

**TITLE 16. CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE**

**NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
Requirements for an Approved Extension Certificate Program, § 2620.5**

**NOTICE IS HEREBY GIVEN** that the California Architects Board (Board) is proposing to take the action described in the Informative Digest, below.

**Public Hearing**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under Contact Person in this Notice.

**Comment Period**

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than **5:00 p.m. on Tuesday, August 24, 2021**, or must be received by the Board at the hearing, should one be scheduled.

**Availability of Modifications**

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

**Authority and Reference:** Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 5650 and Government Code section 87100, the Board is considering changes to section 2620.5 of article 1 of division 26 of title 16 of the California Code of Regulations<sup>1</sup> (CCR).

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<sup>1</sup> All CCR references are to title 16 unless otherwise noted.

## **Informative Digest:**

BPC section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary to establish criteria for approving schools of landscape architecture and carry out the provisions under the Landscape Architects Practice Act (chapter 3.5 of division 3 of the BPC). As required by BPC section 5650, applicants for licensure as a landscape architect must demonstrate a total of six years of qualifying training and educational experience to establish eligibility. As provided in CCR section 2620, examination and licensure applicants are granted two years of educational experience for completion of an approved extension certificate program only or four years of educational experience for completion of an approved extension certificate and a degree which consists of a four-year curriculum. CCR section 2620.5 sets forth the requirements for an approved extension certificate program.

The Board is proposing the following changes:

- Amend CCR section 2620.5, subdivision (a) to make minor/technical revisions, correct a citation to the Education Code and require a program to provide instruction on current California statutes and regulations covering the environment, landscape architecture, and water conservation.
- Adopt CCR section 2620.5, subdivision (b) to establish an application process by which an extension certificate program can apply for Board approval.
- Adopt CCR section 2620.5, subdivision (c) to establish a criteria for Board designees that conduct a site inspection and/or review of an educational program seeking Board approval of the program's landscape architect extension certificate program, ensure that no Board designee has a current financial interest related to the recommendation of the extension certificate program, and authorize site visits to include meetings with the educational institutional administrator, the educational program director, faculty, students, and alumni.
- Adopt CCR section 2620.5, subdivision (d) to establish a process for Board designees to evaluate the educational program and make a recommendation to the LATC regarding extension certificate approval of an educational program.
- Adopt CCR section 2620.5, subdivision (e) to establish a process by which LATC shall evaluate the educational program and make a recommendation to the Board regarding an educational program's extension certificate approval.
- Adopt CCR section 2620.5, subdivision (f) to establish a process by which the Board shall review an LATC recommendation and make a determination regarding an educational program's extension certificate approval.
- Adopt CCR section 2620.5, subdivision (g) to establish a process by which the Board shall notify an education program of any actions taken regarding their extension certificate application.
- Adopt CCR section 2620.5, subdivision (h) to establish a process by which an educational program may appeal the Board's denial of their extension certificate application.

- Adopt CCR section 2620.5, subdivision (i) to specify that the Board approval period of any educational program shall be for a term of six years, unless otherwise specified.
- Adopt CCR section 2620.5, subdivision (j) to establish a process by which an educational program may apply for renewal of Board extension certificate approval.

### Policy Statement Overview/Anticipated Benefits of Proposal

Protection of the public is the Board's highest priority in exercising its licensing, regulatory, and disciplinary functions. By amending the requirements for extension certificate application, review, and approval, the proposal is expected to increase clarity of the requirements for educational programs interested in obtaining and maintaining Board extension certificate approval. These requirements for obtaining extension certificate approval will result in extension certificate programs that enhance landscape architecture student knowledge and practice preparedness and improve public protection.

### Consistency and Compatibility with Existing State Regulations

During the process of developing these regulations and amendments, the Board has conducted a search of similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

### Fiscal Impact Estimates

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: The Board will incur one-time costs of approximately \$1,570 to conduct an 8-hour site-inspection as part of the initial review and approval process.

There is currently one extension program located in Southern California, which is anticipated to seek approval. The Board will send an Associate Governmental Program Analyst to Los Angeles and conduct the inspection with two local subject matter experts with costs as follows:

• Inspection (*AGPA 8 hours @ \$103 per hour)	\$ 824
• Travel (1 day - airline, car rental, & per diem)	\$ 346
• <u>Two Subject Matter Experts - \$200 per day each)</u>	<u>\$ 400</u>
<b>Total Costs:</b>	<b>\$1,570</b>

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500-17630 Require Reimbursement: None

**Business Impact:** The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposal clarifies the current requirements for an educational program to obtain Board extension certificate approval by adding appropriate application, review, and appeal deadlines and increases transparency of the extension certificate approval process for the benefit of the educational programs and students.

**Cost Impact on Representative Private Person or Business:** The Board is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Effect on Housing Costs:** None

### **Effect on Small Business**

The Board has determined that the proposed regulations will not have an effect on small business as it only revises the existing extension certificate approval process. If a small business applies to the Board for extension certificate approval, it would incur application preparation costs that are not increased by this proposal. The proposal would benefit the small business by clarifying the application, renewal, and appeal deadlines.

### **Results of Economic Impact Assessment/Analysis:**

#### **Impact on Jobs/Businesses:**

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

#### **Benefits of Regulation:**

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by enhancing the knowledge of extension certificate program students, making those students better prepared for the practice of landscape architecture. This regulatory proposal is not anticipated to benefit worker safety or the state's environment.

### **Consideration of Alternatives**

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

effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Set forth are the alternatives that were considered and the reason the alternatives were rejected:

One option was to keep the status quo. The Board rejected this option as the requirements for an approved extension certificate program would remain unclear and the following issues must be addressed in regulation: 1) program approval as well as expiration, renewal, and extensions of said approval; 2) program denial and appeal of said denial; 3) the process to conduct site reviews; and 4) the information that shall be provided by the extension certificate program to evaluate the program's compliance with this regulation.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2420 Del Paso Road, Suite 105, Sacramento, California 95834.

### **Initial Statement of Reasons and Information**

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

### **Text of Proposal**

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

### **Availability and Location of the Final Statement of Reasons and Rulemaking File**

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

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

### **Contact Person**

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

Name: Kourtney Nation  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: (916) 575-7237  
Fax No.: (916) 575-7283  
E-Mail Address: kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez  
Address: 2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: (916) 575-7231  
Fax No.: (916) 575-7283  
E-Mail Address: latc@dca.ca.gov

Website Access: Materials regarding this proposal can be found at  
[https://latc.ca.gov/news/laws/proposed\\_regulation.shtml](https://latc.ca.gov/news/laws/proposed_regulation.shtml).