



NOTICE OF MEETING Landscape Architects Technical Committee

LATC MEMBERS

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

August 11, 2023

**Department of Consumer Affairs
1625 North Market Blvd.
First Floor Hearing Room
Sacramento, CA 95834**

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

The Landscape Architects Technical Committee (LATC or Committee) will hold a meeting in person at the location above and via WebEx Events.

Information to Register/Join Meeting for Members of the Public via WebEx: To access the WebEx event, attendees will need to click the following link. Instructions to connect to the meeting can be found at the end of this agenda.

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mc8d34bff9dc1bae30c542846bb012c9b>

Members of the public may, but are not obligated to, provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier, such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make a public comment. Participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com

AGENDA

10:30 a.m. to 2:00 p.m.
(or until completion of business)

ACTION MAY BE TAKEN ON ANY ITEM LISTED ON THIS AGENDA.

- A. Call to Order / Roll Call / Establishment of a Quorum
- B. Chair's Procedural Remarks and Committee Member Introductory Comments

C. Public Comment on Items Not on the Agenda

The Committee may not discuss or act 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. Update on the Department of Consumer Affairs (DCA)

E. Review and Possible Action on April 21, 2023, LATC Meeting Minutes

F. Review and Possible Action on LATC Member Administrative Manual

G. Legislation Update

1. AB 342 (Valencia) Architects and Real Estate Appraisers: Applicants and Licensees: Demographic Information
2. SB 372 (Menjivar) Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes
3. SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing
4. SB 816 (Roth) Professions and Vocations

H. Update and Discuss Council of Landscape Architectural Registration Boards (CLARB):

1. Discuss and Take Action on Candidates for 2023 Board of Directors and Leadership Advisory Council
2. Review and Discuss the 2023 CLARB Annual Meeting Agenda

I. Executive Officer's Report – Update on Board's Administration / Management, Examination, Licensing, and Enforcement Programs

J. Review and Discuss LATC's Draft Sunset Review Report

K. Discuss and Possible Action on 2022-2024 Strategic Plan Objectives to:

1. Implement a New Enforcement and Licensing Business Modernization Computer Platform to Improve Services to Candidates, Licensees, and Consumers
2. Update the LATC Website to Clarify LATC's Roles and Responsibilities and Explain the Difference Between Regulated and Unregulated Professions Listed on Various Online Platforms and Educate Consumers on Requirements and Permitted Practice of Licensed and Unlicensed Professionals
3. Research the Economic and Consumer Protection Impact of Re-Establishing the Landscape Architects Board or Establishing a Merged Board with the California Architects Board to Provide Better Representation, Strengthen the Distinction Between the Two Entities, and Increase Efficiency

L. Review of Future Committee Meeting Dates

M. Closing Comments

N. 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 this meeting, provided there are no unforeseen technical difficulties or limitations. To view the webcast, please visit thedcapage.wordpress.com/webcasts/. The meeting will not be cancelled if webcast is not available.

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

Person: Kourtney Fontes

Telephone: (916) 575-7230

Email: Kourtney.Fontes@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.

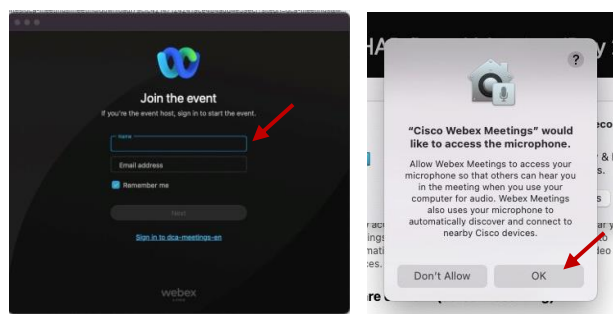
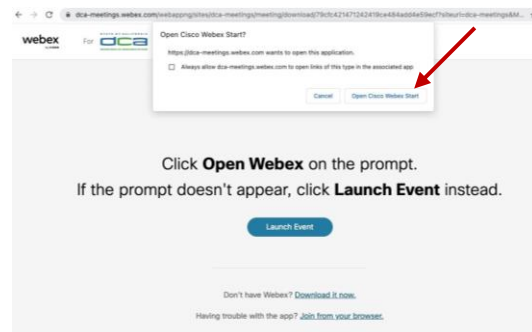
Protection of the public shall be the highest priority for the Committee in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and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

If joining using the meeting link

1 Click on the meeting link. This can be found in the meeting notice you received.

2 If you have not previously used Webex on your device, your web browser may ask if you want to open Webex. Click "Open Cisco Webex Start" or "Open Webex", whichever option is presented. DO NOT click "Join from your browser", as you will not be able to participate during the meeting.

3 Enter your name and email address*. Click "Join as a guest". Accept any request for permission to use your microphone and/or camera.

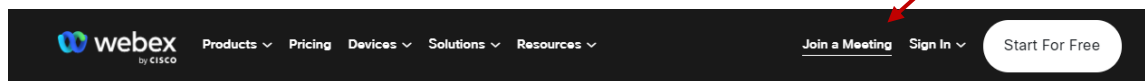


* Members of the public are not obligated to provide their name or personal information and may provide a unique identifier such as their initials or another alternative, and a fictitious email address like in the following sample format: XXXXX@mailinator.com.

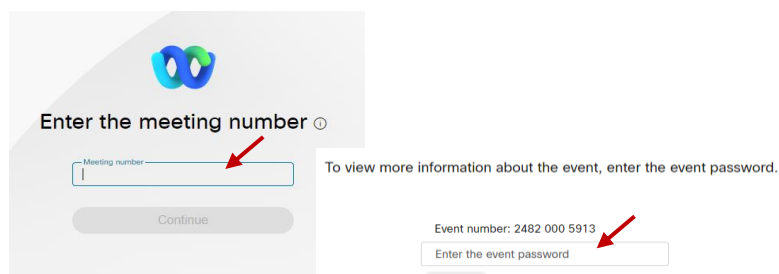
OR

If joining from Webex.com

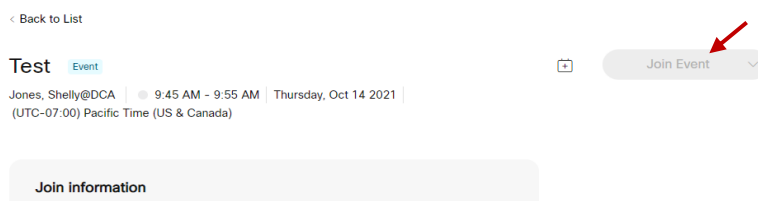
1 Click on "Join a Meeting" at the top of the Webex window.



2 Enter the meeting/event number and click "Continue". Enter the event password and click "OK". This can be found in the meeting notice you received.



3 The meeting information will be displayed. Click "Join Event".



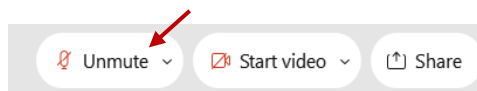
OR

Connect via telephone*:

You may also join the meeting by calling in using the phone number, access code, and passcode provided in the meeting notice.

Microphone

Microphone control (mute/unmute button) is located on the command row.

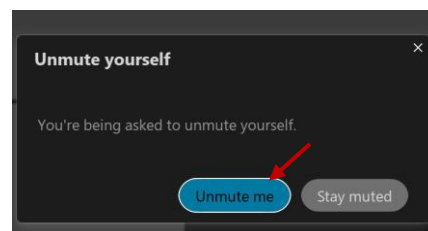


Green microphone = Unmuted: People in the meeting can hear you.



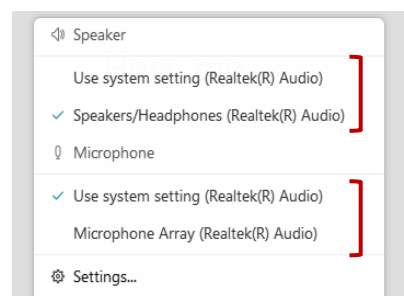
Red microphone = Muted: No one in the meeting can hear you.

Note: Only panelists can mute/unmute their own microphones. Attendees will remain muted unless the moderator enables their microphone at which time the attendee will be provided the ability to unmute their microphone by clicking on "Unmute Me".



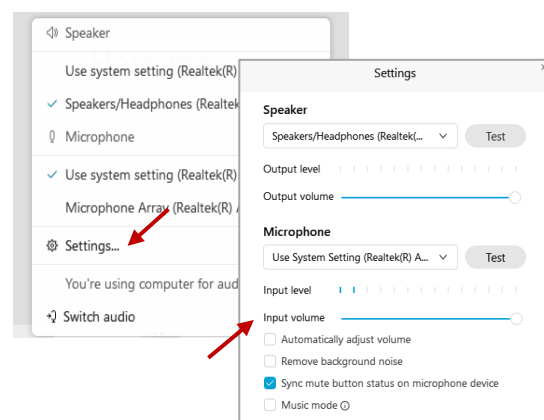
If you cannot hear or be heard

- 1 Click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window, select a different:
 - Microphone option if participants can't hear you.
 - Speaker option if you can't hear participants.



If your microphone volume is too low or too high

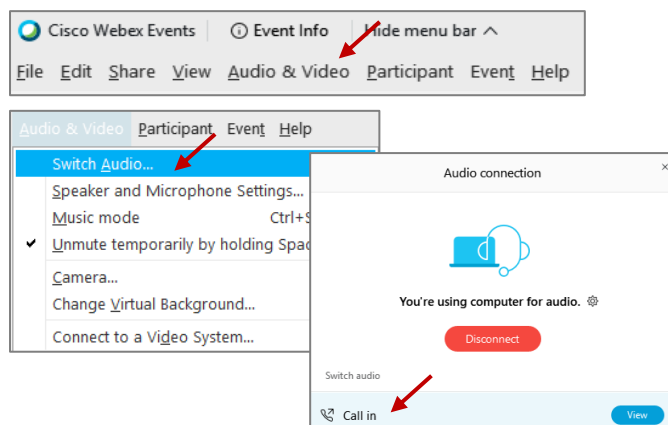
- 1 Locate the command row – click on the bottom facing arrow located on the Mute/Unmute button.
- 2 From the pop-up window:
 - Click on "Settings...":
 - Drag the "Input Volume" located under microphone settings to adjust your volume.



Audio Connectivity Issues

If you are connected by computer or tablet and you have audio issues or no microphone/speakers, you can link your phone through Webex. Your phone will then become your audio source during the meeting.

- 1 Click on "Audio & Video" from the menu bar.
- 2 Select "Switch Audio" from the drop-down menu.
- 3 Select the "Call In" option and following the directions.



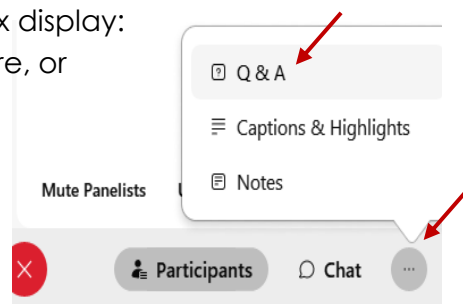
The question-and-answer (Q&A) and hand raise features are utilized for public comments.

NOTE: This feature is not accessible to those joining the meeting via telephone.

Q&A Feature

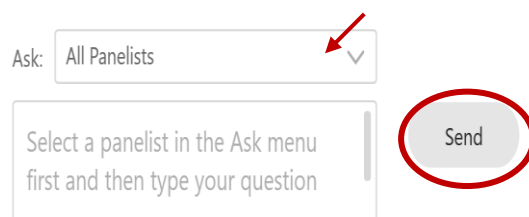
1 Access the Q&A panel at the bottom right of the Webex display:

- Click on the icon that looks like a “?” inside of a square, or
- Click on the 3 dots and select “Q&A”.



2 In the text box:

- Select “All Panelists” in the dropdown menu,
- Type your question/comment into the text box, and
- Click “Send”.



— OR —

Hand Raise Feature

- 1
- Hovering over your own name.
 - Clicking the hand icon that appears next to your name.
 - Repeat this process to lower your hand.

If connected via telephone:

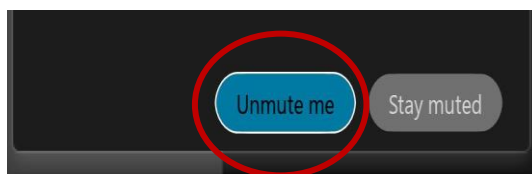
- Utilize the raise hand feature by pressing *3 to raise your hand.
- Repeat this process to lower your hand.

Unmuting Your Microphone



The moderator will call you by name and indicate a request has been sent to unmute your microphone. Upon hearing this prompt:

- Click the **Unmute me** button on the pop-up box that appears.

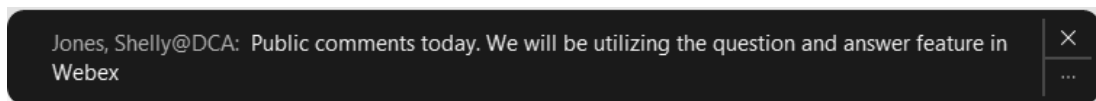


— OR —

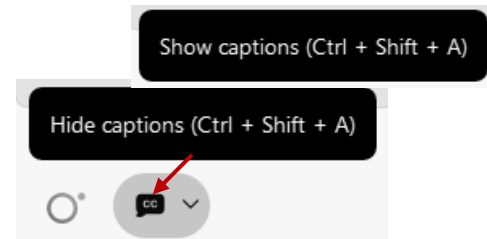
If connected via telephone:

- Press *3 to unmute your microphone.

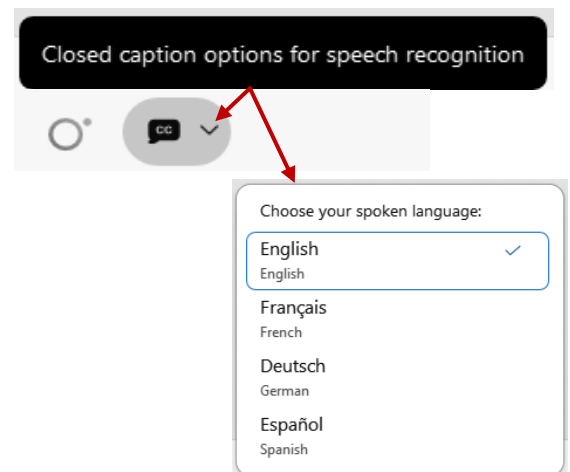
Webex provides real-time closed captioning displayed in a dialog box on your screen. The captioning box can be moved by clicking on the box and dragging it to another location on your screen.



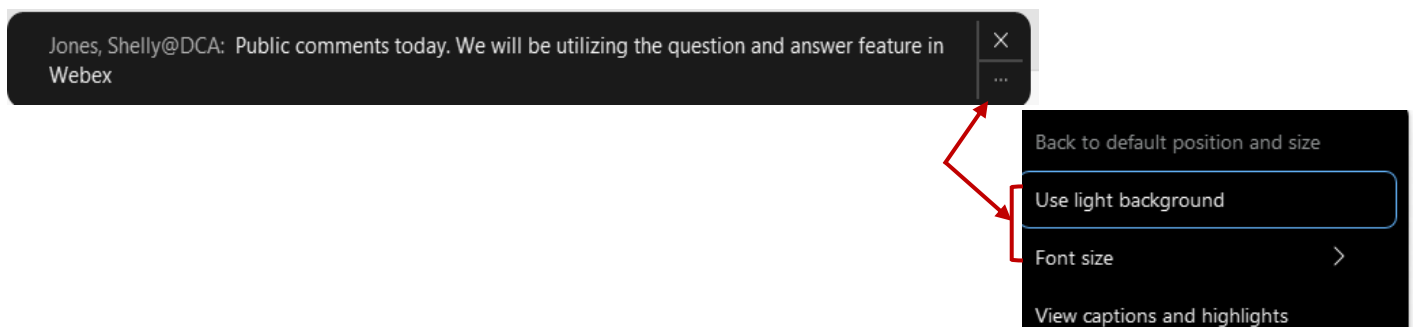
The closed captioning can be hidden from view by clicking on the closed captioning icon. You can repeat this action to unhide the dialog box.



You can select the language to be displayed by clicking the drop-down arrow next to the closed captioning icon.



You can view the closed captioning dialog box with a light or dark background or change the font size by clicking the 3 dots on the right side of the dialog box.



AGENDA ITEM A: CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF A QUORUM

Roll is called by the LATC Vice Chair or, in their absence, by an LATC member designated by the LATC Chair.

LATC Member Roster

Andrew C. N. Bowden

Pamela S. Brief

Susan M. Landry

Patricia M. Trauth

Jon S. Wreschinsky

From: [Landregan, Stephanie](#)
To:
Cc:
Subject: Form of Examinations, § 2615 Comments
Date: Tuesday, June 27, 2023 2:45:48 PM
Importance: High

This Message Is From an External Sender

WARNING: This email originated from outside of the organization! Do not click links, open attachments, or reply, unless you recognize the sender's email.

[Report Suspicious](#)

Dear Ms Fontes,

I have comments on this proposed legislation.

My apologies, as I know I missed the deadline, but nonetheless I believe these are valid concerns.

2615 (a)(2)

(2) Notwithstanding subdivision (a)(1), a candidate who has a degree from an **accredited program** in landscape architecture in accordance with section 2620(a)(1) or an extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5 and **a degree which consists of at least a four-year curriculum**

First:

By stating an accredited program, are you excluding Berkeley BALA graduates? Their undergraduate program is not LAAB accredited. These students are certainly qualified to sit for the LARE.

Second:

By stating **a degree which consists of at least a four-year curriculum**, how does the four year degree lead to a qualification of landscape architecture education? It is not part of [§ 2620.5. Requirements for an Approved Extension Certificate Program](#). And it is only mentioned in the qualifications in [§ 2620. Education and Training Credits](#). Which is counting for years total needed to qualify for the license.

Thank you for your consideration of these items.

I believe both should be removed as the first section excludes Berkeley's undergraduates, and the second has little bearing on the quality of the 3 years of intensive landscape architecture education needed to sit for the exam.

Thank you and I was under the impression that this was going to be part of the August LATC meeting, and failed to realize the deadline was June 20.

Sincerely,

Stephanie

Stephanie V. Landregan, FASLA, MSPM, LEED® AP BD+C
CA Landscape Architecture license #4093

Spring 2023 Enrollment is open! www.uclaextension.edu

Director, Landscape Architecture Program and
Horticulture and Gardening Program
UCLA Extension, Department of the Arts

UCLA Extension Mission: "To provide knowledge and connections for people to achieve their personal and professional goals"



Landscape Architects Technical Committee

Public Protection through Examination, Licensure, and Regulation



Draft Minutes

CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

April 21, 2023
Sacramento

Landscape Architects Technical Committee (LATC/Committee) Members Present

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

California Architects Board (Board) Members Present

Ronald A. Jones, Board Vice President

Board and LATC Staff Present

Laura Zuniga, Executive Officer
Nicholas Barnhart, Examination Coordinator
Kourtney Fontes, Special Projects Analyst
Coleen Galvan, Communications Analyst
Jane Kreidler, Administration Manager
Drew Liston, Board Liaison
Marccus Reinhardt, Examinations & Licensing Manager
Stacy Townsend, Enforcement Analyst

Department of Consumer Affairs (DCA) Staff Present

David Bouilly, SOLID Moderator
Robert Calvert, Ph.D., Research Data Specialist, Office of Professional Examination Services (OPES)
Melissa Gear, Deputy Director, Board and Bureau Relations
Karen Halbo, Regulatory Counsel
Michael Kanotz, LATC Counsel
Heidi Lincer, Ph.D., Chief, OPES
Ruxandra Nunn, Research Data Specialist, OPES
Bryce Penney, Television Specialist, Office of Public Affairs
Matthew Wainwright, Legislative Analyst
Levi Winegar, Research Data Analyst, OPES

Guests Present

Cheryl Buckwalter, Association of Professional Landscape Designers
Alejandra Cervantes
Adriana Garcia
Jessamyn Lett, American Society of Landscape Architects (ASLA)
Tracy Morgan Hollingworth, ASLA
Robinson Ngo
Kevin Pfeiffer
Melissa Ruth, ASLA
Camille Thoma-Fill

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

LATC Chair, Jon Wreschinsky called the meeting to order at 10:30 a.m. and Vice Chair, Pamela Brief called roll. Five members of LATC were present, thus a quorum was established.

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

Mr. Wreschinsky announced that webcast is available for anyone interested in participating by joining the WebEx meeting as outlined on the meeting agenda. He thanked Ronald Jones for attending the WebEx meeting and reminded members that votes on all motions will be taken by roll call. Mr. Wreschinsky thanked Trish Rodriguez for her work as the former LATC Program Manager. Susan Landry thanked Ms. Rodriguez for her service and wished her well in retirement.

C. Public Comment on Items Not on the Agenda

Mr. Wreschinsky invited members of the public to address the LATC. There were no comments from the public.

D. Update from the Department of Consumer Affairs (DCA)

Melissa Gear shared that the DCA Diversity, Equity, and Inclusion (DEI) Steering Committee is working on updates to the strategic planning process, and recently developed an informational DEI fact sheet which was distributed to board leadership. She announced that DCA employees can register for three DEI courses available in June.

Ms. Gear reminded the Committee members of the required 2023 board member trainings and explained that DCA's boards and bureaus will not be allowed to conduct meetings virtually after July 1, 2023.

She explained that a new federal law took effect in January, enabling service members and their spouses who had professional licenses in another state to practice in California within the same professional discipline and at a similar scope of practice if they are required to relocate to California due to their military orders. She added that DCA is collaborating with Agency on implementing the new law and

will share that information when available. Ms. Gear advised that staff should contact DCA Legal Affairs if the LATC receives an inquiry from a service member or spouse regarding this new law. She also announced that DCA submitted the 2021-22 Annual Report to the legislature and the report is now available on its website.

E. Review and Possible Action on November 4, 2022, LATC Meeting Minutes

- **Andrew C. N. Bowden moved to approve the November 4, 2022, LATC Meeting Minutes as presented.**

Susan M. Landry seconded the motion.

There were no comments from the public.

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

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

Laura Zuniga shared that the business modernization system is undergoing security fixes and a release date should be announced soon. She reminded the members of the upcoming Board and LATC meeting dates. She shared that student outreach presentations were held recently at UC Davis and UC Berkeley. Ms. Zuniga mentioned that the LATC Program Manager, Assistant Executive Officer (AEO) and Regulations Manager positions are vacant.

She explained that management and the Committee Chair met with building officials regarding Business and Professions Code section 5659 (Inclusion of License Number – Requirement) to discuss implementation of the proposed amendments. She reminded the members that the Committee is also pursuing a statutory change to increase LATC's fees. She added that DCA's Legislative Affairs Division (LAD) is working with Business and Professions Committee staff to implement the change in a larger bill along with other DCA programs that also need fee increases. She provided an overview of LATC's regulatory proposals and examination program activity.

Mr. Wreschinsky asked when recruitment for the LATC Program Manager position would begin. Ms. Zuniga explained that recruitment is already in progress for the AEO and Regulations Manager positions. She added that the LATC Program Manager position might be filled after the AEO is selected, to include the new AEO in the hiring decision.

Andrew Bowden asked how many candidates are affected by the LARE format change. Nicholas Barnhart, Licensing Coordinator, explained that approximately 200 candidates have completed current LARE Section 1 (Project and Construction Management) and not Section 4 (Grading, Drainage and Construction Documentation). Patricia Trauth asked how the LARE transition information is being

provided to candidates. Mr. Wreschinsky explained that the information was added to the LATC website and that new candidates are being informed of the LARE transition.

G. Review and Discuss 2023 Legislation

1. Assembly Bill (AB) 342 (Valencia) Architects and Real Estate Appraisers: Applicants and Licensees: Demographic Information

Ms. Zuniga explained that AB 342 would allow the Board to request demographic information from architect candidates and licensees and report the information annually.

2. Senate Bill (SB) 372 (Menjivar) Department of Consumer Affairs: Licensee and Registrant Records: Name and Gender Changes

Ms. Zuniga explained that SB 372 would require all DCA boards to update a license record if it receives government issued documentation demonstrating the person's name or gender has changed. Ms. Landry asked if an alias would be listed for licensees who have submitted a name change request. Ms. Zuniga explained that an alias would not be listed, and that any enforcement data tied to the license would still be available online.

3. SB 544 (Laird) Bagley-Keene Open Meeting Act: Teleconferencing

Ms. Zuniga explained that SB 544 would enact additional changes to the Bagley-Keene Open Meeting Act so that boards would have the ability to continue meeting virtually with one physical meeting location open to the public.

H. Discuss and Possible Action on 2022-2024 Strategic Plan Objectives to:

1. Conduct a Review of the Landscape Architect Registration Examination (LARE) and Linkage Study to Determine Areas Not Covered in the LARE that Need to be Covered in the California Supplemental Exam (CSE) to Ensure the CSE Reflects the Content that is Unique to California

Ruxandra Nunn, OPES Research Data Specialist, presented an overview and results of OPES' recent review of the Council of Landscape Architectural Registration Boards' (CLARB) LARE. She stated OPES found that the LARE meets psychometric standards and that it was properly developed using subject matter experts. She added that the LARE is appropriately linked to an Occupational Analysis (OA), and that California licensed landscape architects were well represented as respondents to CLARB's OA survey. Ms. Nunn explained that the passing rates of all LARE forms from 2019-2022 are consistent with industry standards. Ms. Nunn shared that OPES recommends for CLARB to stop the use of educators in the examination validation process and increase participation of subject matter experts licensed five years or less to ensure an entry level prospective is maintained. She added that CLARB should publish passing rates for first-time test takers so that comparisons to repeat test

takers can be performed, and closely monitor performance data of remote proctored examinations. She also suggested that CLARB update its test preparation resources to increase fairness to candidates.

Ms. Nunn shared that OPES also performed a linkage study to compare the CLARB OA to the recently completed California OA. She explained that the linkage study determined that the LARE adequately assesses most of the knowledge required for entry level landscape architectural practice in California, except for California laws and California-specific professional practice. She added that the areas that are not adequately assessed by the LARE are covered by the California Supplemental Examination (CSE).

Mr. Wreschinsky asked how California should address the issue of remote proctoring of the LARE. Ms. Nunn explained that CLARB offers in-person proctoring to all candidates and that many candidates choose the in-person proctored option. Mr. Bowden asked how LATC should proceed with OPES' recommendations for CLARB. Ms. Nunn explained that the Board can provide a copy of the OPES report to CLARB, however, the Board can not force CLARB to make any changes. Heidi Lincer, OPES Chief, added that the Board is encouraged to provide the OPES report to CLARB.

Robinson Ngo asked if the CSE will stay the same after the LARE is reformatted. Ms. Nunn confirmed that the CSE test plan will stay the same until the next California OA is performed. Michael Kanotz, DCA legal counsel, added that public comment is not an opportunity to ask questions and is intended for individuals to offer their views.

2. Identify and Analyze the Causes of Low Pass Rates Among California Exam Candidates in Comparison to National Pass Rates to Determine Areas of Concern and Develop a Plan of Action to Decrease Deficiencies

Dr. Robert Calvert provided an overview of the OPES evaluation of LARE pass rates. He reminded the Committee members that OPES completed a similar review in 2021 and found no significant difference in pass rates based on a candidate's gender, degree type, or pathway to licensure. He explained that the current analysis of LARE pass rates focused on the school that each candidate attended to determine possible causes of the discrepancies between California and national pass rates. Dr. Calvert presented national data provided by CLARB representing candidates who graduated from specific California schools and attempted a section of the LARE between 2020 and 2022. He stated that recent data does not show a meaningful difference between California and National pass rates; however, when broken down by school, some candidates perform significantly better than others. He noted that graduates from California State Polytechnic University, Pomona (Cal Poly, Pomona) contribute a greater portion of the average number of attempts per LARE section while simultaneously having lower pass rates. Dr. Calvert explained that differences in pass rates are not necessarily bad and that there is not enough information available to explain why differences exist among the California schools. He added that the analysis of LATC data showed modest improvements in pass rates for all institutions and the pattern for Cal Poly, Pomona is like other California schools.

Pamela Brief asked why data from the University of California Extension Certificate programs was not included in the pass rate analysis. Dr. Calvert explained that there was a small sample size of candidates who attended those programs and that there were discrepancies between the candidate data collected by CLARB and LATC. Ms. Brief asked if the repeat testing data related to the University of California, Los Angeles (UCLA) Extension Certificate program was based on data collected by LATC. Dr. Calvert confirmed the data came from LATC records. Mr. Bowden asked if demographics contribute to the pass rates. Dr. Calvert confirmed that a candidate's background contributes to their examination pass rates, however, demographics were not evaluated as part of this analysis. Ms. Trauth asked if candidate demographic information is available to the public. Dr. Calvert explained that demographics by university are available; however, demographics related to examination candidates and passing scores are not available. Ms. Lincer added that all DCA programs are discussing DEI to determine how to collect and use demographic data. Mr. Bowden asked if Cal Poly, Pomona had been notified of the pass rate analysis. Ms. Zuniga confirmed that staff made Cal Poly, Pomona aware of the OPES analysis.

Dr. Calvert presented pass rates of candidates who completed all four LARE sections within the past five years and explained that the data for candidates who attended Cal Poly, Pomona indicates an examination completion rate of 77 percent, which is similar to other California schools. He further explained that each school serves a specific population, and it is encouraging to see that licensure is achieved for a high percentage of candidates from all schools. He added that there are many factors that contribute to differences in pass rates and possible causes include differences in candidates, curriculum, and quality of work experience. Dr. Calvert concluded that California pass rates are close to national averages and that schools serve different communities and commonly have different pass rates. He added that there is no evidence to explain the difference between Cal Poly, Pomona and other institutions. He recommended that LATC continue to evaluate pass rates after implementation of the new LARE format and explore other avenues of data collections for evaluation, which may include demographic information.

Ms. Landry shared that when she attended Cal Poly, Pomona the curriculum was oriented toward grading, drainage, drawings, and irrigation whereas other programs were very theoretical with an emphasis on written reports and more aligned with the current examination. She expressed that the examination format is moving away from drawing and that differences in the way people think and learn can impact pass rates. Mr. Bowden noted that the requirements to be accepted at each program are different. Dr. Calvert added that some schools give people a chance who would not have a chance somewhere else and while candidates from a specific school have lower pass rates, most candidates eventually pass all LARE sections and obtain a license. Mr. Bowden added that LATC does not want to do something that would impact a school's ability to attract students.

Mr. Wreschinsky stated that information presented clarifies issues that LATC has been looking at over the years and suggested that LATC also consider the level of experience that a candidate has when taking the LARE. He added that since candidates will be able to take the LARE after graduation, pass rate discrepancies between schools may increase. He suggested asking CLARB for national data on pass rates based on education, training experience, and demographics. Ms. Lincer explained that CLARB provided all school related data by LARE section, and that CLARB does not have demographic data. Ms. Brief asked if LATC could determine how curriculum and demographics impact pass rates. Dr. Calvert explained that would depend on LATC's scope of power. He encouraged LATC to discuss the pass rate analysis and admittance policies with Cal Poly, Pomona to better understand candidate backgrounds. He reminded the members that candidates who attended Cal Poly, Pomona are passing at a reasonable rate. Ms. Brief asked if LATC should have similar concerns about UCLA Extension. Dr. Calvert responded that the small sample size of candidates who attended UCLA Extension does not provide enough information to demonstrate a concern. Ms. Brief asked what information is needed to include UCLA Extension in the pass rate comparison with other California schools. Dr. Calvert explained that he can cross-reference the data provided by CLARB and LATC to confirm the pass rates of candidates who attended UCLA Extension.

Ms. Landry suggested that LATC confirm if the program at Cal Poly, Pomona is more graphic oriented and inquire about the method of teaching. She opined that having a written and multiple-choice test is not inclusive. Ms. Lincer reminded the members that LATC can explore any differences in curriculum among schools. She explained that it is easier to compare data from multiple-choice examinations than from practical examinations and that tests have moved away from those other methodologies because they are more time and labor intensive to develop and score. She added that practical examination questions are simulated with the use of computers. She suggested asking CLARB if the LARE addresses all necessary skills identified by their OA. Ms. Landry opined that changing the exam would address DEI needs and better align with the profession. Ms. Lincer noted that the upcoming changes to the LARE are probably reflective of changes in the industry identified by CLARB's OA. She suggested asking any questions pertaining to the LARE administration directly to CLARB. Ms. Trauth suggested that LATC determine which schools include AutoCAD in their curriculum. Mr. Wreschinsky asked if demographics and detailed work experience information are collected on candidate applications. Mr. Barnhart responded that demographics are not collected by LATC and explained that the LATC Certification of Experience form collects information related to the licensee who supervised the experience.

Melissa Ruth commented that LATC could consider how California licensed landscape architects are training candidates for licensure.

Alejandra Cervantes agreed with Ms. Landry that candidates have different learning styles and test-taking abilities. She stated that some of the language

and formatting used in the licensure examinations can be confusing for candidates who learned English as their second language. She shared that there are groups who research how to format tests and help students prepare for tests so that they are more inclusive for all learning styles and language backgrounds.

I.* Presentation on American Society of Landscape Architects Diversity x Landscape Architecture Program

Ms. Ruth and Jessamyn Lett presented an overview of the recently established ASLA Diversity in Landscape Architecture subcommittee which aims to proactively help landscape architects in the region be more educated, aware, and accomplished in achieving DEI. Ms. Ruth provided a summary of demographic data collected by ASLA and highlighted recent subcommittee meeting activities. Ms. Lett suggested that LATC consider collecting demographic data on landscape architects and set DEI specific goals to make sure there is not bias in the testing process. She also suggested that LATC provide examination application information to candidates in other languages.

Mr. Wreschinsky thanked Ms. Ruth and Ms. Lett for the presentation and stated that LATC wants to better support licensees and candidates. Ms. Landry and Ms. Brief thanked the presenters and commended the progress they are making for the profession. Ms. Brief shared that DEI is being worked into LATC's strategic plan and suggested that the subcommittee continue to communicate with other California ASLA chapters.

H. Discuss and Possible Action on 2022-2024 Strategic Plan Objectives to:

3. Research the Economic and Consumer Protection Impact of Re-Establishing the Landscape Architects Board or Establishing a Merged Board with the California Architects Board to Provide Better Representation, Strengthen the Distinction Between the Two Entities, and Increase Efficiency

Ms. Zuniga stated that the full Board has not yet discussed this LATC objective and suggested the next step could be to have a discussion with the Board and add to the next Board agenda. Mr. Wreschinsky commented that LATC has done a lot of positive work related to the issues raised in the 1996 Joint Legislative Sunset Review Committee Findings and Recommendations. Mr. Bowden commented that the profession has changed since the 1996 report. He noted that the costs to operate a merged board could be spread over a larger number of licensees and possibly reduce the license fee. He added that establishing a merged board would possibly shorten approval processes by removing the need to have both LATC and Board approval. Ms. Trauth shared that many states have blended boards and noted that efficiency and costs should be considered when exploring the opportunity of a merged board. Ms. Landry agreed and stated that re-establishing a separate board would not address the issues around efficiency and program costs. She said she would

like to learn more about what it takes to establish a merged board and how it would affect efficiencies, program costs, and representation. Ms. Brief agreed that further discussion and investigation into the merged board concept is needed and that establishing a new single board does not make fiscal sense. Ms. Zuniga commented that staff have made the current system work well and agreed with Mr. Bowden that there are inefficiencies from having duplicate public meetings and having items go through both LATC and the Board for approval. She added that most other states have combined boards rather than stand-alone boards for architects. She suggested that the LATC Chair meet with the new Board President to discuss further and possibly add to the next Board meeting agenda. Mr. Wreschinsky added that they would need to determine how a merged board would represent issues unique to landscape architects. Ms. Landry agreed that Ms. Zuniga and Mr. Wreschinsky should meet with the Board to determine logistics of forming a merged board and a possible meeting schedule. Mr. Wreschinsky asked how the change would affect the Board structure. Ms. Zuniga explained that the Board could consider creating a new advisory committee focused on issues related to landscape architects. Mr. Wreschinsky agreed to discuss the possibility of a merged board with the Board President and Vice President. Ms. Landry asked staff to research the licensing board structures of other states.

Tracy Morgan Hollingworth suggested the Board consider adding seats for landscape architects.

J. Review of Future Committee Meeting Dates

Mr. Wreschinsky provided an overview of upcoming meeting dates and shared that he plans to attend the virtual Board meeting on May 19, 2023.

Ms. Landry said that she plans to apply for reappointment to LATC. Mr. Bowden said that he is entering his grace period. Ms. Morgan Hollingworth shared that two San Diego based licensees have applied for Governor appointment to LATC. Ms. Trauth said that she has applied for reappointment to LATC.

K. Closing Comments

Mr. Wreschinsky thanked everyone for attending the meeting.

L. Adjournment

The meeting adjourned at 2:00 p.m.

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

Landscape Architects Technical Committee Member Administrative Manual

Approved 12/11/19

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. Committee members are appointed for four-year terms, expiring on June 1 of the fourth year and until the appointment and qualification of their successor or until one year shall have elapsed, whichever first occurs. No member shall serve for more than two consecutive terms. 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 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 state laws applicable to similar boards within the State of California.

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~~ ~~e~~Champion for consumer protection, and a safer, healthier ~~built~~ environment for the people of California

Values

Consumer Protection

Integrity

Education

Innovation

Communication

Integrity

Leadership

Innovation

General Rules of Conduct

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.

- 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 or financial gain.

Abbreviations

ASLA	American Society of Landscape Architects
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 for public comment.

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~~they 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~~their 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 their](#) 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)

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

et seq.; B&P Code Section 101.7)

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. &
Gov. Code Section
11139.8, subd. (b)(1), (2))*

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. The Committee is prohibited from requiring or approving a travel request for any of its employees, officers, or members to travel to a state that, after June 26, 2015, has enacted a law that 1) has the effect of voiding or repealing existing state or local protections against discrimination on the basis of sexual orientation, gender identity, or gender expression; 2) authorizes or requires discrimination against same-sex couples or their families or on the basis of sexual orientation,

gender identity, or gender expression; or 3) creates an exemption to antidiscrimination laws in order to permit discrimination against same-sex couples or their families or on the basis of sexual orientation, gender identity, or gender expression. The Attorney General maintains on its website (oag.ca.gov/ab1887) a current list of states subject to California's ban on state-funded and state-sponsored travel.

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 & 106.5)

The [Governor appointing authority](#) has ~~the~~ power to remove from office at any time any member of any board appointed by ~~him/her~~ [the appointing authority](#) for continued neglect of duties required 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~~they are 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~~their designee will attend and testify at legislative budget hearings and shall communicate all budget issues to the Administration and Legislature.

Conflict of Interest

No LATC member may make, participate in making, or in any way attempt to use ~~his or her~~the

(Gov. Code Section 87100) public official's official position to influence a governmental decision in which ~~he or she the~~ official knows or has reason to know ~~he or she the~~ official has a financial interest. Any LATC member who has a financial interest shall disqualify ~~himself/herself~~ themselves from making or attempting to use ~~his/her~~ their official position to influence the decision. Any LATC member who feels ~~he or she~~ is/they are 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 (~~ba~~) explains when an item is reportable:

An investment, business position, interest in real property, or income shall be made reportable by the Conflict of Interest Code if the business entity in which the investment or business position 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~~ the designated employee's 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~~they 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~~the Committee member should immediately tell the person that discussion about the matter is not permitted, ~~he or she~~the Committee member will be required to recuse ~~him or herself~~themselves 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~~they have received an unlawful ex parte communication, ~~he or she~~the Committee member 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~~their 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

(Board/LATC Policy)

Gifts of any kind to LATC members or the staff from 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 stationery 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 dca.ca.gov/about_us/board_members/index.shtml

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~~three 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)

AGENDA ITEM G.1: AB 342 (VALENCIA) ARCHITECTS AND REAL ESTATE APPRAISERS: APPLICANTS AND LICENSEES: DEMOGRAPHIC INFORMATION

SUMMARY

[AB 342](#) would authorize the California Architects Board and the Bureau of Real Estate Appraisers to request that a licensee identify their race, ethnicity, gender, or gender identity when an initial license is issued or at the time of license renewal. The bill would require the board and the bureau to maintain the confidentiality of the information and would prohibit the board and the bureau from requiring a licensee to provide the information as a condition of licensure or license renewal. The bill would authorize the board and the bureau to publish the aggregate demographic data they collect on their internet websites. The bill, beginning January 1, 2025, would require the board and the bureau to submit the aggregate demographic data they collect to the department and would require the department to post the information on the department's internet website.

Background

This bill is sponsored by the American Institute of Architects California (AIACA). According to the Author, it is important that those in the architectural profession, who design and build our communities, reflect the diversity of the communities being served. This bill will give the California Architects Board the authority to request demographic information from licensees, which will help promote diversity, equity, and inclusion (DEI). The disclosure of this information will not be mandatory, but the new authority will allow for better assessment, support, and promotion of diversity, equity, and inclusion in the architectural industry. Collecting demographic information is critical to understanding recruitment and attrition patterns. This will enable the industry to develop strategies to address these barriers and create a more diverse and inclusive profession. These values are shared among other industries in the State and is essential for the architectural industry's long-term success.

On September 13, 2022, Governor Gavin Newsom issued Executive Order N-16-22 directing state agencies and departments to ensure that their strategic plans include policies and practices that promote DEI. More specifically, the executive order requires to state agencies and departments to consult with historically disadvantaged and underserved communities that have been impacted by the agency or department's policies or programs and to incorporate the use of data analysis and inclusive practices to promote equity and address disparities.

If enacted, the Board would become the first non-healing arts board authorized to request demographic information from licensees.

Comments

The National Council of Architectural Registration Boards (NCARB) publishes extensive demographic data about ARE candidates and NCARB certificate holders. It is not clear that the Board would be able to collect significantly more or different data than is collected by NCARB. Additionally, the Board cannot meet the January 1, 2025 deadline for reporting this information, as the Board would first need to amend its regulations to include the request for this information on its applications.

Action Requested

None.

AGENDA ITEM G.2: SB 372 (MENJIVAR) DEPARTMENT OF CONSUMER AFFAIRS: LICENSEE AND REGISTRANT RECORDS: NAME AND GENDER CHANGES

SUMMARY

[SB 372](#) would require a board to update a licensee's or registrant's records, including records contained within an online license verification system, to include the licensee's or registrant's updated legal name or gender if the board receives government-issued documentation, as described, from the licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed. The bill would require the board to remove the licensee's or registrant's former name or gender from its online license verification system and treat this information as confidential. The board would be required to establish a process to allow a person to request and obtain a licensee's or registrant's current name or enforcement action record linked to a former name, as prescribed. The bill would require the board, if requested by a licensee or registrant, to reissue specified documents conferred upon, or issued to, the licensee or registrant with their updated legal name or gender. The bill would prohibit a board from charging a higher fee for reissuing a document with a corrected or updated legal name or gender than the fee it charges for reissuing a document with other corrected or updated information.

Background

According to the Author, "deadnaming occurs when someone intentionally or unintentionally refers to a trans or non-binary person by the name they previously used. This practice can both negatively impact the mental health as well as the physical safety of all licensees under DCA who are identified by their deadname online.

When transgender or non-binary people transition or come out, they may choose a new name to affirm their identity. Research has shown that referring to someone using their chosen name can reduce depressive symptoms and even suicidal ideation and behavior for transgender people. It is imperative that the state take every step to uplift and protect trans and non-binary Californians. DCA can help protect its over 3.4 million licensed professionals by ensuring that trans and non-binary licensees who have legally changed their names have their identities reflected on their online system."

Action Requested

None.

AGENDA ITEM G.3: SB 544 (LAIRD) BAGLEY-KEENE OPEN MEETING ACT: TELECONFERENCING

SUMMARY

[SB 544](#) removes certain teleconference requirements of the Bagley-Keene Open Meeting Act including that each teleconference location be identified in a meeting notice and agenda and that each teleconference location be accessible to the public. This bill requires state bodies to provide a means by which the public may remotely hear audio of the meeting, remotely observe the meeting, or attend the meeting by providing on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for at least one site, including, if available, access equivalent to the access for a member of the state body participating remotely.

This bill deletes the requirement that an agenda provide an opportunity for members of the public to address the state body directly at each teleconference location and requires that at least one member of the state body be physically present at the location specified in the notice of the meeting.

This bill requires a procedure for receiving and swiftly resolving requests from members of the public with disabilities, consistent with the federal Americans with Disabilities Act of 1990.

This bill requires a member of a state body who attends a meeting by teleconference from a remote location to disclose whether any other individuals 18 years of age or older are present in the room at the remote location with the member and the general nature of the member's relationship with any such individuals.

Background

According to the Author, this bill codifies the Governor's Executive Order allowing state boards and commissions the opportunity to continue holding virtual meetings without being required to list the private addresses of each remote member or providing public access to private locations.

The additional flexibility and safeguards may also help attract and retain appointees, who provide invaluable perspective. This bill will promote equity and public participation by removing barriers to Californians that experience challenges attending physical meetings, such as people with disabilities, caretakers, seniors, low-income individuals, and those living in rural or different areas of the state.

Action Requested

None.

AGENDA ITEM G.4: SB 816 (ROTH) PROFESSIONS AND VOCATIONS

Summary

[SB 816](#) raises several types of licensing fees imposed by the Board of Psychology, Board of Pharmacy, Board of Accountancy, and the Landscape Architects Technical Committee and makes two technical changes pertaining to the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) and Veterinary Medical Board (VMB). The bill makes numerous technical changes, statutory improvements, and policy reforms raised during the California Council for Interior Design Certification's (CCIDC) sunset review in 2022.

The bill makes the following changes to the Landscape Architects Technical Committee:

- a. Sets the application fee for reviewing an applicant's eligibility to take any section of the examination at \$100.
- b. Sets the fee for the California Supplemental Examination at \$350. Authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$400.
- c. Sets the fee for an original license at \$700 and authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$800.
- d. Sets the fee for a duplicate license at \$300.
- e. Sets the renewal fee at \$700 and authorizes the California Architects Board to adopt regulations to set the fee at a higher amount, up to a maximum of \$800.

Action Requested

None.

AGENDA ITEM H.1: DISCUSS AND TAKE ACTION ON CANDIDATES FOR 2023 CLARB BOARD OF DIRECTORS AND LEADERSHIP ADVISORY COUNCIL

Summary

On June 20, 2023, CLARB released the final slate of candidates for the 2023 Board of Directors, and Leadership Advisory Council elections. Attached for the Committee's reference are each candidate's biography (Attachment H.1.1) and the Elections Ballot along with the template Letter of Delegate Credentials for the 2023 CLARB Annual Meeting (Attachment H.1.2), which staff will complete and submit to CLARB.

The completed ballot and Letter of Delegate Credentials must be returned to CLARB by September 15, 2023. Elections results will be announced at the Annual Meeting during the business session on September 21, 2023.

Action Requested

The Committee is asked to review the final slate of candidates for the 2023 Board of Directors and Leadership Advisory Council and determine how the LATC will vote in the elections.

Attachments

1. CLARB 2023 Board of Directors and Leadership Advisory Council Candidate Biographies
2. CLARB 2023 Elections Ballot and Template Letter of Delegate Credentials

2023 Candidate Interest Form

Joel Kurokawa—President-Elect Candidate

Jurisdiction: Hawaii

Company: Ki Concepts LLC

Job Title: Founder/Principal/Manager

Education: BLA, University of Oregon

Licenses: Hawaii

Service Information

Board Service

- Board Member,
 - 3rd 4-year term, 2022-Present, current Vice Chair.
 - 2nd 4-year, 2017-2020.
 - 1st 4-year term, 2013-2016, 2016 (Board Chair); 2015 (Board Vice Chair).
 - Rules Committee Member, 2014-Present.

CLARB Service

- C LARB Treasurer, 2021-Present.
- CLARB Director-at-Large, 2019-2021.
- CLARB Region 5 Director, 2017-2019.
- CLARB Annual Meeting attendance, Hawaii MBM, 2013-2022.
- CLARB Representative to LA CES, Administration Committee, 2017-2019.
- IFLA-CLARB Global Job Task Analysis Steering Committee and Working Group, 2021-Present.

Other Services, Awards, or Experience

- ASLA Member since 1994.
- ASLA Hawaii Chapter 2021 Po`okela Award for Outstanding Professional Achievement.
- ASLA Trustee, Hawaii Chapter, 2015-2017.
- Honolulu AIA Honolulu Chapter Emerging Professionals Mentor, 2018.

- UHM Sch. of Arch, MLA Program:
 - Adjunct Faculty, MLA Course Instructor: Arch 636.
 - Professional Practice of Landscape Architecture, Fall Semester 2020/2021/2022.
 - Search Committee Member for Assistant/Assoc. Prof. of LA and Urban Design, 2017.
 - MLA Lecture Series-(Ex)changing Perspectives in Landscape Architecture in Hawaii 2019.
- Hawaii Dept. of Transportation Complete Streets Task Force, 2009-2010.
- IFLA International Liaison for the Japanese Delegation, 1990-1997:
 - Attended IFLA World Congresses and Executive Committee Meetings: Seoul, Korea 1991; Cape Town, South Africa 1994; Bangkok, Thailand 1997. -
 - Attended Eastern Region Conferences and Region Leadership Meetings: Bali, Indonesia 1992; Christchurch, New Zealand 1993; Taipei, Taiwan, 1995.
- Community Service
 - SHADE Institute (Sustainable Humanitarian Architecture and Design for the Environment), 501(c)3 Charitable Organization, 2018-2019 (Board President), Advisor/Mentor since 2015.
 - Friends of UH Lyon Arboretum, Board Vice President and Member, 2013-2017.
 - The Outdoor Circle, Board President, Vice President, Landscape Committee Chair, Advisor, Member, 2005-2013.
 - Smart Trees Pacific (formerly Friends of Hawaii's Urban Forest), 2007-2013 (Board Member).
 - Kaulunani Urban and Community Forestry Program, Hawaii Dept. of Land and Natural Resources Division of Forestry and Wildlife, 2001-2007 (Council Member).
- Business Leadership:
 - Founder/Principal, Ki Concepts LLC, est. 2007.
 - Principal, Hawaii Design Associates, Inc., 1995-2006.
 - Head of Studio J, Landscape Architecture Design Studio, PREC Institute, Tokyo, Japan, 1990-1995
 - Senior Landscape Architect, Design Department, PREC Institute, Tokyo, Japan, 1988-1990.

2023 Candidate Interest Form

CLARB

Craig Coronato—Treasurer Candidate

Jurisdiction: Colorado

Company: Denver Parks and Recreation

Job Title: Supervisor

Education: BLA, MBA

Licenses: Colorado

Service Information

Board Service

- Colorado State Board of Landscape Architects, 2022-Present.
- Service on City of Littleton Planning Commission, 2010-13, 2017-Present (Chair).
- Service to ASLA - New York Chapter President, 1997-1998; Colorado Chapter Govt Affairs, 2001-2008, Arizona Chapter Govt Affairs, 2013-2016.
- ASLA National - Licensure Committee and Government Affairs Committee, 2000-2018.

CLARB Service

- Service on CLARB Board as Director-at-Large, 2021-2023.
- Service on CLARB LAC, 2017-2020.
- Service as a CLARB grader, Approx 2005-2013.
- Service on CLARB Job Task Analysis, 2017.

Other Services, Awards, or Experience

- ASLA Fellow, inducted in 2008.
- Eagle Scout, BSA

2023 Candidate Interest Form

CLARB

John Cothron—Leadership Advisory Council Candidate

Jurisdiction: Mississippi

Company: Mississippi State Board of Architecture

Job Title: Board Executive

Education: B.A. in History and Spanish; M.A. in History

Licenses: NA

Service Information

Board Service

- Executive Director of the Mississippi State Board of Architecture, Landscape Architecture Advisory Committee, and Interior Design Advisory Committee, 2018-Present.
- Employed by the Tennessee Board of Architectural and Engineering Examiners (the last 11 years as Executive Director), 1998-2017.

CLARB Service

- Member of the CLARB MBE Committee, 2018-2020.
- Attended most CLARB meetings, 2007-Present.

Other Services, Awards, or Experience

- Served on various NCARB committees/task forces, including as Chair of the Professional Conduct Committee (2021-2023) and Member Board Executives Committee (2016-2017).
- Currently serving on the Board of Directors for the Mississippi Boy Choir, and also serve in church leadership.
- Received a CLARB Recognition Award in 2020 and a Presidential Recognition Award in 2019.
- Received a Southern Conference of NCARB Distinguished Service Award in 2014 for service on the Southern Conference Board of Directors.
- Completed the CLARB Foresight First program in 2020.

2023 Candidate Interest Form**Candace Dillingham—Leadership Advisory Council Candidate**

Jurisdiction: Oklahoma

Company: Skii Landscape Architecture

Job Title: Landscape Architect

Education: Bachelor of Landscape Architecture/University of Arkansas

Licenses: Oklahoma

Service Information**Service in Landscape Architecture Field**

- I am outgoing President for the Oklahoma Chapter of ASLA (OKASLA). I have served on the Executive Committee, holding most every role. I enjoy service.
- I have owned my own firm and managed projects and contracts, contractors, and employees for 23 years. Successfully.
- I hold a merit award from ASLA for a residential project.
- I sit on the Professional Advisory Board for the School of Architecture and Design at the University of Arkansas for 12 years.
- I have been published in national magazines for my work more than eight times.
- I have been an expert witness in court cases for work in my field.

Board Service

- MBM, Oklahoma Board of Architects, Landscape Architects, and Certified Commercial Interior Designers, 2021-Present.

CLARB Service

- I have served as Oklahoma CLARB delegate for three years now. I was appointed to the Board in September 2021 and I was nominated to be the CLARB delegate for Oklahoma.

Other Service, Awards, or Experience

- I volunteer in my community for the Tulsa Girls' Art School, an under-served community in North and East Tulsa, and other non-profit affiliations.
- As president of OKASLA, Tulsa, OK (my home town), hosted the Central States Conference for ASLA May 2022. It took a ton of effort by our team of five and I am very proud of the success of our event.

2023 Candidate Interest Form

CLARB

Keven Graham—Leadership Advisory Council Candidate

Jurisdiction: Illinois

Company: TERRA Engineering, Ltd.

Job Title: Sr. Landscape Architect

Education: BLA Iowa State University

Licenses: Illinois | Indiana | Kansas | Michigan | Missouri | Ohio | Wisconsin

Service Information

Board Service

- ASLA Vice President, Government Affairs
- ASLA Board of Trustees - Illinois
- Illinois Advocacy chair and committee, testified before State Legislature
- Downtown Association President
- Local Trout Unlimited Board

CLARB Service

- I have not served CLARB directly, but have been a Council Record holder and worked closely with CLARB during my time as ASLA V.P.

Other Services, Awards, or Experience

- I have been through the fight for licensure, difficult discussions with allied organizations, and state agencies. I have assisted in the negotiation with the state and other professions. I feel I have an understanding of the point of contention.
- I have practiced in a number of states and been through the reciprocity process a number of times and understand different jurisdictions.
- I have and do practice internationally as well and understand the different needs and requirements of LA's.



1900 Reston Metro Plaza
Suite 600
Reston, VA 20190
571-432-0332
www.clarb.org

2023 Board of Directors & Leadership Advisory Council Elections Ballot

MEMBER BOARD: _____

COMPLETED BY:

Please note- Ballots may only be completed by a member or staff from the member board who has been authorized on the credentials letter to represent the member board's vote. The same person may not sign the ballot and the credentials letter.

Please check the boxes to cast your vote:

President-Elect (select 1)

Joel Kurokawa

Treasurer (select 1)

Craig Coronato

Leadership Advisory Council (select 2)

John Cothron

Candace Dillingham

Keven Graham

Please submit your board's ballot and credentials letter together as one voting package.

You may submit your voting package to CLARB via email as an attachment (Word or PDF) to Andrea Elkin by **Friday, September 15, 2023.**

Please note ballots will not be accepted in person at the Annual Meeting.

TO: Member Board Executives

FROM: Andrea Elkin
PMO Manager

RE: Letter of Delegate Credentials for Elections

With regard to board delegation and voting rights, Article VI, Section 3 of CLARB's Bylaws state:

"Each member board is entitled to be represented at CLARB meetings. As many delegates as are able to attend may represent a member board, but only one (1) vote may be cast on each motion for each member board by its credentialed delegate. A letter of credential from the delegate's board shall identify the voting delegate attending the annual meeting or any special meeting of CLARB. The credentialed delegate must be a member or staff of the member board."

The credentials letter should be filled out by a Member Board Executive or officer of the Member Board. The credentials letter should designate the Member Board Member, Member Board Executive, or Member Board Staff Member who is/are eligible to cast your Board's ballot. Only one ballot per Member Board may be cast.

Please submit your board's ballot and credentials letter together as one voting package. You may submit your voting package to CLARB via email as an attachment (Word or PDF) to Andrea Elkin by Friday, September 15, 2023.

Please note ballots will not be accepted in person at the Annual Meeting.

If you have any questions about any of these procedures, please let me know.

DATE: _____

TO: CLARB Board of Directors

FROM: _____

(Member Board)

RE: Letter of Delegate Credentials for 2023 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 September 20-22, 2023.

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.

NAME

POSITION

_____	_____
_____	_____
_____	_____
_____	_____

In addition, the following representatives will be in attendance:

Signed by: _____

Name

Title



2023 CLARB ANNUAL MEETING AGENDA

Henderson, Nevada - September 20-22

Welcome to CLARB's Annual Meeting!

Each day's sessions will focus on the theme for that day:

Cultivating Connections – Fostering Community – Evolving Competency

Glossary of Acronyms

CLARB	Council of Landscape Architectural Registration Boards
ASLA	American Society of Landscape Architects
CSLA	Canadian Society of Landscape Architects
IFLA	International Federation of Landscape Architects
FARB	Federation of Associations of Regulatory Boards
CE	Continuing Education
CELA	Council of Educators in Landscape Architecture
CFN	CLARB's Foresight Network
LAAB	Landscape Architecture Accreditation Board (U.S.)
LAAC	Landscape Architecture Accreditation Council (Canada)
LACES	Landscape Architecture Continuing Education System
LAF	Landscape Architecture Foundation
Presidents Council	CLARB + ASLA + CSLA + CELA + LAAB + LAF
NCARB	National Council of Architectural Registration Boards
NCEES	National Council of Examiners for Engineering and Surveying
CIDQ	Council for Interior Design Qualification
ICOR	CLARB + NCARB + NCEES + CIDQ
MBE	Member Board Executive (an executive with a board/agency)
MBM	Member Board Member (a board member on a board/agency)

All sessions are listed in local Pacific Time and are open to registered attendees only.

Tuesday, September 19

6:30 p.m. – 8:00 p.m.

Pre-Meeting Welcome Reception

Come and say hello to your fellow attendees, CLARB's Board of Directors, and staff! This optional pre-Annual Meeting event kicks off our three days of education and networking with a casual meet and greet of colleagues and peers from near and far.



Cultivating Connections

September 20, 2023

All sessions are listed in Pacific Time and are open to registered attendees only.

Wednesday, September 20

8:00 a.m. – 9:00 a.m.

New Attendee Breakfast

An opportunity for new attendees to meet with CLARB volunteers and staff.

9:00 a.m. – 9:30 a.m.

Opening Session

Energizing session with CLARB's CEO and President to set the stage for the meeting, share desired outcomes, and present the President's Award.

9:30 a.m. – 10:30 a.m.

Keynote Address – Generation "THEM:" Managing a Multi-Generational Workforce

Generation "THEM" examines the "WHY" behind each American generation's common perspectives so that we can better understand one another and build more cohesive teams. This keynote will give attendees a solid understanding of generational norms and the importance of attracting and retaining top young talent to ensure sustainability while allowing them to laugh at how silly we are deep down.

10:30 a.m. – 11:00 a.m.

Networking Break

11:00 a.m. – 12:00 p.m.

Planning for the Future: The Why and What of Strategic Planning

Strategic thinking (and planning) creates clarity and focus on how boards should invest their valuable resources to ensure future relevancy and success. In this session, we will review why strategic planning is important and learn a framework that can be easily applied regardless of board size or structure.

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 2:30 p.m.

Building Public Understanding of Landscape Architecture: Part 1

To build public understanding of the profession and its value, we need a public conversation that brings into view what landscape architects do, how they do it, and why this matters for all of us.

Based on a multi-year research project, The FrameWorks Institute will provide training to help CLARB members overcome the core misunderstandings people have about landscape architecture, build better understanding of what the profession entails, and help people see the importance of supporting the profession and placing landscape architects at the center of projects that involve outdoor spaces.

2:30 p.m. – 3:00 p.m.

Break

3:00 p.m. – 4:00 p.m.

Building Public Understanding of Landscape Architecture: Part 2

4:00 p.m. – 4:30 p.m.

Daily Wrap Up

A quick recap of the day's sessions and a preview of the agenda for Day 2.



Fostering Community

September 21, 2023

All sessions are listed in Pacific Time and are open to registered attendees only.

Thursday, September 21

8:00 a.m. – 9:00 a.m.

New Attendee Breakfast

An opportunity for new attendees to meet with CLARB volunteers and staff.

9:00 a.m. – 10:00 a.m.

Snapshot of Regulation Around the World

In the United States and Canada, licensure is built on the foundation of the three-legged stool - education, experience, and examination. As we begin to consider the development of standards to support a growing and more globally mobile profession, how are we similar, or different, in other countries? In this session, we will hear the results of a recent review, led by an IFLA workgroup (with CLARB participation), that will provide a snapshot of landscape architecture regulation around the world.

10:00 a.m. – 10:30 a.m.

Break

10:30 a.m. – 12:00 p.m.

Understanding Practice Globally: Results of the Global JTA

Through targeted research, CLARB (in partnership with IFLA) now has a better understanding of who makes up the profession of landscape architecture around the globe. We also have a better understanding of what the global practice of landscape architecture looks like. Join us to see the results of the first ever global job task analysis of landscape architecture.

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 2:30 p.m.

Evaluating Education Equivalency: A partnership with LAAB

As the world becomes smaller, we need to better understand how to effectively evaluate education around the world for meeting licensure requirements in the United States and Canada. In this session, attendees will hear about an exciting new partnership between CLARB and LAAB to meet the growing need for determining international equivalency.

2:30 p.m. – 3:00 p.m.

Networking Break

3:00 p.m. – 4:30 p.m.

Regulating Practice Overlap

No matter the name—incidental practice, overlapping practice, scope of practice—this concept has posed challenges for design professionals and the boards that regulate them. In this session, we will share progress made through an effort led by ICOR to develop a shared definition, guidelines, and/or best practices that licensure boards can use to regulate incidental practice between related design disciplines more effectively.

4:30 p.m. – 5:30 p.m.

General Business Session & Volunteer Recognition Reception

Join us for a quick recap of the day's sessions and a preview of the agenda for Day 3, as well as election results. Help celebrate our dedicated volunteers with a recognition reception to close out the day.



Evolving Competency

September 22, 2023

All sessions are listed in Pacific Time and are open to registered attendees only.

Friday, September 22

8:00 a.m. – 9:00 a.m.

New Attendee Breakfast

An opportunity for new attendees to meet with CLARB volunteers and staff.

9:00 a.m. – 10:00 a.m.

Continuing Education: Balancing Necessary Rigor with Ease

Continuing education (CE) is a requirement for licensure renewal in many jurisdictions across the CLARB membership. How can we work together to evolve CE requirements to be more defensible, consistent and provide increased access and flexibility in meeting CE requirements? In this session, we will review CE requirements across the membership, discuss the growing need for justification of these requirements, and brainstorm ideas for evolving CE standards to meet changing needs of boards and licensees.

10:00 a.m. – 10:30 a.m.

Networking Break

10:30 a.m. – 2:30 p.m.

MBE Session and Working Lunch

It's a Small World After All – What are we doing about that?

With the advancements of technology and the growth in remote work, our world is both expanding and shrinking like never before. Employers now have a much larger pool of candidates and employees are no longer tied to a physical location. Licensure boards are not immune to impacts these changes have, bringing up new questions and challenges. Join this MBE-only session as we discuss best practices for board executives in our small world, learn more about the profession, and join CLARB staff for a townhall discussion.

10:30 a.m. – 2:30 p.m.

MBM Session and Working Lunch

In the post-pandemic world, virtual work, and virtual supervision of work, is here to stay. How do we evolve regulations to recognize remote supervision of work and ensure "responsible charge?" Board members will engage in a dynamic discussion on next practices in evaluating experience in a virtual world to ensure we are meeting the changing needs of employers and practitioners while ensuring public protection.

Additionally, Board members will hear from Board Executives about the realities of administering a licensure board (or many boards in some cases.) in a "day in the life" presentation led by MBEs in our community.

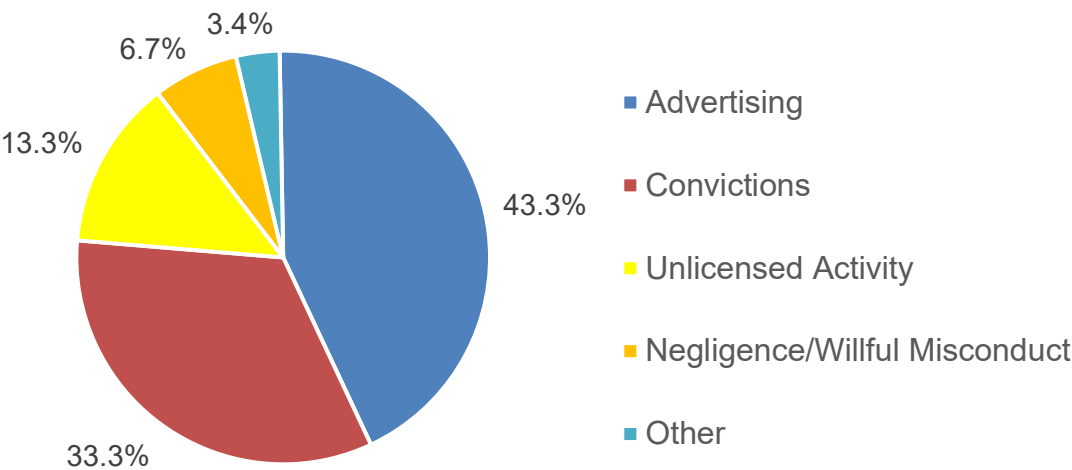
2:30 p.m. – 3:00 p.m.

Closing Session

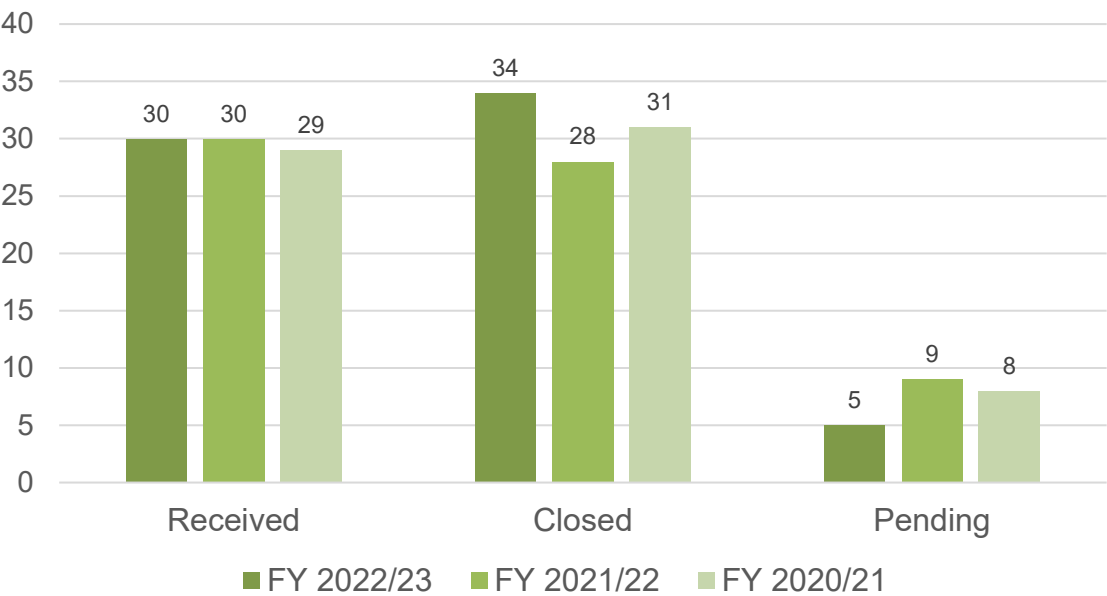
A recap of AM accomplishment with a compelling call to action.

ENFORCEMENT PROGRAM REPORT

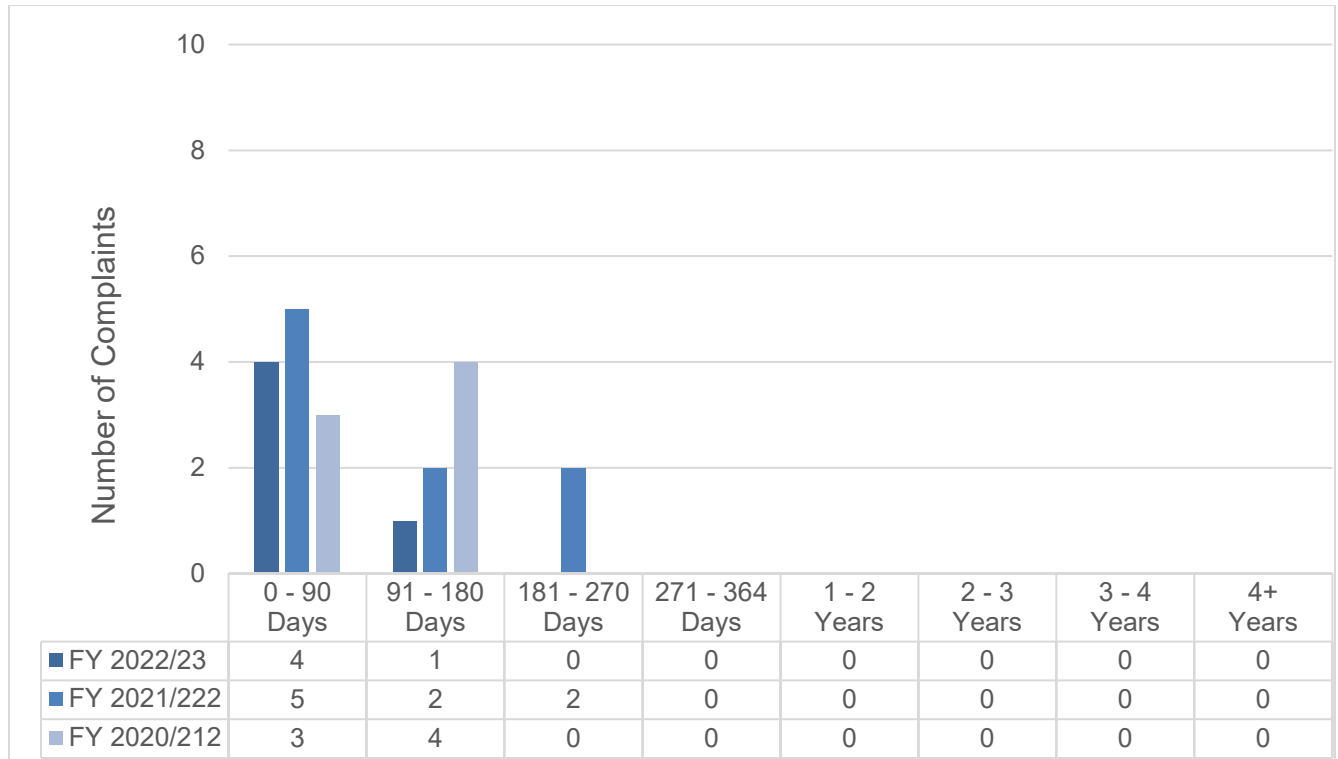
Types of Complaints Received Fiscal Year (FY) 2022/23



Complaints Received, Closed, and Pending by FY



Comparison of Age of Pending Complaints by FY



Closure of Complaints by FY

Type of Closure	FY 2022/23	FY 2021/22	FY 2020/21
Citation Issued	3	3	0
Insufficient Evidence	1	0	1
Letter of Advisement	19	18	14
No Violation	10	7	13
Other (i.e., Deceased, Error, etc.)	1	0	2

Disciplinary and Enforcement Actions by FY

Action	FY 2021/22	FY 2020/21	FY 2019/20
Disciplinary Cases Initiated	0	0	0
Pending Disciplinary Cases	0	0	0
Final Disciplinary Orders	0	0	0
Final Citations	1	1	1
Administrative Fines Assessed	\$1,000	\$1,000	\$2,000

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	FY 2021/22	FY 2020/21	FY 2019/20
BPC § 5616 – Landscape Architecture Contract - Contents, Notice Requirements	0 (0%)	0 (0%)	1 (50%)
BPC § 5640 – Unlicensed Person Engaging in Practice - Sanctions	3 (100%)	0 (0%)	1 (50%)
BPC § 5675 – Felony Conviction - Disciplinary Action	0 (0%)	0 (0%)	0 (0%)

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of [date]

Section 1

Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/profession that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).

- The Board of Landscape Architects (BLA) was created by the California Legislature in 1953.
- The LATC was established under the California Architects Board (Board) in 1997 to replace BLA.
- The LATC, under the purview of the Board, was created by the California Legislature to protect the health, safety, and welfare of the public by establishing standards for licensure and enforcing the laws and regulations that govern the practice of landscape architecture in California. California has both a Practice and a Title Act.
- The five-member Committee consists of three gubernatorial appointees, one Senate Rules Committee appointee, and one Assembly Speaker appointee. Members are appointed for a term of four years.
- Fifty U.S. states, four Canadian Provinces, and Puerto Rico regulate the practice of landscape architecture.
- There are approximately 16,600 licensed landscape architects in the United States.
- Approximately 22 percent of the nation's landscape architects are licensed in California.
- The LATC is a strong proponent of strategic planning and collaborates with professional, consumer, and government agencies to develop effective and efficient solutions to challenges.
- The LATC is proactive and preventative by providing information and education to consumers, candidates, clients, licensees, rather than expend more resources later.
- The LATC is committed to a strong enforcement program as a part of its mission to protect consumers and enforce the laws, codes, and standards governing the practice of landscape architecture.

Landscape architects offer an essential array of talent and expertise to develop and implement solutions for the built and natural environment. Based on environmental, physical, social, and economic considerations, landscape architects produce overall guidelines, reports, master plans, conceptual plans, construction contract documents, and construction oversight for landscape projects that create a balance between the needs and wants of people and the limitations of the environment. The decisions and performance of landscape architects affect the health, safety, and welfare of the client, as well as the public and environment. Therefore, it is essential that landscape architects meet minimum standards of competency.

¹ The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

California began regulating the practice of landscape architecture in 1953 with the formation of the BLA. In 1994, the statute authorizing the existence of the BLA expired. The Department of Consumer Affairs (DCA) recommended the Board as the appropriate oversight agency due to the similarities between the two professions and the Boards’ regulatory programs. DCA began discussions with the Board and other interested parties on possible organizational structures for regulating landscape architecture in California. In April 1997, the groups reached consensus and the Board unanimously supported legislation to establish the LATC under its jurisdiction. Legislation establishing the LATC was passed by the Legislature and signed into law effective January 1, 1998.

The LATC is responsible for the examination, licensure, and enforcement programs concerning landscape architects. The LATC currently licenses more than 3,600 of the over 16,600 licensed landscape architects in the United States. California has both a practice act, which precludes unlicensed individuals from practicing landscape architecture, and a title act, which restricts the use of the title “landscape architect” to those who have been licensed by the LATC.

Mission

The LATC’s mission is to ensure that all landscape architects practicing in the State of California are fully qualified to provide services to the public in a professional and ethical manner. Specifically, to regulate 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.

In fulfilling its mission, the LATC has found that acting preventively and proactively is the best use of its resources. Because of the nature of the design profession, there are numerous opportunities to prevent minor problems from becoming disasters. As such, the LATC works to aggressively address issues well before they exacerbate into catastrophes. The LATC works closely with professional groups to ensure that landscape architects understand changes in laws, codes, and standards. The LATC also invests in communicating with schools, and related professions and organizations. To ensure the effectiveness of these endeavors, the LATC works to upgrade and enhance its communications by seeking feedback and analyzing the results of its communications efforts. All of these initiatives underscore the LATC’s firm belief that it must be both strategic and aggressive in employing the preventive measures necessary to effectively protect the public health, safety, and welfare.

- 1. Describe the make-up and functions of each of the board’s committees (cf., Section 12, Attachment B).

The LATC and Board maintain an ongoing practice of providing regular updates regarding key issues at each other’s respective meetings in order to sustain understanding of each entity’s priorities. Moreover, the Board appoints an LATC liaison, who attends LATC meetings on behalf of the Board. Likewise, an LATC member attends Board meetings to ensure ongoing Committee representation.

Furthermore, to assist in the performance of its duties, the LATC establishes subcommittees and task forces, as needed, which are assigned specific issues to address.

Table 1a. Committee Member Attendance (July 1, 2018 – June 30, 2023) Includes current and prior members. Length of time serving varies depending on remainder of term available at time of appointment.

Jon S. Wreschinsky			
Date Appointed:		Date Appointed: 2/15/2019 [Term Expired: 6/01/2022] Date Re-appointed: 6/29/2022 [Term Expires: 6/1/2026]	
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	5/29/2019	Campbell	Y
LATC Teleconference Meeting	9/5/2019	Sacramento/Various Locations	Y
LATC Meeting	11/8/2019	Sacramento	Y
LATC Meeting	2/5/2020	Chula Vista	Y
LATC Teleconference Meeting	9/4/2020	Various Locations	Y
LATC Teleconference Meeting	12/2/2020	Various Locations	Y
LATC Teleconference Meeting	4/29/2021	Various Locations	Y
LATC Teleconference Meeting	5/25/2021	Various Locations	Y
LATC Teleconference Meeting	8/4/2021	Various Locations	Y
LATC Teleconference Meeting	1/27/2022	Various Locations	Y
LATC Meeting	4/7-8/2022	Sacramento	Y
LATC Teleconference Meeting	8/2/2022	Various Locations	Y
LATC Meeting	11/4/2022	Davis	Y
LATC Meeting	4/21/2023	Sacramento	Y

Andrew C. N. Bowden			
Date Appointed:		Date Appointed: 1/17/2008 [Term Expired: 6/10/2010] Date Re-appointed: 5/24/2012 [Term Expired: 6/1/2015] Date Re-appointed: 6/1/2015 [Term Expired: 6/1/2019] Date Re-appointed: 1/29/2020 [Term Expires 6/1/2023]	
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	7/20/2018	San Diego	Y
LATC Meeting	12/6-7/2018	Sacramento	Y
LATC Meeting	2/8/2019	Los Angeles	Y
LATC Meeting	5/29/2019	Campbell	Y
LATC Teleconference Meeting	9/5/2019	Sacramento/Various Locations	Y
LATC Meeting	11/8/2019	Sacramento	Y
LATC Meeting	2/5/2020	Chula Vista	Y
LATC Teleconference Meeting	9/4/2020	Various Locations	Y
LATC Teleconference Meeting	12/2/2020	Various Locations	Y
LATC Teleconference Meeting	4/29/2021	Various Locations	Y
LATC Teleconference Meeting	5/25/2021	Various Locations	Y
LATC Teleconference Meeting	8/4/2021	Various Locations	Y
LATC Teleconference Meeting	1/27/2022	Various Locations	Y
LATC Meeting	4/7-8/2022	Sacramento	Y
LATC Teleconference Meeting	8/2/2022	Various Locations	Y
LATC Meeting	11/4/2022	Davis	Y
LATC Meeting	4/21/2023	Sacramento	Y

Pamela S. Brief			
Date Appointed:	Date Appointed: 10/20/2020 [Term Expires 6/1/2024]		
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Teleconference Meeting	12/2/2020	Various Locations	Y
LATC Teleconference Meeting	4/29/2021	Various Locations	Y
LATC Teleconference Meeting	5/25/2021	Various Locations	Y
LATC Teleconference Meeting	8/4/2021	Various Locations	Y
LATC Teleconference Meeting	1/27/2022	Various Locations	Y
LATC Meeting	4/7-8/2022	Sacramento	Y
LATC Teleconference Meeting	8/2/2022	Various Locations	Y
LATC Meeting	11/4/2022	Davis	Y
LATC Meeting	4/21/2023	Sacramento	Y

Susan M. Landry			
Date Appointed:	Date Appointed: 4/19/2018 [Term Expired: 6/1/2018] Date Re-appointed: 7/25/2018 [Term Expires: 6/1/2022] Date Re-appointed: 6/20/2023 [Term Expires: 6/1/2026]		
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	7/20/2018	San Diego	Y
LATC Meeting	12/6-7/2018	Sacramento	Y
LATC Meeting	2/8/2019	Los Angeles	Y
LATC Meeting	5/29/2019	Campbell	Y
LATC Teleconference Meeting	9/5/2019	Sacramento/Various Locations	Y
LATC Meeting	11/8/2019	Sacramento	Y
LATC Meeting	2/5/2020	Chula Vista	N
LATC Teleconference Meeting	9/4/2020	Various Locations	Y
LATC Teleconference Meeting	12/2/2020	Various Locations	Y
LATC Teleconference Meeting	4/29/2021	Various Locations	Y
LATC Teleconference Meeting	5/25/2021	Various Locations	Y
LATC Teleconference Meeting	8/4/2021	Various Locations	Y
LATC Teleconference Meeting	1/27/2022	Various Locations	N
LATC Meeting	4/7-8/2022	Sacramento	Y
LATC Teleconference Meeting	8/2/2022	Various Locations	Y
LATC Meeting	11/4/2022	Davis	Y
LATC Meeting	4/21/2023	Sacramento	Y

Patricia M. Trauth			
Date Appointed:	Date Appointed: 6/1/2015 [Term Expired: 6/1/2018] Date Re-Appointed: 6/8/2018 [Term Expired: 6/1/2022]		
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	7/20/2018	San Diego	Y

LATC Meeting	12/6-7/2018	Sacramento	Y
LATC Meeting	2/8/2019	Los Angeles	Y
LATC Meeting	5/29/2019	Campbell	Y
LATC Teleconference Meeting	9/5/2019	Sacramento/Various Locations	Y
LATC Meeting	11/8/2019	Sacramento	Y
LATC Meeting	2/5/2020	Chula Vista	Y
LATC Teleconference Meeting	9/4/2020	Various Locations	Y
LATC Teleconference Meeting	12/2/2020	Various Locations	Y
LATC Teleconference Meeting	4/29/2021	Various Locations	N
LATC Teleconference Meeting	5/25/2021	Various Locations	Y
LATC Teleconference Meeting	8/4/2021	Various Locations	Y
LATC Teleconference Meeting	1/27/2022	Various Locations	N
LATC Meeting	4/7-8/2022	Sacramento	Y
LATC Teleconference Meeting	8/2/2022	Various Locations	Y
LATC Meeting	11/4/2022	Davis	Y
LATC Meeting	4/21/2023	Sacramento	Y

Marq Truscott			
Date Appointed:		Date Appointed: 9/1/2015 [Term Expired: 6/1/2016] Date Re-appointed: 6/9/2016 [Term Expired: 6/1/2020]	
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	7/20/2018	San Diego	Y
LATC Meeting	12/6-7/2018	Sacramento	Y
LATC Meeting	2/8/2019	Los Angeles	Y
LATC Meeting	5/29/2019	Campbell	Y
LATC Teleconference Meeting	9/5/2019	Sacramento/Various Locations	Y
LATC Meeting	11/8/2019	Sacramento	Y
LATC Meeting	2/5/2020	Chula Vista	Y

David Allan Taylor			
Date Appointed:		Date Appointed: 6/25/2008 [Term Expired: 6/1/2010] Date Re-appointed: 6/1/2010 [Term Expired: 6/1/2014] Date Re-appointed: 6/4/2014 [Term Expired: 6/1/2018]	
Meeting Type	Meeting Date	Meeting Location	Attended?
LATC Meeting	7/20/2018	San Diego	Y
LATC Meeting	12/6-7/2018	Sacramento	Y
LATC Meeting	2/8/2019	Los Angeles	N

Table 1b. Board/Committee Member Roster Includes current and prior members. Length of time serving varies depending on remainder of term available at time of appointment. (As of July 1, 2023)

Member Name (Include any vacancies and a brief member biography)	Date First Appointed	Date Re-appointed	Date Term Expires	Appointing Authority	Type (public or professional)
Jon S. Wreschinsky, Chair	2/15/19	6/29/2022	6/1/26	Senate Rules Committee	Landscape Architect
Pamela S. Brief, Vice Chair	10/20/20	N/A	6/1/24	Governor	Landscape Architect
Andrew C. N. Bowden	1/17/08	1/29/20	6/1/23	Governor	Landscape Architect
Susan M. Landry	4/19/18	6/20/23	6/1/2026	Speaker of the Assembly	Landscape Architect
Patricia M. Trauth	6/1/15	6/8/18	6/1/22	Governor	Landscape Architect
Marq Truscott	9/1/15	6/9/16	6/1/20	Governor	Landscape Architect
David Allan Taylor	6/25/08	6/4/14	6/1/18	Senate Rules Committee	Landscape Architect

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it affect operations?

No, in the past four years, the LATC has held all meetings without any quorum issues.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

California Supplemental Examination (CSE)

The CSE tests for areas of practice unique to California. In November 2019, the LATC contracted with DCA's Office of Professional Examination Services (OPES) to conduct an occupational analysis (OA) of the landscape architect profession. The purpose of the OA was to define practice for landscape architects in terms of actual job tasks that new licensees must be able to perform safely and competently.

In November 2019, OPES initiated the OA process and finalized the OA report in June 2020. As part of the OA process, OPES conducted a Landscape Architect Registration Examination (LARE) review and linkage study in December 2022 that compared the content of the 2020 CSE Test Plan with the subject matter covered in the various sections of the LARE. The findings of the linkage study were then used to define the content of the CSE and form the basis for determining "minimum acceptable competence" as it relates to safe practice at the time of initial licensure.

Since the last Sunset Review, the LATC has contracted with OPES to prepare a new CSE form every year, using the examination plan contained in the most recent OA as the basis. As a result, LATC developed and administered a new CSE form in 2019 based on the OA conducted in 2016, and new CSE forms were administered in 2020, 2021, 2022, and 2023 based on the OA conducted in 2020.

Strategic Planning

The LATC utilizes DCA SOLID Planning Solutions staff to facilitate the development of its biennial Strategic Plans. As preparation for each new Strategic Plan, SOLID conducts an environmental scan for the LATC, which is used as a reference tool for the establishment of new Strategic Plan objectives. The LATC developed a 2022-2024 Strategic Plan in April 2022.

Leadership and Personnel

LATC's Program Manager retired earlier this year after twelve years with the program. LATC proactively cross-trains and develops staff for program success and career development, resulting in the retention of analysts for several years.

- All legislation sponsored by the board and affecting the board since the last sunset review.

Assembly Bill (AB) 107 (Salas, Chapter 693, Statutes of 2021) [Licensure: Veterans and Military Spouses] requires boards to issue temporary licenses to a spouse of someone who is on active duty in the military and publish pertinent information on their websites. The bill also requires annual reporting to the Legislature. The Governor signed the bill in October 2021.

AB 476 (B. Rubio, 2019) [DCA Task Force: Foreign-Trained Professionals] requires the DCA to create a task force to study the licensing of foreign-training professionals and create a report for the Legislature. The Governor vetoed the bill.

AB 646 (Low, 2021) [DCA: Boards: Expunged Convictions] requires boards to remove information from their websites about licensees that were revoked due to conviction of a crime, upon receiving an expungement order. If the individual does not reapply, the board must remove the initial posting of the revocation from its website. This bill is in the Senate Appropriations Committee.

AB 830 (Flora, Chapter 376, Statutes of 2021) [DCA: Licensed Professions and Vocations] authorizes a business entity organized as a general corporation to include in its name any or all of the following, as specified: a fictitious name, the name of one or more licensed architects, or the term "architect, the term "architecture," or other variations of the term "architect" or "architecture." This bill also requires persons licensed to do business as a corporation to be registered and in good standing with the Secretary of State and the Franchise Tax Board, and disciplinary actions taken for non-compliance. The Governor signed the bill in September 2021.

AB 1263 (Low, 2019) [Contracts: Consumer Services: Consumer Complaints] provides that a contract or proposed contract between a consumer and a licensee shall not include a provision limiting a consumer's ability to file a complaint with a licensing board. This bill did not advance.

AB 1616 (Low, 2019) [DCA: Boards: Expunged Convictions] requires boards to remove information from their websites about licensees that were revoked due to conviction of a crime, upon receiving an expungement order. If the individual does not reapply, the board must remove the initial posting of the revocation from its website. This bill did not advance.

AB 2028 (Aguiar-Curry, 2020) [State Agencies: Meetings] amends the Bagley-Keene Open Meetings Act requiring all meeting materials, except those for Closed Session, be posted as

soon as available to board members and at least 48 hours in advance of the meeting. This bill did not advance.

AB 2113 (Low, Chapter 186, Statutes of 2020) [Refugees, Asylees, and Special Immigrant Visa Holders: Professional Licensing: Initial Licensure Process] requires boards to expedite and authorizes to assist in the initial licensure process for an applicant who supplies satisfactory evidence that they are a refugee, have been granted asylum, or have a special immigrant visa. The Governor signed the bill in September 2020.

AB 2138 (Chiu and Low, Chapter 995, Statutes of 2018) [Licensing Boards: Denial of Application: Revocation or Suspension of Licensure: Criminal Conviction] restricts using prior criminal history as grounds for licensing determinations and establishes new prohibitions relating to the denial, suspension, and revocation of licensure. Other revisions include the adoption of a seven-year limitation on convictions eligible for licensure denial, subject to specified exemptions, and bans asking applicants to self-disclose prior convictions unless the application is made for a listed license type that does not require a fingerprint background check. This bill took effect on July 1, 2020.

AB 3045 (Gray, 2020) [DCA: Boards: Veterans: Military Spouses: Licenses] requires boards to issue a temporary license to an applicant that is married to or in a domestic partnership with an active-duty member of the Armed Forces, if certain conditions are met. The bill did not advance.

Senate Bill (SB) 53 (Wilk, 2019) [Open Meetings] amends the Bagley-Keene Open Meetings Act to require two-member advisory bodies to hold open meetings. This bill did not advance.

SB 601 (Morrell, Chapter 854, Statutes of 2019) [State Agencies: Licenses: Fee Waiver] authorizes board to waive certain fees in the event of a declared emergency. The Governor signed the bill in October 2019.

SB 608 (Glazer, Chapter 376, Statutes of 2019) [Architects and Landscape Architects] requires the board and the Landscape Architects Technical Committee (LATC) to begin fingerprinting new applicants for licensure on January 1, 2021. This bill contains language to further define implementation for the board but not for LATC's statute. SB 1474 delays LATC's implementation until January 1, 2022.

SB 721 (Hill, Chapter 445, Statutes of 2018) [Building Standards: Decks and Balconies: Inspection] establishes inspection and repair requirements for "exterior elevated elements" as defined, including decks and balconies for buildings with three or more multifamily dwelling units; establishes reporting and repair requirements if repairs are needed, including specific timelines for carrying out the repairs; specifies who can complete the inspections and repairs; and, provides for civil penalties for violations for building owners. The board opposed the bill and conveyed concerns to the author. The Governor signed the bill in September 2018.

SB 816

SB 878 (Jones, Chapter 131, Statutes of 2020) [DCA: License: Application: Processing Timeframes] requires boards that issue licenses to prominently display on their internet websites, on at least a quarterly basis, either the current average timeframes for processing initial and renewal license applications or the combined current average timeframe for processing both initial and renewal license applications. The Governor signed the bill in September 2020.

SB 984 (Skinner, 2018) [State Boards and Commissions: Representation: Appointments] would require all state boards and commissions, beginning on and after January 1, 2024, to be comprised of a specified minimum number of women board members or commissioners based on the total number of board or commission members on that board. This bill would also require the office of the Governor to collect and release aggregated demographic data provided by state board and commission applicants, nominees, and appointees. The bill did not advance.

SB 1137 (Vidak, Chapter 414, Statutes of 2018) [Veterans: Professional Licensing Benefits] requires the Department of Veterans Affairs and the Department of Consumer Affairs (DCA), in consultation with each other, take appropriate steps to increase awareness regarding professional licensing benefits available to veterans. The Governor signed the bill in September 2018.

SB 1168 (Morrell, 2020) [State Agencies: Licensing Services] requires agencies issuing any business license to establish a process for anyone experiencing economic hardship due to an emergency caused by a virus to submit an application for deferral of fees, and requires expediting licensing services for individuals displaced by an emergency. This bill did not advance.

SB 1214 (Jones, Chapter 226, Statutes of 2022) [Planning and Zoning: Local Planning] requires a local planning agency to ensure that architectural drawings that contain protected information are made available to the public and authorizes the planning agency to provide a copy or post a site plan or massing diagram on the internet and allow the site plan or massing diagram to be copied. The Governor signed the bill in August 2022.

SB 1237 (Newman, Chapter 386, Statutes of 2022) [Licenses: Military Service] clarifies the definition in existing law of active-duty military personnel. The Governor signed the bill in September 2022.

SB 1443 (Roth, Chapter 625, Statutes of 2022) [Professions and Vocations] extends our sunset date one year, until January 1, 2025. The Governor signed the bill in September 2022.

SB 1474 (Committee on Business, Professions and Economic Development, Chapter 312, Statutes of 2020) [Business and Professions] further defines the procedure for the holder of a retired license to reinstate the license to active status and delays the fingerprint requirement for LATC until January 1, 2022. The Governor signed the bill in September 2020.

SB 1480 (Hill, Chapter 571, Statutes of 2018) [Professions and Vocations] requires the DCA to amend department-wide enforcement guidelines to include the category of “allegations of serious harm to a minor” under the “urgent” or “highest priority level.” It also reduces from three times per year to two times per year, the frequency with which the boards within the DCA meet. Other provisions of this bill are specific to individual programs. The Governor signed the bill in September 2018.

- All regulation changes approved by the board since the last sunset review. Include the status of each regulatory change approved by the board.

Substantial Relationship Criteria, Criteria for Rehabilitation (CCR sections 2655 and 2656) – Effective December 2020, as a result of the passage of AB 2138 (Chiu and Low, Chapter 995, Statutes of 2018), CCR sections 2655 and 2656 were amended to clearly specify the criteria the Board uses when making a substantial relationship determination for an applicant’s or licensee’s criminal conviction or formal discipline by another licensing Board and evaluating the rehabilitation of an applicant or licensee when

considering denial, suspension, or revocation of a landscape architect license.

Public Presentments and Advertising Requirements (CCR section 2671) – Effective January 2022, CCR section 2671 was amended to expand the advertising and public presentment requirements of licensed landscape architects to also include their license number.

Abandonment of Application, Retention of Candidate Files, and Application for Licensure Following Examination (CCR sections 2611, 2611.5, and 2616) – Effective April 2022, CCR sections 2611, 2611.5, and 2616 were amended to define the abandonment of an application and provide transparency in retention and purging of candidate files.

Form of Examinations, Education and Training/Practice Credits (CCR sections 2615 and 2620) – Effective June 2022, CCR sections 2615 and 2620 were amended to expand experience and education pathways to licensure and reduce unnecessary barriers to the landscape architect profession for qualified individuals. Specifically, the amendments to section 2620(a) provide credit for a candidate with an accredited civil engineering degree, any bachelor's degree, experience supervised by a licensed landscape contractor, as well as an experience-only pathway.

Requirements for an Approved Extension Certificate Program (CCR section 2620.5) – Effective October 2022, CCR section 2620.5 was amended to establish processes for extension certificate program application, review, and approval. The amendments increase clarity of the requirements for educational programs interested in obtaining and maintaining Board extension certificate approval.

Disciplinary Guidelines (CCR section 2680) – Effective July 2023, CCR section 2680 was amended to incorporate the revised *Disciplinary Guidelines* by reference and appropriate changes needed as a result of the passage of AB 2138 (Chiu and Low, Chapter 995, Statutes of 2018).

Issuance and Appeals of Citations (CCR sections 2630 and 2630.2) – Effective April 2023, CCR sections 2630 and 2630.2 were amended to clarify the issuance of citations and the process in which a respondent may appeal a citation that has been issued.

Examination Transition Plan (CCR section 2614) – The Council of Landscape Architectural Registration Boards (CLARB) is the national test vendor that supplies the Landscape Architect Registration Examination (LARE), the licensing examination, to the LATC. In December 2023, CLARB will implement modest structural changes to the LARE to better align the content of the LARE with current practice. Effective April 2023, CCR section 2614 was amended to update the examination transition plan to grant examination credit to candidates who passed sections of the previously administered LARE, after the new LARE is administered starting in December of 2023. The LATC is pursuing additional amendments to this section to extend the examination transition date from August to November 2023 to accommodate an additional administration of the LARE that was announced by CLARB in early 2023.

Form of Examinations (CCR section 2615) – The LATC is pursuing a regulatory change to amend CCR section 2615 to align California's regulations with the new LARE format by removing references to LARE Sections 1, 2, 3 and 4 which will no longer be administered after

December 2023. The proposed amendments will also allow landscape architect candidates with an accredited landscape architecture degree, or an extension certificate in landscape architecture and any four-year degree, to take all sections of the LARE. These candidates are currently permitted to take LARE Sections 1 (Project and Construction Management) and 2 (Inventory and Analysis) and must verify qualifying training experience to take LARE Sections 3 (Design) and 4 (Grading, Drainage, and Construction Documentation). The proposed amendments would instead require candidates to obtain qualifying training experience prior to taking the California Supplemental Examination.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

Fee Analysis Report - October 2022

In 2022, DCA conducted a fee study to help ensure the LATC can fulfill its mission by identifying funding resources needed to meet ongoing demands. The LATC is required to maintain sufficient financial resources to meet its important roles of regulating the profession of landscape architecture and helping to protect Californians. Fee study began meetings in July 2022 and findings were presented at the November 4, 2022, LATC meeting. The LATC is pursuing a bill to raise statutory fee caps under BPC section 5681 (Schedule of Fees) effective January 1, 2024.

5. List the status of all national associations to which the board belongs.

- Does the board's membership include voting privileges?

The LATC is a member of the Council of Landscape Architectural Registration Boards (CLARB) and exercises its voting rights pursuant to CLARB's bylaws when approved to attend official meetings.

- List committees, workshops, working groups, task forces, etc., on which the board participates.

The LATC has appointed a member to CLARB's 2023 Job Task Analysis (JTA) Work Group to evaluate the outcomes of the JTA and determine how they might influence refinements to experience required for licensure.

- How many meetings did board representative(s) attend? When and where?

The LATC was approved to participate in the CLARB Annual Meetings as follows:

CLARB Annual Meeting

September 26-28, 2019 (St. Louis, MO)

September 10, 2020 (Virtual Meeting)

September 22-24, 2021 (Phoenix, AZ)

September 21-23, 2022 (Omaha, NE)

- If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

The national exam, the LARE, is computer-based. As such, there is no opportunity for involvement on scoring and analysis. CLARB contacts licensees directly to select technical experts for a four-year term on their Committee on Examinations. Currently, there is one California participant on CLARB's Committee on Examinations.

Section 2

Fiscal and Staff

Fiscal Issues

6. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

No.

7. Describe the board's current reserve level, spending, and if a statutory reserve level exists.

Per Business and Professions Code section 128.5(b), the LATC's statutory fund limit is no more than 24 months in reserve. The current reserve level for fiscal year (FY) 2022/23 is \$573,000 (5 months in reserve). The estimated current spending level for 2023/24 is \$1,376,000. The LATC's fund condition is shown below in Table 2, identifying fund balance and expenditure levels.

8. Describe if/when a deficit is projected to occur and if/when a fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

The LATC is committed to continue monitoring its fund condition and, in consultation with DCA Budget Office, has determined the next appropriate step is to increase its statutory fee limits during the 2023 legislative session. Examination, licensing, and renewal fees will be increased based on the 2022 DCA Fee Study to preserve LATC's fund condition.

Table 2. Fund Condition						
(Dollars in Thousands)	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23**	FY 2023/24***	FY 2024/25***
Beginning Balance	\$1,467	\$1,301	\$1,277	\$958	\$573	\$31
Revenues and Transfers	\$803	\$829	\$761*	\$830	\$834	\$834
Total Revenue	\$2,270	\$2,130	\$2,038	\$1,788	\$1,407	\$865
Budget Authority	\$1,081	\$1,064	\$1,292	\$1,128	\$1,276	\$1,314
Expenditures	\$954	\$876	\$1,080	\$1,215	\$1,376	\$1,414
Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Accrued Interest, Loans to General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Loans Repaid From General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Fund Balance	\$1,316	\$1,254	\$958	\$573	\$31	-\$549
Months in Reserve	18.0	13.9	9.5	5	0.3	-4.6

*Includes EO transfer to GF (AB 84)

**Projection based on Budget

***Estimate

9. Describe the history of general fund loans. When were the loans made? When have payments been made to the board? Has interest been paid? What is the remaining balance?

The LATC has not issued any general fund loans in the preceding four FYs. In FY 2003/04, the LATC loaned the general fund \$1.2 million that was repaid with interest in FY 2005/06.

10. Describe the amounts and percentages of expenditures by program component. Use *Table 3. Expenditures by Program Component* to provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

During the last four years, the LATC has spent an average of approximately 16% of its budget on the enforcement program, 16% on the examination program, 13% on the licensing program, 36% on administration, and 19% on DCA pro rata.

Table 3. Expenditures by Program Component (list dollars in thousands)								
	FY 2019-20		FY 2020-21		FY 2021-22		FY 2022-23**	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$85	\$57	\$79	\$64	\$98	\$84	\$90	\$84
Examination	\$85	\$91	\$79	\$35	\$98	\$67	\$90	\$78
Licensing	\$85	\$30	\$79	\$29	\$98	\$33	\$90	\$77
Administration *	\$213	\$74	\$199	\$72	\$245	\$82	\$314	\$269
DCA Pro Rata	\$0	\$160	\$0	\$166	\$0	\$192	\$0	\$236
Diversion (if applicable)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTALS	\$468	\$412	\$436	\$366	\$539	\$458	\$584	\$744

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

**Projections based on Budget

11. Describe the amount the board has contributed to the BreEZe program.

Since the inception of the BreEZe project, the LATC has contributed a total of \$54,162. The LATC has not contributed to the BreEZe project since FY 2017/18. The LATC is part of DCA's Business Modernization Cohort 2 which is transitioning to a new licensing and enforcement platform (Connect) and will not transition to the BreEZe program.

12. Describe license renewal cycles and history of fee changes in the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citation) for each fee charged by the board.

The LATC is a special fund agency that generates revenue from its fees. The LATC's main source of revenue is from applicants and licensees through the collection of examination, licensing, and renewal fees. These fees support the licensing, examination, enforcement, and administration programs, which include processing and issuing licenses, conducting an OA and ongoing examination development, maintaining records, producing and distributing publications, mediating consumer complaints, enforcing statutes, disciplinary actions, personnel, and general operating expenses.

In 2015, the LATC implemented a temporary license renewal fee-reduction for FY 2015/16 through 2016/17 to maintain an appropriate fund balance. The LATC promulgated an additional regulatory amendment to continue the fee reduction for FYs 2017/18 through 2018/19. The renewal fee reverted to the full amount (\$400) beginning July 1, 2019.

Business and Professions Code section 5681 authorizes the LATC to charge fees as follows:

The fees prescribed by this chapter for landscape architect applicants and landscape architect licensees shall be fixed by the Board as follows:

- a) The application fee for reviewing an applicant's eligibility to take any section of the examination may not exceed one hundred (\$100).
- b) The fee for any section of the examination administered by the board shall not exceed the actual cost to the board for purchasing and administering each exam.
- c) The fee for an original license may not exceed four hundred dollars (\$400), except that, if the license is issued less than one year before the date on which it will expire, then the fee shall equal 50 percent of the fee fixed by the board for an original license. The board may, by appropriate regulation, provide for the waiver or refund of the initial license fee where the license is issued less than 45 days before the date on which it will expire.
- d) The fee for a duplicate license may not exceed fifty dollars (\$50).
- e) The renewal fee may not exceed four hundred dollars (\$400).
- f) The penalty for failure to notify the board of a change of address within 30 days from an actual change in address may not exceed fifty dollars (\$50).
- g) The delinquency fee shall be 50 percent of the renewal fee for the license in effect on the date of the renewal of the license, but not less than fifty dollars (\$50) nor more than two hundred dollars (\$200).
- h) The fee for filing an application for approval of a school pursuant to Section 5650 may not exceed six hundred dollars (\$600) charged and collected on a biennial basis.

CCR section 2649 currently authorizes the following fees:

The fees for landscape architect applicants and landscape architect licensees shall be fixed by the Board as follows:

- a) The fee for reviewing an eligibility application or an application to take the California Supplemental Examination is \$35.
- b) The fee for the California Supplemental Examination is \$275.
- c) The fee for a duplicate license is \$15.
- d) The penalty for late notification of a change of address is \$50.
- e) The fee for an original license is \$400.
- f) For licenses expiring on or after July 1, 2009, the fee for biennial renewal shall be \$400. For licenses expiring on or after July 1, 2015, the fee for biennial renewal shall be \$220. For licenses expiring on or after July 1, 2019, the fee for biennial renewal shall be \$400.

Table 4. Fee Schedule and Revenue							
(list revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2019/20 Revenue	FY 2020/21 Revenue	FY 2021/22 Revenue	FY 2022/23* Revenue	% of Total Revenue

Delinquency Fee		50% of the renewal fee; no less than \$50 no more than \$200						
	\$200		\$11	\$10	\$13	\$12	1%	
Cite & Fine	Various		\$4	\$3	\$0	\$3	0%	
Duplicate Cert	\$15	\$50	\$0	\$0	\$0	\$0	0%	
Exam California	\$275		\$34	\$41	\$44	\$45	5%	
App Fee Landscape Arch	\$35	\$100	\$5	\$6	\$4	\$5	1%	
Initial Landscape Arch	\$400	\$400	\$33	\$34	\$32	\$42	5%	
App Fee Supp	\$35		\$4	\$5	\$6	\$6	1%	
Over/Short Fees	N/A		\$0	\$0	\$0	\$0	0%	
Prior Year Revenue Adjustment	Various		\$0	-\$3	\$0	\$0	0%	
Investment Income - Surplus Money Investments	N/A		\$28	\$8	\$4	\$6	1%	
Canceled Warrants Revenue	N/A		\$0	\$0	\$1	\$0	0%	
Dishonored Check Fee	\$25		\$0	\$0	\$0	\$0	0%	
Settlements and Judgments - Other	N/A		\$0	\$1	\$0		0%	
Renewal Landscape Arch	\$400	\$400	\$681	\$724	\$695	\$711	86%	
Refunds	N/A		\$1	\$0	\$1	\$0	0%	
Renewal Accrued	N/A		\$2	\$0	\$0	\$0	0%	
Total Revenue			\$803	\$829	\$800	\$830	100.00	

*Projection based on Budget

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The LATC has submitted the following BCPs to accommodate costs related to DCA's Business Modernization Cohort 2.

Table 5. Budget Change Proposals (BCPs)								
BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
1111-122-BCP-2021-A1	2021/22	Business Modernization Cohort 2	0.2 AGPA	0.2 AGPA	\$22,000	\$22,000	\$165,000	\$165,000
1111-139-BCP-2022-MR	2022/23	Business Modernization Cohort 2	0	0	\$0	\$0	\$176,000	\$176,000
1111-022-BCP-2023-GB	2023/24	Business Modernization Cohort 2	0	0	\$0	\$0	\$116,000	\$116,000

Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

The LATC works expeditiously to fill vacant positions to help ensure adequate staff resources to meet the LATC's objectives. The LATC's position vacancies have mainly been in the Office Technician classification, which is entry level. The vacancies are often attributed to other promotional opportunities, a common civil service occurrence. Since one staff person is allocated to each program area, a single vacancy is 20% of the staffing level and can have a significant impact on workload until the position is filled. The LATC has been successful in cross-training and retaining staff.

Incorporated as an element of the LATC's Business Continuity Plan, the DCA's Workforce and Succession Plan identifies mission critical positions that have a significant impact on the LATC and requires specialized job skills and/or expertise. The LATC updates the plan annually to develop strategies to retain the expertise and staff knowledge so that it is preserved for the future and on a continual basis.

15. Describe the board's staff development efforts and total spent annually on staff development (cf., Section 12, Attachment D).

The LATC encourages training for all staff and participates in courses offered at no cost through DCA's Strategic Organization, Leadership & Individual Development (SOLID) Training and Planning Solutions. These courses include enforcement-related, customer service, computer software, and other skills-training classes. Staff are also encouraged, and some have completed SOLID's Analyst Certification Training. This training program is free of charge and includes a series of courses to develop analytical tools, strategies, and techniques. The courses offered and completed develop staff to have the essential tools and training to effectively perform their job. It also enables them to be viable candidates for future promotional opportunities. SOLID also offers an Enforcement Academy which is a series of courses aimed at developing staff's knowledge and skills related to DCA's enforcement programs. DCA's online Learning Management System (LMS) allows the program's Training Liaison to remotely assign and monitor trainings and policies for completion.

In the past three fiscal years, the average training cost per year (i.e., information technology, enforcement certification, regulatory process, annual meeting registrations) is approximately \$. Specialized training is also encouraged and provided to staff as needed. These include mandatory courses such as sexual harassment prevention, ethics, information security awareness, and defensive driving.

Section 3 Licensing Program

16. What are the board's performance targets/expectations for its licensing² program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

² The term "license" in this document includes a license certificate or registration.

The LATC's performance target for processing applications and issuing licenses is 30 days from receipt of the application. Where the application is complete and all requirements are met (including the submission of required supporting documentation and there is no criminal history), the LATC typically meets this goal. Additionally, staff is cross-trained to help mitigate the effects of extended absences and vacancies. Staff and management work together in a continuous effort to improve the quality of service provided by the LATC to its candidates and licensees. To this end, processes are routinely evaluated for efficiency to maximize staff performance and achieve performance expectations. When the LATC migrates to a new licensing and enforcement system, it is anticipated that additional process efficiencies will be realized.

17. Describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

Staff processing of applications typically meets its established performance targets. As noted above, management works with staff to routinely evaluate processes for efficiencies and implement them in a timely manner to maintain performance expectations and provide continuously improving customer service to stakeholders.

When evaluating performance on processing applications, it should be taken into consideration that candidates may submit applications for the Landscape Architect Registration Examination (LARE) at any time and, if found eligible, it may take several years for the candidate to pass all sections of the test. Candidates may submit applications for the California Supplemental Examination (CSE) and licensure once determined eligible by the LATC. There are no set deadlines for completing the examinations; however, inactive candidate records may be purged after five years (CCR section 2620 (d)). The Council of Landscape Architectural Registration Boards (CLARB) implemented a Council Record as part of the application process in 2012. The Council Record includes information on the candidate's education and certifications of experience which are maintained annually. The Council Record can be transmitted to the LATC and is typically available within one day of the request.

Another matter for consideration relative to application processing is the documentation that must be submitted in support of an application. Candidates are required to have certified transcripts sent directly from their school verifying their qualifying degree and a Certification of Experience form submitted by the licensee who supervised their experience. The LATC sends an ineligibility notification when an application is incomplete, advising candidates of documents that must be submitted for eligibility. It is the candidate's responsibility to ensure that the necessary documents are provided.

There can also be a great variation in the amount of time a candidate is issued a license after he or she has passed the CSE. CSE results are provided to candidates immediately upon completion of the examination at the test center. However, a candidate may choose to wait before applying for the actual license. A license is typically issued within 30 days after receipt of the completed application and fee. Average license application processing time over the past four fiscal years was 13 days.

18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or

duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

During the past four years, the LATC has not denied any license based on an applicant's criminal history in which the conviction was substantially related to the practice of landscape architecture.

DRAFT

Table 6. Licensee Population

		FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
[Landscape Architect]	Active ³	DNA	DNA	DNA	DNA	3714
	Out of State	DNA	DNA	DNA	DNA	552
	Out of Country	DNA	DNA	DNA	DNA	32
	Delinquent/Expired	DNA	DNA	DNA	DNA	519
	Retired Status <i>if applicable</i>	n/a	n/a	n/a	n/a	n/a
	Inactive	n/a	n/a	n/a	n/a	n/a
	Other ⁴	n/a	n/a	n/a	n/a	1912

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

³ Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

⁴ Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Table 7a. Licensing Data by Type

Application Type		Received	Approved/ Issued	Closed	Pending Applications			Cycle Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps	Incomplete Apps	combined, IF unable to separate out
FY 2019/ 20	(LARE)	141	129	129	12	DNA	DNA	See note below ²		
	(CSE)	94	94	94	0	DNA	DNA			
	(License)	83	84	84	0	DNA	DNA			
	(Renewal)	1873 ¹	1873 ¹	1873	0	DNA	DNA			
FY 2020/ 21	(LARE)	151	143	143	8	DNA	DNA			
	(CSE)	116	116	116	0	DNA	DNA			
	(License)	85	86	86	0	DNA	DNA			
	(Renewal)	1804 ¹	1804 ¹	1804	0	DNA	DNA			
FY 2021/ 22	(LARE)	121	116	116	5	DNA	DNA			
	(CSE)	125	125	125	0	DNA	DNA			
	(License)	80	80	80	0	DNA	DNA			
	(Renewal)	1751 ¹	1751	1751	0	DNA	DNA			
FY 2022/ 23	(LARE)	144	139	139	5	DNA	DNA			
	(CSE)	141	141	141	DNA	DNA	DNA			
	(License)	127	127	127	DNA	DNA	DNA			
	(Renewal)	1792	1792	1792	DNA	DNA	DNA			
* Optional. List if tracked by the board.										
DNA = Data Not Available N/A = Not Applicable										

¹Data does not include pending incomplete renewal applications, which range from 10 to 25 per FY.

²Applications are typically processed within 30 days from the date of receipt, provided application is complete and required supporting documentation submitted in accordance with the LATC's regulations (i.e., certified transcripts sent by the educational institution, employment verification documentation, etc.).

Table 7b. License Denial

	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23
License Applications Denied (no hearing requested)	0	0	0	0
SOIs Filed	0	0	0	0
Average Days to File SOI (from request for hearing to SOI filed)	NA	NA	NA	NA
SOIs Declined	NA	NA	NA	NA
SOIs Withdrawn	NA	NA	NA	NA
SOIs Dismissed (license granted)	NA	NA	NA	NA
License Issued with Probation / Probationary License Issued	0	0	0	0
Average Days to Complete (from SOI filing to outcome)	NA	NA	NA	NA

19. How does the board verify information provided by the applicant?

The LATC uses several measures to verify information provided by candidates on an application. For example, transcripts are required to substantiate the qualifying degree or certificate listed on the application for which a candidate wishes to receive credit. The transcripts must be certified and submitted directly from the respective school to the LATC for credit to be granted.

Work experience must be submitted on the LATC approved Certification of Experience form signed by the licensed professional who supervised the candidate's work to receive credit. LATC staff verify with the appropriate jurisdiction or regulatory agency that the supervising professional's licensing information provided on the form is true and correct.

Individuals who are licensed in another jurisdiction and applying for reciprocity must request that their state board provide a license certification to substantiate licensure, license status (e.g., current, delinquent, suspended, etc.), and information on disciplinary action. Additionally, the board certifying the information must provide the examination history detailing what form of the LARE (or equivalent) was taken and when each section was passed.

Initial and reciprocal licensure candidates may substitute their CLARB Council Record in lieu of the above-mentioned transcripts and work experience documentation. The CLARB Council Record provides information on education, experience and examination. LATC staff use the information included in the Council Record to verify that the candidate meets California's licensure requirements.

- a. What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?

In addition to requiring that candidate's submit fingerprints, the LATC's applications include the following questions about the candidate's criminal/disciplinary history:

- Have you ever had a landscape architecture license denied, suspended, or revoked?
- Have you ever been disciplined by another public agency?
- Have you ever been convicted of, or plead guilty or nolo contendere to any criminal or civil offense in the United States, its territories, or a foreign country?
- Is any criminal action pending against you or are you currently awaiting judgement and sentencing following entry of a plea or jury verdict?

The applications of those candidates with a conviction disclosure are referred to the LATC's Enforcement Unit for review and possible disciplinary action. The Enforcement Unit staff obtains a certified copy of the conviction or disciplinary action, a written explanation of the underlying circumstances of the offense or action, and evidence of rehabilitation from the candidate, and determines, based upon LATC's regulations and relevant statutes, whether the offense or action is substantially related to the practice of landscape architecture or to the candidate's ability to practice landscape architecture in the interest of the public health, safety, and welfare.

CLARB also maintains a disciplinary database that can be used by member boards to disclose and share information regarding disciplinary actions taken against licensees and unlicensed individuals within their jurisdiction. Prior to the issuance of each license, the Enforcement Unit staff searches the database and verifies if any disciplinary action has been taken against the candidate in another state, but was not disclosed to the Board on the candidate's applications.

During the past four years, the LATC has not denied any licenses based on a candidate's failure to disclose required information on an application, as there have not been any cases involving a candidate who deliberately withheld such information from the Committee.

- b. Does the board fingerprint all applicants?

Yes, beginning January 1, 2022, the board requires that all applicants submit fingerprints prior to the issuance of an initial license.

- c. Have all current licensees been fingerprinted? If not, explain.

No. The fingerprint requirement became effective January 1, 2022, and only requires that new applicants for licensure submit fingerprints.

- d. Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

Yes, as noted above, CLARB maintains a database available to its membership that contains disciplinary actions reported by participating Member Boards and the LATC's enforcement unit utilizes this resource. The LATC checks the database prior to issuing licenses and when a licensee discloses on their license renewal application that they had been convicted of a crime or disciplined by another public agency within the preceding renewal period.

- e. Does the board require primary source documentation?

Yes, the LATC requires candidates to submit (or have submitted on their behalf) original and/or certified documentation (such as university transcripts) to provide verification of authenticity.

The LATC also accepts CLARB Council Records which require primary source documentation.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

The LATC's laws and regulations require all candidates to meet the same prerequisites for a license. Candidates must document a combination of six years education and/or experience as specified in CCR section 2620 and successfully complete both the national examination (LARE or the equivalent) and the CSE.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

The LATC considers military education, training, and experience the same as that from any other source, provided it is related to the practice of landscape architecture. Education, training, and experience must fall within the parameters established in California Code of Regulations section 2620 to receive credit towards the six-year experience licensure requirement.

- a. Does the board identify or track applicants who are veterans? If not, when does the board expect to be compliant with BPC § 114.5?

Yes, the LATC tracks the military status of all candidates (applicants), including branch of service and military documentation received and provides resources for candidates on its website so candidates may receive credit for their training and educational experience.

- b. How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

None.

- c. What regulatory changes has the board made to bring it into conformance with BPC § 35?

No changes are necessary, as the LATC is already permitted by its regulations to grant credit for military education, training or experience that is related to the practice of landscape architecture.

- d. How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

None.

- e. How many applications has the board expedited pursuant to BPC § 115.5?

None. No candidates seeking reciprocal licensure and who are married to, or in a domestic partnership or other legal union with, an active duty member of the US Armed Forces who is assigned to a duty station in California have requested the expedited processing.

22. Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

The LATC implemented the fingerprint requirement of applicants for initial licensure on January 1, 2022, and, thus far, there has not been a need for sending “No Longer Interested” notifications to DOJ.

Examinations

Table 8. Examination Data ⁵		
California Examination (include multiple language) if any:		
License Type		Landscape Architect
Exam Title		California Supplemental Examination
FY 2018/19	Number of Candidates	216
	Overall Pass %	80%
	Overall Fail %	20%
FY 2019/20	Number of Candidates	103
	Overall Pass %	73%
	Overall Fail %	27%
FY 2020/21	Number of Candidates	140
	Overall Pass %	68%
	Overall Fail %	32%
FY 2021/22	Number of Candidates	124
	Overall Pass %	54%
	Overall Fail %	46%
FY 2022/23	Number of Candidates	171
	Overall Pass %	80%
	Overall Fail %	20%
Date of Last OA		2020
Name of OA Developer		OPES
Target OA Date		2026

⁵ This table includes all exams for all license types as well as the pass/fail rate. Include as many examination types as necessary to cover all exams for all license types.

DRAFT

National Examination (include multiple language) if any:					
License Type		Landscape Architect			
Exam Title: LARE Divisions ²		Section 1	Section 2	Section 3	Section 4
FY 2018/19	Number of Candidates ¹	191	200	167	164
	Overall Pass %	70%	60%	56%	66%
	Overall Fail %	30%	40%	44%	34%
FY 2019/20	Number of Candidates	117	144	130	102
	Overall Pass %	61%	53%	62%	62%
	Overall Fail %	39%	47%	38%	38%
FY 2020/21	Number of Candidates	207	190	147	155
	Overall Pass %	64%	58%	59%	58%
	Overall Fail %	36%	42%	41%	42%
FY 2021/22	Number of Candidates	139	177	189	153
	Overall Pass %	55%	46%	48%	56%
	Overall Fail %	45%	54%	52%	44%
FY 2022/23	Number of Candidates	111	166	123	313
	Overall Pass %	58%	55%	51%	48%
	Overall Fail %	42%	45%	49%	52%
Date of Last OA		2022			
Name of OA Developer		Professional Testing, Inc.			
Target OA Date		2027			

¹ Data includes all California candidates.

² The LARE sections currently administered are:
 Section 1: Project and Construction Administration
 Section 2: Inventory and Analysis
 Section 3: Design
 Section 4: Grading Drainage and Construction Documentation

23. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Each candidate for licensure is required to complete both a national examination (LARE) and CSE to become licensed. The two examinations test candidates for their entry-level knowledge, skills, and ability to provide services required of a landscape architect who possesses entry-level competence. Both examinations are only offered in English.

Landscape Architect Registration Examination (LARE)

The LARE is a practice-based examination developed by CLARB. The content of the LARE is based on an analysis of landscape architectural practice conducted every five to seven years. The study identifies what is required at the initial point of licensure in terms of tasks to be completed and the knowledge required to successfully complete those tasks. The most recent "Practice Analysis" was conducted by CLARB in 2016. The LARE concentrates on those services that most affect the public health, safety, and welfare. The LARE has been developed with specific concern for its fidelity to the practice of landscape architecture; that is, its content relates to the actual tasks a landscape architect encounters in practice. No single examination can test for competency in all aspects of landscape architecture, which is why the LARE is not the only

requirement to become a licensed landscape architect. Education and experience are also crucial licensure requirements. The examination attempts to determine the candidate's qualifications not only to perform measurable tasks, but also to exercise the skills and judgment of a generalist working with numerous specialists. In short, the objective is to reflect the practice of landscape architecture as an integrated whole.

All sections of the LARE are administered and graded by computer. The following is a list of the sections:

- Inventory, Analysis, and Project Management
- Planning and Design
- Construction Documentation and Administration
- Grading, Drainage, and Stormwater Management

CLARB partners with PSI Testing Centers to administer the LARE three times annually. There are 32 test centers in California and over 437 nationwide, making the examination easily accessible for candidates.

Candidates must pass each section of the LARE independently and receive credit for sections passed. Full or partial credit may be given when all sections have not been completed at the time a new LARE is introduced, otherwise, credit for sections passed is valid until the candidate passes the entire current examination. Candidates receive an email from CLARB when their results are ready for viewing.

California Supplemental Examination (CSE)

The setting for landscape architectural practice in California is distinct from that of other states.

California's large physical size, massive and diverse population, varied landscape and climate, high seismicity, distinctive legal framework, and expansive economy create an unusually demanding environment for landscape architectural practice. The varying interplay of these conditions for specific projects gives rise to even more complicated settings. Additionally, these complexities are further exacerbated by the pressure to accommodate change with increased speed, requiring landscape architects to stretch the limits of their capacity to practice safely. Due to these unique needs and regulatory requirements, California administers the CSE to ensure that candidates have the necessary landscape architectural knowledge and skills to respond to the conditions found in California.

The LATC administers the CSE to candidates who have successfully completed all sections of the LARE, as well as to eligible licensees from other jurisdictions and countries, all of whom must pass the CSE prior to receiving licensure. The CSE tests for those aspects of practice unique to California, including accessibility, energy conservation, sustainability, irrigation, water management, wetlands, wildlife corridors, wildfire resistant landscapes and legal issues (California Environmental Quality Act, etc.), and others to fulfill competencies identified in the occupational analysis.

The CSE was previously administered as a written examination but has been delivered via computer since February 2011. The current CSE is based on the 2020 Occupational Analysis (OA) and Test Plan and consists of 100 multiple-choice questions that cover site assessment,

program development, design process, and construction documents and contract performance. The CSE is administered by computer at a total of 40 nationwide locations, including 17 testing centers within California, and candidates are given two and one-half hours to complete.

The OA was completed in 2020. The OA was followed by a review of the LARE psychometric process and linkage study that correlated the knowledge, skills, and abilities tested for in the CSE Test Plan with those present in the *Task Analysis for the Council of Landscape Architectural Registration Board's Landscape Architect (2022)* to ensure there is no overlap between the content in the LARE and CSE.

24. What are pass rates for first time vs. retakes in the past 4 fiscal years? (Refer to Table 8: Examination Data) Are pass rates collected for examinations offered in a language other than English?

Statistics collected by CLARB relative to pass rates for the LARE do not distinguish between first-time and retake candidates by state. However, the LATC does collect CSE pass rate statistics for a comparison between first-time and retake candidates. Both the LARE and CSE are only offered in English. The following table provides a comparison for CSE candidates.

Fiscal Year	First-Time Candidates	Retake Candidates
2018/2019	79%	82%
2019/2020	73%	70%
2020/2021	68%	67%
2021/2022	63%	29%
2022/2023	82%	73%

25. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

Yes, the LATC utilizes computer-based testing (CBT) for its licensing examinations. The LARE and CSE, which are required for licensure, are both administered through CBT. The LARE has been administered via CBT since 2012 when the exam transitioned from five to four sections. The CSE was a written examination given by the LATC until 2008 when the LATC contracted with Psychological Services Inc. (PSI) to begin offering the examination via CBT. The LARE is offered three times annually and each administration takes place over a two-week period.

Candidates schedule LARE sections through the CLARB online service. This service allows candidates to view all pertinent information relative to their examination history and schedule examinations at their convenience. Pearson VUE Test Services is the test administrator for the LARE. Candidates schedule their exam appointments through CLARB and sit for an administration at a Pearson Vue test center. Each of the four LARE sections is scheduled and separately administered. Depending on the length of the specific section, it is possible to take more than one section on the same day.

The CSE is administered year-round (Monday through Saturday). Psychological Services, Incorporated (PSI) is the test administration vendor for DCA. There are 39 PSI test centers throughout the U.S. (including 17 in California) where a candidate may take the CSE during normal business hours. A candidate may call the PSI scheduling department or use the online

scheduler to make an appointment. Candidates receive their CSE results immediately upon completion of their examination.

26. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe.

No.

27. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?

In 2020, DCA's Office of Professional Examination Services (OPES) conducted an Occupational Analysis of the Landscape Architect Profession.

In 2022, OPES completed a comprehensive review of the LARE (national examination) developed by CLARB. OPES performed this review to evaluate the continued use of the LARE for licensure of landscape architects in California.

In addition to reviewing documents provided by CLARB, OPES test specialists convened a workshop of California licensed landscape architects in November 2022. The landscape architects served as subject matter experts (SMEs) and were selected to represent the profession in terms of geographic location and experience. The purpose of the workshop was to review the content of the LARE and to link the content of the LARE blueprint to the tasks and knowledge statements from the CSE content outline that resulted from the 2020 Occupational Analysis of the Landscape Architect Profession. The linkage study was performed to identify whether there were areas of California landscape architectural practice that are not measured by the LARE.

The results of the linkage study indicated that the content of the LARE sufficiently assesses most of the knowledge necessary for competent landscape architectural practice at the time of licensure in California. However, the SMEs concluded that the content of the LARE does not adequately assess knowledge of the following areas required for practice in California:

- California codes and regulations.
- California-specific climate and environmental considerations.
- California-specific professional practice.
- California-specific construction site and user safety and security.

SMEs concluded that this content should continue to be measured by the CSE. OPES supports the Committee's continued use of the LARE along with the CSE for licensure in California.

School approvals

28. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

In accordance with CCR section 2620(b)(2), a degree from a school with a landscape architecture program is deemed approved by the LATC if the curriculum has been approved by the Landscape Architectural Accreditation Board (LAAB), as specified in its publication "Accreditation Standards for Programs in Landscape Architecture." The Bureau for Private Postsecondary Education does

not play a role in the process of approving schools of landscape architecture or landscape architectural degree programs for the purposes of the LATC.

The LAAB is the only agency nationally recognized to accredit professional and post-professional degree programs in landscape architecture within the U.S. LAAB accredits the degree programs within the schools, not the schools themselves. The Canadian Society of Landscape Architects Accreditation Council (CSLAAC) is the Canadian equivalent of LAAB and accredits the landscape architectural degree programs in Canada.

The LATC does approve extension certificate programs in landscape architecture. Currently, the only such program is the University of California, Los Angeles Extension. Programs must meet the requirements specified in CCR section 2620.5 for approval as extension certificate programs. Approval is granted with the provision that curriculum cannot be changed without LATC approval.

Landscape Architecture Extension Certificate Program Review and Approval Procedures

At its meeting on December 6, 2018, the LATC appointed a two-person subcommittee to review CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) to determine 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.

In early 2019, the subcommittee developed recommended changes to CCR section 2620.5 to clarify the review and approval procedures within the regulation. The LATC subsequently initiated a rulemaking package to amend CCR section 2620.5 which was approved by OAL on August 4, 2022 and became effective on October 1, 2022.

29. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

The LATC is not statutorily authorized to approve schools of landscape architecture or the professional and post-professional degree programs offered by them. The LAAB reviews degree programs every three to six years and has the authority to withdraw accreditation if the program is not meeting accreditation standards. There is one landscape architecture extension certificate program in California, as noted above, approved by the LATC. Approval is granted for six-year periods.

30. What are the board's legal requirements regarding approval of international schools?

The LATC is not authorized to approve schools of landscape architecture outside the U.S. or its territories. The legally authorized accrediting entity (if one exists) within each country would be responsible for such approvals of landscape architectural schools or the professional and post-professional programs available at those schools. LAAB provides advice and consultation to organizations in other countries that are developing accreditation standards and procedures.

Continuing Education/Competency Requirements

31. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

The Landscape Architects Practice Act does not require Continuing Education.

- a. How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?
N/A
- b. Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.
N/A
- c. What are consequences for failing a CE audit?
N/A
- d. How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?
N/A
- e. What is the board's CE course approval policy?
N/A
- f. Who approves CE providers? Who approves CE courses? If the board approves them, what is the board application review process?
N/A
- g. How many applications for CE providers and CE courses were received? How many were approved?
N/A
- h. Does the board audit CE providers? If so, describe the board's policy and process.
N/A
- i. Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.
N/A

Table 8a. Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
N/A	N/A	N/A	N/A

Section 4 Enforcement Program

32. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The LATC's performance measures for the Enforcement Unit are defined by DCA's Consumer Protection Enforcement Initiative (CPEI) and focus on timely response to consumers and the

pursuit of prompt disciplinary or enforcement action against those found to be in violation of the Landscape Architects Practice Act (Act).

For all complaints received, the LATC has a goal of assigning complaints to staff for investigation within seven days. Currently, the average time of assigning complaints for investigation to staff is two days. The LATC is exceeding expectations in this area. Concerning the time necessary to investigate a complaint, the LATC's CPEI standards stipulate that complaints are to be closed within an average of 270 days of receipt. For fiscal years (FY's) 2018/19, 2019/20, 2020/21, and 2021/22, the LATC averaged 123 days, 71 days, 92 days, and 115 days respectively. Case review, evaluation, and consideration of the technical expert consultant findings and staff recommendations are critical but are often a very time-consuming process that adds to the aging of the investigation and case closure process. The LATC's experts are not physically located in LATC's office. All complaint information must be copied and sent to them for review. To aid in improving the length of time it takes to investigate a complaint, the LATC contracts with seven expert consultants and recruits additional experts as needed.

33. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

Since the last reporting period, the LATC has not experienced any fluctuations in enforcement data trends. The LATC received an average of 34 complaints for FY's 2018/19, 2019/20, 2020/21, and 2021/22, of which an average of 16 were advertising and unlicensed activity complaints. Staff has maintained an average of 8 pending complaints at the end of each FY. Enforcement staff closed 63% of investigations within 90 days and 34% within one year.

The LATC has issued 7 citations since the last reporting period. All citations included a fine assessment averaging \$929. The majority of citations issued were to unlicensed individuals, who are often difficult to locate because they change addresses frequently. For these citations, staff utilizes the Franchise Tax Board (FTB) Intercept Program to attempt to collect fines. However, there is currently no incentive for these individuals to pay their fines, unlike licensees who cannot renew their license without paying. To address this, the LATC executed a contract with a collection agency for full-service debt collection services, including "skip tracing," credit reporting, and filing legal actions as appropriate to assist in the collection of unpaid citation penalties and cost recoveries for unpaid administrative fines and cost reimbursement accounts aged beyond 90 days. The contract was executed in 2019 and expired in 2022. The LATC did not renew the contract with the collection agency because they did not provide any additional collections of outstanding fines throughout the length of the contract.

Lastly, the LATC's 2019/2021 Strategic Plan contained an objective to research the feasibility of requiring a license number on all correspondence and advertisement platforms to inform and protect consumers. The LATC amended California Code of Regulations section 2671 (Public Presentments and Advertising Requirements) requiring licensees to include their license number in all forms of advertisements or presentments made to the public in connection with the rendition of landscape architectural services. This new requirement took effect January 1, 2022 and is aimed to prevent consumers from unknowingly contracting with unlicensed individuals for the rendition of landscape architectural services and reducing the amount of unlicensed activity occurring.

The LATC has also continued to focus on promptly responding to consumer complaints and maintain an internal weekly report on case aging to improve the tracking of each case through the intake and investigation processes.

DRAFT

DRAFT

Table 9a. Enforcement Statistics			
	FY 2019/20	FY 2020/21	FY 2021/22
COMPLAINTS			
Intake			
Received	16	21	25
Closed without Referral for Investigation	0	0	0
Referred to INV	16	21	25
Pending (close of FY)	0	0	0
Conviction / Arrest			
CONV Received	18	8	5
CONV Closed Without Referral for Investigation	0	0	0
CONV Referred to INV	18	8	5
CONV Pending (close of FY)	0	0	0
Source of Complaint ⁶			
Public	5	5	6
Licensee/Professional Groups	5	4	9
Governmental Agencies	1	0	0
Internal	18	18	10
Other	0	0	0
Anonymous	5	2	5
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	5	1	1
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	NA	NA	NA
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	5	1	1
INVESTIGATION			
Desk Investigations			
Opened	34	29	26
Closed	33	31	28
Average days to close (from assignment to investigation closure)	71	92	115
Pending (close of FY)	9	7	9
Non-Sworn Investigation			
Opened	34	29	26
Closed	33	31	28
Average days to close (from assignment to investigation closure)	71	92	115
Pending (close of FY)	9	7	9
Sworn Investigation			
Opened	0	0	0
Closed	0	0	0
Average days to close (from assignment to investigation closure)	NA	NA	NA
Pending (close of FY)	0	0	0

⁶ Source of complaint refers to complaints and convictions received. The summation of intake and convictions should match the total of source of complaint.

All investigations ⁷			
Opened	34	29	26
Closed	33	31	28
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	71	92	115
Average days for investigation closures (from start investigation to investigation closure)	71	92	115
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)	NA	NA	NA
Average days from receipt of complaint to investigation closure	71	92	115
Pending (close of FY)	9	7	9
CITATION AND FINE			
Citations Issued	2	0	3
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	225	NA	202
Amount of Fines Assessed	\$2,000	\$0	\$3,000
Amount of Fines Reduced, Withdrawn, Dismissed	\$0	\$0	\$1,000
Amount Collected	\$1,000	\$1,000	\$1,000
CRIMINAL ACTION			
Referred for Criminal Prosecution	0	0	0
ACCUSATION			
Accusations Filed	0	0	0
Accusations Declined	0	0	0
Accusations Withdrawn	0	0	0
Accusations Dismissed	0	0	0
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	NA	NA	NA
INTERIM ACTION			
ISO & TRO Issued	0	0	0
PC 23 Orders Issued	0	0	0
Other Suspension/Restriction Orders Issued	0	0	0
Referred for Diversion	0	0	0
Petition to Compel Examination Ordered	0	0	0
DISCIPLINE			
AG Cases Initiated (cases referred to the AG in that year)	0	0	0
AG Cases Pending Pre-Accusation (close of FY)	0	0	0
AG Cases Pending Post-Accusation (close of FY)	0	0	0
DISCIPLINARY OUTCOMES			
Revocation	0	0	0
Surrender	0	0	0
Suspension only	0	0	0
Probation with Suspension	0	0	0
Probation only	0	0	0
Public Reprimand / Public Reapproval / Public Letter of Reprimand	0	0	0

⁷ The summation of desk, non-sworn, and sworn investigations should match the total of all investigations.

Other	0	0	0
DISCIPLINARY ACTIONS			
Proposed Decision	0	0	0
Default Decision	0	0	0
Stipulations	0	0	0
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	NA	NA	NA
Average Days from Closure of Investigation to Imposing Formal Discipline	NA	NA	NA
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	NA	NA	NA
PROBATION			
Probations Completed	0	1	0
Probationers Pending (close of FY)	0	0	0
Probationers Told	0	0	0
Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	0	0	0
SUBSEQUENT DISCIPLINE⁸			
Probations Revoked	0	0	0
Probationers License Surrendered	0	0	0
Additional Probation Only	0	0	0
Suspension Only Added	0	0	0
Other Conditions Added Only	0	0	0
Other Probation Outcome	0	0	0
SUBSTANCE ABUSING LICENSEES			
Probationers Subject to Drug Testing	0	0	0
Drug Tests Ordered	0	0	0
Positive Drug Tests	0	0	0
PETITIONS			
Petition for Termination or Modification Granted	0	0	0
Petition for Termination or Modification Denied	0	0	0
Petition for Reinstatement Granted	0	0	0
Petition for Reinstatement Denied	0	0	0
DIVERSION			
New Participants	0	0	0
Successful Completions	0	0	0
Participants (close of FY)	0	0	0
Terminations	0	0	0
Terminations for Public Threat	0	0	0
Drug Tests Ordered	0	0	0
Positive Drug Tests	0	0	0

⁸ Do not include these numbers in the Disciplinary Outcomes section above.

Table 10. Enforcement Aging

	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	29	27	20	14	90	63%
91 - 180 Days	10	3	5	9	27	19%
181 - 1 Year	8	3	6	5	22	15%
1 - 2 Years	4	0	0	0	4	3%
2 - 3 Years	0	0	0	0	0	0%
Over 3 Years	0	0	0	0	0	0%
Total Investigation Cases Closed	51	33	31	28	143	
Attorney General Cases (Average %)						
Closed Within:						
0 - 1 Year	0	0	0	0	0	0%
1 - 2 Years	2	0	0	0	2	100%
2 - 3 Years	0	0	0	0	0	0%
3 - 4 Years	0	0	0	0	0	0%
Over 4 Years	0	0	0	0	0	0%
Total Attorney General Cases Closed	2	0	0	0	2	

34. What do overall statistics show as to increases or decreases in disciplinary action since last review?

The LATC did not file any accusations during the current reporting period (FY 2018/19 through FY 2021/22); this is a decrease from the four accusations that were filed in the last reporting period.

In evaluating an enforcement program, it is important to reflect on the nature of the profession being regulated. Landscape architects often collaborate with other parties (engineers, architects, attorneys, contractors, and other landscape architects) who provide additional quality control, and their plans must be approved by local building departments. Thus, there are parties who can identify problems earlier in the process so that cases that come to the LATC typically do not deal with major property damage or bodily injury.

35. How are cases prioritized? What is the board's compliant prioritization policy? Is it different from DCA's *Complaint Prioritization Guidelines for Health Care Agencies* (August 31, 2009)? If so, explain why.

The LATC's case prioritization policy is consistent with DCA's guidelines and appropriate for the profession being regulated. As complaints are received, staff immediately reviews the complaint to determine the appropriate course of action based on the LATC's prioritization guidelines.

Complaints given the highest or "urgent" priority include imminent life and safety issues, severe financial harm to clients, egregious pattern of complaints, and project abandonment. Complaints given a "high" priority level include those that involve aiding and abetting, negligence, and unlicensed practice. The most common complaints are contract violations, unlicensed advertising (title) violations, and routine settlement reports.

36. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

Mandatory reporting requirements are specified in BPC sections 5678 (Report of Settlement or Arbitration - Licensee), 5678.1 (Report of Settlement or Arbitration - Insurer), and 5680.05 (Report to Board by Clerk of Court of Judgement of Conviction of Crime by License Holder).

BPC sections 5678 and 5678.1 require that within 30 days, every licensee and insurer providing professional liability insurance to a California landscape architect send a report to the LATC on any civil action judgment, settlement, arbitration award, or administrative action of \$5,000, or greater of any action alleging the license holder's fraud, deceit, negligence, incompetency, or recklessness in practice. The LATC received 10 settlement reports during the previous reporting period and 7 reports in the current period.

BPC section 5680.05 requires that within 10 days after a judgment by a court of this state that a licensee has committed a crime or is liable for any death, personal or property injury, or loss caused by the license's fraud, deceit, negligence, incompetency, or recklessness in practice, the court which rendered the judgment shall report that fact to the LATC.

Historically, the Board has tried to work with the courts to gain cooperation and compliance with the reporting requirement. However, the Board has not received a report of a judgment from a court. The Board previously requested the California Administrative Office of the Courts to assist in attaining compliance from court clerks. In an effort to address this ongoing issue, the Board has requested its Deputy Attorney General (DAG) liaison to seek assistance to obtain compliance from the courts by disseminating a letter to clerks of the courts reminding them of BPC section 5590. The letter is planned to be released by the end of 2018.

In addition, BPC section 5680 (Renewal of License - Forms) mandates that licensees report on their renewal forms whether they have been convicted of a crime or disciplined by another public agency during the preceding renewal period.

a. What is the dollar threshold for settlement reports received by the board?

As noted above, the dollar threshold for settlement cases received by the LATC is \$5,000.

b. What is the average dollar amount of settlements reported to the board?

The average dollar amount of settlements reported to the LATC during the current reporting period is \$117,444.

37. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

The Board considers approving stipulated settlements with licensees where appropriate to promote cost effective consumer protection and to expedite disciplinary decisions. In order to enter into a stipulated settlement, the licensee is generally required to admit to the violations set forth in the accusation, have their license placed on probation, submit quarterly probation reports, complete professional education courses directly relevant to the violation(s), and reimburse the Board for its investigative and prosecution costs.

Each proposed stipulated settlement is negotiated by the DAG assigned to the case (in consultation with the Executive Officer), the respondent (licensee or applicant), and the respondent's legal counsel, if represented, and must be accompanied by a memorandum from the DAG addressed to Board members explaining the background of the case and defining the allegations, mitigating circumstances, admissions, and proposed penalty, along with a recommendation for the Board to adopt the stipulated settlement.

a. What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

The Board has not settled any disciplinary cases in the past four years prior to the filing of an accusation.

- b. What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

In the past four years, no cases were sent to the Office of the Attorney General.

- c. What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

N/A

38. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The LATC's statute of limitations is defined by BPC section 5661: "All accusations charging the holder of a license issued under this chapter with the commission of any act constituting a cause for disciplinary action shall be filed with the board within three years after the board discovers, or through the use of reasonable diligence should have discovered, the act or omission alleged as the ground for disciplinary action, whichever occurs first, but not more than six years after the act or omission alleged as the ground for disciplinary action. However, with respect to an accusation alleging a violation of Section 5667 (Fraud, Misrepresentation - Obtaining License), the accusation may be filed within three years after the discovery by the board of the alleged facts constituting the fraud or misrepresentation prohibited by Section 5667."

Since FY 2018/19, the LATC has not lost any cases due to the expiration of its statute of limitations. However, the LATC received five cases in which the alleged violation(s) occurred beyond the statute of limitations. As a result of the statute of limitations, the LATC did not take any disciplinary action after its investigation of those settlement cases. These cases involved settlement reports where the landscape architectural services were provided more than six years prior to the receipt of the reports.

39. Describe the board's efforts to address unlicensed activity and the underground economy.

In most cases, consumers, licensees, or other government agencies provide evidence of unlicensed activity to be investigated. The LATC addresses unlicensed activity and advertising by immediately and thoroughly investigating complaints, including reviewing online advertisements for violations, issuing citations with administrative fines for violations, and advising consumers of how to recover their money through small claims court. The Board also refers egregious cases to the Division of Investigation for sworn investigation, if appropriate.

In an effort to address unlicensed practice, the LATC's website contains a document entitled "Permitted Practice for Professionals, Practitioners, and Unlicensed Person," which provides a quick reference regarding the various professionals, practitioners, and unlicensed persons who may offer landscape design services and the permitted scope and/or limitations that pertain to each.

Additionally, on its website, the LATC promotes its Consumer's Guide to Hiring a Landscape Architect to provide information on the practice of landscape architecture and how to choose the right landscape architect for a project. This information contains a number of basic steps that consumers can take to help keep their projects on track. The LATC also promotes the Board's

Building Official Information Guide which contains a section on Landscape Architects and provides information regarding the profession.

Lastly, the LATC provides presentations at schools to educate students about the title act and exempt area of practice, thereby helping to prevent future violations.

Cite and Fine

40. Discuss the extent to which the board has used cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit?

The citation program provides the LATC with an expeditious method of addressing violations involving unlicensed activity, repeated advertising violations, and the less serious practice or technical violations that have not resulted in substantial financial or physical harm. CCR section 2630, the regulation that authorizes the LATC to issue administrative citations and fines, was last amended in 2006 to: 1) increase the maximum administrative fine to \$5,000; 2) modify the fine ranges for Class A, B, and C violations; and 3) modify the Class A violation to pertain to unlicensed individuals in violation of the Act. The Board is in the process of amending CCR section 2630 to include language clarifying the Board's existing ability to issue orders of corrections to cease unlawful advertising.

For this reporting period, the LATC issued an average of two citations per year. Of those, all included a fine assessment averaging \$893.

41. How is cite and fine used? What types of violations are the basis for citation and fine?

As noted above, the citation program provides the LATC with an expeditious method of addressing violations that have not resulted in substantial financial or physical harm. All professional practice complaints and some unlicensed practice complaints recommended for citation are reviewed by an expert. Administrative fines range from \$250 to \$5,000 per violation, depending on prior violations; the gravity of the violation; the harm, if any, to the complainant, client or public; and other mitigating evidence.

The LATC has used the citation program most frequently to cite individuals who have violated the following:

BPC Sections:

- 5616 - Landscape Architecture Contract - Contents, Notice Requirements
- 5640 - Unlicensed Person Engaging in Practice - Sanctions

CCR Section:

- 2670 - Rules of Professional Conduct

Licensees who fail to pay the assessed fines have a "hold" placed on their license record that prevents renewal of the license until the fine is paid.

42. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

In the last four fiscal years, there have been three informal conferences and no administrative hearings as a result of citation appeals.

43. What are the five most common violations for which citations are issued?

BPC Sections:

- 5616 - Landscape Architecture Contract - Contents, Notice Requirements
- 5640 - Unlicensed Person Engaging in Practice – Sanctions
- 5657 - Filing of Mailing Address – Requirement
- 5671 - Negligence, Willful Misconduct in Practice

CCR Section:

- 2670 - Rules for Professional Conduct

44. What is average fine pre- and post- appeal?

The average pre-appeal fine is \$893 and the average post-appeal fine is \$750, with one \$1,000 fine withdrawn.

45. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines.

The LATC uses the Franchise Tax Board (FTB) Intercept Program to collect unpaid administrative fines from unlicensed individuals and recover dishonored checks. The majority of the LATC's outstanding, unpaid fines are against unlicensed individuals, and Intercept Program provides an additional tool to seek those penalties. Thus far, the success in collecting via this program has not been significant, as the potential sources of recovery are limited to Lottery proceeds, state tax refunds, and unclaimed property.

Cost Recovery and Restitution

46. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

The LATC seeks cost recovery in all disciplinary cases (i.e., accusations, statements of issues, and petitions to revoke probation). Cost recovery is generally a required term in stipulated settlements. In cases where the respondent is placed on probation, cost recovery is required pursuant to established payment schedules. However, for those cases calling for revocation, costs are often difficult to collect as respondents have fewer financial resources due to the loss of their licenses and no incentive to pay.

47. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

The amount of cost recovery ordered is dependent upon the amount of time spent on the investigation, including the classification of the investigator, and the charges imposed by the Office of the Attorney General up to the date of the hearing, if a stipulated settlement does not occur prior to a hearing.

In the last four FYs, no accusations have been filed by the Board, however, a previously filed accusation became final in FY 18/19 and resulted in a disciplinary decision of stayed revocation and the license being placed on a 5-year probation with a cost reimbursement of \$4,517.50, which has been paid in full.

48. Are there cases for which the board does not seek cost recovery? Why?

No.

49. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery.

The LATC currently utilizes FTB to collect cost recovery.

50. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The LATC has no authority to order restitution outside of a stipulated agreement or an administrative law judge's proposed decision. Through the LATC's complaint handling process, the LATC may recommend that a licensee refund a client's monies or make an adjustment to satisfactorily resolve a complaint involving services provided and fees paid. The LATC has no jurisdiction over fee disputes.

Table 11. Cost Recovery⁹ (list dollars in thousands)				
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22
Total Enforcement Expenditures				
Potential Cases for Recovery *	2	2	2	1
Cases Recovery Ordered	0	0	0	0
Amount of Cost Recovery Ordered	0	0	0	0
Amount Collected	\$752.94	\$1,694.16	\$2,070.40	\$0
* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.				

Table 12. Restitution (list dollars in thousands)				
	FY 2018/19	FY 2019/20	FY 2020/21	FY 2021/22
Amount Ordered	0	0	0	0
Amount Collected	0	0	0	0

⁹ Cost recovery may include information from prior fiscal years.

Section 5

Public Information Policies

51. How does the board use the internet to keep the public informed of board activities? Does the board post board-meeting materials online? When are they posted? How long do they remain on the board's website? When are draft-meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The LATC continually updates its website to reflect upcoming LATC and subcommittee meetings and activities, changes in laws or regulations, licensing information, forms, publications, and other relevant information of interest to consumers, candidates, and licensees. Meeting notices are posted to the website at least 10 days prior to a meeting, and the related meeting packet 7 days prior. Committee meeting minutes are posted on the website once officially approved and remain for 100 years, in accordance with the LATC's retention schedule. Draft meeting minutes are posted on the website in the subsequent meeting packet for Committee approval. Other meeting related documents, such as meeting packets, remain on the website for 50 years, also in accordance with the LATC's retention schedule. The LATC continually seeks input from users for items that may be included on the website and makes a specific effort to ensure that our website meets the needs of our constituents.

Other tools used by the LATC to communicate its messages include the eSubscriber list for e-news broadcasts and social media (Twitter, Instagram and LinkedIn).

52. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long do webcast meetings remain available online?

The LATC webcasts its meetings when DCA resources are available. The meetings are held at a variety of locations throughout the state in order to increase public participation. In addition, the LATC has actively engaged with the DCA's Office of Public Affairs to facilitate the webcasting of its Committee and subcommittee meetings and includes notification of webcast availability on its meeting notices. Despite the LATC's active effort to facilitate webcast at each of its meetings, varying technical capabilities of the meeting sites (schools of landscape architecture and public venues) as well as availability of Department personnel to perform the video streaming affect the ability to webcast. Lastly, webcast meetings are uploaded onto the DCA YouTube account and are available online for an indefinite period of time.

In response to the COVID-19 pandemic, public LATC meetings transitioned to online videoconferences and LATC intends to continue to use the WebEx videoconference platform whenever possible.

53. Does the board establish an annual meeting calendar, and post it on the board's web site?

Yes. The LATC establishes a prospective meeting calendar at its last meeting of each year and posts it on the website afterwards. Meetings of subcommittees are also posted to the calendar when the dates are determined by the respective subcommittee chair.

54. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*? Does the board post accusations and disciplinary actions consistent with DCA's *Web Site Posting of Accusations and Disciplinary Actions* (May 21, 2010)?

The LATC's complaint disclosure policy is consistent with DCA's Recommended Minimum Standards for Consumer Complaint Disclosure. Accusations and disciplinary actions are posted on the LATC's website according to the LATC's records retention schedule.

55. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

California Code of Regulations (CCR) section 2608 requires the LATC to maintain a public information system to provide members of the public with information regarding complaints and disciplinary or enforcement actions against licensed landscape architects and unlicensed persons subject to its jurisdiction.

Information subject to the public information system is disclosed to the public upon request by telephone, in person, or in writing (including fax or email). Information is made available by the LATC in writing or by telephone within 10 days of the request.

The following information is disclosed regarding license status of past and current licensees:

1. Name of the licensee, as it appears on the LATC's records;
2. License number;
3. Address of record;
4. License issue date;
5. License expiration date; and
6. License status and history.

The LATC also discloses the total number of enforcement and disciplinary actions, as well as brief summaries. It provides the current status of pending complaints (that comply with the criteria for disclosure pursuant to CCR section 2608), accusations, statements of issues, and citations filed by the Board.

56. What methods are used by the board to provide consumer outreach and education?

The LATC provides outreach and education to consumers through a variety of means to ensure effective dissemination of information.

The LATC has the Consumer's Guide to Hiring a Landscape Architect which is a specific publication targeting consumers. This publication is a comprehensive guide for consumers that includes information about the practice of a landscape architect, contract criteria, as well as how to file a complaint.

The LATC also utilizes the Board's *Building Official Information Guide* which is a publication specific for building officials to assist in understanding the laws and regulations governing the practice of architecture and landscape architecture.

A key means of distributing these publications is making them available in city and county building departments. This enables consumers who are researching permit requirements for their projects to have timely information on landscape architects and managing a project. In addition, the LATC posts these publications on its website in order to make them readily available. Further, the LATC has expanded communication to stakeholders by conducting more frequent emails to its e-Subscribers. An example of such notification includes advertisement of the availability of new

publications and means by which stakeholders can request hardcopies for their own use or distribution. The LATC's 2019-2021 Strategic Plan contained an objective to increase its social media presence. Though the LATC has maintained a Twitter account, in 2022, LATC began the process of expanding its social media presence and established new accounts on both Instagram and LinkedIn.

Lastly, the website continues to be a primary focus of LATC efforts, providing the public, licensees, and candidates with a wide range of information. The website provides stakeholders with access to enforcement actions, a license verification tool, newsletters, as well as a comprehensive list of downloadable applications, forms, publications, and instructional materials. In order to increase public attention to the LATC's website, the LATC website has been optimized 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. This has resulted in the LATC's website being a more likely search option in consumers' web searches related to landscape architecture.

The LATC will continue to evaluate these consumer education methodologies and work to identify other effective means to provide information.

Section 6

Online Practice Issues

57. Discuss the prevalence of online practice and whether there are issues with unlicensed activity. How does the board regulate online practice? Does the board have any plans to regulate internet business practices or believe there is a need to do so?

Technology has been integrated into the landscape architectural profession and continues to provide efficiencies in practice by allowing landscape architects to prepare instruments of service electronically (and outsource their production to online drafting services, as necessary), coordinate with other design professionals, and communicate and share design ideas with clients.

The LATC believes the Landscape Architects Practice Act provides sufficient regulatory control over the use of technology and online practice by landscape architects, as Business and Professions Code (BPC) section 5659 requires the landscape architect's stamp and signature on instruments of service as evidence of the landscape architect's responsibility for those documents. Another important consumer protection tool in this area is the written contract requirement (BPC section 5616), which requires a landscape architect to execute a written contract when providing professional services to a client, with limited exceptions. At this point, technology and online practice have not resulted in an increase in complaints against landscape architects, but the LATC will continue to monitor these issues closely.

However, the prevalence of unlicensed individuals who misrepresent themselves as landscape architects and/or offer landscape architectural services to California consumers via the Internet remains a challenge for the LATC's Enforcement Program. During the current reporting period, unlicensed advertising or activity complaints accounted for approximately 47 percent of all complaints received by the LATC. The Board issues citations with administrative fines to unlicensed individuals who advertise or put out devices (such as Internet advertisements) that might indicate to the public that they are landscape architects or qualified to engage in the practice of landscape architecture, in violation of BPC section 5640.

Many of these unlicensed activity complaints involve consumers who may not be familiar with license requirements or the design and landscape construction process. These consumers often rely on “referral” websites that offer to match them with “prescreened” professionals in their area who have passed the websites’ background checks and can provide quotes for requested services. While these websites provide valuable information to consumers, such as ratings and reviews from past clients, they do not guarantee the accuracy, quality, or reliability of the information contained in the professionals’ advertisements, and some allow unlicensed individuals to identify themselves as landscape architects and/or offer landscape architectural services to the public without verifying licensure.

Since the last reporting period, the Board has amended the LATC’s CCR section 2671 (Public Presentments and Advertising Requirements) to require that all California licensed landscape architects to include their license number in all public presentments in connection with the rendition of landscape architectural services. The intent of this new requirement is to create transparency with consumers and inform them of licensure status. The Board will also continue to focus on consumer outreach and education regarding the licensure requirements when selecting a landscape architect on the Internet.

Section 7

Workforce Development and Job Creation

58. What actions has the board taken in terms of workforce development?

The LATC strives to remove impediments to licensure and has amended regulations to expand the eligibility requirements for licensure. In 2022, amendments to CCR sections 2615 (Form of Examinations) and 2620 (Education and Training Credits) became effective, which grant candidates two years of education credit for an accredited degree in civil engineering or architecture, one-year of credit for any bachelor’s degree, and up to six years of training credit for qualifying landscape architectural experience. Prior to this regulatory change, candidates were required to hold a landscape architectural degree or certificate, or an accredited architecture degree to qualify for licensure. By expanding these pathways, the LATC hopes to achieve more opportunities for individuals to become licensed landscape architects.

The LATC is currently pursuing additional amendments to CCR section 2615 that would allow California candidates to take any section of the LARE if they hold a degree in landscape architecture accredited by the Landscape Architectural Accreditation Board or an approved extension certificate in landscape architecture along with a four-year degree. Presently, these candidates may take two of the four LARE sections prior to completing the experience requirement. By allowing additional early entrance to the examination, the LATC hopes to achieve more opportunities for individuals to become licensed landscape architects. The rulemaking package was submitted to the Office of Administrative Law (OAL) to publish Notice of the 45-day comment period from May 5, 2023, through June 20, 2023. The final rulemaking package was submitted to OAL for review on TBD.

Additionally, the LATC maintains its website (latc.ca.gov), which contains easy-to-understand information about licensing requirements and other related issues. Staff provides presentations regarding licensure at the accredited and approved schools of landscape architecture.

59. Describe any assessment the board has conducted on the impact of licensing delays.

No formal studies have been conducted. However, LATC management has been very proactive in directing the workload of staff to avoid or reduce delays in processing applications and mitigating any impact to the workforce.

60. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

The LATC is proactive in working with chairs, deans and students of landscape architectural programs to convey information on the licensing requirements in California. The LATC supplements this effort by holding Committee meetings at schools' campuses. Student outreach seminars are also conducted at campuses to explain licensing requirements. Additionally, at the commencement of the school year, the LATC, through the chairs and deans of the landscape architectural colleges, sends a letter introducing itself and explaining its role to students. A similar related letter is disseminated at the end of the school year. The LATC believes that these efforts pay dividends by helping students become licensed more efficiently, which saves candidates time and money.

In June 2022, CCR section 2620 was amended to expand the education and training credit standards for a candidate to qualify as a landscape architect. The regulatory amendments established credit for accredited civil engineering degrees, increased credit granted for accredited architecture degrees, and provided for training/practice experience-only pathways to examination. The LATC issued letters to the chairs and deans of California landscape architectural colleges to inform potential licensees of these new pathways to licensure.

61. Describe any barriers to licensure and/or employment the board believes exist.

The LATC proactively strives to expand its pathways to licensure such that there are more opportunities for potential candidates to qualify for licensure.

62. Provide any workforce development data collected by the board, such as:

a. Workforce shortages

No data is available. However, it should be noted there is anecdotal information to suggest that when the economy is strong, firms experience difficulty hiring new landscape architects.

b. Successful training programs.

No data is available.

63. What efforts or initiatives has the board undertaken that would help reduce or eliminate inequities experienced by licensees or applicants from vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or that would seek to protect those communities from harm by licensees?

Section 8

Current Issues

64. What is the status of the board's implementation of the Uniform Standards for Substance Abusing Licensees?

N/A

65. What is the status of the board's implementation of the Consumer Protection Enforcement Initiative (CPEI) regulations?

CPEI was launched in an effort to overhaul the enforcement processes of DCA healing arts boards and bureaus. The LATC strives to achieve the performance measures outlined in CPEI, such as the goal to complete all investigations within an average of 270 days. In addition, the LATC continues to report to DCA on a quarterly basis the success in meeting the applicable enforcement goals of CPEI. The LATC is exceeding expectations by closing complaints within an average of 100 days.

66. Describe how the board is participating in development of BreEZe and any other secondary IT issues affecting the board.

a. Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?

The LATC is not using the BreEZe platform. The LATC was originally in the BreEZe Release 3 and has not submitted any change requests during this reporting period.

b. If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? What is the board's understanding of Release 3 boards? Is the board currently using a bridge or workaround system?

Section 9

Board Actions and Responses to COVID 19.

67. In response to COVID-19, did the board take any steps or implement any policies regarding licensees or consumers? Has the board implemented any statutory revisions, updates or changes that were necessary to address the COVID-19 Pandemic? Any additional changes needed to address a future State of Emergency Declaration.

During the COVID-19 pandemic, public LATC meetings transitioned to online videoconferences and LATC intends to continue to use the WebEx videoconference platform whenever possible.

Section 10

Board Action and Response to Prior Sunset Issues

Include the following:

1. Background information concerning the issue as it pertains to the board.
2. Short discussion of recommendations made by the Committees during prior sunset review.

3. What action the board took in response to the recommendation or findings made under prior sunset review.
4. Any recommendations the board has for dealing with the issue, if appropriate.

ISSUE #1: LATC has only professional committee members.

Background: DCA boards are comprised of a mix of professional and public members so that consumers' interests are represented in the regulation of professional licensing. In contrast, LATC has only professional members. However, LATC exists as a committee of the Board, which itself is comprised of public and professional members, who ultimately vote on LATC proposals.

While the Committee has not raised any consumer-related issues with respect to this structure, the Committee may wish to consider whether adding consumers could be beneficial to their discussions.

Staff Recommendation: The Committee may wish to discuss whether adding consumers to the Committee would be a benefit.

LATC Response:

The LATC does not have a concern with this proposal but would like the opportunity to discuss it further. The LATC does believe the current structure provides for public input and oversight, as the LATC's recommendations are acted upon by the Board, which has public members. We would also note that adding an additional member would result in an even number of Committee members.

2023 Updated LATC Response:

As part of its current Strategic Plan, the LATC has an objective to research the economic and consumer protection impact of re-establishing the Landscape Architect Board or establishing a merged board with the California Architects Board to provide better representation, strengthen the distinction between the two entities and increase efficiency. At its April 2023 meeting, the LATC discussed and voted to recommend to the Board that they consider the establishment of a merged board. The Board discussed at its May 2023 meeting and provided comments to LATC, which will continue to review.

ISSUE #2: The "written contract requirement" provisions of law need updating.

Background: The Committee indicates that its "written contract requirement" is one of its most important consumer protection tools. Current law requires a landscape architect's written contract to:

1. Describe the services to be provided by the landscape architect to the client;
2. Describe the basis of compensation, including total cost and method of payment;
3. Include a notice that reads, "Landscape architects are licensed by the State of California";
4. Identify by name and address the client and the landscape architect, including the landscape architect's license number;
5. Describe the procedure to accommodate additional services; and
6. Describe the procedure to be used by both parties to terminate the contract.

The Board has investigated many consumer complaints related to contracts, and LATC's experts in the Enforcement Program have identified several potential improvements to the current law.

Many of the disputes stemmed from misunderstandings of the project description and/or failure to manage changes in the project description during the design process. The description of the project has direct bearing on the design services required, compensation related to those services, and the project budget and schedule. Without a defined project description, it is often unclear whether the project is on track to meet expectations and project requirements established by the client and the architect.

According to the Rules of Professional Conduct, landscape architects are prohibited from materially altering the scope or objective of a project without first fully informing the client and obtaining the client's consent in writing.¹⁰ However, landscape architects are not currently required to define the project description in their written contracts. Therefore, it can be difficult for the client or landscape architect to determine when the project description has been materially altered if it has not first been defined and agreed upon in the written contract.

The Board has also received complaints and questions from consumers regarding the ownership and use of an architect's instruments of service. Current law prohibits the use of an architect's instruments of service without the consent of the architect in a written contract, written agreement, or written license specifically authorizing that use.¹¹ However, architects are not currently required to include a provision addressing the ownership and use of their instruments of service in their written contracts with clients. Therefore, clients are often unaware of each party's rights with respect to the architect's instruments of service.

The LATC is proposing to clarify current law to include the following elements in landscape architects' written contracts:

1. A description of the project for which the client is seeking services;
2. The project address;
3. A description of the procedure that the landscape architect and the client will use to accommodate contract changes, including, but not limited to, changes in the description of the project, in the description of the services, or in the description of the compensation and method of payment; and
4. A statement identifying the ownership and use of instruments of service prepared by the landscape architect.
5. A clarification that landscape architects are licensed by LATC.

The LATC expects this proposal to benefit consumers and landscape architects by providing enhanced transparency for contracted parties, thereby reducing the number of disputes related to project description disagreements, unauthorized changes made to the project during the design process, and/or the ownership and use of instruments of service.

Staff Recommendation: *Amend the law as proposed by the LATC.*

¹⁰ Title 16, California Code of Regulations, § 2760(d)

¹¹ BPC § 5536.4

LATC Response:

The LATC supports this recommendation and suggests consideration of a delayed implementation, until July 1, 2020, to provide for adequate outreach to licensees about the revised requirements. The LATC would like to note that it will be conducting an occupational analysis in FY 19-20, and as part of that process will be contacting all licensees and will use that opportunity to inform them of any changes to the written contract requirements.

2023 Updated LATC Response:

The LACT has implemented these changes and believes they have been beneficial.

Background: Currently, CAB allows the EO to approve settlement agreements for revocation or surrender of a license. The Committee, however, does not, which requires a licensee surrendering a license to appear before the Board at one of its quarterly meetings. Aligning the EO duties for both regulating entities would streamline discipline and conform with the LATC's strategic objective to align its practices with the Board.

Staff Recommendation: *Adopt language approved by the Committee to allow the EO to approve settlement agreements for revocation or surrender of a license.*

LATC Response:

The LATC agrees with the staff recommendation.

2023 Updated LATC Response

The Board and LATC have implemented these changes.

ISSUE #4. (CONTINUED REGULATION BY THE LATC) Should the licensing and regulation of landscape architects be continued by the Committee, through the CAB?

Background: Clients and the public are best protected by strong regulatory boards with oversight of licensed professions. LATC has proven to be a competent steward of the landscape architect profession and should be continued with a four-year extension of its sunset date.

Staff Recommendation: *The licensing and regulation of landscape architects should continue to be regulated by the Committee, and it should be reviewed again in four years.*

LATC Response:

The LATC concurs with the staff recommendation.

2023 Updated LATC Response:

The LATC continues to support this recommendation.

This is the opportunity for the board to inform the Committees of solutions to issues identified by the board and by the Committees. Provide a short discussion of each of the outstanding issues, and the board's recommendation for action that could be taken by the board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, legislative changes) for each of the following:

1. Issues raised under prior Sunset Review that have not been addressed.
2. New issues identified by the board in this report.
3. New issues not previously discussed in this report.
4. New issues raised by the Committees.

Approval of Plans:

On September 7, 2010, a legal opinion was issued to the Landscape Architects Technical Committee (LATC) from their DCA legal counsel at the time, regarding whether a local government agency had the authority to refuse to accept plans and specifications prepared and stamped by a landscape architect that is within the scope of practice of a landscape architect. The legal opinion determined that the landscape architect may not be lawfully prohibited from preparing plans and specifications that fall within the scope of practice of a landscape architect pursuant to Business and Professions Code (BPC) 460. Since the legal opinion was issued, the LATC has continued to receive inquiries on whether local jurisdictions can refuse to accept plans, specifications, and other instruments of service prepared, and stamped, by a licensed landscape architect within the scope of practice of their profession. It is not clear on what grounds local jurisdictions have in rejecting landscape architectural plans, specifications, and instruments of service prepared by a landscape architect.

LATC proposes amending BPC § 5659 to coincide with BPC § 460 by adding language specifically referencing landscape architects to prevent local government entities from prohibiting a licensed landscape architect from engaging in the practice of landscape architecture while also allowing those entities to adopt or enforce local ordinances.

License Renewal – Five Years After Expiration

BPC Section 5680.2 provides that a license that is not renewed within five years of its expiration date may not be renewed, and that the holder of the expired license may apply for and obtain a new license if no fact justifies revocation or suspension of a valid license, the person pays the required fees and takes and passes the current California Supplemental Examination. The Board would like to clarify that a person whose license has been expired for more than 5 years must comply with the requirements for issuance of a new license.

A license that is not renewed within five years after its expiration may not be renewed, restored, reissued, or reinstated thereafter, but the holder of the expired license may apply for and obtain a new license if: they pay all of the fees, and meet all of the requirements set forth in this chapter for obtaining an original license.

(a) No fact, circumstance, or condition exists which, if the license were issued, would justify its revocation or suspension.

- (b) The holder of the expired license pays the fees required of new applicants.
- (c) The holder of the expired license takes and passes the current California Supplemental Examination.

Email Address

In order to maximize use of the Board's online system for license application and renewal, the Board would like to require licensees to maintain the email address they have on file with the Board.

5658. Filing of Electronic Mail Address - Requirement

- (a) Each applicant for examination or licensure who has a valid email address shall report to the board that email address at the time of application.
- (b) Each licensee who has a valid email address shall report to the board or verify that email address at the time of renewal.
- (c) Email addresses provided to the board pursuant to this chapter shall not be considered a public record and not subject to public disclosure.

Technical Changes:

LATC has identified several code sections that could be updated to include gender neutral references.

5640(b)(d), 5641.3, 5641.4,

Section 12

Attachments

Please provide the following attachments:

- A. Board's administrative manual.
- B. Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- C. Major studies, if any (cf., Section 1, Question 4).
- D. Year-end organization charts for last four fiscal years. Each chart should include number of staff by classifications assigned to each major program area (licensing, enforcement, administration, etc.) (cf., Section 2, Question 15).
- E. Provide each quarterly and annual performance measure report for the board as published on the DCA website
- F. Provide results for each question in the board's customer satisfaction survey broken down by fiscal year. Discuss the results of the customer satisfaction surveys.

DRAFT

**AGENDA ITEM K.1: DISCUSS AND POSSIBLE ACTION ON 2022-2024
STRATEGIC PLAN OBJECTIVE TO IMPLEMENT A NEW
ENFORCEMENT AND LICENSING BUSINESS
MODERNIZATION COMPUTER PLATFORM TO
IMPROVE SERVICES TO CANDIDATES, LICENSEES,
AND CONSUMERS**

Summary

The LATC's 2022-2024 Strategic Plan contains an objective to implement a new enforcement and licensing business modernization computer platform to improve services to candidates, licensees, and consumers.

LATC is in the process of transitioning to the new business modernization platform, Connect. The first release occurred on May 23, 2023, and included automation of the Eligibility Application, California Supplemental Examination Application, and Initial License Application. Staff has been working closely with the developers and project sponsors to ensure processes are working properly within Connect. As of June 30, 2023, the LATC received 27 applications submitted online using Connect. The second release is scheduled for later in 2023 and will include automation of the Certification of Experience, Reciprocity Application, and License Renewal Application.

LATC applicants can create a Connect account here: <https://connect.latc.ca.gov/login/latc>

Action Requested

None.

AGENDA ITEM K.2: DISCUSS AND POSSIBLE ACTION ON 2022-2024 STRATEGIC PLAN OBJECTIVE TO UPDATE THE LATC WEBSITE TO CLARIFY LATC'S ROLES AND RESPONSIBILITIES AND EXPLAIN THE DIFFERENCE BETWEEN REGULATED AND UNREGULATED PROFESSIONS LISTED ON VARIOUS ONLINE PLATFORMS AND EDUCATE CONSUMERS

Summary

To fulfill this objective, the “Consumers” section of the LATC website was updated in July to:

1. Expand the [“Permitted Practices in California”](#) information to clarify that only licensed architects, engineers, and landscape contractors are “exempt from the Landscape Architects Practice Act insofar as they are providing services in which they are licensed to do so which may include landscape drawings.”
2. Add additional information to the [“Complaint Against a Landscape Architect or Unlicensed Individual”](#) web page, including the following:

The LATC is under the purview of the California Architects Board (Board) which has the authority to investigate and take administrative disciplinary action against licensed and unlicensed individuals for violations of the Landscape Architects Practice Act.

...

The LATC investigates complaints of violations of the Landscape Architects Practice Act, such as fraud, deceit, misrepresentation, negligence, incompetence, breach of contract, failure to use a written contract, aiding and abetting, violating the Rules of Professional Conduct, and practicing without a license. Enforcement actions include, but are not limited to, suspending licenses, revoking licenses, placing licensees on probation, issuing administrative citations, and referring the matter to the district attorney for criminal prosecution.

LATC staff continue to develop and share helpful social media messaging to further educate consumers on LATC's roles and responsibilities as well as the differences between regulated and unregulated professions listed on online platforms.

Action Requested

None.

**AGENDA ITEM K.3: DISCUSS AND POSSIBLE ACTION ON 2022-2024
STRATEGIC PLAN OBJECTIVE TO RESEARCH THE
ECONOMIC AND CONSUMER PROTECTION IMPACT OF
RE-ESTABLISHING THE LANDSCAPE ARCHITECTS
BOARD OR ESTABLISHING A MERGED BOARD WITH
THE CALIFORNIA ARCHITECTS BOARD TO PROVIDE
BETTER REPRESENTATION, STRENGTHEN THE
DISTINCTION BETWEEN THE TWO ENTITIES, AND
INCREASE EFFICIENCY**

Summary

As a result of a legislative reorganization, the Landscape Architects Technical Committee (LATC), established on January 1, 1998, replaced the former Board of Landscape Architects and was placed under the purview of the California Architects Board (CAB).

The LATC's 2022-2024 Strategic Plan contains an objective to research the economic and consumer protection impact of re-establishing the Board of Landscape Architects or establishing a merged Board with CAB to provide better representation, strengthen the distinction between the two entities, and increase efficiency.

This objective was discussed at the April 21, 2023 LATC meeting and the May 19, 2023 CAB meeting. LATC members discussed that re-establishing a separate landscape architecture board would not address issues around efficiency and program costs. Board members requested that LATC consider how it would like to restructure into a merged board and offer a proposal to the Board.

In May, LATC staff researched the make-up of other U.S. landscape architecture licensing boards and found that 22 U.S. states and jurisdictions currently regulate architects and landscape architects under the same licensing board.

Action Requested

The Committee is asked to discuss this 2022-2024 Strategic Plan objective and determine next steps.

AGENDA ITEM L: REVIEW OF FUTURE LATC MEETING DATES

A schedule of planned meetings and events for 2023 are provided to the Committee.

<u>Date</u>	<u>Event</u>	<u>Location</u>
September 8	Board Meeting	Sacramento
September 20-22	Council of Landscape Architectural Registration Boards 2023 Annual meeting	Henderson, NV
October 27-30	ASLA 2023 Conference on Landscape Architecture	Minneapolis, MN
November 3	LATC Meeting	Southern California
December 1	Board Meeting	TBD