official by DCA attorney shall not, by itself, be deemed to be inconsistent, incompatible, in conflict with, or inimical to, the

duties of the attorney as a State employee and shall not result in the automatic vacation of either office.

Nothing in this section shall be construed to prohibit a DCA attorney from serving on any other appointed or elected governmental board, commission, committee, or other body, consistent with all applicable conflict-of-interest statutes and regulations and judicial canons of ethics.

RECOMMENDED IMPLEMENTATION

This policy shall be distributed to all new employees in new employee packets or transfer packets for their review and acknowledgment.

In addition, the Department will emphasize this policy by distributing it on an annual basis to all employees to ensure everyone completes the “Incompatible Work Activities Acknowledgment” (Attachment A).

VIOLATIONS

Failure to follow any of the provisions of this policy is cause for discipline, which may include termination of employment.

In addition, any tampering, interference, damage, or unauthorized access to computer data or computer systems may constitute a criminal violation of Penal Code section 502.

REVISIONS

Determination of the need for revisions and/or the status or maintenance of this policy should be directed to the Division of Program & Policy Review at (916) 574-7970.

ATTACHMENTS

A. Incompatible Work Activities Acknowledgement OHR 14-01

Incompatible Work Activities OHR 14-01

I hereby acknowledge receipt of the Department of Consumer Affairs (DCA)
Incompatible Work Activities Policy OHR 14-01.

- ____ 1. I understand that I shall read the Policy and become familiar with its contents.
- ____ 2. I understand that I need to take all reasonable steps to comply with this policy.
- ____ 3. I understand that this completed Acknowledgement will become a permanent part of my Official Personnel File (OPF).
- ____ 4. I understand that my signature on this Acknowledgement does not modify my employment relationship with DCA as set forth in the most current Memorandum of Understanding (MOU) appropriate to my employee bargaining unit.

(Printed Name)

(Signature)

(Date)

(Board/Bureau/Committee/Commission/Program/Division/Office)

Original: Office of Human Resources (Official Personnel File)
Copies: Employee, Supervisor

Office of Human Resources

1625 N. Market Blvd. Suite N-321, Sacramento, CA 95834
P (916) 574-8300 F (916) 574-8608



MEMORANDUM

DATE	March 9, 2015
TO	Board Presidents and Chairpersons
FROM	Original Signature on File Jeffrey Sears, Personnel Officer Department of Consumer Affairs
SUBJECT	Process for Annual Performance Evaluations of Executive Officer

This memorandum revises and updates the February 14, 2013, memo that outlined the process by which boards, committees or commissions (hereafter, "Board") evaluate their Executive Officer (EO), a generic term which is intended to also include Executive Directors and Registrars.

The Performance Appraisal process, which is outlined on the following pages, is based on the principle that performance should be evaluated on a regular basis in order to provide recognition of effective performance and as a tool to provide guidance in improving future performance. In accordance with best practices, the Office of Human Resources recommends that each Board:

- Provide a written evaluation of EO performance each year, which advises the EO of past performance
- Provide constructive, job-related comments and specific examples of work done well and work that could be improved.
- If applicable, provide suggestions identifying specific ways in which the EO can improve performance in the coming year.
- Place this topic on the agenda for the next Board Meeting in 2015, and annually thereafter. For the agenda, provide a copy of this memo (or successor memos on this topic) and the Board Chair/Executive Officer Supervisory Expectations memo (attached) to ensure all Board Members are aware of the EO Evaluation Process and the administrative expectations for the EO.

This topic is now included in the orientation training for new Board Members to ensure the information is disseminated in the future.

A new revision to the *Performance Appraisal for Executive Officer (Evaluation Form)* is attached to the email distributing this process revision, and will also be available to Board staff on the DCA Intranet.

Executive Officer Performance Evaluation Process

The DCA recommends all Boards adhere to the process below, which meets Bagley-Keene Open Meeting Act requirements.

1. When a Board is ready to begin the evaluation process:
 - Determine the Board Meeting when the evaluation will occur and provide proper notice of the evaluation in the meeting agenda. Suggested language for the agenda:
Item # -- **CLOSED SESSION**
"The Board will meet in Closed Session pursuant to Government Code Section 11126(a)(1) to conduct its annual evaluation of its Executive Officer."
 - Ask DCA OHR staff or Board staff to provide the *Performance Appraisal for Executive Officer (Evaluation Form)* to each Member - ideally, two weeks prior to the Meeting.
2. Prior to the Board Meeting during which the EO evaluation will occur, each Board Member independently completes the **Evaluation Form**, rating and commenting on the EO's performance in each applicable category.
3. Prior to the Board Meeting during which the EO evaluation will occur, the Board President/Chairperson should contact the appropriate DCA OHR staff (the Personnel Officer or assigned Personnel Analyst) to discuss the EO's current salary, salary increase potential and any salary restrictions which may be in place.

At the Board Meeting, the EO's performance is discussed by all Board Members in a closed session under Government Code section 11126(a)(1), in accordance with the agenda. Assigned DCA Counsel may assist the Board during this process. The Board may NOT take any action to dismiss or hear any charges brought against the EO.

4. Board Members must:
 - Discuss ratings for each category and any job-related comments for that category.
 - Determine the final ratings for each category and which, if any, comments will be included in the final evaluation.
 - If applicable¹, determine a recommended salary increase and effective date.
5. After the Board has reached consensus on the final ratings and on which comments will be included, the Board's designee – generally, the Board President/Chairperson - prepares a final **Evaluation Form** reflecting the Board's assessment of the EO's performance and includes any job-related comments which the Members deem necessary in order to communicate successes in the past year and any suggestions for improvement.

¹ The Board, via the **Evaluation Form**, may make a recommendation to the Administration to authorize a salary increase. The increase may not exceed the maximum of the salary range for the exempt level assigned to the EO for that Board.

- If applicable, the final **Evaluation Form** should provide the EO with specific examples of areas for improvement. The Board's suggestions for improvement must be realistic.
 - The Board's salary increase recommendation and a prospective effective date are reported on the final **Evaluation Form**. Note: The effective date is typically at the beginning of a month, and should be at least thirty (30) days from the meeting date, to allow adequate time for review and approval of the request.
6. After the final **Evaluation Form** is completed, the Board President/Chairperson or designee meets with the EO to discuss his/her performance, the ratings and any comments provided by the Board Members. At the conclusion of the meeting, both must sign the final **Evaluation Form**. A signed copy is provided to the EO.
7. After the Board President/Chairperson and the EO sign the final **Evaluation Form**, the original is forwarded in a confidential envelope to the Office of Human Resources (Attention: DCA Personnel Officer, at the address on page 1 of this memo), to be filed in the EO's Official Personnel File.
8. If the Board has recommended a salary increase, the DCA OHR will prepare the documents to submit the request for final approval, based on the salary increase information and effective date indicated on the final **Evaluation Form**.

Reporting Board Action at Next Board Meeting

The Open Meeting Act requires that, after a closed session where there was an action taken to appoint, employ, or dismiss a public employee, the Board must, during open session at a subsequent public meeting, report that action and the roll call vote, if any was taken. A routine annual evaluation does not need to be reported out. If a Board meeting was held via teleconference, a roll call vote is required, and it will therefore be reported.

Questions regarding this process should be directed to Christine Lally, DCA Deputy Director for Board and Bureau Relations, at (916) 574-8200 or Jeffrey Sears, DCA Personnel Officer, at (916) 574-8301.

Attachment: Board Chair/Executive Officer Supervisory Expectations memo

cc: Awet Kidane, Director
Tracy Rhine, Chief Deputy Director
Christine Lally, Deputy Director, Board and Bureau Relations
Doreathea Johnson, Deputy Director, Legal Affairs
Tonya Corcoran, Deputy Director, Office of Administrative Services
All Board Executive Officers, Executive Directors and Registrars
All DCA Attorneys
OHR Classification and Pay Managers and Analysts



PERFORMANCE APPRAISAL

FOR

EXECUTIVE OFFICER (including Executive Director and Registrar)

*Prepared by
Department of Consumer Affairs
Office of Human Resources
1625 N. Market Blvd. Suite N-321
Sacramento, CA 95834
(Revised February 2015)*



Executive Officer **PERFORMANCE APPRAISAL**

INSTRUCTIONS

1. The DCA Performance Appraisal process system is based on the principle that performance should be evaluated on a regular basis in order to provide recognition of effective performance and as a tool to provide guidance in improving future performance.
2. If the Executive Officer (hereafter, "EO", which includes Executive Director and Registrar) is not at the maximum range of salary, the Board, Committee or Commission (hereafter, "Board") may recommend a salary increase for the EO. To qualify for such increases, the EO must meet or exceed performance expectations, as determined by the Board. This form is used to document the Board's recommendation for a salary increase.
3. To indicate the rating of any performance factor, an "X" mark should be placed in the appropriate rating column and in the "Overall Rating" column on each page. Additional spaces have been provided to accommodate other critical performance factors identified by the Board.
4. Comments to the Executive Officer should:
 - Be constructive and provide guidance for future performance;
 - Include factual examples of work especially well or poorly done, and
 - Give specific suggestions for performance improvement.
5. The Overall Ratings must be consistent with the factor ratings and comments, but there is no prescribed formula for computing the Overall Rating.
6. Overall Comments may consist of a summary of comments from specific categories, general comments or comments on other job-related factors which the rater wishes to discuss. Additional pages may be attached.
7. The Board President/Chairperson will discuss the appraisal with the EO and give him or her a signed copy. In signing the appraisal, the EO merely acknowledges that s/he has reviewed the appraisal and has discussed it with the rater. His/her signature does not indicate agreement with the ratings or comments.
8. The original copy of the appraisal, signed by both the Board President/Chairperson and the EO, will be maintained by the Department of Consumer Affairs, in the Executive Officer's Official Personnel File.



EXECUTIVE OFFICER PERFORMANCE APPRAISAL RATING SYSTEM

The rating system consists of five (5) Ratings Categories, as defined below:

Outstanding

Performance significantly exceeds the Board's expectations due to the efforts and ability of the Executive Officer when considering the job in its entirety. Significantly above-standard performance may be exhibited by consistently completing assignments in advance of deadlines; implementing plans and/or procedures to increase efficiency or effectiveness of work; working independently with little direction; and consistently meeting Board goals.

Above Average

Performance exceeds the Board's expectations due to the efforts and ability of the Executive Officer when considering the job in its entirety. Performance is beyond what is expected of an Executive Officer in this position.

Average

Performance of the Executive Officer meets the minimum expectations of the Board. The Executive Officer adequately performs the duties and responsibilities of the position.

Needs Improvement

The Executive Officer's performance fails to meet the Board's minimum expectations due to lack of effort and/or ability when considering the job in its entirety. Performance requires improvement in numerous and/or important aspects of the position.

Not Applicable

Rater is unable to assess the Executive Officer in this area, or the area is not applicable to the employee's job.



Executive Officer
PERFORMANCE APPRAISAL
OVERALL RATING

NAME OF EO:

NAME OF BOARD:

DATE OF BOARD MEETING WHEN RATING OCCURRED:

The overall rating must be consistent with the factor rating and comments, but there is no prescribed formula for computing the overall rating. The rating system is described on page 2.

☐ **OUTSTANDING**

☐ **ABOVE AVERAGE**

☐ **AVERAGE**

☐ **NEEDS IMPROVEMENT**

OVERALL COMMENTS *(Attach additional pages, if necessary)*

I HAVE PARTICIPATED IN A DISCUSSION OF OVERALL JOB PERFORMANCE

EO Signature: _____

Date: _____

Chairperson/President Signature: _____

Date: _____

Salary Increase recommendation (if applicable):

☐ No increase ☐ No increase (at maximum) ☐ Recommended Increase: _____%

Effective Date of Salary Increase: _____



Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	1. Relationship with the Board	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Maintains respect and trust of Board members.					
2	Provides Board with advice during consideration of issues.					
3	Keeps Board informed of progress of Board programs on a regular basis.					
4	Remains impartial and treats all Board members in a professional manner.					
5	Functions as an effective liaison between Board and Board Staff.					
6	Provides Board with complete, clear, and accurate reports, minutes, etc.					
7	Responds promptly to requests for information from Board members.					
8	Is readily available to Board members.					
9	Responds appropriately to constructive suggestions from Board members.					
	OVERALL RATING: Relationship with the Board					

Comments: (Attach additional pages, if necessary)



Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	2. Execution of Board Policy	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Understands and compiles with the overall policies, laws and regulations of the Board.					
2	Implements Board policies.					
3	Efforts lead toward successful accomplishment of goals.					
	OVERALL RATING: Execution of Board Policy					

Comments: (Attach additional pages, if necessary)



Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	3. Board Programs	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Ensures effective and efficient management of enforcement programs.					
2	Keeps Board apprised of enforcement program and process developments.					
3	Maintains security of examination process.					
4	Monitors validity/defensibility of examinations and provides appropriate recommendations for action.					
5	Monitors and identifies trends in candidate qualifications, pass/fail rates, etc.					
6	Resolves problems which arise in the exam process.					
7	Keeps Board apprised of exam program and process developments.					
8	Keeps Board apprised of licensing program and process developments.					
	OVERALL RATING: Board Programs					

Comments: (Attach additional pages, if necessary)



Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	4. Governmental Relations	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Keeps the Department of Consumer Affairs informed of Board issues, problems, and accomplishments.					
2	Maintains a positive working relationship with other State Agencies.					
3	Manages Board legislative program and efforts.					
4	Manages sunset review process.					
5	Acts a liaison and participates in national organizations, federations or alliances.					
6	Represents the Board effectively before the Legislature.					
	OVERALL RATING: Governmental Relations					

Comments: (Attach additional pages, if necessary)

Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	5. Administrative Functions	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Plans, organizes and directs Board administrative functions and staff.					
2	Provides oversight, direction and management of the Board's annual budget, expenditures and revenues.					
3	Keeps Board apprised of budget developments.					
4	Identifies, recommends and, as directed, seeks necessary changes to laws and regulations through proposed legislation and/or the Office of Administrative Law (OAL).					
5	Ensures compliance and enforcement of departmental, state and federal policies and procedures.					
6	Develops and executes sound personnel practices and procedures.					
	OVERALL RATING: Administrative Functions					

Comments: (Attach additional pages, if necessary)



Executive Officer
PERFORMANCE APPRAISAL

Performance Factor		Ratings				
	6. Public Liaison	Outstanding	Above Average	Average	Needs Improvement	Not Applicable
1	Represents the Board before the public.					
2	Directs consumer outreach programs.					
3	Manages Board's public relations effort.					
4	Directs liaison with educational institutions.					
5	Solicits and gives attention to problems and opinions of all groups and individuals.					
6	Represents the Board before industry associations to provide information regarding the Board's laws, regulations, programs and policies.					
	OVERALL RATING: Public Liaison					

Comments: (Attach additional pages, if necessary)

Landscape Architects Technical Committee Member Administrative Manual

Approved by Board 9/12/18

Table of Contents

Chapter 1 -- Introduction

Overview.....	1
Delegated Authority	2
Mission.....	2
Vision.....	3
Values	3
General Rules of Conduct.....	3
Abbreviations	4

Chapter 2 -- LATC Meeting Procedures

Bagley-Keene Open Meeting Act	4
Public Comment	4
Closed Session.....	5
Frequency of Meetings	5
Meeting Location.....	5
Committee Member Attendance at LATC and Board Meetings	5
Member Participation	6
Teleconference Meetings.....	6
Special Meetings	6
Emergency Meetings.....	7
Quorum	7

Agenda Items	7
Notice of Meetings to be Sent to Individuals	7
Notice of Meetings to be Posted on the Internet	7
Record of Meetings	8
Voting on Motions	8
Audio/Visual Recording	8

Chapter 3 -- Travel & Salary Policies/Procedures

Travel Approval.....	9
Travel Arrangements.....	9
Out-of-State Travel	9
Travel Reimbursement	9
Salary Per Diem.....	10

Chapter 4 -- Other Policies/Procedures

LATC Member Disciplinary Actions.....	12
Removal of LATC Members	12
Resignation of LATC Members	12
Officers of the LATC	12
Election of Officers	12
Officer Vacancies	13
Task Force or Subcommittee Appointments	13
Attendance at Task Force or Subcommittee Meetings.....	13
Board and LATC Staff	13
Program Manager Evaluation	14
LATC Administration	14
LATC Budget.....	14

Conflict of Interest	14
Financial Disclosure	15
Incompatible Activities.....	16
Ex Parte Communications	17
Communications with Other Organizations/Individuals	18
Legislation	19
Contact with Candidates.....	19
Gifts from Candidates	19
Request for Records Access.....	19
Business Cards	19
Letterhead	19

Chapter 5 -- Training

LATC Member Orientation.....	20
Ethics.....	20
Sexual Harassment Prevention.....	20
Defensive Driver	20

Appendix

A. LATC Committee Member Position Description.....	21
B. DCA Incompatible Work Activities (OHR 14-01)	23

Chapter 1

Introduction

Overview

The California Board of Architectural Examiners was created by the California Legislature in 1901 to safeguard the public's health, safety, and welfare. It was renamed the California Architects Board (Board) in 2000. It is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA), part of the Business, Consumer Services and Housing Agency under the aegis of the Governor. The Department is responsible for consumer protection and representation through the regulation of licensed professions and the provision of consumer services. While the DCA provides administrative oversight and support services, the Board has policy autonomy and sets its own policies, procedures, and regulations.

The Board is presently composed of 10 members that, by law, 5 are public members, and 5 are architects. The five architect members are all appointed by the Governor. Three of the public members are also gubernatorial appointees; while one public member is appointed by the Assembly Speaker and the other is appointed by the Senate Rules Committee. Board members may serve up to two four-year terms. Board members fill non-salaried positions but are paid \$100 per day for each meeting day or day spent in the discharge of official duties (see section entitled "Salary Per Diem") and are reimbursed travel expenses.

The Landscape Architects Technical Committee (LATC) was statutorily established under the jurisdiction of the Board pursuant to the enactment of Assembly Bill 1546 (Chapter 475, statutes of 1997), which became effective January 1, 1998. It replaces the former Board of Landscape Architects, which was abolished through the enactment of Senate Bill 2036 (Chapter 908, statutes of 1994) on July 1, 1997.

The LATC consists of five technical experts who are licensed to practice landscape architecture in this state. Under the provisions of section 5621(b) of the Business and Professions (B&P) Code, the Governor

has the authority to appoint three of the members. The remaining two members are appointed by the Senate Committee on Rules and the Speaker of the Assembly. Like the Board members, Committee members fill non-salaried positions but are paid \$100 per day for each meeting day and are reimbursed travel expenses.

The LATC's purpose is to act in an advisory capacity to the Board on examinations, regulations, and other matters pertaining to the practice of landscape architecture in California.

This Committee Member Administrative Manual is provided to members as a reference of important laws, regulations, DCA policies, and Board policies to guide the actions of the members and ensure effectiveness and efficiency.

Delegated Authority

(B&P Code Sections 5620 & 5622)

B&P Code sections 5620 and 5622 set forth the duties of the Board and the LATC. On May 14, 1998, the Board unanimously voted to empower the LATC, to the fullest extent authorized by law, to exercise all duties, powers, purposes, responsibilities and jurisdiction relative to administration of the LATC as set forth in Chapter 3.5 of Division 3 of the B&P Code (commencing with section 5615), with the following exceptions:

The Committee shall:

- Make recommendations concerning proposed regulatory or statutory changes and submit them to the Board for review and final approval.
- Make recommendations concerning budget augmentations and submit them to the Board for review and final approval.
- Develop a Strategic Plan for the LATC and submit it to the Board for review and final approval.
- Make recommendations involving disciplining a landscape architect or taking action against a person who has violated this chapter to the Board for review and final approval.

Mission

The LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect

	consumers, and the public health, safety, and welfare while safeguarding the environment.
Vision	The LATC will champion for consumer protection and a safer built environment for the people of California
Values	Consumer Protection Innovation Communication Integrity Leadership
General Rules of Conduct	<p>All Committee members shall act in accordance with their oath of office, and shall conduct themselves in a courteous, professional and ethical manner at all times. The Committee members serve at the pleasure of the Governor and the Legislature, and shall conduct their business in an open manner, so that the public that they serve shall be both informed and involved, consistent with the provisions of the Bagley-Keene Open Meeting Act and all other governmental and civil codes applicable to similar boards within the State of California.</p> <ul style="list-style-type: none">•Members shall not act or speak on the Board's or LATC's behalf without proper authorization from the Board president or LATC chair.•Members shall maintain the confidentiality of confidential documents and information.•Members shall commit the time to prepare for LATC responsibilities.•Members shall recognize the equal role and responsibilities of all LATC members.•Members shall act fairly, be nonpartisan, impartial, and unbiased in their role of protecting the public.•Members shall treat all applicants and licensees in a fair and impartial manner.•Members' actions shall serve to uphold the principle that the LATC's primary mission is to protect the public.•Members shall not use their positions on the LATC

for personal, familial, or financial gain.

Abbreviations

ASLA	American Society of Landscape
B&P	Business and Professions Code
CLARB	Council of Landscape Architectural Registration Boards
DCA	Department of Consumer Affairs
EO	Executive Officer
Gov.	Government Code
LARE	Landscape Architect Registration Examination
SAM	State Administrative Manual

Chapter 2**LATC Meeting Procedures****Bagley-Keene Open
Meeting Act**

*(Gov. Code Section 11120
et seq.)*

All meetings are open for public attendance and subject to all provisions of the Bagley-Keene Open Meeting Act. This act governs meetings of the state regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda.

Public Comment

*(Gov. Code Section
11125.7)*

Public comment must be allowed on open session agenda items before or during discussion of each item and before a vote.

The LATC may accept public comment on an item not on the agenda, provided that the LATC takes no action or does not discuss the item at the same meeting. The LATC may refer the item to the next Strategic Planning session and/or place the matter on the agenda of a future meeting. The LATC cannot prohibit public criticism of the LATC's policies or services. The LATC chair may set reasonable time limitations.

Due to the need for the LATC to maintain fairness and neutrality when performing its adjudicative function, the LATC shall not receive any substantive information from a member of the public regarding matters that are currently under or subject to investigation, or involve a pending or criminal

administrative action.

Closed Session

(Gov. Code Sections 11126, 11126.1)

Any general discussion of exams shall be held in public. The LATC may meet in closed session to discuss examinations where a public discussion would compromise the integrity of the examination.

If the agenda contains matters that are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

No members of the public are allowed to remain in the meeting room for closed sessions. At least one staff member must be present at all closed sessions to record topics discussed and decisions made.

Closed session must be specifically noticed on the agenda (including the topic and legal authority). Before going into closed session, the LATC chair should announce in open session the general nature of the item(s) to be discussed.

Frequency of Meetings

(B&P Code Section 101.7)

The LATC shall meet at least two times each calendar year for the purpose of transacting such business as may lawfully come before it and may meet more often as it determines necessary.

Meeting Location

(Gov. Code Sections 11123.1 & 11131; B&P Code Section 101.7)

The LATC is required to hold its meetings at locations that are easily accessible to the public and individuals with disabilities in compliance the Americans with Disabilities Act (ADA). The LATC will hold meetings in different locations throughout the state and is required to hold at least one meeting in Northern California and one meeting in Southern California.

Committee Member Attendance at LATC and Board Meetings

(Board/LATC Policy)

Members shall attend each meeting of the LATC. If a member is unable to attend he/she must contact the LATC chair or vice chair and ask to be excused from the meeting for a specific reason. Should a member miss two consecutive meetings, the Board president or LATC chair may notify the Director of the DCA.

The Board and LATC maintain an ongoing practice

of providing regular updates regarding key issues at each other's respective meetings to sustain understanding of each entity's priorities. The LATC may send a representative to Board meetings as deemed appropriate by the chair or vice chair.

Member Participation

(Board/LATC Policy)

The LATC chair may ascertain from members whose level of participation is below standard whether or not the member is no longer able to continue serving as an active member of the LATC. In such a case, the chair may recommend to the Board that the member resign. If such resignation is not forthcoming within a reasonable time, the Board, by resolution, may request the appointing authority to have the member replaced. However, the member shall be given the opportunity to present to the Board his/her arguments against the resolution prior to such a resolution being adopted by the Board.

Teleconference Meetings

(Gov. Code Section 11123)

Special rules for notice of teleconference meetings are as follows:

- Same 10-day notice requirement as in-person meetings.
- Notice and agenda must include teleconference locations.
- Every teleconference location must be open to the public and at least one LATC member must be physically present at every noticed location. LATC members must attend the meeting at a publicly noticed location.
- Additional locations may be listed on the notice that allow the public to observe or address the LATC by electronic means without an LATC member present.

Special Meetings

(Gov. Code Section 11125.4)

A special meeting may be called at any time by the LATC chair or in his or her absence the vice chair or by a majority of the members of the LATC and held with 48 hours' notice in specified situations (e.g., consideration of proposed legislation). At the commencement of any special meeting, the LATC must make a finding in open session that the delay necessitated by providing

notice 10 days prior to a meeting would cause a "substantial hardship on the LATC or that immediate action is required to protect the public interest." The finding shall be adopted by two-thirds vote of the LATC if less than two-thirds members present, a unanimous vote of those members present.

Emergency Meetings

(Gov. Code Section 11125.5)

An emergency meeting may be held after finding by a majority of the LATC at a prior meeting or at the emergency meeting that an emergency situation exists due to work stoppage or crippling disaster. [A quorum is required for the LATC to meet in the event of emergency, such as a work stoppage or crippling disaster.] Emergency meetings require a one-hour notice.

Quorum

Three of the members of the LATC constitute a quorum of the LATC for the transaction of business. The concurrence of three members of the LATC present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the LATC.

Agenda Items

(Board/LATC Policy)

The LATC chair, with the assistance of the LATC program manager, shall prepare the agenda and tentative meeting timeframe. Any LATC member may submit items for an LATC meeting agenda to the program manager 20 days prior to the meeting.

Notice of Meetings to be Sent to Individuals

(Gov. Code Section 11120 et seq.; B&P Code Section 101.7)

According to the Bagley-Keene Open Meeting Act, meeting notices (including agendas for LATC meetings) shall be sent to persons on the LATC's mailing or email list at least 10 calendar days in advance. The notice shall include a staff person's name, work address, and work telephone number who can provide further information prior to the meeting.

Notice of Meetings to be Posted on the Internet

(Gov. Code Section 11125)

Unless the meeting meets the requirements for a special or emergency meeting under the Bagley-Keene Open Meeting Act, notice shall be given and made available on the Internet at least 10 calendar days in advance of the meeting, and

shall include the name, address, and telephone number of a staff person who can provide further information prior to the meeting but need not include a list of witnesses expected to appear at the meeting. The written notice shall additionally include the Internet address where notices required by the Bagley-Keene Open Meeting Act are made available.

Record of Meetings

(Board/LATC Policy; B&P Section 5626; Gov. Code Sections 11123(c), 11126.1)

The minutes are a summary, not a transcript, of each LATC meeting. They shall be prepared by LATC staff and submitted for review by LATC members before the next LATC meeting. The minutes must contain a record of how each member present voted for each item on which a vote was taken. LATC minutes shall be approved at the next scheduled meeting of the LATC. When approved, the minutes shall serve as the official record of the meeting.

Voting on Motions

(B&P Code Section 5524; Gov. Code Sections 11120, 11122, 11123, 87100 et seq.; 68 Ops. Cal. Atty. Gen. 65, 69-70)

As a general rule, all votes must be taken publicly. However, votes taken on closed session matters are not required to be taken publicly. Secret ballots and proxy votes are prohibited. A majority of the committee vote is determined by the votes actually cast. Abstentions are recorded, but not counted, unless a law provides otherwise.

Options for LATC members:

- 1) Support / in Favor / Yes / Aye
- 2) Oppose / No / Nay
- 3) Abstain (not counted as a vote)
- 4) Recused (not counted as a vote)

Audio/Visual Recording

(Board/LATC Policy)

The meeting may be audio/video recorded and/or broadcast live via the Internet. Recordings shall be disposed of upon LATC approval of the minutes. If a webcast of the meeting is intended, it shall be indicated on the agenda notice.

Chapter 3

Travel & Salary Policies/Procedures

Travel Approval

(DCA Memorandum 96-01)

LATC members shall have LATC chair approval for all travel except for regularly scheduled LATC, Board and subcommittee meetings to which the LATC member is assigned.

Travel Arrangements

(Board/LATC Policy)

LATC members are encouraged to coordinate with the LATC staff for any LATC-related travel arrangements, including air or train transportation, car rental, and lodging accommodations through Cal Travel Store's online booking tool, Concur.

LATC members must also utilize the most economic source of transportation available. For example, if the hotel provides a shuttle from the airport to the hotel it is not fiscally responsible to rent a car or take a taxi. Reimbursement may be reduced or denied if the most economical sources are not used.

All LATC-related travel must be booked using Cal Travel Store's self-service reservation system, Concur, if an LATC member seeks reimbursement.

In advance of LATC and Board meetings, the LATC staff will provide members information detailing the name and address of the chosen hotel where state rates are available if an overnight stay is required.

Out-of-State Travel

(SAM Section 700 et seq.)

For out-of-state travel, LATC members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Out-of-state travel for all persons representing the state of California is controlled and must be approved by the Governor's Office.

Travel Reimbursement

(SAM Section 700 et seq. & DCA Memorandum 96-01)

Rules governing reimbursement of travel expenses for LATC members are the same as for management level state staff. LATC members must submit the originals of all receipts, with the exception of meals, and, when applicable, a copy of the airline itinerary and hotel receipt showing the balance paid, to the LATC staff. All expenses shall be claimed on the appropriate travel expense

claim forms. The staff maintain these forms and complete them as needed. The staff complete travel expense reimbursements in CalATERS Global and maintain copies of these reports and submitted receipts. It is advisable for LATC members to submit their travel expense forms immediately after returning from a trip and not later than two weeks following the trip.

In order for the expenses to be reimbursed, LATC members shall follow the procedures contained in DCA Departmental Memoranda that are periodically disseminated by the Director and are provided to LATC members on at least an annual basis by the staff.

Salary Per Diem

(B&P Code Section 103)

Each member of a board, commission or committee created in various chapters of Division 3 (commencing with section 5000) is eligible to receive a per diem of \$100 for each day actually spent in the discharge of official duties, unless on any day served, the member also received compensation for their regular public employment. Reimbursement of travel and other related expenses for LATC members is also regulated by section 103.

In relevant part, this section provides for the payment of salary per diem for LATC members **“for each day actually spent in the discharge of official duties,”** and provides that the LATC member **“shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.”**

(Board/LATC Policy)

Accordingly, the following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

No salary per diem or reimbursement for travel-related expenses shall be paid to LATC members except for attendance in official Board or committee meetings, unless a substantial official service is performed by the LATC member. Attendance at gatherings, events, hearings, conferences, or meetings other than official Board or committee meetings in which a substantial official service is performed shall be approved in

advance by the LATC chair. The LATC program manager shall be notified of the event and approval shall be obtained from the LATC chair prior to LATC member's attendance.

The term "day actually spent in the discharge of official duties" shall mean such time as is expended from the commencement of a Board or committee meeting to the conclusion of that meeting. Where it is necessary for a LATC member to leave early from a meeting, the LATC chair shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

For LATC specified work, LATC members will be compensated for actual time spent performing work authorized by the LATC chair. That work includes, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences; CLARB committee work; and travel time on non-meeting days (out-of-state). That work does not include preparation time for LATC or subcommittee meetings. LATC members cannot claim salary per diem for time spent traveling to and from a Board or committee meeting.

Chapter 4

Other Policies/Procedures

LATC Member Disciplinary Actions

(Board/LATC Policy; Gov. Code Section 11125.4)

An LATC member may be censured by the Board if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

The Board president shall preside over the hearing unless the censure involves the president's own actions, in which case the Board vice president shall preside. In accordance with the Bagley-Keene Open Meeting Act, the censure hearing shall be conducted in open session.

Removal of LATC Members

(B&P Code Sections 106 &

The Governor has the power to remove from office at any time any member of any board appointed by him/her for continued neglect of duties required

106.5)	by law or for incompetence or unprofessional or dishonorable conduct. The Governor may also remove from office a member of a board or other licensing entity in DCA who directly or indirectly discloses examination questions to an applicant for examination for licensure.
Resignation of LATC Members (Gov. Code Section 1750)	In the event that it becomes necessary for an LATC member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of DCA, the Board president, LATC chair, and the EO.
Officers of the LATC (Board/LATC Policy)	The LATC shall elect from its members a chair and a vice chair to hold office for one year or until their successors are duly elected and qualified.
Election of Officers (Board/LATC Policy)	The LATC shall elect the officers at the last meeting of the calendar year. Officers shall serve a term of one year. All officers may be elected on one motion or ballot as a slate of officers unless more than one LATC member is running per office. An officer may be re-elected and serve for more than one term.
Officer Vacancies (Board/LATC Policy)	If an office becomes vacant during the year, an election shall be held at the next meeting. If the office of the chair becomes vacant, the vice chair shall assume the office of the chair. Elected officers shall then serve the remainder of the term.
Task Force or Subcommittee Appointments (Board/LATC Policy)	The LATC chair shall establish task force groups or special subcommittees as he or she deems necessary. The composition of the task forces or special subcommittees and the appointment of the members shall be determined by the LATC chair in consultation with the vice chair and LATC program manager. When task forces or special subcommittees include the appointment of non-LATC members, all impacted parties should be considered.

Attendance at Task Force or Subcommittee Meetings

(Board/LATC Policy; Gov. Code Section 11122.5(c)(6))

If an LATC member wishes to attend a meeting of a task force or special subcommittee in an official capacity of which he/she is not a member, that LATC member shall obtain permission from the LATC chair to attend and shall notify the task force or subcommittee chair and LATC program manager. LATC members who are not members of the task force or subcommittee that is meeting cannot vote during the task force or subcommittee meeting and may attend only as observers. If there is a quorum of the LATC at a task force or subcommittee meeting, LATC members who are not members of the task force or subcommittee must sit in the audience and cannot participate in task force or subcommittee deliberations.

Task forces and subcommittees operate at the direction of the LATC to fulfill specific goals in the Strategic Plan. Task force and subcommittee chairs shall lead actions toward such goals without undue influence on the part of LATC officers or members.

Board and LATC Staff

(DCA Reference Manual)

Employees of the Board and LATC, with the exception of the EO, are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by civil service laws, regulations, and collective bargaining labor agreements. Because of this complexity, it is most appropriate that the LATC delegate all authority and responsibility for management of the civil service staff to the LATC program manager. LATC members shall not intervene or become involved in specific day-to-day personnel transactions or matters.

Program Manager Evaluation

(Board/LATC Policy)

LATC members shall provide input regarding the performance of the LATC program manager on an annual basis. The LATC chair shall disseminate a performance appraisal form to all LATC members who shall complete the form and return it to the chair who will, in turn, submit it to the EO.

LATC Administration

(DCA Reference Manual)

LATC members should be concerned primarily with formulating decisions on LATC policies rather than decisions concerning the means for carrying out a

specific course of action. It is inappropriate for LATC members to become involved in the details of program delivery. Strategies for the day-to-day management of programs and staff shall be the responsibility of the LATC program manager and EO.

Consistent with the budget and Strategic Plan, requests by individual LATC members that are not directly associated with the LATC's goals or have an impact on staff workload, as determined by the chair and program manager, may be declined. In the event the request is by the chair, the vice chair shall review the request.

LATC Budget

(Board/LATC Policy)

The vice chair shall serve as the LATC's budget liaison with staff and shall assist staff in the monitoring and reporting of the budget to the LATC. Staff will conduct an annual budget briefing with the LATC with the assistance of the LATC vice chair. The EO, LATC program manager, or his/her designee will attend and testify at legislative budget hearings and shall communicate all budget issues to the Administration and Legislature.

Conflict of Interest

(Gov. Code Section 87100)

No LATC member may make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any LATC member who has a financial interest shall disqualify himself/herself from making or attempting to use his/her official position to influence the decision. Any LATC member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the LATC program manager or the LATC's legal counsel. The question of whether or not a member has a financial interest that would present a legal conflict of interest is complex and must be decided on a case-by-case review of the particular facts involved. For more information on disqualifying yourself because of a possible conflict of interest, please refer to the Fair Political Practice Committee's manual on their website: fppc.ca.gov.

Financial Disclosure

(Gov. Code Section 87302(b))

The Conflict of Interest Code also requires LATC members to file annual financial disclosure statements by submitting a Form 700 – Statement of Economic Interest. New LATC members are required to file a disclosure statement within 30 days after assuming office. Annual financial statements must be filed no later than April 1 of each calendar year.

A “leaving of office statement” must be filed within 30 days after an affected LATC member leaves office.

LATC members are not required to disclose all of their financial interests. Gov. Code section 87302 (b) explains when an item is reportable:

An investment, interest in real property, or income shall be made reportable by the Conflict of Interest Code if the business entity in which the investment is held, the interest in real property, or the income or source of income may foreseeably be affected materially by any decision made or participated in by the designated employee by virtue of his or her position.

Refer to the Fair Political Practices Commission’s website fppc.ca.gov to determine what investments, interests in property, or income must be reported by a member. Questions concerning particular financial situations and related requirements should be directed to DCA’s Legal Affairs Division.

Incompatible Activities

(Gov. Code Section 19990)

Following is a summary of the employment, activities, or enterprises that might result in or create the appearance of being inconsistent, incompatible, or in conflict with the duties of state officers:

- Using the prestige or influence of a state office or employment for the officer’s or employee’s private gain or advantage, or the private gain or advantage of another.
- Using state time, facilities, equipment, or supplies for the officer’s or employee’s private gain or advantage, or the private gain or advantage of

another.

- Using confidential information acquired by the virtue of state employment for the officer's or employee's private gain or advantage or advantage of another.
- Receiving or accepting money, or any other consideration, from anyone other than the state for the performance of an act which the officer or employee would be required or expected to render in the regular course or hours of his or her state employment or as a part of his or her duties as a state officer or employee.
- Performance of an act other than in his or her capacity as a state officer or employee knowing that such an act may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by such officer or employee of the agency by which he or she is employed. (This would not preclude a member of the LATC from performing normal functions of his or her occupation.)
- Receiving or accepting, directly or indirectly, any gift, including money, any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value from anyone who is seeking to do business of any kind with the state or whose activities are regulated or controlled in any way by the state, under circumstances from which it reasonably could be inferred that the gift was intended to influence him or her in his or her official duties or was intended as a reward for any official action on his or her part.

The aforementioned limitations do not attempt to specify every possible limitation on member or employee activity that might be determined and prescribed under the authority of Gov. Code section 19990. DCA's Incompatible Work Activities OHR 10-01 is included in Appendix C.

Ex Parte Communications

(Gov. Code Section 11430.10 et seq.)

The Government Code contains provisions prohibiting ex parte communications. An "ex parte" communication is a communication to the decision-maker made by one party to an

enforcement action without participation by the other party. While there are specified exceptions to the general prohibition, the key provision is found in subdivision (a) of section 11430.10, which states:

"While the proceeding is pending, there shall be no communication, direct or indirect, regarding any issue in the proceeding to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and an opportunity for all parties to participate in the communication."

Board members adjudicate disciplinary matters involving the practice of architecture and landscape architecture and are prohibited from an ex parte communication with Board enforcement staff individuals involved in disciplinary proceedings while those matters are pending. In addition, Committee members shall not participate in any ex parte communication with Board members, enforcement staff, or individuals involved in pending disciplinary proceedings.

Occasionally an applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact Board or Committee members.

If the communication is written, the person should read only far enough to determine the nature of the communication. Once he or she realizes it is from a person against whom an action is pending, they should reseal the documents and send them to the EO.

If a Committee member receives a telephone call from an applicant or licensee against whom an action is pending, he or she should immediately tell the person that discussion about the matter is not permitted, he or she will be required to recuse him or herself from any participation in the matter, and continued discussion is of no benefit to the applicant or licensee.

If a Committee member believes that he or she has received an unlawful ex parte communication, he or she should contact the Board's assigned Legal Affairs Division counsel.

**Communications with
Other Organizations/
Individuals**

(Board/LATC Policy)

All communications relating to any LATC action or policy to any individual or organization including CLARB, ASLA, or a representative of the media shall be made only by the LATC chair, his/her designee, or the LATC program manager. Any LATC member who is contacted by any of the above should immediately inform the LATC chair or LATC program manager of the contact. All correspondence shall be issued on the LATC's standard letterhead and will be created and disseminated by the LATC office.

LATC members shall not act on behalf of the LATC without approval and consensus, including but not limited to meeting or interacting with other professional organizations, governmental entities, educational institutions, landscape architectural associations, intern associations, etc. All actions on behalf of the LATC shall be documented and communicated to the LATC program manager. The LATC program manager will then convey such information to the LATC via the monthly report or by other means, as determined necessary.

Legislation

(Board/LATC Policy)

In the event time constraints preclude Board and LATC action, the Board delegates to the EO the authority to take action on legislation that would change the Landscape Architects Practice Act, impact a previously established Board or LATC policy, or affect the public's health, safety, or welfare. Prior to taking a position on legislation, the EO shall consult with the LATC chair and Board president. The LATC shall be notified of such action as soon as possible.

Contact with Candidates

(Board/LATC Policy)

LATC members shall not intervene on behalf of a candidate for any reason. They should forward all contacts or inquiries to the LATC program manager.

Gifts from Candidates

Gifts of any kind to LATC members or the staff from

(Board/LATC Policy) candidates for licensure with the LATC shall not be permitted.

Request for Records Access
(Board/LATC Policy) No LATC member may access a licensee or candidate file without the program manager's knowledge and approval of the conditions of access. Records or copies of records shall not be removed from the LATC's office.

Business Cards
(Board/LATC Policy) Business cards will be provided to each LATC member upon request with the LATC's name, address, telephone, fax number, and website address. A LATC member's business address, telephone, and fax number, and e-mail address may be listed on the card at the member's request.

Letterhead
(Board/LATC Policy) Only correspondence that is transmitted directly by the LATC office may be printed or written on LATC letterhead stationery. Any correspondence from a LATC member requiring the use of LATC stationary or the LATC's logo should be transmitted to the LATC office for finalization and distribution.

Chapter 5

Training

Once a LATC member is appointed, the LATC staff will send an email containing a list of all the required trainings, their due dates, and instructions about their completion. LATC members should send the certificate of completion or signature page to the LATC staff who maintain LATC members' records. For additional information, LATC members may refer to DCA's online Board Member Resource Center which may be found at: dca.boardmembers.ca.gov

LATC Member Orientation
(B&P Code Section 453)

Newly appointed and reappointed LATC members must attend a Board Member orientation training course offered by DCA within one year of assuming office. The orientation covers information regarding required training, in addition to other topics that will ensure a member's success, including an overview of DCA.

Ethics

(Gov. Code Section 11146 et seq.)

State appointees and employees in exempt positions are required to take an ethics orientation within the first six months of their appointment and every two years thereafter. To comply with that directive, LATC members may take the interactive course provided by the Office of the Attorney General, which can be found at oag.ca.gov/ethics.

Sexual Harassment Prevention

(Gov. Code Section 12950.1)

LATC members are required to undergo sexual harassment prevention training and education once every two years, in odd years. Staff will coordinate the training with DCA.

Defensive Driver

(SAM Section 0751)

All state employees, which includes Board and committee members, who drive a vehicle (state vehicle, vehicles rented by the state, or personal vehicles for state business) on official state business must complete the Department of General Services (DGS) approved defensive driver training (DDT) within the first six months of their appointment and every four years thereafter.

APPENDIX A**Landscape Architects Technical Committee (LATC)
Committee Member Position Description**

The LATC exists to regulate the practice of landscape architecture in the interest and for the protection of the public health, safety, and welfare. The LATC is comprised of five landscape architects. Each member of the LATC is responsible first and foremost for public protection.

The LATC manages its responsibilities by delegating to subcommittees and task forces as needed and its staff, thereby enabling the LATC to more effectively fulfill its mission. The LATC employs a program manager to exercise the powers and perform the duties delegated by the LATC. The program manager manages the LATC's staff (currently five positions). With direction from the LATC and the Strategic Plan, the LATC staff implement the LATC's examination, licensing, enforcement, and administration programs.

As a whole, the LATC's responsibilities include the following:

- Assist the Board in the examination of candidates for landscape architecture licensure and, after investigation, evaluate and make recommendations regarding potential violations of the Landscape Architects Practice Act.
- Investigate, assist, and make recommendations to the Board regarding the regulation of landscape architects in this state.
- Perform duties and functions that have been delegated to it by the Board pursuant to B&P Code section 5620.
- Send a representative to all meetings of the full Board to report on the LATC's activities.

Individual LATC member responsibilities include:

- Attendance at LATC meetings. (The LATC regularly meets quarterly, but may meet more often if necessary. Meetings are generally one-day and are scheduled in locations throughout California. Overnight travel may be necessary. Every two years, the LATC meeting includes a Strategic Planning session.)
- Participation on LATC subcommittees and task forces. (Time commitment for committees and task forces vary.)
- LATC members are also expected to invest the time to review the "recommended reading" necessary to participate effectively in LATC business. Such readings include the LATC Member Administrative Manual, Sunset Review Report, Board and committee packets, recent studies and reports, and related material.
- Acting as a representative of the LATC to communicate information to the professional and educational communities.
- Possible participation in the Council of Landscape Architectural Registration Boards (CLARB) meetings. (CLARB meets once per year. Meetings are

usually three days, and up to two days travel time may be required, depending on meeting location.)

- Possible participation as a CLARB officer or director. (The LATC has a goal of exercising more influence on CLARB by encouraging its members to participate at officer levels of the organization.)

APPENDIX B

DCA Incompatible Work Activities (OHR 14-01)

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE



COMMITTEE MEMBER ADMINISTRATIVE PROCEDURE MANUAL

Updated 2001

Chapter 1**Introduction****Overview**

The Landscape Architects Technical Committee (LATC) was statutorily established under the jurisdiction of the California Architects Board (CAB) pursuant to the enactment of AB 1546 (Chapter 475, statutes of 1997) which became effective January 1, 1998. It replaces the former Board of Landscape Architects which was abolished through the enactment of SB 2036 (Chapter 908, statutes of 1994) on July 1, 1997.

The LATC's purpose is to act in an advisory capacity to the CAB on examinations and other matters pertaining to the regulation of the practice of landscape architecture in California.

The LATC consists of five technical experts who are licensed to practice landscape architecture in this state. Under the provisions of section 5621(b) of the Business and Professions Code, the Governor has the authority to appoint three of the members. The remaining two members are each appointed by the Senate Committee on Rules and the Speaker of the Assembly. Committee members fill non-salaried positions but are paid \$100 per day for each meeting day and are reimbursed travel expenses.

This procedure manual is provided to Committee members as a ready reference of important laws, regulations, Department of Consumer Affairs (DCA) policies, and CAB policies in order to guide the actions of the LATC and ensure its effectiveness and efficiency.

Delegated Authority

Sections 5620 and 5622 of the Business and Professions Code set forth the duties of the CAB and LATC. On May 14, 1998, the CAB unanimously voted to empower the LATC, to the fullest extent authorized by law, to exercise all duties, powers, purposes, responsibilities and jurisdiction relative to administration of the Landscape Architects Technical Committee as set forth in Chapter 3.5 of Division 3 of the Business and Professions Code (commencing with section 5615), with the following exceptions:

- The Committee shall make recommendations concerning proposed regulatory or statutory changes and submit them to the Board for review and final approval.

- The Committee shall make recommendations concerning budget augmentations and submit them to the Board for review and final approval.
- The Committee shall develop a strategic plan for the Landscape Architects Technical Committee (LATC) and submit it to the Board for review and final approval.
- The Committee shall make recommendations involving disciplining a landscape architect or taking action against a person who has violated this chapter to the Board for review and final approval.

Definitions

B&P Business and Professions Code

CAB California Architects Board

DCA Department of Consumer Affairs

LATC Landscape Architects Technical Committee

Chapter 2**Committee Meeting Procedures****Frequency of Meetings**
(Committee Policy)

The Committee shall meet at least once a quarter and may meet more often as it determines necessary.

Attendance at Meetings
Committee Member
(Committee Policy)

Committee members shall attend each meeting of the LATC. If a member is unable to attend he/she must contact the LATC chair or vice chair and ask to be excused from the meeting for a specific reason.

Committee Member
Participation
(Committee Policy)

The LATC chair may ascertain from members whose level of participation is below standard whether or not the member is able to continue serving as an active member of the LATC. In such a case, the chair may recommend to the CAB that the member resign. If such resignation is not forthcoming within a reasonable time, the CAB, by resolution, may request the appointing authority to have the member replaced. However, the member shall be given the opportunity to present to the CAB his/her arguments against the resolution prior to such a resolution being adopted by the CAB.

Committee Member
Meetings
(Committee Policy)

The LATC may send a representative to CAB board meetings as deemed appropriate by the chair or vice chair.

**Public Attendance at
Committee Meetings**
(Government Code Section
11120 et seq.)

Meetings are subject to all provisions of the Bagley-Keene Open Meeting Act. This act governs meetings of the state regulatory boards and meetings of committees of those boards where the committee consists of more than two members. It specifies meeting notice and agenda requirements and prohibits discussing or taking action on matters not included in the agenda.

Any general discussion of exams or disciplinary procedures shall be held in public. The LATC may meet in closed session to discuss examinations where a public discussion would compromise the integrity of the examination, and to deliberate on disciplinary cases. If the agenda contains matters which are appropriate for closed session, the agenda shall cite the particular statutory section and subdivision authorizing the closed session.

Agenda Items
(Committee Policy)

Any Committee member may submit suggested items for a Committee meeting agenda to the LATC program manager 20 days prior to the meeting.

Notice of Meetings
(Government Code Section
11120 et seq.)

According to the Open Meeting Act, meeting notices (including agendas for Committee meetings) shall be sent to persons on the Committee's mailing list of interested persons at least ten (10) calendar days in advance. The notice shall include a telephone number and address where persons can obtain additional information prior to the meeting.

Record of Meetings
(Committee Policy)

The minutes are a summary, not a transcript, of each Committee meeting. They shall be prepared by LATC staff and submitted for review by the LATC before the next scheduled meeting. LATC minutes shall be approved by the CAB at the Board's next scheduled meeting. When approved, the minutes shall serve as the official record of the meeting.

Tape Recording
(Committee Policy)

The meetings may be tape-recorded for staff purposes. Tape recordings shall be disposed of upon CAB approval of the minutes.

Meeting Rules
(Committee Policy)

The LATC will use Robert's Rules of Order, to the extent that it does not conflict with state law (e.g., Bagley-Keene Open Meeting Act), as a guide when conducting meetings.

Chapter 3**Travel & Salary Policies/Procedures****Travel Approval**
(Committee Policy)

Committee members shall have the chair's approval for all travel except for regularly scheduled meetings.

Travel Arrangements
(Committee Policy)

Committee members should attempt to make travel arrangements through LATC staff.

Out-of-State Travel
(SAM Section 700 et seq.)

For out-of-state travel, Committee members will be reimbursed actual lodging expenses, supported by vouchers, and will be reimbursed for meal and supplemental expenses. Out-of-state travel for all persons representing the state of California is controlled and approved by the Governor's Office.

Travel Claims
(SAM Section 700 et. seq. and
DCA Memorandum 91-26)

Rules governing reimbursement of travel expenses for Committee members are the same as for management and state staff. All expenses shall be claimed on the appropriate travel expense claim forms. The LATC's administrative assistant maintains these forms and completes them as needed. It is advisable for Committee members to submit their travel expense forms immediately after returning from a trip and not later than two weeks following the trip.

In order for the expenses to be reimbursed, Committee members shall follow the procedures contained in DCA Departmental Memoranda that are periodically disseminated by the director.

Salary Per Diem
(B&P Code Section 103)

Compensation in the form of salary per diem and reimbursement of travel and other related expenses for Committee members is regulated by the Business and Professions Code.

In relevant part, this section provides for the payment of salary per diem for Committee members "for each day actually spent in the discharge of official duties," and provides that the Committee member "shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties."

(Committee Policy)

Accordingly, the following general guidelines shall be adhered to in the payment of salary per diem or reimbursement for travel:

1. No salary per diem or reimbursement for travel-related expenses shall be paid to Committee members except for

attendance at official meetings, unless a substantial, official service is performed by the Committee member. Attendance at gatherings, events, hearings, conferences, or meetings in which a substantial official service is performed shall be approved in advance by the LATC chair. The program manager shall also be notified of the event prior to the Committee member's attendance.

Committee members attending out-of-state annual or regional meetings, conferences, seminars, etc. are expected to attend all appropriate sessions and to make a report to the Committee on the sessions at its next scheduled meeting following the event.

2. The statement "day actually spent in the discharge of official duties" shall mean such time as is expended from the commencement of a Committee meeting to the conclusion of that meeting. Where it is necessary for a member to leave early from a meeting, the LATC chair shall determine if the member has provided a substantial service during the meeting and, if so, shall authorize payment of salary per diem and reimbursement for travel-related expenses.

3. For LATC specified work, Committee members will be compensated for actual time spent performing work authorized by the LATC chair. That work includes, but is not limited to, authorized attendance at other gatherings, events, meetings, hearings, or conferences or participation in item writing workshops for the California Supplemental Examination, and travel time on non-meeting days. That work does not include preparation time for Committee meetings. Members cannot claim salary per diem for time spent traveling to and from a Committee meeting.

Chapter 4

Committee Member Disciplinary Actions (Committee Policy)

Other Policies/Procedures

A Committee member may be censured by the CAB if, after a hearing before the Board, the Board determines that the member has acted in an inappropriate manner.

The president of the Board shall sit as chair of the hearing or in his or her absence, the vice president. In accordance with the Public Meetings Act, the censure hearing shall be conducted in open session.

Removal of Committee Members
(B&P Code Sections
106 and 106.5)

The Governor has the power to remove from office at any time any member of any board or committee appointed by him/her for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct. The Governor may also remove from office a board or committee member who directly or indirectly discloses examination questions to an applicant for examination for licensure.

Resignation of Committee Members
(Government Code Section 1750)

In the event that it becomes necessary for a Committee member to resign, a letter shall be sent to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. Written notification is required by state law. A copy of this letter shall also be sent to the director of the DCA, the CAB president, the executive officer of the CAB and the chair of the LATC.

Officers of the Committee
(Committee Policy)

The LATC shall elect from its members a chair and a vice chair to hold office for one year or until their successors are elected.

The chair shall preside over and conduct meetings in accordance with Robert's Rules of Order. In addition, the chair shall represent the LATC at the Council of Landscape Architectural Registration Boards' annual and regional meetings and make reports to the LATC at the next scheduled meeting following the event.

The vice-chair shall assume the duties of chair in the chair's absence.

Program Budget
(Committee Policy)

The vice chair shall serve as the LATC's budget liaison with staff and shall assist staff in the monitoring and reporting of the budget to the Committee. Staff will conduct an annual budget briefing with the CAB with the assistance of the vice chair. The program manager or his/her designee will attend and testify at legislative budget hearings and shall communicate all budget issues to the Administration and Legislature.

General Role of Committee Members
(Committee Policy)

The primary role of LATC members is to recommend policy under the statutes governing it. Policy guidance is developed by interpreting the regulatory law through officially adopted regulations and clearly developed licensing and enforcement procedures.

More detailed duties of a Committee member are contained in the Department of Consumer Affairs' Board Member Orientation and Reference Manual.

Election of Officers
(Committee Policy)

The LATC shall elect its officers at the last meeting of the fiscal year. Officers shall serve a term of one year. All officers may be elected on one motion (or ballot) as a slate of officers unless objected to by a Committee member.

Officer Vacancies
(Committee Policy)

If an office becomes vacant during the year, an election shall be held at the next meeting. If the office of the chair becomes vacant, the vice chair shall assume the office of the chair. Elected officers shall then serve the remainder of the term.

Task Force Appointments
(Committee Policy)

The chair shall establish task force groups or special committees as he or she deems necessary. The composition of the task forces or special committees shall be determined by the chair in consultation with the vice chair and the program manager of the LATC.

Attendance at Task Force Meetings
(Committee Policy)

If a Committee member wishes to attend a task force or special committee meeting, and he/she is not a participant on that task force, that member shall obtain permission from the Committee chair to attend and shall notify the Committee chair and program manager of the LATC.

Request for Records Access
(Committee Policy)

No Committee member may access a licensee or candidate file without the CAB executive officer's knowledge and approval of the conditions of access. Records or copies of records shall not be removed from the LATC's office.

Communications with Other Organizations/Individuals
(Committee Policy)

All official communications relating to any Committee recommendation or policy to any individual or organization, including the Council of Landscape Architectural Registration Boards (CLARB), the American Society of Landscape Architects (ASLA), or a representative of the media, shall be made only by the chair of the LATC, his/her designee, or the program manager of the LATC. Any Committee member who is contacted regarding official business of the LATC should inform the chair or program manager of the contact. All correspondence shall be issued on the LATC's standard letterhead and will be created and disseminated by the LATC staff.

Program Evaluation
(Committee Policy)

Committee members shall evaluate their performance on an annual basis in conjunction with their strategic planning process.

Program Manager Review
(Committee Policy)

Committee members shall provide input regarding the performance of the program manager at the end of each fiscal year. The LATC chair shall disseminate a performance appraisal form to all Committee members who shall complete the form and return it to the chair who will, in turn, submit it to the executive officer of the CAB.

Contact with Candidates
(Committee Policy)

Committee members shall not intervene on behalf of a candidate for any reason. They should forward all contacts or inquiries to the program manager or LATC staff.

Gifts from Candidates
(Committee Policy)

Gifts of any kind to Committee members or the LATC staff from candidates for licensure with the LATC are not permitted.

Conflict of Interest
(Government Code Section 87100)

No Committee member may make, participate in making or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a financial interest. Any Committee member, who has a financial interest, shall disqualify himself/herself from making or attempting to use his/her official position to influence the decision. Any Committee member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the program manager of the LATC or the executive officer of the CAB.

Ex Parte Communications
Government Code Section
11430.10 et seq.)

The Government Code contains provisions prohibiting ex parte communications. An ex parte communication is a communication to the decision-maker made by one party to an enforcement action without participation by the other party. While there are specified exceptions to the general prohibition, the key provision is found in subdivision (a) of section 11430.10, which states:

“While the proceeding is pending, there shall be no communication, direct or indirect, regarding any issue in the proceeding to the presiding officer from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and an opportunity for all parties to participate in the communication.”

Committee members are prohibited from ex parte communication with LATC enforcement staff while a proceeding is pending.

Occasionally, an applicant who is being formally denied licensure, or a licensee against whom disciplinary action is being taken, will attempt to directly contact LATC members.

If the communication is written, the person should read only far enough to determine the nature of the communication. Once he or she realizes it is from a person against whom an action is pending, they should reseal the documents and send them to the program manager.

If a Committee member receives a telephone call from an applicant or licensee against whom an action is pending, he or she should immediately tell the person they cannot speak to them about the matter. If the person insists on discussing the case, he or she should be told that the Committee member will be required to recuse him or herself from an participation in the matter. Therefore, continued discussion is of no benefit to the applicant or licensee.

If a Committee member believes that he or she has received an unlawful ex parte communication, he or she should contact the LATC's assigned Legal Office attorney.

Business Cards
(Committee Policy)

Business cards will be provided to each Committee member with the LATC's name, address, telephone and fax numbers, and website address.

LATC Staff
(DCA Reference Manual)

Employees of the LATC are civil service employees. Their employment, pay, benefits, discipline, termination, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements. Because of this complexity, it is most appropriate that the LATC delegate all authority and responsibility for management of the civil service staff to the executive officer of the CAB and program manager of the LATC. Committee members shall not intervene or become involved in specific day-to-day personnel transactions.

TABLE OF CONTENTS

Chapter 1: Introduction

Overview; Delegated Authority
Definitions

Chapter 2: Committee Meeting Procedures

Frequency of Meetings, Attendance, Participation, CAB Meetings,
Public Attendance, Agenda Items, Notices, Record of Meetings
Tape Recording, Meeting Rules

Chapter 3: Travel & Salary Policies/Procedures

Travel Approval, Arrangements, Out-of-State Travel, Travel Claims,
Salary Per Diem

Chapter 4: Other Policies/Procedures

Committee Member Disciplinary Actions; Removal of Committee
Members; Resignation of Committee Members; Officers of the
Committee, Program Budget; General Role of Committee Members;
Election of Officers; Officer Vacancies; Task Force Appointments;
Attendance at Task Force Meetings; Request for Records;
Communications with Other Organizations/Individuals; Program
Evaluation; Program Manager Review; Contact with Candidates; Gifts;
Conflict of Interest; Ex Parte Communications; Business Cards;
LATC Staff

Agenda Item I

UPDATE ON 2017 – 2018 STRATEGIC PLAN OBJECTIVE TO FOLLOW THE BOARD'S DETERMINATION REGARDING THE NECESSITY FOR A LICENSURE FINGERPRINT REQUIREMENT AND THE ALTERNATIVES FOR IMPLEMENTATION AS A MEANS OF PROTECTING CONSUMERS

The Landscape Architects Technical Committee's (LATC) 2017-2018 Strategic Plan contains an objective to "follow the Board's determination regarding the necessity for a licensure fingerprint requirement and the alternatives for implementation as a means of protecting consumers."

Consistent with the California Architects Board (Board), the LATC does not have statutory authority to use fingerprinting for background checks. The Board and LATC are, at this time, 2 of 6 programs within the Department of Consumer Affairs' (DCA) 39 boards and bureaus without such authority. Currently, for the Board and LATC, applicants and licensees are required to honestly disclose whether they have ever been convicted of a crime inclusive of a citation, infraction, misdemeanor, and/or felony on their applications and/or renewal notices. Applicants and licensees are not required to report a traffic infraction with a fine of less than \$1,000 or any incident that has been sealed or disposed of under California Welfare and Institutions Code section 781, and Penal Code sections 1000.3, 1000.5, or 1203.45.

Candidate applications and license renewals that provide indication of a conviction are referred to the LATC's enforcement analyst for review of conviction-related records and possible disciplinary action. Within the past five years, three instances of a licensee's reported conviction have resulted in LATC's pursuit of disciplinary action due to the conviction's substantial relationship to the practice of landscape architecture, pursuant to California Code of Regulations section 2655.

At the Board's August 23, 2018 Regulatory and Enforcement Committee (REC) meeting, Board staff provided the REC with a presentation containing: the Board's review of applicant and licensee convictions; additional information regarding the state and federal criminal offender record information searches available through the California Department of Justice and the Federal Bureau of Investigation; an overview of the licensure fingerprint requirements for all DCA boards and bureaus; and specific information regarding the Contractors State License Board's (CSLB) and the Board for Professional Engineers, Land Surveyors, and Geologists' (BPELSG) applicant fingerprint requirements.

The REC extensively discussed the necessity of a fingerprint requirement at the meeting and considered the health, safety, and welfare of the public, consumer protection, and potential impacts to applicants, licensees, and the Board. The REC recognized the benefit of a fingerprint requirement, but also noted:

1. There is a low percentage of the Board's applicant and licensee population with criminal records and most of those crimes are not substantially related to the qualifications, functions, or duties of an architect.

2. Applicants and licensees are already required to disclose convictions to the Board on their applications.
3. A fingerprint requirement would result in increased costs for applicants and licensees.
4. BPELSG and CSLB fingerprint their applicants, but only deny a negligible percentage of applications due to prior convictions.
5. The Texas Board of Architectural Examiners is the only architectural licensing board in the United States with a fingerprint requirement.
6. A fingerprint requirement would only apply to applicants and licensees, not unlicensed employees of architectural firms who may also enter consumers' homes and businesses.
7. Licensees who work on school projects where children are present are already required to have a background check conducted by submitting their fingerprints.

The REC ultimately concluded that there is insufficient data to justify the need for fingerprinting at this time and voted to recommend to the Board to not pursue a fingerprint requirement for applicants or licensees at this time unless mandated to do so.

At the September 12, 2018 Board meeting, the Board was presented with the REC's recommendation and moved to approve it. At this same meeting, the Board was asked to reference its decision for the Board's licensure fingerprinting requirement and issue a consistent decision to the LATC. It was noted that the LATC had not yet discussed this Strategic Plan objective at a meeting, but that the Board was asked to issue a decision because 1) the REC meeting occurred after the most recent LATC meeting and 2) the Strategic Plan objective is intended to have LATC mirror the Board's decision.

Agenda Item J

REVIEW NAD DISCUSS CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, DIVISION 26, ARTICLE 1, SECTION 2620.5 (REQUIREMENTS FOR AN APPROVED EXTENSION CERTIFICATE PROGRAM)

The University of California, Los Angeles (UCLA) and University of California, Berkeley (CAL) Extension Programs were established in 1976 and 1982 respectively. As part of the University of California, both Extension Programs are governed by their respective university policies and academic standards.

In November 1991, the Board of Landscape Architects (BLA) adopted CCR, title 16, section 2620.5, formally establishing requirements for Board approval of extension certificate programs, based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). (It should be noted that educational credit is granted for associate degree programs and non-accredited bachelors and masters programs that are not regulated by the Landscape Architects Technical Committee [LATC], but rather, are governed by the academic institutions within which they are structured.)

In 2009, LAAB implemented changes to its accreditation standards. Prompted by these changes, the LATC, with the aid of a working group, drafted updated requirements for an approved extension certificate program and recommended the Board authorize LATC to proceed with a regulatory change to amend CCR section 2620.5. At its December 15, 2010 meeting, the Board approved proposed regulatory language to amend CCR section 2620.5. In April 2012, the regulatory proposal to amend CCR section 2620.5 was sent to the Office of Administrative Law (OAL). In July 2013, OAL issued a “Decision of Disapproval of Regulatory Action,” citing deficiencies in the file relating to the necessity standard of Government Code section 11349.1 (see Attachments 1 and 2).

At its August 20, 2013 meeting, the LATC voted to: 1) not pursue a resubmission of the rulemaking file for CCR section 2620.5 to OAL; 2) have staff analyze the proposed modifications to CCR section 2620.5 and attempt to provide sufficient justification for each proposed change that would meet OAL standards; and 3) submit a new rulemaking file to OAL once sufficient justification for the proposed changes have been developed. Attachment 3 provides historical context regarding the LATC’s successive activity and discussions surrounding this topic prior to 2018. Notably, within this timeframe, successive amendments to CCR section 2620.5 have been proposed and reviewed by the LATC – Attachment 4 shows amendments proposed to CCR section 2620.5 as well as proposed language to add CCR sections 2620.2, 2620.3, and 2620.4 that were reviewed by the LATC on February 10, 2015; Attachment 5 shows proposed amendments to CCR section 2620.5 to reflect new LAAB standards that were reviewed by the LATC on January 17, 2017; and, Attachment 6 is LAAB’s most current accreditation standards.

In early 2018, staff began consultation with Department of Consumer Affairs (DCA) legal counsel regarding the OAL-denied amendments to CCR section 2620.5 (Attachment 1) as this language is the most recent proposal approved by the LATC and the Board. Resultant of these meetings, staff reassessed the proposed amendments to CCR section 2620.5 to ascertain whether sufficient justification for these amendments could be garnered sufficient to survive OAL review.

Unfortunately, staff could not document sufficient justification. In addition, staff identified that changes to the language, inspired by LAAB, only encompassed the program curriculum categories and specific requirements of the annual report submitted by the program. It was determined that the other changes made to the language appeared to come from the working group's assessment of regulatory amendments, and did not consistently parlay from the LAAB requirements.

At their meeting on July 20, 2018, the LATC reviewed the following documents to determine how to proceed: 1) edits to CCR section 2620.5 that were denied by OAL in 2013 (Attachment 1), 2) 2016 LAAB Accreditation Standards (Attachment 6) and resultant proposed amendments to CCR section 2620.5 previously presented to the LATC in 2017 (Attachment 5), and 3) previously proposed additions of regulatory language (proposed CCR sections 2620.2, 2620.3, and 2620.4) that were reviewed by the LATC in 2015 (Attachment 4). During that meeting, the LATC was also notified that, in July 2017, the CAL Extension Program announced it will close in Fall 2019 and is no longer accepting new students.

Following discussion of the information provided, the Committee directed staff to correspond with the LAAB regarding the possibility of obtaining LAAB-certification of Extension Certificate Programs and other non-accredited programs. The LATC also directed staff to research availability of appropriate private entities with whom the LATC could contract with to conduct reviews and certification of California Extension Certificate Programs. Per the information obtained by staff, the LATC concluded that it would continue its discussion of CCR section 2620.5 at its next meeting.

Following the July 20, 2018 LATC meeting, DCA legal counsel researched the availability of a private entity that could review and provide certification of these programs on behalf of the LATC. DCA legal counsel was advised that there are no landscape architecture accrediting bodies other than LAAB. Furthermore, staff conducted research into the LATC's past requests to the LAAB for accreditation of Extension Certificate Programs and found that the LATC reached out to the LAAB in 2000 to recommend that it consider evaluating and accrediting landscape architecture Extension Certificate Programs. This effort culminated in a 2006 LAAB survey sent to each state licensure board through the Council of Landscape Architectural Registration Boards, where more than half (53%) of the 73 respondents reported interest in having LAAB accredit certificate programs. Subsequent to publication of the survey results, LAAB determined they would not engage in accreditation of Extension Certificate Programs.

More recently, in September 2018, LATC staff contacted LAAB Accreditation and Education Programs Manager, Kristopher Pritchard, regarding the accreditation of extension certificate programs and was informed that LAAB's scope of accreditation is limited to "professional programs at the bachelor's or master's level." On October 23, 2018, LATC Chair Patricia Trauth issued a letter to LAAB requesting consideration of extending its accreditation to include university extension certificate programs (Attachment 7).

In October 2018, prompted by discussions with UCLA Extension Program Director, Stephanie Landregan, regarding UCLA Extension Certificate Program's approval, staff researched the approval procedures for extension certificate programs. Resultant of a review of past processes and discussions with DCA legal counsel, staff identified that CCR section 2620.5 does not currently require the LATC to perform extension certificate program site visits or establish site visit procedures to evaluate the program's adherence to requirements it sets forth. Rather, the regulation specifies the necessary components and documentation required for extension certificate program approval. In addition, CCR section 2620.5 does not establish an expiration of the Board's approval (pursuant to Business and Professions Code section 5630) of a program or extensions of time for reapproval, and information and documentation submitted by an extension certificate program received in a Self-Evaluation Report often contains information not required by the regulation.

At its meeting on July 20, 2018, the Committee continued discussions regarding previously proposed amendments to CCR section 2620.5 to its next meeting. The Committee is asked to review and discuss the current provisions of CCR section 2620.5 and consider whether the following should be addressed in the regulation: 1) program approval expiration, reauthorization, and extensions of said approval; 2) provisions for site reviews and how or if these shall be conducted; and 3) the information that shall be provided by the extension certificate program to evaluate the program's compliance with this regulation.

Finally, attached for Committee reference is the Extension Certificate Program Site Review/Approval Procedures dated May 22, 2013 (Attachment 8).

Attachments:

1. Proposed Language to Amend CCR Section 2620.5 Disapproved by OAL in July 2013
2. OAL Decision of Disapproval of Regulatory Action, July 17, 2013
3. Historical Information: LATC Activity (2013-2017)
4. Proposed Language to Add CCR Sections 2620.2, 2620.3, and 2620.4 Provided to LATC on February 10, 2015 and July 20, 2018
5. Proposed Amendments to CCR Section 2620.5 that Incorporate the 2016 LAAB Standards, Provided to LATC on January 17, 2017, April 18, 2017 and July 20, 2018
6. LAAB Accreditation Standards – March 2016
7. Letter from LATC Chair to LAAB Regarding Extension Certificate Program Accreditation dated October 23, 2018
8. Extension Certificate Program Site Review/Approval Procedures dated May 22, 2013

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

**(NOTE: THE RULEMAKING FILE THAT PROPOSED THESE AMENDMENTS WAS
DISAPPROVED BY THE OFFICE OF ADMINISTRATIVE LAW IN JULY 2013)**

California Code of Regulations, Title 16, Division 26

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The educational program shall be established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and Colleges ~~under Section 94900 of the Education Code~~ or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) There shall be a written statement of the program's philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall be reinforced by course inclusion, emphasis and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives.
- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated.
- (e) There shall be an organizational chart which identifies the relationships, lines of authority and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program's ~~administrator~~ ~~director~~ shall be a California licensed landscape architect.
- (h) The program administrator ~~faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to develop and implement the program approved by the Board.

(i) The program curriculum shall provide instruction in the following areas related to landscape architecture including public health, safety, and welfare:

- (1) History, theory ~~art~~ and criticism ~~communication~~
- (2) Natural and ~~;~~ cultural, ~~and social~~ systems including principles of sustainability
- (3) Public Policy and regulation
- (4) ~~3~~ Design, planning and management at various scales and applications including but not limited to pedestrian and vehicular circulation, grading drainage and storm water management as a process in shaping the environment
- (5) Site design and Implementation: ~~Plant~~ materials, methods, technologies, ~~and their~~ application
- (6) ~~5~~ Construction documentation ~~materials and techniques~~ and administration
- (7) Written, verbal and visual communication
- (8) ~~6~~ Professional practice ~~methods~~
- (9) ~~7~~ Professional ~~ethics and~~ values and ethics
- (10) Plants and ecosystems
- (11) ~~8~~ Computer applications ~~systems~~ and other advanced technology

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

(j) The program shall consist of at least 90 quarter units or 60 semester units.

(k) The program shall maintain a current syllabus for each required course which includes the course objectives, learning outcomes, content, and the methods of evaluating student performance.

(l) The program clearly identifies where the public health, safety, and welfare issues are addressed.

(m) The curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe those requirements.

(n) A program shall meet the following requirements for its instructional personnel:

- (1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.
- (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.
- (3) The program administrator shall be at least .5 time-base.
- (4) The program administrative support shall be 1.0 full-time equivalence.

(o) The program shall submit an annual report in writing based on the date of the most recent Board approval. The report shall include:

- (1) Verification of continued compliance with minimum requirements;
- (2) Any significant changes such as curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report;
- (3) Current enrollment and demographics; and
- (4) Progress toward complying with the recommendations, if any, from the last approval.

(p) The program title and degree description shall incorporate the term “Landscape Architecture.”

The Board may choose to further evaluate changes to any of the reported items or to a program.

The Board will either grant or deny an application. When specific minor deficiencies are identified during evaluation of an application, but the institution is substantially in compliance with the requirements of the Code and this Division, a provisional approval to operate may be granted for a period not to exceed 24 months, to permit the institution time to correct those deficiencies identified. A provisional approval to operate shall expire at the end of its stated period and the application shall be deemed denied, unless the deficiencies are corrected prior to its expiration and an approval to operate has been granted before that date or the provisional approval to operate has been extended for a period not to exceed 24 months if the Board is satisfied that the program has made a good faith effort and has the ability to correct the deficiencies.

The Board shall review the program at least every six years for approval.

The Board may rescind an approval during the six-year approval period based on the information received in the program’s annual report after providing the school with a written statement of the deficiencies and providing the school with an opportunity to respond to the charges. If an approval is rescinded, the Board may subsequently grant provisional approval in accordance with the guidelines of this section to allow the program to correct deficiencies.

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

**State of California
Office of Administrative Law**

JUL 19 2013

CALIFORNIA ARCHITECTS BOARD

In re:
California Architects Board

**DECISION OF DISAPPROVAL OF
REGULATORY ACTION**

**Regulatory Action: Title 16
California Code of Regulations**

Government Code Section 11349.3

Adopt sections:
Amend sections: 2620.5
Repeal sections:

OAL File No. 2013-0531-01S

SUMMARY OF REGULATORY ACTION

The California Architects Board (Board) proposed this regulatory action to amend title 16, California Code of Regulations, section 2620.5, which is the sole regulation that governs extension certificate programs for landscape architects. One way that an applicant for licensure as a landscape architect can fulfill educational requirements is by successful completion of an extension certificate program that is recognized and approved by the Board pursuant to the provisions of Section 2620.5. The provisions of Section 2620.5 were initially established by the Landscape Architects Technical Committee (LATC), a statutory committee under the purview of the Board, and adopted by the Board to mirror standards established by an organization called the Landscape Architectural Accreditation Board in a publication titled *Accreditation Standards and Procedures* (LAAB Standards). The LAAB Standards are used nationally for accrediting college and university degree programs in landscape architecture. The proposed amendments are intended to update Section 2620.5 to conform to updates made to the LAAB Standards published by the Landscape Architectural Accreditation Board on February 6, 2010 (2010 LAAB Standards).

DECISION

On May 31, 2013, the Board submitted the above-referenced regulatory action to the Office of Administrative Law (OAL) for review in accordance with the Administrative Procedure Act (APA). On July 15, 2013, the OAL notified the Board of the disapproval of this regulatory action for failure to comply with the necessity standard of Government Code section 11349.1.

DISCUSSION

The adoption of regulations by the Board must satisfy requirements established by the part of the APA that governs rulemaking by a state agency. Any regulation adopted by a state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its

procedure, is subject to the APA unless a statute expressly exempts the regulation from APA coverage. (Gov. Code, sec. 11346.)

Before any regulation subject to the APA may become effective, the regulation is reviewed by OAL for compliance with the procedural requirements of the APA and for compliance with the standards for administrative regulations in Government Code section 11349.1. Generally, to satisfy APA standards, a regulation must be legally valid, supported by an adequate record, and easy to understand. In this review, OAL is limited to the rulemaking record and may not substitute its judgment for that of the rulemaking agency with regard to the substantive content of the regulation. This review is an independent check on the exercise of rulemaking powers by executive branch agencies intended to improve the quality of regulations that implement, interpret, and make specific statutory law, and to ensure that the public is provided with a meaningful opportunity to comment on regulations before they become effective.

NECESSITY

OAL must review regulations for compliance with the necessity standard of Government Code section 11349.1, subdivision (a)(1). Government Code section 11349, subdivision (a), defines necessity as follows:

(a) "Necessity" means the record of the rulemaking proceeding demonstrates by substantial evidence the need for a regulation to effectuate the purpose of the statute, court decision, or other provision of law that the regulation implements, interprets, or makes specific, taking into account the totality of the record. For purposes of this standard, evidence includes, but is not limited to, facts, studies, and expert opinion.

To further explain the meaning of substantial evidence in the context of the necessity standard, subdivision (b) of section 10 of title 1 of the California Code of Regulations provides:

(b) In order to meet the "necessity" standard of Government Code section 11349.1, the record of the rulemaking proceeding shall include:

- (1) a statement of the specific purpose of each adoption, amendment, or repeal; and
- (2) information explaining why each provision of the adopted regulation is required to carry out the described purpose of the provision. Such information shall include, but is not limited to, facts, studies, or expert opinion. When the explanation is based upon policies, conclusions, speculation, or conjecture, the rulemaking record must include, in addition, supporting facts, studies, expert opinion, or other information. An "expert" within the meaning of this section is a person who possesses special skill or knowledge by reason of study or experience which is relevant to the regulation in question.

In order to provide the public with an opportunity to review and comment upon an agency's perceived need for a regulation, the APA requires that the agency describe the need for the regulation in the initial statement of reasons. (Gov. Code, sec. 11346.2, subd. (b).) The initial

statement of reasons must include a statement of the specific purpose for each adoption, amendment, or repeal, and the rationale for the determination by the agency that each regulation is reasonably necessary to carry out the purpose for which it is proposed or, simply restated, “why” a regulation is needed and “how” this regulation fills that need. (Gov. Code, sec. 11346.2, subd. (b)(1).) The initial statement of reasons must be submitted to OAL with the initial notice of the proposed action and made available to the public during the public comment period, along with all the information upon which the proposal is based. (Gov. Code, sec. 11346.2, subd. (b) and sec. 11346.5, subds. (a)(16) and (b).) In this way the public is informed of the basis of the regulatory action and may comment knowledgeably.

The initial statement of reasons in this regulatory action did not describe the need for each amended regulatory provision that deviated from the updated 2010 LAAB Standards of which this regulatory action was based. (Any such deviations from the 2010 LAAB Standards will be referred to as amended regulatory provisions for purposes of this discussion.) The initial statement of reasons states that the provisions of section 2620.5 need to be updated to conform to the 2010 LAAB Standards; however, it needs to provide more than this. The problem, administrative requirement, or other condition or circumstance that each amended regulatory provision is intended to address must be identified. In addition, information must be included that explains why each amended regulatory provision is needed to carry out the described purpose of the regulatory provision.

The initial statement of reasons only provides background information on the development and administration of section 2620.5, including the genesis of section 2620.5 from earlier LAAB standards, followed by a brief statement that the earlier LAAB Standards had been updated and a list of the proposed amendments to section 2620.5 that contain only brief, conclusory statements describing what the proposed amendments are, not why they are needed. Additionally, the Board modified the proposed regulatory text in a 15-day notice of availability that took place from November 30, 2012 to January 9, 2013. But there is no necessity provided for these additional modifications anywhere in the rulemaking record. Furthermore, before this regulatory action is resubmitted to OAL, the Board must draft a statement of reasons to add to the rulemaking record to correct the lack of necessity in the initial statement of reasons. The Board may make additional modifications to the proposed regulatory text in another 15-day notice of availability, which the Board must approve, to clarify issues that become apparent while drafting this statement of reasons. The Board must provide necessity for all of the regulatory amendments to section 2620.5 upon resubmittal of this regulatory action to OAL.

Government Code section 11347.1 requires this statement of reasons, which will provide the necessity missing from the initial statement of reasons and from the rulemaking record, to be made available to the public for at least 15 days prior to the Board’s adoption, amendment or repeal of the regulations. Moreover, any comments made in relation to the supplemental statement of reasons or modifications to the text must be summarized and responded to in the final statement of reasons. (Gov. Code, secs. 11346.8, subd. (c) and 11347.1, subd. (d).)

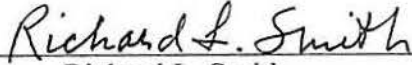
The Board’s demonstration of the need for the amended regulatory provisions is basic to a complete understanding of the proposed regulations. Without an adequate showing of necessity for each amended regulatory provision, OAL cannot be certain of what effect the Board intended

regarding the amended regulatory provisions. OAL must therefore reserve the right upon resubmittal of this regulatory action to conduct a review of these regulations for compliance with all of the substantive standards of Government Code section 11349.1 until such time as an adequate statement of reasons is submitted with the rulemaking record.

CONCLUSION

For the reason set forth above, OAL has disapproved this regulatory action. If you have any questions, please contact me at (916) 323-6809.

Date: July 17, 2013


Richard L. Smith
Senior Counsel

FOR: DEBRA M. CORNEZ
Director

Original: Douglas McCauley
Copy: John Keidel

Historical Information: LATC Activity (2013-2017)

Subsequent to the August 2013 LATC meeting, staff consulted with Department of Consumer Affairs (DCA) legal counsel and Christine Anderson, Chair of the Task Force, to identify the best approach to resubmit the rulemaking file. Legal counsel advised that LATC would need to develop sufficient justification for the proposed amendments to CCR section 2620.5 as well as the addition of new regulations that address: 1) the application process for extension certificate programs; 2) annual reporting requirements; 3) denial, suspension, and withdrawal of approval; and 4) appealing denial, suspension and withdrawal of approval actions. Based on recommendations provided by DCA legal counsel, staff developed additional proposed language to address the application and approval processes listed above, CCR sections 2620.2, 2620.3 and 2620.4. In addition, new, proposed amendments were made to CCR section 2620.5. Staff and legal counsel drafted proposed regulatory language that was presented for discussion to the LATC at its February 2015 meeting. Resultant of this discussion, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda Gates and Ms. Anderson, former LATC members and University of California Extension Program site review team, were appointed to the working group.

In March 2016, LAAB released updated Accreditation Standards and Procedures, making significant changes to curriculum requirements. Specifically, prior curriculum standards encompassed 8 broad subject matter areas of study. The new standards require coursework in 9 subject matter areas with 41 subcategories of study.

LATC staff began incorporating the proposed changes and drafting proposed language that included many of LATC's previously submitted modifications to CCR section 2620.5 and to include LAAB's 2016 curriculum requirements. This draft was provided to the LATC at their January 17, 2017 meeting. However, prior to the meeting, Stephanie Landregan, Director of the UCLA Extension Certificate Program, requested that discussion be postponed until the next LATC meeting. Her request was granted, and the regulatory proposals were tabled for discussion at the January 17, 2017 LATC meeting. Thereafter, on March 15, 2017, the LATC received a letter from Ms. Landregan and Eddie Chau, Directors of the Extension Programs, requesting the opportunity to speak to the LATC on the importance of continuing the current approval process. The letter also asked that any changes to this process be addressed by a reconvened or new subcommittee.

At their April 18, 2017 meeting, staff recommended that LATC review the LAAB Accreditation Standards and Procedures and determine how to proceed. Staff also suggested the Committee consider receiving input from the Extension Programs and public on the impact of LATC not reviewing/approving the programs. The LATC discussed the proposed language and moved to form a subcommittee comprised of one LATC member, one member from each extension certificate program, and two landscape architects to prepare regulatory changes for LATC's consideration. However, due to competing priorities at that time, staff focus was redirected to other Strategic Plan priorities and a subcommittee was not formed in 2017.

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

California Code of Regulations, Title 16, Division 26

Add Sections 2620.2, 2620.3 and 2620.4 as follows:

§ 2620.2 Extension Certificate Programs – Application for Approval

- (a) An extension certificate program may apply to the [redacted] for approval when it meets the requirements of Section 2620.5. The program shall document how it meets the requirements of Section 2620.5 by submitting a written self-evaluation report to the Board.
- (b) The Board's designee, or designees, shall review the self-evaluation report, conduct a site visit, submit a written report to the Board that contains findings as to whether the program complies with Section 2620.5, and make a recommendation regarding approval.
- (c) The Board shall consider the application, written self-evaluation report, and [redacted] regarding approval, and either grant or deny approval. When specific minor deficiencies are identified during evaluation of a program, but the program is in substantial compliance with the requirements of Section 2620.5, a provisional approval to operate may be granted for a period not to exceed 24 months, to permit the program time to correct the deficiencies identified.
- (d) A provisional approval to operate shall expire at the end of its stated period and the application shall be deemed denied, unless the deficiencies are corrected prior to its expiration and an approval to operate has been granted before that date or the provisional approval to operate has been extended for a period not to exceed 24 months if the Board is satisfied that the program has made a good faith effort and has the ability to correct the deficiencies.
- (e) The Board shall review each extension certificate program at least every six years for continuing approval.
- (f) The Board may withdraw approval during the six-year approval period based on the information received in the program's annual report after providing the program with a written statement of the deficiencies noted and giving the program an opportunity to respond to the deficiencies. If approval is withdrawn by the Board in accordance with section 2620.3(b), the Board may subsequently grant provisional approval in accordance with the guidelines of this section to allow the program to correct deficiencies.
- (g) The Board shall have discretion to defer action on an application for approval. The program shall be notified by the Board, in writing, of actions taken regarding an application for

Commented [D2]: Depending on research conducted on (a), may need to clarify source of recommendation.

Commented [D3]: Need to clarify if program is required to submit documents/report to trigger each 6-year review after initial approval.

May need to clarify difference between 6-year review and annual report.

Commented [D4]: Consider moving this subsection to 2620.4 as it relates to withdrawal of approval based on annual report.

Commented [D5]: How long should the action be deferred? Should be applied consistently for all program reviews.

approval.

§ 2620.3 Suspension or Withdrawal of Approval

- (a) When an approved program fails to maintain the requirements for approval for administrative reasons, including but not limited to failure to submit required reports, approval may be suspended. Before this action is taken, the Board shall send a letter to the program requesting an explanation as to why approval should not be suspended. Suspension of approval for administrative reasons is not subject to appeal.

Students attending a program with suspended approval are considered to be attending an approved program. A program may be suspended for a maximum of 12 months. The Board will begin procedures to withdraw approval to take effect immediately when the maximum period of suspension is reached. If evidence of remedial action is submitted and judged adequate within the 12-month period of suspension, reinstatement of approval shall be granted.

- (b) When an approved program fails to comply with approval standards for other than administrative reasons, approval may be withdrawn. Before withdrawing approval, the program will be given the opportunity to explain why approval should not be withdrawn, after which the Board may conduct a site visit and make a final decision.

If the program's parent institution or other programs within the institution are placed on probationary status or have approval withdrawn by their accrediting agencies, the program must notify the Board of the landscape architecture degree program's status.

- (c) Extension certificate programs may appeal denial or withdrawal of approval decisions to the Board. An appeal shall be based on one or more of the following issues:

- (1) Whether the Board and/or the site visit team conformed to the procedures described in regulation; or
- (2) Whether the Board and/or the site visit team conformed to the approval requirements specified in Section 2620.5.

- (d) A written notice of appeal shall be signed by the chief administrator of the college or university in which the extension certificate program is located. The appeal must be submitted within 30 days of the Board's notice of decision. Within 60 days of the Board's decision letter, the program administrator must submit a comprehensive written statement of all reasons for appeal. Failure to submit this statement within 60 days will be deemed equivalent to withdrawing the appeal. During the appeal period, the approved status of the program will not change.

§ 2620.4 Annual Reports

- (a) Approved extension certificate programs shall submit to the Board a written report, each year

Commented [D6]: Consider restructuring section, i.e.,

- (a) Board may suspend approval for these reasons.....
- (b) Board may withdraw approval for these reasons...
- (c) Suspension terms and affects on students
- (d) Program may appeal withdrawal of approval for these reasons...

Commented [D7]: May have to specify for what purpose Board is requiring to be notified.

from the date of the most recent Board approval. The report shall include:

- (1) Verification of continued compliance with the requirements of Section 2620.5;
- (2) Any significant changes in areas such as curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report;
- (3) Current enrollment and demographics;
- (4) Progress toward complying with the recommendations, if any, from the last approval, and
- (5) Any substantive change. "Substantive change" is any change that compromises an extension certificate program's ability to meet one or more of the Board's program requirements or that makes the program unable to meet any of the following requirements:
 - (A) The program title and certificate description incorporate the term "Landscape Architecture."
 - (B) The parent institution is accredited by the institutional accrediting body of its region.
 - (C) There is a not a designated program administrator for the program under review.

Commented [D8]: May need to clarify what is considered significant.

- (b) The program administrator shall notify the Board if, at any time, the program fails to meet the requirements of Section 2620.4 (a)(1)-(5).

Commented [D9]: Does wording limit taking action only based on annual report?

- (c) The Board may further evaluate changes to any of the reported items in the annual report.

Commented [D10]: May need to clarify.

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

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The ~~educational~~ program shall be established in an educational institution which has a four-year educational curriculum and either is ~~approved~~ accredited by the Western Association of Schools and Colleges under Section 94900 of the Education Code or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) ~~There~~ The program shall have a written statement of the program's which fully and accurately describes its philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall clearly identify where public health, safety, and welfare issues are addressed. The program objectives shall be reinforced by course inclusion, emphasis, and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives.

Commented [D11]: Duplicative language above, added "which fully and accurately describes" to first sentence of (b).

- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated.
- (e) ~~There~~ The program shall ~~be have~~ have an organizational chart which identifies the relationships, lines of authority, and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program's ~~administrator~~ ~~director~~ shall be a California licensed landscape architect.
- (h) The program administrator ~~faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to develop and implement the program approved by the Board.
- (i) The program title and certificate description shall incorporate the term "Landscape Architecture."
- (j) The program curriculum shall provide instruction that includes public health, safety, and welfare in the following areas related to landscape architecture:
 - (1) History, ~~theory art~~ and ~~criticism~~ communication
 - (2) Natural ~~and~~ cultural, ~~and social~~ systems including principles of sustainability
 - (3) Public policy and regulation
 - (4) ~~Design, planning, and management at various scales and applications, including but not limited to, pedestrian and vehicular circulation, grading, drainage, and storm water management as a process in shaping the environment~~
 - (5) Site design and implementation: Plant materials, methods, technologies, and their application
 - (6) ~~Construction documentation materials and techniques and administration~~
 - (7) Written, verbal, and visual communication
 - (8) ~~Professional practice, values, and ethics methods~~
 - (9) ~~Professional ethics and values~~
 - (10) Plants and ecosystems
 - (11) Computer applications ~~systems~~ and other advanced technology

~~The program's curriculum shall not be revised until it has been approved by the Board.~~
- (k) The program shall consist of at least 90 quarter units or 60 semester units.

(~~k~~l) The program shall maintain a current syllabus for each required course which includes the course objectives, learning outcomes, content, ~~and~~ the methods of evaluating student performance, and how public health, safety, and welfare issues are addressed.

~~(l) The program clearly identifies where the public health, safety, and welfare issues are addressed.~~

(~~m~~) The program curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe those requirements.

(~~n~~~~m~~) ~~A~~ The program shall meet the following requirements for its instructional personnel:

(1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.

(2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.

(3) The program administrator shall be at least half-time.

(4) The program administrative support shall be full-time.

Commented [D12]: Need to specify employment in program and define amount of time.

Commented [D13]: Need to specify employment in program and define amount of time.

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

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

California Code of Regulations, Title 16, Division 26

Amend Section 2620.5 to read as follows:

§ 2620.5 Requirements for an Approved Extension Certificate Program

An extension certificate program shall meet the following requirements:

- (a) The educational program shall be established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and Colleges ~~under Section 94900 of the Education Code~~ or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) There shall be a written statement of the program's philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall be reinforced by course inclusion, emphasis and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives. The program shall provide comprehensive public information disclosure about the program's status and performance within a single click link from the program's internet website homepage.
- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated. The program title and certificate description shall incorporate the term "Landscape Architecture".
- (e) There shall be an organizational chart which identifies the relationships, lines of authority and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program administrator ~~'s-director~~ shall be a California licensed landscape architect and position shall be at least .5 time-based.
- (h) The program administrator ~~faculty~~ shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to participate in program governance and develop and implement the program approved by the Board.
- (i) The program curriculum shall include the core knowledge, skills and applications of

landscape architecture and shall provide instruction in the following areas related to landscape architecture:

(1) History, theory, philosophy, principles and values:

- (A) design history and theory;
- (B) criticism;
- (C) sustainability, resiliency, stewardship;
- (D) health, safety, welfare.

(2) Design processes and methodology:

- (A) critical thinking;
- (B) analysis;
- (C) ideation;
- (D) synthesis;
- (E) site program;
- (F) iterative design development;
- (G) design communication.

(3) Systems and Processes, natural and cultural, (related to design, planning and

management):

- (A) plants and ecosystems sciences;
- (B) built environment and infrastructure;
- (C) human factors, social and community systems;
- (D) human health and well-being.
- (4) Communication and documentation:
 - (A) written and oral communication;
 - (B) visual and graphic communication;
 - (C) design and construction documents;
 - (D) numeracy, quantitative problem-solving and communication;
 - (E) community and client engagement.
- (5) Implementation:
 - (A) construction technology and site engineering;
 - (B) site materials;
 - (C) use and management of plants and vegetation;
 - (D) policies and regulation.
- (6) Computer applications and advanced technologies:
 - (A) visualization and modeling;
 - (B) communication (conceptual and construction drawings);
 - (C) geospatial analysis.
- (7) Assessment and evaluation:
 - (A) site assessment;
 - (B) pre-design analysis;
 - (C) landscape performance;
 - (D) post-occupancy evaluation;
 - (E) visual and scenic assessment.
- (8) Professional Practice:
 - (A) values and ethics;
 - (B) practice;
 - (C) construction administration.
- (9) Research and scholarly methods (for master's level degree programs):
 - (A) quantitative and qualitative methods;
 - (B) establishing a research hypothesis;
 - (C) framing research questions;
 - (D) literature/case study review/precedent review
 - (E) research integrity and protection of human subjects
 - (F) communication of research.

~~(A) History, art, and communication~~

~~(B) Natural, cultural, and social systems~~

~~(C) Design as a process in shaping the environment~~

- ~~(D) Plant material and their application~~
- ~~(E) Construction materials and techniques~~
- ~~(F) Professional practice methods~~
- ~~(G) Professional ethics and values~~
- ~~(H) Computer systems and advanced technology~~

~~The program's curriculum shall not be revised until it has been approved by the Board.~~

- (j) The program shall consist of at least 90 quarter units or 60 semester units.
- (k) The program shall maintain a current syllabus for each required course which includes the course objectives, content, identifies where public health, safety and welfare issues are addressed, and the methods of evaluating student performance.
- (l) The curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe these requirements.
- (m) A program shall meet the following requirements for its instructional personnel:
 - (1) There shall be sufficient number of faculty to carry out the mission of the program (such as teaching, research, service, program administration, academic advising, and/or creative professional development. At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.
 - (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.–
 - (3) A program shall have at least one full time administrative support staff position.

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

ACCREDITATION STANDARDS
For First-Professional Programs In
Landscape Architecture



Landscape Architectural Accreditation Board

American Society of Landscape Architects
636 Eye Street, N.W.
Washington, D.C. 20001-3736

March 2016

Table of Contents

PREAMBLE

Introduction	1
Definitions, Interpretation and Application	1
Minimum Requirements for Achieving and Maintaining Accredited Status	3

STANDARDS

Standard 1: Program Mission and Objectives	5
Standard 2: Program Autonomy, Governance, and Administration	7
Standard 3: Professional Curriculum	10
Standard 4: Student and Program Outcomes	14
Standard 5: Faculty	15
Standard 6: Outreach to the Institution, Communities, Alumni, and Practitioners	17
Standard 7: Facilities, Equipment, and Technology	18

Introduction

The mission of the Landscape Architecture Accreditation Board (LAAB) is to evaluate, advocate for, and advance the quality of education in landscape architectural degree programs. To do that, the Board creates and applies *Standards* and *Procedures*. The Standards are basis for decision-making and action for the Board. The Standards are reviewed and updated every five years through a process articulated in Board Procedures. The previous version of the Standards and Procedures (2010) were both a part of a single document. For this version, the Board has decided to create separate documents of Standards and of Procedures.

This document contains the Accreditation Standards.

Definitions, Interpretation, and Application

Accreditation: Accreditation is a voluntary process of peer review designed to evaluate programs on the basis of their own stated objectives and the accreditation standards that follow.

Administrative Probation Status: Administrative Probationary Accreditation status is assigned when an institution or program does not meet its administrative obligations. LAAB assigns this status if the institution or program fails to comply with one or more of the following requirements:

- paying annual fees within 90 days of the invoice date,
- paying a late fee by the due date,
- submitting reports or other required information within 45 days of the due date, or
- agreeing to a reasonable on-site evaluation visit date at or near the time established by LAAB staff.

Administrative Probationary Accreditation is an accreditation category not subject to appeal. The program is recognized and listed as accredited with this designation until the requirement(s) that was not met has been fully satisfied. Failure to completely remedy the situation by the date specified in the probationary letter may result in revocation of accreditation.

Assessment: Assessment is the process by which a program or institution's level of compliance with or achievement of the criteria relevant to its accreditation is evaluated.

Candidacy Status: Candidacy is an accreditation classification granted to a program that is in the planning or early stages of development or an intermediate stage of program implementation.

Compliance: Compliance with a standard is achieved when LAAB concludes, after review of relevant indicators or other evidence, that the standard is met or met with recommendation, as defined below. To achieve LAAB accreditation, a program must demonstrate to LAAB, through the self-evaluation report, site visit, and technical accuracy review of the visiting team's report, that it complies with all standards.

Considerations for Improvement: Considerations for Improvement are informal counsel offered to a program as a part of the Visiting Team's Report but not included in the final action letter from LAAB to the program. These may areas where the program can build on a strength or address an area of concern that does not directly affect accreditation at the time of the LAAB review.

Criteria: Each LAAB standard has one or more criteria statements that define the components needed to satisfy the standard. Not satisfying a criterion does not automatically lead to the assessment of a standard as not met. To be accredited, a program must demonstrate progress toward meeting the criteria. In this document, criteria are identified by letters (for example: **A. Program Mission**).

Faculty Full-Time Equivalence (FTE): The FTE is a figure representing the aggregated time committed by full- and part-time faculty members to teaching in a department or program, including faculty who have their duties or teaching assignments split between an undergraduate and a graduate program and faculty who have their assignments split between disciplines. For purposes of calculation, a faculty member with a part-time appointment of 50 percent (and, presumably, a teaching/scholarship/service assignment roughly equivalent to half that of a full-time faculty member) would be assigned a 0.5 FTE. A full-time faculty member with duties in only one department would be assigned an FTE of 1.0 for that department.

Final Action Letter: A final action letter is an official communication from LAAB to a program reporting its accreditation status and any recommendations affecting accreditation.

First-Professional Program: A first-professional program in landscape architecture encompasses the body of knowledge common to the profession and promotes acquisition of the knowledge and skills necessary to enter its professional practice. At the bachelor's level, such a program is typically conducted in a context enriched by the liberal arts and natural and social sciences. At the master's level, such a program also provides instruction in and application of research and scholarly methods.

Initial Accreditation: The first period of accreditation for a program leading to a degree in landscape architecture is its initial accreditation; LAAB initial accreditation applies to degrees awarded within two years prior to initial accreditation by LAAB.

Intent: A statement of intent explains the purpose of a standard.

Program: A program comprises the coursework and other learning experiences leading to a degree as well as the supporting administration, faculty, staff, facilities, and services that sponsor and provide those experiences.

Recommendations Affecting Accreditation: Recommendations Affecting Accreditation are issues of serious concern, directly affecting the quality of a program. Recommendations Affecting Accreditation are issued when a visiting team assesses a standard as met with recommendation or not met. Recommendations are derived from the identified areas of weakness in meeting a standard as described in the rationale sections of a visiting team's report. The program is required to report progress regularly on these issues. Recommendations Affecting Accreditation identify issues; they do not prescribe solutions.

Self-Evaluation Report (SER): An SER is a document prepared by a program that describes its expectations, operations, and resources; assesses its progress toward meeting its mission, goals, and objectives; and measures its performance against the criteria for accreditation.

Shall: In official LAAB standards and criteria, "shall" indicates mandatory actions for a program or institution.

Should: In official LAAB standards and criteria, "should" indicates prescriptive recommendations for a program or institution.

Standards: Standards are qualitative statements of the essential conditions an accredited program must meet to achieve accreditation.

Standard Met: A "Standard Met" designation indicates that overall program performance in the relevant area meets LAAB minimum standards. LAAB may judge a standard as met even though one or more indicators within the standard are not minimally met.

Standard Met with Recommendation: A “Standard Met with Recommendation” designation indicates that deficiencies exist in an area directly bearing on accreditation. The problem or problems have observable effects on the overall quality of the program.

Standard Not Met: A “Standard Not Met” designation means that a cited deficiency is so severe that the overall quality of a program is compromised and the program’s ability to deliver adequate landscape architecture education is impaired.

Minimum Requirements for Achieving and Maintaining Accredited Status

1. The program title and degree description must incorporate the term "landscape architecture."
2. An undergraduate first-professional program must be a baccalaureate program of at least four academic years' duration.
3. A graduate first-professional program must be a master's program equivalent to at least three academic years' duration.
4. Faculty instruction full-time equivalence (FTE) requirements are as follows:
 - a. An academic unit that offers a single first-professional degree program at the emerging or Initial Accreditation status has at least three FTE instructional faculty who hold professional degrees in landscape architecture, at least one of whom is full-time.
 - b. An academic unit that offers a first-professional degree program at both the bachelor’s and master’s levels at the emerging or Initial Accreditation status has at least six FTE instructional faculty, at least five of whom hold professional degrees in landscape architecture, at least two of whom are full-time in the department.
 - c. An academic unit that offers a single first-professional degree program at the continuing full accreditation status has an FTE of at least five instructional faculty, at least four of these faculty members hold a professional degree in landscape architecture, at least three of whom are full-time in the department.
 - d. An academic unit that offers first-professional degree programs at both the bachelor’s and master’s levels with continuing full accreditation status has an FTE of at least seven instructional faculty, at least five of whom hold professional degrees in landscape architecture and are full-time in the department.

Program Status	Number of Full-time Equivalent Instructional Faculty*	Number of Faculty with a Professional Degree in Landscape Architecture (could be part-time or adjunct)	Number of Full-time Faculty with a Professional Degree in Landscape Architecture
Programs seeking Initial Accreditation			
Single Program	3	3	1
Bachelor’s & Master’s Program	6	5	2
Programs seeking re-accreditation			
Single Program	5	4	3
Bachelor’s & Master’s Program	7		5

5. The parent institution must be accredited by a recognized institutional accrediting agency (such as the U.S. Department of Education or CHEA).

6. There must be a designated program administrator responsible for the leadership and management functions for the program under review.
7. The program must provide a comprehensive public information disclosure about the program's status and performance within a single-click link from the program's website.
8. The program must:
 - continuously comply with accreditation standards,
 - pay the annual sustaining and other fees as required, and
 - regularly file complete annual and other requested reports.

The program administrator shall inform LAAB if any of these factors fail to apply during an accreditation period. The program administrator is responsible for reporting any substantive changes to the program when they occur. (Substantive changes are those that may affect the accreditation status of the program, addressed on page 16 of the LAAB Accreditation Procedures.)

STANDARDS

Standard 1: Program Mission and Objectives

The program shall have a clearly defined mission supported by goals and objectives appropriate to the profession of landscape architecture and shall demonstrate progress toward their attainment.

INTENT: Using a clear, concise mission statement, each landscape architecture program shall define its core values and fundamental purpose for faculty, students, prospective students, and the institution. The mission statement shall summarize why the program exists and the needs that it seeks to fulfill. It shall also provide a benchmark for assessing how well the program is meeting the stated objectives.

A. Program Mission. The mission statement expresses the underlying purposes and values of the program.

Assessment: The program has a clearly stated mission reflecting its purpose and values, which relate to the institution's mission.

B. Educational Goals. The program shall have clearly defined and formally stated academic goals that reflect the mission and demonstrate that attainment of the goals will fulfill the program mission.

Assessment: The program has an effective procedure to determine progress in meeting its goals and is it used regularly.

C. Educational Objectives. The program shall have educational objectives that specifically describe how each of the academic goals will be achieved.

Assessment: The program has clearly defined, achievable educational objectives and an effective, regularly used procedure to determine progress in meeting them.

D. Long-Range Planning Process. The program shall engage in an effective long-range planning process.

Assessment 1: The long-range plan describes how the program mission, goals, and objectives will be met, and the program documents the review and evaluation process.

Assessment 2: The long-range plan (along with the mission, goals and objectives) is reviewed and revised periodically, and it presents realistic and attainable methods for advancing the program's academic mission.

Assessment 3: The program's SER responds to recommendations and considerations for improvement from the previous accreditation review (if applicable), and it reports on efforts to rectify identified weaknesses.

E. Program Disclosure. Program literature and promotional media shall accurately describe the program's mission, objectives, educational experiences, accreditation status, goals, student achievement, costs for a full-time student per academic year, estimated housing costs per year, average costs of books and materials per year, student retention and graduation rates, number of degrees granted per year, and

percentage of students with timely graduation (master's students graduating within four years, bachelor's students graduating within six years).

Assessment 1: The program information is accurate, understandable, and accessible to the public.

Assessment 2: The public disclosure information can be found with a single-click link from the program's website.

Standard 2: Program Autonomy, Governance, and Administration

The program shall have the authority and resources to achieve its mission, goals and objectives.

INTENT: Each landscape architecture program shall be recognized as a discrete professional program with the resources, institutional support, and authority to enable achievement of the stated program mission, goals and objectives.

A. Program Administration. The landscape architecture program shall be administered as an identifiable, discrete program within its institution.

Assessment 1: The program is seen as a discrete and identifiable program within the institution.

Assessment 2: The program administrator holds a faculty appointment in landscape architecture.

Assessment 3: The program administrator exercises effective leadership of and management functions for the program. (Where the program administrator is not the primary administrator for the academic unit, as in a landscape architecture program within a multidisciplinary department or school, the landscape architecture leader has the authority to significantly influence the management of resources, including budget, faculty review, tenure and promotion outcomes, and the direction of the program.)

B. Institutional Support. The institution shall provide sufficient resources to enable the program to achieve its mission and goals, and it supports individual faculty members' development and advancement.

Assessment 1: Funding is available to assist faculty and other instructional personnel with continued professional development, including support in developing funded grants and attendance at conferences. Funding is sufficient to maintain computers and appropriate software, other types of equipment, and technical support.

Assessment 2: Funding is adequate for student support, such as scholarships and work-study jobs.

Assessment 3: Adequate support personnel are available to accomplish the program's mission and goals.

C. Commitment to Diversity. The program shall demonstrate a commitment to diversity through its recruitment and retention of faculty, staff, and students.

Assessment: The program demonstrates its commitment to diversity in the recruitment and retention of students, faculty, and staff.

D. Faculty Participation. The faculty shall participate in program governance and administration.

Assessment 1: The faculty makes recommendations on the allocation of resources and has the responsibility to develop, implement, evaluate, and modify the program's curriculum, and to contribute to operating practices.

Assessment 2: The faculty participates, in accordance with institutional guidelines, in developing criteria and procedures for annual evaluation, promotion, and tenure of faculty members.

Assessment 3: The faculty participates, in accordance with institutional guidelines, in developing and applying criteria and procedures for the appointment and assessment of program and academic unit leadership.

Assessment 4: The program or institution adequately communicates and mentors faculty regarding policies, expectations, and procedures for annual evaluations, tenure, and promotion to all ranks.

E. Faculty Number. The faculty shall be of a sufficient size to accomplish the program's goals and objectives; to teach the curriculum; to support students through advising and other functions; to engage in research, creative activity, and scholarship; and to be actively involved in professional endeavors such as presenting at conferences. The faculty FTE shall be assessed by the institutional culture for faculty development across the closely related academic units (such as other departments and programs within a college). The workload (number, type, and sizes of courses assigned) and responsibilities (such as a split of time for teaching, research, and service activities) for a typical tenured or long-term faculty member within the college shall be considered the template for assessing the FTE resources assigned to the landscape architecture program. Where landscape architecture faculty members have their responsibilities split between programs (such as bachelor's and master's or between landscape architecture and another discipline), the FTE assessment must be prorated.

Faculty instruction full-time equivalence (FTE) shall be as follows:

- a. An academic unit that offers a single first-professional degree program at the emerging or Initial Accreditation status has at least three FTE instructional faculty who hold professional degrees in landscape architecture, at least one of whom is full-time.
- b. An academic unit that offers a first-professional degree program at both the bachelor's and master's levels at the emerging or Initial Accreditation status has at least six FTE instructional faculty, five of whom hold professional degrees in landscape architecture, at least two of whom are full-time.
- c. An academic unit that offers a single first-professional degree program at the continuing full Accreditation status has an FTE of at least five instructional faculty. At least four of these faculty members hold a professional degree in landscape architecture and at least three of them are full-time.
- d. An academic unit that offers first-professional degree programs at both the bachelor's and master's levels with continuing full Accreditation status has an FTE of at least seven instructional faculty, at least five of whom hold professional degrees in landscape architecture and are full-time

Program Status	Number of Full-time Equivalent Instructional Faculty*	Number of Faculty with a Professional Degree in Landscape Architecture (could be part-time or adjunct)	Number of Full-time Faculty with a Professional Degree in Landscape Architecture
Programs seeking Initial Accreditation			
Single Program	3	3	1
Bachelors & Masters Program	6	5	2
Programs seeking re-accreditation			
Single Program	5	4	3
Bachelors & Masters Program	7		5

* In determining FTEs and the pro-rata contribution some faculty may make to teaching in a program, we acknowledge that variations do exist among institutions regarding how standard teaching loads are determined. Please provide in the SER any commentary that you believe appropriate to demonstrate how your program achieves the required faculty numbers within your institution's particular administrative and staffing model.

Assessment 1: Student/faculty ratios in studios are typically not greater than 15:1.

Assessment 2: There are sufficient faculty FTE to carry out the mission of the program (such as duties in teaching, research, service, program administration, academic advising, and creative professional development).

Standard 3: Professional Curriculum

The first-professional degree curriculum shall include the core knowledge, skills, and applications of landscape architecture.

- a. In addition to the professional curriculum, a first-professional degree program at the bachelor's level shall provide an educational context enriched by other disciplines, including but not limited to liberal and fine arts, natural sciences, and social sciences, as well as opportunities for students to develop other areas of interest.*
- b. In addition to the professional curriculum, a first-professional degree at the master's level shall provide instruction in and application of research and scholarly methods.*
- c. A first-professional degree at the master's level that does not require all students to have an undergraduate degree before receiving the MLA shall meet the requirements for both a and b, above.*

INTENT: Each landscape architecture curriculum shall be designed to achieve the learning goals stated in the mission and specific educational objectives of the program. The curriculum shall encompass both coursework and other co-curricular opportunities intended to develop students' knowledge and skills in landscape architecture.

A. Curricular Expression of the Mission and Objectives. The program's curriculum shall address and express its mission, goals, and objectives. (This criterion is directed not toward the evaluation of the mission and objectives, but rather toward the way the curriculum is developed and delivered in carrying out the expectations of the mission and objectives.)

Assessment: The program identifies the knowledge, skills, abilities, and values it expects students to possess at graduation.

B. Professional Curriculum. The program curriculum shall be guided by, but not limited to, coverage of:

History, theory, philosophy, principles, and values

design history

design theory

criticism

sustainability, resiliency, stewardship

health, safety, welfare

Design processes and methodology

critical thinking

analysis

ideation

synthesis

site program

iterative design development

design communication

Systems and processes—natural and cultural (related to design, planning, and management)

- plants and ecosystems sciences
- built environment and infrastructure
- human factors and social and community systems
- human health and well-being

Communication and documentation

- written communication
- oral communication
- visual and graphic communication
- design and construction documents
- numeracy, quantitative problem-solving, and communication
- community and client engagement

Implementation

- construction technology and site engineering
- site materials
- use and management of plants and vegetation
- policies and regulation

Computer applications and advanced technologies

- visualization and modeling
- communication (conceptual and construction drawings)
- geospatial analysis

Assessment and evaluation

- site assessment
- pre-design analysis
- landscape performance
- post-occupancy evaluation
- visual and scenic assessment

Professional practice

- values
- ethics
- practice
- construction administration

Research and scholarly methods (for master's-level degree programs)

- quantitative and qualitative methods
- establishing a research hypothesis
- framing research questions
- literature/case study review/precedent review
- research integrity and protection of human subjects
- communication of research

Assessment 1: The curriculum addresses the designated subject matter in a sequence that supports the degree program's goals and objectives.

Assessment 2: Student work and other accomplishments demonstrate that the curriculum is providing students with the appropriate content to enter the profession.

Assessment 3: Curriculum and program opportunities enable students to pursue academic interests consistent with institutional requirements and entry into the profession.

C. Syllabi. Appropriate syllabi shall be maintained for courses.

Assessment 1: Syllabi include educational objectives, course content, and the criteria and methods that will be used to evaluate student performance.

Assessment 2: Syllabi identify the various levels of accomplishment students need to achieve to successfully complete the course and advance in the curriculum.

D. Curriculum Evaluation. At both the course and curriculum levels, the program shall evaluate how effectively the curriculum is helping students achieve the program's learning objectives in a timely way.

Assessment 1: The program demonstrates and documents ways of:

- a. assessing students' achievement of course and program objectives within the length of time to graduation stated by the program;*
- b. reviewing and improving the effectiveness of instructional methods in curriculum delivery; and*
- c. maintaining currency with the evolving technologies, methodologies, theories, and values of the profession.*

Assessment 2: Students participate in evaluation of the program, courses, and curriculum.

E. Augmentation of Formal Educational Experience. The program shall provide opportunities for students to participate in co-curricular activities, internships, off-campus studies, research assistantships, or practicum experiences.

Assessment 1: The program provides opportunities for students to augment the formal educational experience and documents students' use of these opportunities.

Assessment 2: The program identifies the objectives of co-curricular activities and evaluates the effectiveness of these opportunities.

Assessment 3: Student participants are given the opportunity to report on their cocurricular experiences to their fellow students.

F. Coursework (Bachelor's Level). In addition to the professional curriculum, students shall also pursue coursework in other disciplines in accordance with institutional and program requirements.

Assessment: Students take courses in the humanities, arts, technologies, mathematics, natural sciences, social sciences, and/or other disciplines.

G. Areas of Interest (Bachelor's Level). The program shall provide opportunities for students to pursue special interests.

Assessment 1: The program provides opportunities for students to pursue independent projects, focused electives, optional studios, certificates, minors, and the like.

Assessment 2: Student work incorporates academic experiences reflecting a variety of pursuits beyond the basic curriculum.

H. Research/Scholarly Methods (Master's Level). The program shall provide an introduction to research and scholarly methods.

Assessment 1: The curriculum provides instruction in research and scholarly methods and their relation to the profession of landscape architecture.

Assessment 2: The program requires that theses or terminal projects exhibit creative and independent thinking and contain a significant research/scholarly component.

Standard 4: Student and Program Outcomes

The program shall prepare students to pursue careers in landscape architecture.

INTENT: Each landscape architecture program shall prepare students—through educational programs, advising, and other academic and professional opportunities—to pursue careers in landscape architecture upon graduation. The program shall foster knowledge and skills in creative problem solving, critical thinking, communications, design, and organization.

A. Student Learning Outcomes. The program shall qualify students to pursue careers in landscape architecture.

Assessment 1: Student work demonstrates the competencies required for entry-level positions in the profession of landscape architecture.

Assessment 2: Students demonstrate their achievement of the program's learning objectives, including critical and creative thinking, and their ability to understand, apply, and communicate the subject matter of the professional curriculum as evidenced through project definition, problem identification, information collection, analysis, synthesis, conceptualization, and implementation.

B. Student Advising. The program shall provide students with effective advising and mentoring throughout their educational careers.

Assessment 1: Students receive effective advising regarding academic development.

Assessment 2: Students receive effective advising regarding career development.

Assessment 3: Students are made aware of professional opportunities, advanced educational opportunities, licensure requirements, and continuing education requirements associated with professional practice.

Assessment 4: Students are satisfied with academic experiences and their preparation for the landscape architecture profession.

C. Participation in Extracurricular Activities. The program shall encourage students to participate in professional activities and institutional and community service.

Assessment 1: Students participate in institutional/college organizations, community initiatives, or other activities.

Assessment 2: Students participate in events such as LABash, ASLA Annual Meeting, local ASLA chapter events, and the activities of other professional societies or special-interest groups.

Standard 5: Faculty

The program shall advance its academic mission and objectives by means of promoting the qualifications, academic position, professional activities, and individual professional development of its faculty and instructional personnel.

INTENT: Each landscape architecture program shall have qualified, experienced faculty and other instructional personnel to instill the knowledge and skills that students will need to pursue a career in landscape architecture. Equitable faculty workloads and compensation, and overall support for career development contribute to the success of the program.

A. Credentials. The qualifications of the faculty, instructional personnel, and teaching assistants shall be appropriate to their roles.

Assessment 1: The faculty has a balance of professional practice and academic experience appropriate to the program mission.

Assessment 2: Faculty assignments are appropriate to the course content and program mission.

Assessment 3: Adjunct and/or part-time faculty (if present) are integrated into the program's administration and curriculum evaluation/development in a coordinated and organized manner.

Assessment 4: Faculty qualifications are appropriate to responsibilities of the program as defined by the institution.

B. Faculty Development. The faculty members shall be continuously engaged in activities leading to their professional growth and advancement, the advancement of the profession, and the effectiveness of the program.

Assessment 1: Faculty activities such as scholarly inquiry, research, professional practice, and service to the profession, university, and community are documented, peer-reviewed, and disseminated through appropriate media such as journals, professional magazines, community, and university publications.

Assessment 2: Teaching and administrative assignments allow sufficient opportunity for faculty to pursue advancement and professional development. Expectations for faculty workload and distribution of responsibilities (of teaching, research, service, and professional engagement) are similar to expectations in related academic units.

Assessment 3: The development and teaching effectiveness of faculty and instructional personnel are systematically evaluated, and the results are used for individual and program improvement.

Assessment 4: Faculty seek and make effective use of available funding for conference attendance, equipment, technical support, and other professional needs.

Assessment 5: The activities of faculty are reviewed and recognized by faculty peers.

Assessment 6: Faculty participate in university and professional service, student advising, and other activities that enhance the effectiveness of the program.

C. Faculty Retention. The faculty shall hold academic status, have workloads, and receive compensation, mentoring, and support that promote productivity and retention.

Assessment 1: Faculty salaries and support are evaluated and are appropriate to promote faculty retention and productivity.

Assessment 2: The rate of faculty turnover does not undermine the mission and goals of the program.

Standard 6: Outreach to the Institution, Communities, Alumni, and Practitioners

The program shall have a plan for and a record of interaction with its alumni, the larger institution, the professional community, the local community, and the public at large.

INTENT: Each landscape architecture program shall establish an effective relationship with the larger institution, its alumni, practitioners, the local community, and the public at large in order to provide a source of service learning opportunities for students, scholarly development for faculty, and professional guidance and financial support. Documentation and dissemination of successful outreach efforts shall enhance the image of the program and educate its constituencies regarding the program and the profession of landscape architecture.

A. Interaction with the Profession, Institution, and Public. The program shall represent and advocate for the profession by interacting with the larger institution, the local community, practitioners, and the public at large.

Assessment 1: Service-learning activities are incorporated into the curriculum.

Assessment 2: Service activities are documented on a regular basis.

Assessment 3: The program community interacts with the institution, practitioners, the local community, and the public at large.

B. Alumni and Practitioners. The program shall recognize alumni and practitioners as a resource.

Assessment 1: The program maintains or has access to a current registry of alumni that includes information pertaining to current employment, professional activity, post graduate study, and significant professional accomplishments.

Assessment 2: The program engages its alumni and other practitioners in activities such as service on a formal advisory board, student career advising, potential employment, curriculum review and development, fundraising, and continuing education.

Assessment 3: The program acknowledges and celebrates the significant professional accomplishments of its alumni and benefactors.

Standard 7: Facilities, Equipment, and Technology

The program shall provide faculty, students, and staff access to facilities, equipment, libraries, and other resources necessary for achieving the program's mission and objectives.

INTENT: Each landscape architecture program shall occupy space in designated, code-compliant facilities that support the achievement of the program's mission and objectives. Students, faculty, and staff shall have the required tools and facilities to enable achievement of the program's mission and objectives.

A. Facilities. The program shall provide designated, code-compliant, adequately maintained spaces to serve the professional requirements of the faculty, students, and staff.

Assessment 1: Faculty, staff, and administration are provided with appropriate office space.

Assessment 2: Students are assigned permanent studio workstations adequate to meet the program's needs.

Assessment 3: Facilities are adequately maintained and in compliance with the Americans with Disabilities Act (ADA), the Life Safety Code, and applicable building codes. (Acceptable documentation includes reasonable-accommodation reports from the university ADA-compliance office and/or facilities or risk-management office.)

B. Information Systems and Technical Equipment. The program shall provide information systems and technical equipment needed to achieve its mission and objectives to students, faculty, and other instructional and administrative personnel.

Assessment 1: The program's participants have sufficient access to computer equipment and software.

Assessment 2: The frequency of hardware and software maintenance, updating, and replacement is sufficient.

Assessment 3: The hours of use of information systems and equipment are sufficient to serve faculty and students.

C. Library Resources. The program shall provide library collections and other resources sufficient to support its mission and educational objectives.

Assessment 1: Collections are adequate to support the program.

Assessment 2: Courses integrate library and other resources.

Assessment 3: Library hours of operation are convenient and adequate to serve the needs of faculty and students.



Governor
Edmund G. Brown Jr.

October 23, 2018

Kristopher Pritchard, Accreditation and Education Programs Manager
Landscape Architectural Accreditation Board
The American Society of Landscape Architects
636 Eye Street NW
Washington, D.C. 20001

RE: Extension Certificate Program Accreditation

Dear Mr. Pritchard:

The California Landscape Architects Technical Committee (LATC) requests the Landscape Architectural Accreditation Board's (LAAB) consideration of extending its accreditation to include university extension certificate programs.

The LATC recognizes university extension certificate programs in landscape architecture as licensure-qualifying educational programs, per California Code of Regulations (CCR) section 2620. Presently, there are two landscape architecture extension certificate programs in California – provided by the University of California, Berkley and the University of California, Los Angeles.

Under the California Architect Board's (Board) purview, the LATC reviews extension certificate programs for approval pursuant to criteria denoted in CCR section 2620.5. However, the LATC believes that LAAB accreditation of alternative landscape architectural education programs, inclusive of extension certificate programs, would provide constancy in standards within landscape architecture academia.

While the LATC understands from prior discussions that the LAAB's accreditation scope is limited (under the Council for Higher Education Accreditation) to, "professional programs at the bachelor's or master's level," we are resubmitting our request in order to determine whether LAAB's scope has changed to permit accreditation of certificate programs. These programs are beneficial for California's students of landscape architecture as they offer students a means to achieve their educational goals while balancing personal needs (i.e., lower cost education, class schedules that facilitate students' ability to work, etc.). Extending the LAAB's scope of accreditation to these programs will better ensure that California students are receiving consistent education of quality standard to prepare them as proficient practitioners in the field of landscape architecture.

We appreciate your consideration and look forward to your response to this request.

Sincerely,

Patricia Trauth, Chair
Landscape Architects Technical Committee

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Review/Approval Procedures

Landscape Architects Technical Committee

**2420 Del Paso Road, Suite 105
Sacramento, CA 95834
(916) 575-7230**

May 22, 2013

Purpose

Mission

The mission of the Landscape Architects Technical Committee (LATC) is to regulate the practice of landscape architecture in a manner which protects the public health, safety, and welfare and safeguards the environment by:

- Protecting consumers and users of landscape architectural services
- Empowering consumers by providing information and educational materials to help them make informed decisions
- Informing the public and other entities about the profession and standards of practice
- Ensuring that those entering the practice meet standards of competency by way of education, experience, and examination
- Establishing and enforcing the laws, regulations, codes, and standards governing the practice of landscape architecture
- Requiring that any person practicing or offering landscape architectural services be licensed

Overview and Educational Preparation for Licensure

In implementing its mission, LATC has established regulations identifying the education and training requirements necessary for a candidate to apply for the licensure examination. In order to identify the appropriate combination of requirements, LATC has convened an Education Subcommittee on several occasions since its inception. Each time, the subcommittee has recognized and upheld the value of education, experience, and examination in the training of a candidate for licensure. At the same time, LATC has also recognized the need to define multiple options for meeting the education and training requirements. The majority of the options for addressing the education requirement are based on the use of a traditional college or university degree programs that are accredited by the national Landscape Architectural Accrediting Board (LAAB). However, LATC recognized the need to address both the inability of standard accredited degree programs to expand capacity for additional graduates and the growing need of students in California to obtain their education through night school programs. The need for this non-traditional approach to obtain education might be due to any number of circumstances: finding a second career in landscape architecture, military veterans returning from serving their country, mothers and fathers returning to the work force after raising a family, or the inability to find the economic means to attend a full degree program. The post-degree professional landscape architecture education, offered by the University of California (UC) extension programs strives to address this nontraditional route. Acknowledging these facts, the Education Subcommittee, in 2006, recommended that extension graduates in landscape architecture be allowed some education credit toward taking the Landscape Architect Registration Examination (LARE). *The extension programs are not reviewed by LAAB. Thus, in allowing education credit for extension program graduates, LATC assumes the responsibility for ongoing verification that*

the extension programs provide the education in landscape architecture necessary for a graduate to qualify to take the LARE. To facilitate this evaluation, the LATC has interpreted standards established by LAAB to objectively evaluate landscape architectural certificate programs and judge whether a landscape architectural program is in compliance. The intent of the LATC is not to supersede LAAB's role in accreditation, but to allow additional access to licensure for candidates within the State of California who might not find it feasible to pursue a regular degree-level program.

Academic Quality

LATC approved programs must maintain and monitor – and strive to advance – academic quality within their program and their institution. “Academic quality” at its most basic definition is that the program satisfies (meets or exceeds) student and professional expectations. However, the program reflects the institutional mission, thus providing diversity amongst programs and fostering innovation in practice and serves the community. The program must have specific processes to determine if its quality standards are being met; this evaluation must be on-going and forward-thinking. In addition to student achievements, academic quality is also indicated by high standards of teaching and service. The goals and results of these activities should reflect both the institutional mission and the profession of landscape architecture.

Definitions, Interpretation and Application

Approved(al) – an acceptance by LATC for graduates to meet the education credit for licensure examination.

Approval Period – The period of time between review cycles.

Assessment - Each criterion has one or more questions that seek qualitative and quantitative evidence used to assess the level of compliance with or achievement of the related criteria.

Compliance - Achieved when LATC concludes, after review of relevant indicators or other evidence, that a standard is met or met with recommendation as defined below. To achieve approval a program must demonstrate to LATC, through the Self-Evaluation Report (SER), site visit, and technical accuracy review of the Visiting Team Report, that it complies with all standards.

Criteria - Each standard has one or more criteria statements that define the components needed to satisfy the related standard. Not satisfying a criterion does not automatically lead to an assessment of a standard as ‘not met’. To be approved, a program demonstrates progress towards meeting the criteria.

Discrete Program – A program that is not a hybrid with another.

Initial Application – An application for review by a program that has not been reviewed before.

Intent - Explains the purpose of the standard.

Landscape Architectural Accreditation Board (LAAB) – Organization charged with accrediting landscape architectural degree-granting programs as overseen by the American Society of Landscape Architects (ASLA).

LATC Certificate Program Approval - A voluntary process of peer review designed to evaluate programs based on their own stated objectives and the review standards.

Program - An inclusive term for the coursework and other learning experiences leading to a landscape architectural curriculum and the supporting administration, faculty, facilities and services which sponsor and provide those experiences.

Recommendation Affecting LATC Approval - Are issues of serious concern, directly affecting the quality of the program. Recommendations affecting approval are only made when the visiting team assesses a standard as met with recommendation or not met. Recommendations are derived from the identified areas of weakness in meeting a standard that are described in the rationale sections of the Visiting Team Report. The program is required to report progress regularly on these issues. Recommendations Affecting Approval identify issues, and do not prescribe solutions.

Renewal – An application for review by a program that has been reviewed and approved before.

Shall...is defined as mandatory.

Should...is defined as prescriptive.

Standards - Qualitative statements of the essential conditions an approved program must meet. A program must demonstrate adequate evidence of compliance with all standards to achieve LATC approval.

Standard Met - Evidence shows that overall program performance in this area meets LATC minimum standards. A standard may be judged as met even though one or more indicators are not minimally met.

Standard Met With Recommendation - Deficiencies exist in an area directly bearing on approval. The problem or problems have observable effects on the overall quality of the program.

Standard Not Met - Cited deficiency is so severe that the overall quality of the program is compromised and the program's ability to deliver adequate landscape architecture education is impaired.

Suggestions for Improvement - Areas where the program can build on strength or address an area of concern that does not directly affect approval at the time of LATC review.

Minimum Requirements for Achieving and Maintaining LATC Approved Status

The Landscape Architects Practice Act contains the following language which addresses the minimum requirements for achieving and maintaining Approval Status:

A regulatory proposal to amend California Code of Regulations (CCR) Section 2620.5, Requirements for an Approved Extension Certificate Program, is currently pending approval. The proposed regulatory language states the following:

“An extension certificate program shall meet the following requirements:

- (a) The educational program shall be established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and Colleges or is an institution of public higher education as defined by Section 66010 of the Education Code.
- (b) There shall be a written statement of the program's philosophy and objectives which serves as a basis for curriculum structure. Such statement shall take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture. The program objectives shall provide for relationships and linkages with other disciplines and public and private landscape architectural practices. The program objectives shall be reinforced by course inclusion, emphasis and sequence in a manner which promotes achievement of program objectives. The program's literature shall fully and accurately describe the program's philosophy and objectives.
- (c) The program shall have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs.
- (d) The program shall be administered as a discrete program in landscape architecture within the institution with which it is affiliated.
- (e) There shall be an organizational chart which identifies the relationships, lines of authority and channels of communication within the program and between the program and other administrative segments of the institution with which it is affiliated.
- (f) The program shall have sufficient authority and resources to achieve its educational objectives.
- (g) The program administrator shall be a California licensed landscape architect.

- (h) The program administrator shall have the primary responsibility for developing policies and procedures, planning, organizing, implementing and evaluating all aspects of the program. The faculty shall be adequate in type and number to develop and implement the program approved by the Board.
- (i) The program curriculum shall provide instruction in the following areas related to landscape architecture including public health, safety, and welfare:
 - (1) History, theory and criticism
 - (2) Natural and cultural systems including principles of sustainability
 - (3) Public Policy and regulation
 - (4) Design, planning and management at various scales and applications including but not limited to pedestrian and vehicular circulation, grading drainage and storm water management
 - (5) Site design and Implementation: materials, methods, technologies, application
 - (6) Construction documentation and administration
 - (7) Written, verbal and visual communication
 - (8) Professional practice
 - (9) Professional values and ethics
 - (10) Plants and ecosystems
 - (11) Computer applications and other advanced technology
- (j) The program shall consist of at least 90 quarter units or 60 semester units.
- (k) The program shall maintain a current syllabus for each required course which includes the course objectives, learning outcomes, content, and the methods of evaluating student performance.
- (l) The program clearly identifies where the public health, safety, and welfare issues are addressed.
- (m) The curriculum shall be offered in a timeframe which reflects the proper course sequence. Students shall be required to adhere to that sequence, and courses shall be offered in a consistent and timely manner in order that students can observe those requirements.
- (n) A program shall meet the following requirements for its instructional personnel:
 - (1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.
 - (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.
 - (3) The program administrator shall be at least .5 time-base.
 - (4) The program administrative support shall be 1.0 full-time equivalence.

- (o) The program shall submit an annual report in writing based on the date of the most recent Board approval. The report shall include:
 - (1) Verification of continued compliance with minimum requirements;
 - (2) Any significant changes such as curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report;
 - (3) Current enrollment and demographics; and
 - (4) Progress toward complying with the recommendations, if any, from the last approval.
- (p) The program title and degree description shall incorporate the term “Landscape Architecture.”

The Board may choose to further evaluate changes to any of the reported items or to a program.

The Board will either grant or deny an application. When specific minor deficiencies are identified during evaluation of an application, but the institution is substantially in compliance with the requirements of the Code and this Division, a provisional approval to operate may be granted for a period not to exceed 24 months, to permit the institution time to correct those deficiencies identified. A provisional approval to operate shall expire at the end of its stated period and the application shall be deemed denied, unless the deficiencies are corrected prior to its expiration and an approval to operate has been granted before that date or the provisional approval to operate has been extended for a period not to exceed 24 months if the Board is satisfied that the program has made a good faith effort and has the ability to correct the deficiencies.

The Board shall review the program at least every six years for approval.

The Board may rescind an approval during the six-year approval period based on the information received in the program’s annual report after providing the school with a written statement of the deficiencies and providing the school with an opportunity to respond to the charges. If an approval is rescinded, the Board may subsequently grant provisional approval in accordance with the guidelines of this section to allow the program to correct deficiencies.”

A program approved by LATC shall:

- a. Continuously comply with LATC approval standards;
- b. Pay the biennial sustaining and other fees as required; and
- c. File complete annual reports.

The program administrator shall inform LATC if any of these factors fails to apply during an approval period. The program administrator is responsible for reporting any substantive changes to the program when they occur. Substantive changes would be those that may affect the approval status of the program.

STANDARDS

Standard 1: Program Mission and Objectives

The program shall have a clearly defined mission supported by goals and objectives appropriate to the profession of landscape architecture and shall demonstrate progress towards their attainment.

INTENT: Using a clear concise mission statement, each landscape architecture certificate program should define its core values and fundamental purpose for faculty, students, prospective students, and the institution. The mission statement summarizes why the program exists and the needs that it seeks to fulfill. It also provides a benchmark for assessing how well the program is meeting the stated objectives.

A. Program Mission. The mission statement expresses the underlying purposes and values of the program.

Assessment 1: Does the program have a clearly stated mission reflecting the purpose and values of the program and does it relates to the institution's mission statement?

Assessment 2: Does the mission statement take into consideration the broad perspective of values, missions and goals of the profession of landscape architecture?

Assessment 3: Does the program's literature fully and accurately describe the program's philosophy and objectives?

Assessment 4: Does the program title and degree description incorporate the term "Landscape Architecture?"

B. Educational Goals. Clearly defined and formally stated academic goals reflect the mission and demonstrate that attainment of the goals will fulfill the program mission.

Assessment 1: Does the program have an effective procedure to determine progress in meeting its goals and is it used regularly?

Assessment 2: Does the program have a written plan for evaluation of the total program, including admission and selection procedures, attrition and retention of students, and performance of graduates in meeting community needs?

C. Educational Objectives. The educational objectives specifically describe how each of the academic goals will be achieved.

Assessment: Does the program have clearly defined and achievable educational objectives that describe how the goals will be met?

D. Long-Range Planning Process. The program is engaged in a long-range planning process.

Assessment 1: Does the long-range plan describe how the program mission and objectives will be met and document the review and evaluation process?

Assessment 2: Is the long-range plan reviewed and revised periodically and does it present realistic and attainable methods for advancing the academic mission?

Assessment 3: Does the SER respond to recommendations and suggestions from the previous accreditation review and does it report on efforts to rectify identified weaknesses?

E. Program Disclosure. Program literature and promotional media accurately describe the program's mission, objectives, educational experiences and LATC approval status.

Assessment: Is the program information accurate?

Standard 2: Program Autonomy, Governance & Administration

The program shall have the authority and resources to achieve its mission, goals and objectives.

INTENT: Landscape architecture should be recognized as a discrete professional program with sufficient financial and institutional support and authority to enable achievement of the stated program mission, goals and objectives.

A. Program Administration. Landscape architecture is administered as an identifiable/discrete program.

Assessment 1: Is the program seen as a discrete and identifiable program within the institution?

Assessment 2: Does the program administrator hold a faculty appointment in landscape architecture?

Assessment 3: Does the program administrator exercise the leadership and management functions of the program? Does he/she have the primary responsibilities for developing policies and procedures, planning, organizing, implementing, and evaluating all aspects of the program?

Assessment 4: Is the educational program established in an educational institution which has a four-year educational curriculum and either is approved by the Western Association of Schools and College or is an institution of public higher education as defined by Section 66010 of the Education Code?

Assessment 5: Does the program meet the following requirements for its instructional personnel:

- (1) At least one half of the program's instructional personnel shall hold a professional degree or certificate from an approved extension certificate program in landscape architecture.*
- (2) At least one half of the program's instructional personnel shall be licensed by the Board as landscape architects.*
- (3) The program administrator shall be at least .5 time-base.*
- (4) The program administrative support shall be 1.0 full-time equivalence.*

Assessment 6: Is the program administrator a California licensed landscape architect?

Assessment 7: Has an organizational chart been provided that clearly identifies the relationships, lines of authority and channels of communication within the program and with the institution that supports it?

B. Institutional Support. The institution provides sufficient resources to enable the program to achieve its mission and goals and support individual faculty development and advancement.

Assessment 1: Are student/faculty ratios in studios typically not greater than 15-18:1?

Assessment 2: Is funding available to assist faculty and other instructional personnel with continued professional development including attendance at conferences, computers and appropriate software, other types of equipment, and technical support?

Assessment 3: Does the institution provide student support, i.e., scholarships, work-study, internships, etc?

Assessment 4: Are adequate support personnel available to accomplish program mission and goals?

C. Commitment to Diversity. The program demonstrates commitment to diversity through its recruitment and retention of faculty, staff, and students.

Assessment: How does the program demonstrate its commitment to diversity in the recruitment and retention of students, faculty and staff?

D. Faculty Participation. The faculty participates in program governance and administration.

Assessment 1: Does the faculty make recommendations on the allocation of resources and do they have the responsibility to develop, implement, evaluate, and modify the program's curriculum and operating practices?

Assessment 2: Does the faculty participate, in accordance with institutional guidelines, in developing criteria and procedures for annual evaluation of faculty?

Assessment 3: Does the program or institution adequately communicate and mentor faculty regarding policies, expectations and procedures for annual evaluations?

E. Faculty Number. The faculty shall be of a sufficient size to accomplish the program's goals and objectives, to teach the curriculum, to support students through advising and other functions, to engage in creative activity and scholarship and to be actively involved in professional endeavors such as presenting at conferences.

Assessment 1: Are the number of faculty adequate to achieve the program's mission and goals and individual faculty development?

Assessment 2: Is at least 50% of the academic faculty licensed as a landscape architect?

Assessment 3: Does the strategic plan or long-range plan include action item(s) for addressing the adequacy of the number of faculty?

Standard 3: Professional Curriculum

The certificate curriculum shall include the core knowledge skills and applications of landscape architecture.

INTENT: The purpose of the curriculum is to achieve the learning goals stated in the mission and objectives. Curriculum objectives should relate to the program's mission and specific learning objectives. The program's curriculum should encompass coursework and other opportunities intended to develop students' knowledge, skills, and abilities in landscape architecture.

A. Mission and Objectives. The program's curriculum addresses its mission, goals, and objectives.

Assessment: Does the program identify the knowledge, skills, abilities and values it expects students to possess at graduation?

B. Professional Curriculum. The program curriculum includes coverage of:

- History, theory and criticism
- Natural and cultural systems including principles of sustainability
- Public Policy and regulation
- Design, planning and management at various scales and applications including but not limited to pedestrian and vehicular circulation, grading drainage and storm water management
- Site design and Implementation: materials, methods, technologies, application
- Construction documentation and administration
- Written, verbal and visual communication
- Professional practice
- Professional values and ethics
- Plants and ecosystems
- Computer applications and other advanced technology

Assessment 1: Does the curriculum address the designated subject matter in a sequence that supports its goals and objectives?

Assessment 2: Does student work and other accomplishments demonstrate that the curriculum is providing students with the appropriate content to enter the profession?

Assessment 3: Do curriculum and program opportunities enable students to pursue academic interests consistent with institutional requirements and entry into the profession?

Assessment 4: Does the curriculum provide opportunities for student engagement in interdisciplinary professions?

Assessment 5: Does the curriculum include a “capstone” or terminal project?

Assessment 6: Does the program consist of at least 90 quarter units or 60 semester units?

C. Syllabi. Syllabi are maintained for all required courses.

Assessment 1: Do syllabi include educational objectives, learning outcomes, course content, and the criteria and methods that will be used to evaluate student performance?

Assessment 2: Do syllabi identify the various levels of accomplishment students shall achieve to successfully complete the course and advance in the curriculum?

D. Curriculum Evaluation. At the course and curriculum levels, the program evaluates how effectively the curriculum is helping students achieve the program’s learning objectives in a timely way.

Assessment 1: Does the program demonstrate and document ways of:

- a. Assessing students’ achievement of course and program objectives in the length of time to graduation stated by the program?
- b. Reviewing and improving the effectiveness of instructional methods in curriculum delivery?
- c. Maintaining currency with evolving technologies, methodologies, theories and values of the profession?

Assessment 2: Do students participate in evaluation of the program, courses and curriculum?

E. Augmentation of Formal Educational Experience. The program provides opportunities for students to participate in internships, off campus studies, research assistantships, or practicum experiences.

Assessment 1: Does the program provide any of these opportunities?

Assessment 2: How does the program identify the objectives and evaluate the effectiveness of these opportunities?

Assessment 3: Do students report on these experiences to their peers? If so, how?

F. Coursework and Areas of Interest:

Assessment 1: *What percentage of current students are currently enrolled in the program with a bachelor's degree or higher? Please provide a breakdown of degree levels admitted.*

Assessment 2: *How does the program provide opportunities for students to pursue independent projects, focused electives, optional studios, coursework outside landscape architecture, collaboration with related professions, etc.?*

Assessment 3: *How does student work incorporate academic experiences reflecting a variety of pursuits beyond the basic curriculum?*

Standard 4: Student and Program Outcomes.

The program shall prepare students to pursue careers in landscape architecture.

INTENT: Students should be prepared – through educational programs, advising, and other academic and professional opportunities – to pursue a career in landscape architecture upon graduation. Students should have demonstrated knowledge and skills in creative problem solving, critical thinking, communications, design, and organization to allow them to enter the profession of landscape architecture.

A. Student Learning Outcomes. Upon completion of the program, students are qualified to pursue a career in landscape architecture.

Assessment 1: Does student work demonstrate the competency required for entry-level positions in the profession of landscape architecture?

Assessment 2: Do students demonstrate their achievement of the program's learning objectives, including critical and creative thinking and their ability to understand, apply and communicate the subject matter of the professional curriculum as evidenced through project definition, problem identification, information collection, analysis, synthesis, conceptualization and implementation?

Assessment 3: Can the students demonstrate and understanding of the health, safety and welfare issues affecting the coursework studied? Can these issues be applied to the real world?

B. Student Advising. The program provides students with effective advising and mentoring throughout their educational careers.

Assessment 1: Are students effectively advised and mentored regarding academic development?

Assessment 2: Are students effectively advised and mentored regarding career development?

Assessment 3: Are students aware of professional opportunities, licensure, professional development, advanced educational opportunities and continuing education requirements associated with professional practice?

Assessment 4: How satisfied are students with academic experiences and their preparation for the landscape architecture profession?

C. Participation in Extra Curricular Activities. Students are encouraged and have the opportunity to participate in professional activities and institutional and community service.

Assessment 1: Do students participate in institutional/college organizations, community initiatives, or other activities?

Assessment 2: Do students participate in events such as LaBash, ASLA Annual Meetings, local ASLA chapter events and the activities of other professional societies or special interest groups?

Standard 5: Faculty

The qualifications, academic position, and professional activities of faculty and instructional personnel shall promote and enhance the academic mission and objectives of the program.

INTENT: The program should have qualified experienced faculty and other instructional personnel to instill the knowledge, skills, and abilities that students will need to pursue a career in landscape architecture. Faculty workloads, compensation, and overall support received for career development contribute to the success of the program.

A. Credentials. The qualifications of the faculty, instructional personnel, and teaching assistants are appropriate to their roles.

Assessment 1: Does the faculty have a balance of professional practice and academic experience appropriate to the program mission?

Assessment 2: Are faculty assignments appropriate to the course content and program mission?

Assessment 3: Are adjunct and/or part-time faculty integrated into the program's administration and curriculum evaluation/development in a coordinated and organized manner?

Assessment 4: Are qualifications appropriate to responsibilities of the program as defined by the institution?

B. Faculty Development. The faculty is continuously engaged in activities leading to their professional growth and advancement, the advancement of the profession, and the effectiveness of the program.

Assessment 1: Are faculty activities such as scholarly inquiry, professional practice and service to the profession, university and community documented and disseminated through appropriate media such as journals, professional magazines, community, college and university media?

Assessment 2: Are the development and teaching effectiveness of faculty and instructional personnel systematically evaluated, and are the results used for individual and program improvement?

Assessment 3: Do faculty seek and make effective use of available funding for conference attendance, equipment and technical support, etc?

Assessment 4: Are the activities of faculty reviewed and recognized by faculty peers?

Assessment 5: Do faculty participate in university and professional service, student advising and other activities that enhance the effectiveness of the program?

C. Faculty Retention. Faculty hold academic status, have workloads, receive salaries, mentoring and support that promote productivity and retention.

Assessment 1: Are faculty salaries, academic and professional recognition evaluated to promote faculty retention and productivity?

Assessment 2: What is the rate of faculty turnover?

Standard 6: Outreach to the Institution, Communities, Alumni, and Practitioners

The program shall have a record or plan of achievement for interacting with the professional community, its alumni, the institution, community, and the public at large.

INTENT: The program should establish an effective relationship with the institution, communities, alumni, practitioners and the public at large in order to provide a source of service learning opportunities for students, scholarly development for faculty, and professional guidance and financial support. Documentation and dissemination of successful outreach efforts should enhance the image of the program and educate its constituencies regarding the program and the profession of landscape architecture.

A. Interaction with the Profession, Institution, and Public. The program represents and advocates for the profession by interacting with the professional community, the institution, community and the public at large.

Assessment 1: Are service-learning activities incorporated into the curriculum?

Assessment 2: Are service activities documented on a regular basis?

B. Alumni and Practitioners. The program recognizes alumni and practitioners as a resource.

Assessment 1: Does the program maintain a current registry of alumni that includes information pertaining to current employment, professional activity, licensure, and significant professional accomplishments?

Assessment 2: Does the program engage the alumni and practitioners in activities such as a formal advisory board, student career advising, potential employment, curriculum review and development, fund raising, continuing education etc.?

Standard 7: Facilities, Equipment, and Technology

Faculty, students and staff shall have access to facilities, equipment, library and other technologies necessary for achieving the program's mission and objectives.

INTENT: The program should occupy space in designated, code-compliant facilities that support the achievement of program mission and objectives. Students, faculty, and staff should have the required tools and facilities to enable achievement of the program mission and objectives.

A. Facilities. There are designated, code-compliant, adequately maintained spaces that serve the professional requirements of the faculty, students and staff.

Assessment 1: Are faculty, staff and administration provided with appropriate office space?

Assessment 2: Are students assigned permanent studio workstations adequate to meet the program needs?

Assessment 3: Are facilities adequately maintained and are they in compliance with ADA, life-safety and applicable building codes? (Acceptable documentation includes reasonable accommodation reports from the university ADA compliance office and/or facilities or risk management office.)

B. Information Systems and Technical Equipment. Information systems and technical equipment needed to achieve the program's mission and objectives are available to students, faculty and other instructional and administrative personnel.

Assessment 1: Does the program have sufficient access to computer equipment and software?

Assessment 2: Is the frequency of hardware and software maintenance, updating and replacement sufficient?

Assessment 3: Are the hours of use sufficient to serve faculty and students?

C. Library Resources. Library collections and other resources are sufficient to support the program's mission and educational objectives.

Assessment 1: Are collections adequate to support the program?

Assessment 2: Do courses integrate library and other resources?

Assessment 3: Are the library hours of operation convenient and adequate to serve the needs of faculty and students?

REVIEW AND APPROVAL PROCEDURES

Initiating Review and Approval

A program can apply to the LATC for approval whenever it meets the Minimum Requirements for Achieving and Maintaining Approval Status

A program should notify LATC of its intention to apply for initial approval at least four months before the anticipated visit. A program must have had one graduating class, and meet the approval requirements (see Minimum Requirements for Achieving and Maintaining LATC Approved Status) before a visit can be scheduled. The approval process is the same whether a program is applying for renewal of accreditation or initial accreditation.

Candidacy Status

To assist non-approved programs, the LATC has developed a Candidacy Status to help programs prepare for the accreditation process. The purpose of candidacy is to establish stable, constructive, ongoing, and helpful partnerships between LATC and institutions working toward becoming approved by LATC. Programs designated as “candidates” have voluntarily committed to work toward LATC approval. Candidacy status signifies that the program is demonstrating reasonable progress toward the attainment of accreditation. However, candidacy status does not indicate approval status or guarantee eventual approval.

To achieve candidacy status a program must meet the minimum requirements for achieving and maintaining approved status.

After achieving candidacy status, a program must apply for initial approval once it has had at least 20 graduates. If initial approval is not granted, the program can retain its candidacy status for one additional year.

To achieve candidacy status, a program may submit a SER and undergo a program review. A program review is an initial assessment where the LATC will review the program’s SER and determine whether the program should be granted candidacy status or not. In addition, LATC will make recommendations and suggestions on how the program can continue to advance towards meeting the approval standards.

LATC will vote on whether to grant a program candidacy status at its next regularly scheduled meeting by reviewing the program’s Visiting Team Report, Advisory Recommendation to the LATC, and institutional response. If LATC decides not to grant candidacy status this decision is not subject to appeal. The program will be informed in writing of LATC’s decision.

After achieving candidacy status, programs are required to submit annual reports to LATC.

Programs that have achieved candidacy status must pay a biennial application renewal fee (a fee schedule can be obtained from the LATC).

Self-Evaluation Report

All programs applying for accreditation prepare a SER following the required LATC format. The SER describes the program's mission and objectives, its self-assessment, and future plans; provides a detailed response to the recommendations of the previous visiting team; and details the program's compliance with each approval standard. It is important that faculty, administrators, and students participate in preparing the SER. The SER must include a statement explaining the participation of each group. The LATC notifies each program of the approval schedule and LATC deadlines.

Since LATC approval is a voluntary process, the LATC cannot conduct a review without an invitation or written notice of consent from the chief executive officer of the institution. This invitation and notice of preferred visit dates must be submitted at least four months prior to the review.

At least 45 days before the visit, the program submits two copies of the SER and proposed visit schedule to the LATC Program Manager.

If the documents are not submitted by this deadline, the program may be notified that the visit has been postponed. In the case of a currently LATC approved program, this may result in the suspension of approval and/or the term of approval expiring.

The program is responsible for all costs incurred plus an administrative fee (a fee schedule can be obtained from the LATC).

LATC Certificate Program Review Committee/Visiting Team

Visiting team members are selected by the LATC. There are three categories of evaluators:

Landscape architecture educators or administrators who hold a first-professional degree in landscape architecture, teach or have taught in an accredited program, and hold the minimum academic rank of tenured associate professor.

LATC Member (current or former)

Landscape architecture practitioners who are licensed landscape architects and have at least five full years of practice experience.

Where special conditions warrant, such as providing team member training or assisting with site-evaluation procedures and matters of due process, a four-person team may be assembled.

Exceptions to these criteria must be approved by the LATC.

Visiting Team Selection

The visiting team consists of one landscape architecture educator, one practitioner, and one LATC member.

Teams are selected to avoid potential conflicts of interest. For example, a previous affiliation with the program under review, or an affiliation with a program in the same geographic location with competing enrollments, monies, etc., renders an evaluator ineligible.

The program is advised of the proposed team, including each proposed team member's present position, experience, and areas of expertise. The program has the right to challenge one team member, with cause. For the purpose of challenge, conflict of interest can be cited if the nominee comes from the same geographic location and is affiliated with a competitive institution; if the nominee had a previous affiliation with the institution; or if the institution can demonstrate that the nominee is not competent to evaluate the program. However, the final decision on team assignments rests with the LATC chair.

Following the program's review of potential team members, the team members are invited to serve. When the visiting team composition and date of the review are finalized, the team and the program are formally notified. Any subsequent changes in team makeup because of scheduling conflicts or emergencies are made in consultation with the program.

At the discretion of the LATC chair, one of the following may accompany the visiting team: an additional LATC member, a landscape architecture educator who has a specialist background relevant to the program under review, or another LATC evaluator for training purposes.

Pre-Visit Responsibilities: Visiting Team

The team chair is responsible for making assignments and assembling the Visiting Team Report. Team members receive the LATC Approval Standards and Procedures and the LATC Visiting Team Guidelines and are expected to be thoroughly familiar with these documents before the accreditation visit. Each visiting team member must carefully review the SER and carry out assignments as the team chair directs.

Pre-Visit Responsibilities: Program

The LATC Program Manager, after conferring with the team and the institution, schedules the dates of the accreditation visit. The program is responsible for making all lodging arrangements for the visiting team. Hotel accommodations should, where possible, use on-campus facilities

REVIEW/APPROVAL PROCEDURES • May 22, 2013	page 25
	page 25
	page 25

such as those for visiting faculty or guest lecturers. LATC is responsible for the travel, lodging, and meal expenses of the visiting team within State travel guidelines.

Sample Visit Schedule

The following is a sample schedule of activities for a visiting team of the LATC. This includes all necessary elements and provides adequate time for report preparation. The certificate programs generally function in the evening. The visiting team is required to spend at least three hours each day to prepare reports and executive summaries. Changes may be made to this schedule as long as this requirement is met.

Day 1

8:30 am	Breakfast with certificate program administrator
9:30 am	Familiarization tour of the landscape architectural facilities. Tour should be brief.
10:30 am	Meet with the chief administrator of the unit in which the certificate program is located
11:00 am	Meet with the immediate supervisor of the landscape architecture certificate program administrator.
12:00 Noon	Lunch
1: 30 pm	Team meets with landscape architecture certificate program administrator to finalize schedule and to discuss the program in general
3: 00 pm	Executive session: confirm team member assignments and plan how the team will conduct interviews and various meetings that will take place during the visit.
4:30 pm	Curriculum review by faculty to visiting team. Reviews how program accomplishes its mission through the curriculum and a review of student work from each class and sequence.
6:00 pm	Dinner
7:00 pm	Interviews with students and faculty. Student interviews should be conducted with students grouped by year. It is recommended that student interviews take place before faculty interviews. Faculty interviews are usually a series of individual interviews at half-hour intervals, to discuss impressions of the program--strengths, weaknesses, faculty input, and faculty development. Group faculty interviews can be conducted if more acceptable to the faculty and the team.

Day 2

- 8:30-11:30 am Review of student work and facilities. Additional interviews as necessary.
- 11:30 am Inspection of library and other supporting facilities, e.g., computing center, special services, etc.
- 12:30 pm Lunch with recent graduates and practitioners, to be arranged at the discretion of the team and the school. Opportunity to evaluate graduates' satisfaction with the educational process and the degree to which the program prepared them to perform entry-level functions.
- 2: 00 pm Team meets in executive session to review findings.
- 6:00 pm Dinner with faculty.
- 8:00 pm Additional interviews with students and faculty.

Day 3

- 8:30 am Breakfast meeting with program administrator.
- 9:30 am Team meets in executive session to compile draft report and advisory recommendations.
- 12:00 Noon Lunch. Review of the team's findings with the program administrator, the chief administrator and the immediate supervisor of the landscape architecture program administrator.
- 3:00 pm Team departs from campus.

The program prepares the visit schedule and forwards it to the LATC Program Manager, along with the SER, at least 45 days prior to the visit. The recommended schedule includes interviews with students, faculty, and administration officials, as well as alumni and local practitioners. Team members may conduct interviews by telephone with persons who are unable to meet with them on campus, such as alumni, practitioners or faculty on leave. The appropriate administrators should be interviewed both at the beginning and at the end of the team's visit.

Early inspection of space and facilities and an exhibit of work produced by students in the program are vital.

The team members meet in several executive sessions over the course of the visit to prepare a complete report in draft form, and to decide on an advisory recommendation to LATC on the program's approval status. The content of this report, except the advisory recommendation, is discussed with the appropriate administrator as well as the certificate program administrator, particularly in regard to strengths and weaknesses of the program, recommendations affecting approval, and suggestions for program improvement. It is important to note to the administrators that all of the information discussed verbally is in draft form until it has been reviewed, approved, and distributed by LATC. This draft is not to be copied for the program.

Visiting Team Report

Before the visit, the visiting team receives the completed SER, the LATC Review/Approval Procedures and the Visiting Team Guidelines. The guidelines include a format for the Visiting Team Report, which is designed to ensure a response to all the LATC requirements and approval standards. The team chair makes writing assignments as necessary and is responsible for compiling the report.

Within ten days following the visit, the visiting team chair completes final editing and sends copies to the other team members and the LATC Program Manager, who review the report. The report may be edited for grammar, spelling and style. The team members should send any comments to the LATC Program Manager. Any substantive changes or additions will be referred to the team chair and may result in distributing the report to the team to review the report a second time.

Institutional Response

Within ten days of the receipt of the team report, the LATC Program Manager shall send copies to the appropriate campus administrator and the certificate program director for their comment and technical accuracy review.

Within fifteen days following receipt of the team report, the institution shall submit its institutional response (substantive comments and corrections) to the LATC Program Manager. The certificate program shall respond to any standard that is assessed as “met with recommendation” or “not met.” This response should include any documentation the program deems pertinent.

The team report and institutional response are sent to the LATC members prior to the next scheduled LATC meeting.

Vacating of Application for Accreditation

Any time before action by LATC, an institution may vacate its application for LATC Certificate Approval without penalty by notifying the LATC Program Manager in writing. LATC will not refund fees and the program will be assessed for expenses incurred by LATC.

LATC Review and Decision

The LATC Certificate Program Approval review decision may take place at the next scheduled LATC meeting following receipt of the Visiting Team Report, Advisory Recommendation to the LATC, and institutional response. LATC may consult with a member of the visiting team (usually the chair) and/or LATC Program Manager in order to clarify items in the Visiting Team Report, Advisory Recommendation to the LATC, or institutional response. Certificate Programs may request to appear before the LATC to discuss the pending approval decision. LATC's decision will be based upon the program's SER, annual reports, Visiting Team Report, payment of application fee, and institutional response.

Any adverse approval decision, defined as either "LATC Certificate Program Approval denial," or "withdrawal of LATC Approval," will be substantiated with specific reasons, and program administrators will be notified of their right to appeal any such decision (see Appeal Process). A program that has not been granted approved status, or a program from which approval has been withdrawn, may reapply for approval when its administrators believe the program meets current requirements.

LATC Actions

LATC Certificate Program Approval is granted for a period of one to six years. A program may apply for an approval review at any time before its term expires, but may not defer a visit to extend its term. The LATC may vary these normal terms at its discretion. Reasons for such variance will be supplied to the program. The official action letter to the institution indicates the date on which approval will expire. The annually published list of accredited programs includes the LATC Certificate Approval status of each program along with the next scheduled approval review.

LATC can take the following actions:

Approved LATC Certificate Program

Granted when all standards are met or when one or more standards are met with recommendation, and continued overall program quality and conformance to standards are judged likely to be maintained.

Approval may be granted up to six (6) years.

A program receiving approval may be required to submit special progress reports at the discretion of LATC.

Provisionally Approved LATC Certificate Program

Granted when one or more standards are met with recommendation and the cited deficiencies are such that continued overall program quality or conformance to standards is uncertain. Provisional LATC Certificate Program Approval may be granted up to two (2) years. This status shall not be granted more than twice without an intervening period of approval. Provisional status is not deemed to be an adverse action and is not subject to be appealed.

Initial LATC Certificate Program Approval

Granted on a first review when all standards are at least minimally met and the program's continued development and conformance to the LATC approval standards is likely. Initial approval may be granted for up to six (6) years.

Programs receiving initial LATC Certificate Program Approval must submit a special progress report after two or three years (time determined by LATC). LATC will review the progress report to determine if an approval review should be scheduled immediately or as originally scheduled when initial LATC Certificate Program Approval was granted.

Suspension of LATC Certificate Program

This status results if a program fails to maintain good standing for administrative reasons. Suspension of approval is not subject to appeal.

Denial of LATC Certificate Program

This status results when one or more standards are not met. This determination is subject to appeal.

Withdrawal of LATC Certificate Program

This status results if a program fails to comply with accreditation standards. This determination is subject to appeal.

Notification of LATC Action

The institution is officially notified of the LATC's action with a letter. Copies of the letter are sent to the certificate program administrator and LATC visiting team.

The LATC retains a copy of a program's two most recent SERs.

Confidentiality

The LATC treats all material generated by the program and LATC for the LATC Certificate Program Approval review as confidential. However, the LATC encourages the widest dissemination of all approval materials within the institution. The Visiting Team Report and SER are considered to be the property of the institution. The LATC reserves the right to release a complete report should the institution release a portion of the team report that might, in the judgment of the LATC, present a biased or distorted view of the site-evaluation findings.

Reference to LATC Certificate Program Approval

A program's approval status must be clearly conveyed in all program and institutional literature.

Delaying a scheduled LATC Certificate Program Approval Visit

Occasionally, a program may want to delay a scheduled LATC Certificate Program Approval visit because of unexpected circumstances. LATC will grant a site visit delay for up to one year (from spring semester 2014 to spring semester 2015 for example) if the following conditions are met:

- The program received a six year term of LATC Certificate Program Approval at its last review.
- The program is in compliance with LATC Minimum Requirements for achieving and maintaining LATC approved status.
- All fees and required reports have been submitted.

To request a delay the LATC Program Manager must receive a letter from the chief administrator of the unit that in which the certificate program is located

Rescheduling Visit

When the visit is rescheduled, priority for selecting visit dates will go to programs hosting visits in their regular cycle.

A delayed visit cannot be postponed again for any reason. If the rescheduled review does not take place the program's accreditation will lapse. If a program chooses to apply, it will be through the initial accreditation process.

Term of LATC Certificate Program Approval

When LATC takes action, the grant of certificate approval will begin from the originally scheduled review date.

Annual Reports and Other Reports

Each LATC Approved Certificate Program submits an annual report to allow LATC to monitor the program's continuing compliance with approval requirements. The report must include:

- a. Changes in curriculum, personnel, administration, fiscal support, and physical facilities that have occurred since the last report
- b. Current enrollment
- c. Number of graduates for the current year
- d. Report on employment for previous year's graduates
- e. Progress toward complying with the recommendations of the most recent approval review

The LATC may choose to alert the program administrator as well as the chief administrator of the unit that in which the certificate program is located of its concern for potential effects of reported changes.

Policy on Substantive Change

In order to support LATC-Approved Certificate programs as they make changes between regular approval visits, LATC will offer consultative reviews of proposed changes prior to submission of an official request for substantive change. Substantive change will normally be included in annual reports, yet, is encouraged to be reported prior to the change. Primary responsibility for reporting substantive change rests with the certificate program administrator.

Substantive change is any change that compromises a program's ability to meet one or more of the LATC program standards or that makes a certificate program unable to meet any of the following Minimum Requirements for maintaining approved status as currently stated in the LATC Review/Approval Procedures and must be reported:

1. The program title and certificate description incorporate the term "Landscape Architecture."
2. The parent institution is accredited by the institutional accrediting body of its region.
3. There is a designated program administrator for the program under review.

Other Reports

From time to time, LATC may require programs to prepare special reports to explain or describe a certain issue or problem. These issues will be ones that LATC believes require additional

explanation than what is included in annual reports. The due date for submitting a special report may be different from the annual report due date.

Maintaining Good Standing

To maintain good standing a program must continuously meet the minimum requirements for achieving and maintaining LATC Approved status. LATC must be informed if any of these requirements cannot be met during an approval period.

Should a program fail to maintain good standing, LATC Approval may be suspended or withdrawn.

Suspension of LATC Certificate Program Approval

Should a program fail to maintain good standing for administrative reasons (such as failure to pay required fees or submit required reports) approval may be suspended. Before this action is taken, the LATC shall draft a letter requesting the program to explain why approval should not be suspended.

Since suspension of LATC Approval occurs only for administrative reasons it is not subject to appeal. Students attending a program with suspended approval are considered to be attending an approved program. A program can be suspended for a maximum of one year (12 months). LATC will begin procedures to withdraw approval to take effect immediately when the maximum period of suspension is reached.

If evidence of remedial action is submitted and judged adequate within the one-year period of suspension, reinstatement of the previous grant of LATC Certificate Program Approval may be made.

Withdrawal of LATC Certificate Program Approval

Should a program fail to comply with approval standards, approval may be withdrawn. Before withdrawing approval, the LATC shall send a letter requesting the program to explain why Approval should not be withdrawn. The LATC may suggest to the program that an approval visit is in order. Withdrawal of LATC approval is an adverse action and can be appealed (see Appeals Process).

If the program's parent institution or other programs within the institution are placed on probationary status or have accreditation withdrawn by their accrediting agencies, LATC may send a letter to the landscape architecture program to determine the program's current condition.

THE APPEAL PROCESS

When the LATC takes adverse action on LATC Certificate Program Approval, specific reasons shall be provided for that action to the certificate program administrator/director and chief administrator of the unit that in which the certificate program is located adverse actions include denial or withdrawal of accreditation.

Recipients of adverse action shall be advised of their right to appeal. An appeal must be based on one or more of the following issues:

1. Whether the LATC and/or the visiting team conformed to the procedures described in this document; or
2. Whether the LATC and/or the visiting team conformed to the LATC Approval Standards.

A written notice of appeal shall be signed by the chief administrator of the unit in which the certificate program is located. The appeal must be submitted within twenty days of notice of LATC's action letter. The appeal must be sent to the LATC Program Manager who shall notify the LATC Chair. The certificate program must submit, within sixty days of LATC's action, a "comprehensive written statement" of all the reasons for the appeal. Failure to submit this statement within sixty days of notice of LATC's action is equivalent to withdrawing the appeal. During the appeal period, the approved status of the program before the adverse action will not change. The record of the appeal upon which the appeal is based shall be limited to the material that was presented to the LATC at its scheduled meeting from which the final approval report consisting of the action letter from LATC is issued.

Agenda Item K

ELECTION OF 2019 LATC OFFICERS

Members of the Landscape Architects Technical Committee will nominate and elect a Chair and Vice Chair for 2019 at today's meeting.

Agenda Item L

REVIEW TENTATIVE SCHEDULE AND DISCUSS FUTURE LATC MEETING DATES

At today's meeting, the Landscape Architects Technical Committee (LATC) will discuss its 2019 meeting schedule. Relevant 2018 and 2019 dates for the Committee's consideration are as follows:

December 2018

6-7	LATC Meeting & Strategic Planning Session	Sacramento
13-14	California Architects Board (Board) Meeting & Strategic Planning Session	Sacramento
25	<i>Christmas Day</i>	<i>Office Closed</i>

January 2019

1	<i>New Year's Day</i>	<i>Office Closed</i>
21	<i>Martin Luther King, Jr. Day</i>	<i>Office Closed</i>

February 2019

TBD	Board Meeting	TBD
18	<i>President's Day</i>	<i>Office Closed</i>

March

April 2019

1	<i>Cesar Chavez Day (observed)</i>	<i>Office Closed</i>
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May 2019

27	<i>Memorial Day</i>	<i>Office Closed</i>
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June

TBD	Board Meeting	TBD
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July 2019

4	<i>Independence Day</i>	<i>Office Closed</i>
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September 2019

TBD	Board Meeting	TBD
2	<i>Labor Day</i>	<i>Office Closed</i>
26-28	Council of Landscape Architectural Registration Boards Annual Meeting	St. Louis, MS

November 2019

11

Veterans Day

Office Closed

15-18

American Society of Landscape Architects Annual Meeting

San Diego, CA

28-29

Thanksgiving Holiday

Office Closed

December 2019

TBD

Board Meeting

TBD

25

Christmas Day

Office Closed

Agenda Item M

RECESS

Time: _____

Agenda Item N

CALL TO ORDER - ROLL CALL - ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

LATC MEMBER ROSTER

Patricia Trauth, Chair

Marq Truscott, Vice Chair

Andrew Bowden

Susan M. Landry

David Allan Taylor, Jr.

Agenda Item O

STRATEGIC PLANNING SESSION

At this meeting, the Committee is scheduled to update its Strategic Plan, which will be facilitated by the Department of Consumer Affairs' Strategic Organization, Leadership, and Individual Development staff. Attached is an agenda for the session and the 2017-2018 Strategic Plan.

Attachments:

1. Strategic Planning Session Agenda
2. 2017-2018 Strategic Plan

Landscape Architects Technical Committee

Strategic Planning Session Agenda

December 7, 2018 8:30 am to 2:30 pm

- ✓ Introductions
- ✓ Environmental Scan and Objective Building Overview
- ✓ Goal Area Discussion: Regulation and Enforcement
- ✓ Break
- ✓ Goal Area Discussion: Professional Qualifications
- ✓ Goal Area Discussion: Public and Professional Outreach
- ✓ Lunch
- ✓ Goal Area Discussion: Organizational Effectiveness
- ✓ Mission, Vision, Values Review
- ✓ Wrap up and Conclusion

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

STRATEGIC PLAN

2017–2018

APPROVED: JUNE 15, 2017

TABLE OF CONTENTS

MESSAGE FROM THE COMMITTEE CHAIR 1

ABOUT THE CALIFORNIA LANDSCAPE ARCHITECTS
TECHNICAL COMMITTEE 2

MISSION 3

VISION 3

VALUES 3

STRATEGIC GOAL AREAS 4

GOAL 1: REGULATION AND ENFORCEMENT 5

GOAL 2: PROFESSIONAL QUALIFICATIONS 6

GOAL 3: PUBLIC AND PROFESSIONAL OUTREACH 7

GOAL 4: ORGANIZATIONAL EFFECTIVENESS 8

STRATEGIC PLANNING PROCESS 9

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEMBERS

Patricia Trauth Committee Chair

Marq Truscott Committee Vice Chair

Andrew Bowden

David A. Taylor Jr.

Edmund G. Brown Jr., Governor

Alexis Podesta, Secretary, Business, Consumer Services, and Housing Agency

Dean R. Grafilo, Director, Department of Consumer Affairs

Doug McCauley, Executive Officer, California Architects Board

MESSAGE FROM THE COMMITTEE CHAIR



State licensure exists to protect consumers. For the design professions, that protection is critically important due to the nature of design projects and their impact on Californians. Our licensure requirements are comprehensive and help ensure that practitioners are prepared to practice in a manner that safeguards the public.

A number of recent reports and decisions shape what licensing boards do to validate competence.

Reports from the White House and Little Hoover Commission ask key questions about whether standards for entering professions and trades are defensible. In addition, a recent U.S. Supreme Court decision questions the checks and balances of regulatory enforcement actions.

The Landscape Architects Technical Committee (LATC) has a strong history of embracing diverse pathways into the profession. Both University of California extension certificates and associate degrees can count toward the credits required to test and become licensed. LATC is currently assessing whether there may be other pathways that strike the critical balance between protecting consumers without creating undue barriers.

Our enforcement efforts have always put consumers first. Nevertheless, LATC will continue to develop additional means to protect Californians. The risk to the public from unqualified practitioners is tremendous and it is crucial that LATC work closely with local agencies to prevent risks to the public.

LATC's work on these critical issues is enhanced by public participation. Through transparency and collaboration we seek to inform and strengthen our decisions so we can effectively fulfill our mandate to protect the public.

Patricia Trauth
Committee Chair

ABOUT THE CALIFORNIA LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

The Landscape Architects Technical Committee (LATC) was created via Assembly Bill 1546, which became effective January 1, 1998. The Committee was statutorily established under the California Architects Board (Board). The Committee's purpose is to act in an advisory capacity to the Board on examination and other matters pertaining to the regulation of the practice of landscape architecture in California.

The activities of LATC benefit consumers in two important ways. First, regulation protects the public at large. Second, regulation protects the consumer of services rendered by landscape architects. It is imperative to ensure those who hire landscape architects are protected from incompetent or dishonest landscape architects.

LATC is one of the boards, bureaus, commissions, and committees within the Department of Consumer Affairs (DCA) and is part of the Business, Consumer Services, and Housing Agency. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides administrative oversight and support services, LATC further sets its own policies, procedures, and regulations.

LATC is composed of five members who are licensed to practice landscape architecture in this state.

MISSION

LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect consumers, and the public health, safety, and welfare while safeguarding the environment.

VISION

LATC will champion for consumer protection and a safer built environment for the people of California.

VALUES

Consumer Protection
Innovation
Communication
Integrity
Leadership

STRATEGIC GOAL AREAS

1. REGULATION AND ENFORCEMENT

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

2. PROFESSIONAL QUALIFICATIONS

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

3. PUBLIC AND PROFESSIONAL OUTREACH

Increase public and professional awareness of LATC's mission, activities, and services.

4. ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality services to consumers and licensees.

GOAL 1: REGULATION AND ENFORCEMENT

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

- 1.1** Collect and review data respective to unlicensed activity and licensee violations to identify if trends exist (in such areas as how unlicensed activity was identified, who reported the allegation, and the matters which lead to an investigation) in order to shape consumer education and enhance enforcement efforts.
- 1.2** Revisit development of the annual enforcement report using the Board as a model to assess the effectiveness of consumer protection efforts.
- 1.3** Amend regulations to incorporate the updated Disciplinary Guidelines to maintain consistent decisions in disciplinary cases.
- 1.4** Research the possibility of enhancing the statutory written contract requirement to include a consumer notification to enhance consumer education.
- 1.5** Follow the Board's determination regarding the necessity for a licensure fingerprint requirement and the alternatives for implementation as a means of protecting consumers.
- 1.6** Contract with collection agencies to pursue and recover unpaid citations from unlicensed individuals.
- 1.7** Amend current citation regulations to allow delegation authority and to clarify the timeline so that LATC is consistent with the Board's best practices.

GOAL 2: PROFESSIONAL QUALIFICATIONS

Ensure that landscape architects are qualified to practice by setting and maintaining equitable requirements for education, experience, and examinations.

- 2.1** Explore entry to initial licensure for applicants who have experience only to expand pathways to licensure.
- 2.2** Continue to explore and make a determination with regard to licensure for individuals who have related degrees to expand pathways to licensure.
- 2.3** Consider advocating for the Council of Landscape Architectural Registration Boards (CLARB) to institute an internship/experience-based program to allow applicants' participation in the licensure process early and provide a more comprehensive experience component.
- 2.4** Promulgate regulations for reciprocal licensure to expand qualification pathways in California.
- 2.5** Research and modify the current regulations, where necessary, to clarify LATC's role in University of California extension certification to stay current with Landscape Architectural Accreditation Board standards.

GOAL 3: PUBLIC AND PROFESSIONAL OUTREACH

Increase public and professional awareness of LATC's mission, activities, and services.

- 3.1** Incorporate a quick link on the website that will enable consumers to search enforcement actions and more easily identify licensee violations.
- 3.2** Consult with DCAs Public Affairs Office to optimize the LATC website on search engines for individuals searching for a landscape architect to enhance LATC's ability to reach more consumers interested in using a landscape architect.
- 3.3** Revamp the website (using the Board's website as a possible template) to be more user-friendly for consumers.
- 3.4** Explore and adopt DCAs best practices for using social media with a goal of developing a social media strategy to increase awareness to the public.
- 3.5** Continue to maintain a positive relationship with the American Society of Landscape Architects (ASLA), CLARB, and educational institutions to enhance lines of communication and inform best practices for the protection of Californians.
- 3.6** Expand communication to licensees utilizing an "opt in" e-mail component on the website to increase stakeholder awareness of LATC.

GOAL 4: ORGANIZATIONAL EFFECTIVENESS

Provide accessible and responsive quality services to consumers and licensees.

- 4.1** Prepare for the Sunset Review process to demonstrate LATC's effectiveness.
- 4.2** Determine current business process needs for conversion to BreEZe to facilitate a smoother transition to the program.

STRATEGIC PLANNING PROCESS

To understand the environment in which LATC operates and identify factors that could impact its success, DCAs SOLID Unit conducted an environmental scan of the internal and external environments by collecting information through the following methods:

- Interviews conducted with three Committee members completed during November 2016.
- Interviews conducted with three staff members completed during November and December 2016.
- Interviews conducted with LATC leadership that included the California Architects Board (Board) Executive Officer (EO) and Assistant Executive Officer (AEO) as well as the LATC Program Manager during December 2016.
- Online survey sent to LATC stakeholders, which remained open November 3–14, 2016, to identify the strengths and weaknesses of LATC from an external perspective. Seventy-eight stakeholders took the survey.

The most significant themes and trends identified from the environmental scan were discussed by Committee members and the Board's EO and AEO during a public strategic planning session facilitated by SOLID on January 18, 2017. This information guided LATC in the development of its strategic objectives outlined in this 2017–2018 Strategic Plan.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

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This Strategic Plan is based on stakeholder information and discussions facilitated by SOLID for the Landscape Architects Technical Committee during early 2017. Subsequent amendments may have been made after adoption of this plan.

Agenda Item P

ADJOURNMENT

Time: _____