California Architects Board

Board Meeting

September 10, 2015

San Francisco, California

Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

NOTICE OF BOARD MEETING

September 10, 2015
9:30 a.m. to 4:00 p.m.
Port of San Francisco
Pier 1 The Embarcadero - Bayside Conference Room
San Francisco, CA 94111
(415) 274-0400 (Port of San Francisco) or (916) 575-7202 (Board)

The California Architects Board will hold a Board meeting, as noted above. Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Annamarie Fernandez at (916) 575-7202, emailing annamarie.fernandez@dca.ca.gov, or sending a written request to the Board at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

Agenda

A. Call to Order/Roll Call/Establishment of Quorum

B. President's Remarks and Board Member Comments

C. Public Comment on Items Not on Agenda
(The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].)

D. Review and Approve June 10, 2015 Board Meeting Minutes

E. Executive Officer's Report
   1. Update on August 2015 Monthly Report
   2. Update and Possible Action on Legislation Regarding:
      a. Assembly Bill (AB) 177 (Bonilla) [Authority: Extension]
      b. AB 507 (Olsen) [BreEZe]
      c. Senate Bill 704 (Gaines) [Conflict of Interest]

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(Continued)

F. National Council of Architectural Registration Boards (NCARB)
   1. Update and Possible Action on NCARB's Accelerated Path to Architectural Licensure
   2. Discuss and Possible Action on NCARB's Initiative: Path for Professionals with Qualified Experience Beyond Five Years

G. Review and Approve Proposed Regulations to Amend California Code of Regulations (CCR), Title 16, Section 109 (Filing of Applications) as it Relates to Reference of Current Edition of *Intern Development Program Guidelines*

H. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 118.5 (Examination Transfer Credit) and Adopt Section 119.8 (Examination Transition Plan - ARE 4.0 to ARE 5.0)

I. Review and Approve Second Modified Text Regarding Proposed Amendment to CCR, Title 16, Section 120 (Re-Examination) as it Relates to Reference of Current Edition of *Architect Registration Examination Guidelines*

J. Professional Qualifications Committee (PQ) Report
   1. Update on PQ July 14, 2015 Meeting
   2. Discuss and Possible Action on PQ's Recommendation Regarding NCARB Resolution 2015-02 as it Relates to Alternative for Certification of Foreign Architects

K. Landscape Architects Technical Committee (LATC) Report
   1. Update on LATC August 6, 2015 Meeting
   2. Review and Approve LATC's Updated *Disciplinary Guidelines* and Proposed Regulations to Amend CCR, Title 16, Section 2680 (Disciplinary Guidelines) as it Relates to Reference of Proposed Revised *Disciplinary Guidelines*
   3. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 2620 (Education and Training Credits) as it Relates to Credit for Teaching Experience
   4. Update and Possible Action on Department of Water Resources Independent Technical Panel "Workforce Challenges and Opportunities" Item from August 24–25, 2015 Meeting

L. Closed Session – Pursuant to Government Code Section 11126(c)(3) the Board will Convene into Closed Session
   1. Review and Approve June 10, 2015 Closed Session Minutes
   2. Deliberate on Disciplinary Matters
   3. Adjourn Closed Session

M. Reconvene Open Session

N. Review of Schedule

O. Adjournment

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

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

CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

Roll is called by the Board Secretary or, in his/her absence, by the Board Vice President or, in his/her absence, by a Board member designated by the Board President.

Business and Professions Code section 5524 defines a quorum for the Board:

> Six of the members of the Board constitute a quorum of the Board for the transaction of business. The concurrence of five members of the Board present at a meeting duly held at which a quorum is present shall be necessary to constitute an act or decision of the Board, except that when all ten members of the Board are present at a meeting duly held, the concurrence of six members shall be necessary to constitute an act or decision of the Board.

BOARD MEMBER ROSTER

Jon Alan Baker

Denise Campos

Tian Feng

Pasqual V. Gutierrez

Sylvia Kwan

Ebony Lewis

Matthew McGuinness

Nilza Serrano

Barry Williams

PRESIDENT'S REMARKS

Board President Jon Baker or, in his absence, the Vice President will review the scheduled Board actions and make appropriate announcements.

PUBLIC COMMENT SESSION FOR ITEMS NOT ON AGENDA

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

APPROVE JUNE 10, 2015 BOARD MEETING MINUTES

The Board is asked to approve the minutes of the June 10, 2015 Board meeting.

Attachment:
June 10, 2015 Board Meeting Minutes

MINUTES

REGULAR MEETING

CALIFORNIA ARCHITECTS BOARD

June 10, 2015

San Diego, CA

A. CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

Board President Jon Alan Baker called the meeting to order at 10:05 a.m. and Board Secretary, Tian Feng, called roll.

Board Members Present
Jon Alan Baker, President
Pasqual Gutierrez, Vice President
Tian Feng, Secretary
Denise Campos (arrived at 10:43 a.m.)
Sylvia Kwan
Ebony Lewis
Matthew McGuinness
Nilza Serrano
Barry Williams

Guests Present
Steve Altman
Andrew Bowden, Vice Chair, Landscape Architects Technical Committee (LATC)
Carmen Cave, Center for Public Interest Law (CPIL), University of San Diego (USD)
Kurt Cooknick, Director of Regulation and Practice, The American Institute of Architects, California Council (AIACC)
Julianne D'Angelo Fellmeth, Administrative Director, CPIL, USD
Julia Flauas, Student Director, South, AIACC
Lou Galiano, Television Specialist, Department of Consumer Affairs (DCA)
Deborah Gerard, Partner, Gruen Associates
Mitra Kanaani, Professor of Architecture, NewSchool of Architecture and Design (NewSchool)
Daniel López-Pérez, Assistant Professor of Architecture, USD

Staff Present
Doug McCauley, Executive Officer
Vickie Mayer, Assistant Executive Officer
Marccus Reinhardt, Program Manager, Examination/Licensing
Trish Rodriguez, Program Manager, LATC
Justin Sotelo, Program Manager, Administration/Enforcement
Mel Knox, Administration Analyst
Robert Carter, Architect Consultant
Rebecca Bon, Staff Counsel, DCA

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Six members of the Board present constitute a quorum. There being eight present at the time of roll, a quorum was established.

B. PRESIDENT'S REMARKS

Mr. Baker 1) reminded the Board and public that the meeting is webcast; 2) announced that agenda items may be discussed out of order to accommodate the schedules of guest speakers; 3) announced that Assistant Professor, Daniel López-Pérez, of the Architecture Program at USD will give a presentation to the Board; 4) recognized LATC member, Andrew Bowden is in attendance; 5) advised the Board that all motions and seconds shall be repeated for the record, and votes on all motions shall be taken by roll-call; 6) noted that votes will be taken on National Council of Architectural Registration Boards (NCARB) resolutions under Agenda Item F; 7) expressed appreciation for the Administration's decision to allow more Board members to attend NCARB annual meetings; and 8) announced that Anne Smith, a candidate for NCARB Secretary, is no longer competing for the position.

C. PUBLIC COMMENT SESSION FOR ITEMS NOT ON AGENDA

There were no comments from the public.

D. APPROVE MARCH 12, 2015 BOARD MEETING MINUTES

Mr. Baker asked for comments concerning the March 12, 2015, Board Meeting Minutes.

- **Barry Williams moved to approve the March 12, 2015, Board Meeting Minutes.**

  Sylvia Kwan seconded the motion.

  Members Gutierrez, Feng, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Campos was absent at time of vote. The motion passed 8-0.

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley thanked USD's Department of Art, Architecture, & Art History for hosting, and acknowledged that the Board is meeting for the first time at a non-National Architectural Accrediting Board (NAAB)-accredited school of architecture. He reminded the Board of the importance of respecting diverse pathways that allow candidates to enter the profession.

Mr. McCauley reminded the Board that the next meetings are scheduled for September 10, 2015 in San Francisco, and December 10, 2015 in Sacramento. He noted that the December meeting was originally scheduled to be a two-day session, but will instead be a one-day meeting because the Board adopted a two-year Strategic Plan.

Mr. McCauley updated the Board on the enterprise-wide enforcement case management and licensing system called BreEZe. He relayed a message from DCA regarding BreEZe. The message stated that, after Release 2 is completed, DCA will work with the Release 3 boards and bureaus with the California Technology Agency in preparing a project plan for the remaining

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boards and bureaus. According to the message, prior to beginning work on Release 3, DCA will perform a formal cost benefit analysis after Release 2 is completed. It stated that part of this formal evaluation will include a gap analysis of all existing BreEZe functionality as delivered at the completion of Release 2, to the Release 3 boards and bureaus' business needs and current systems' functionality. The message also indicated that the cost benefit analysis/feasibility study will determine the strategy taken; and, if contractors are brought on board, a mix of contractors and state staff, or just state staff will be implementing Release 3. The message concluded by anticipating the development of the Release 3 project plan to begin in Mid-2016.

Mr. McCauley reported that the state Legislature and Administration is close to adopting a budget for the upcoming fiscal year. He reminded that, as a consequence of savings in the Board's examination program and sound fiscal stewardship of resources, the Board's negative budget change proposal to reduce the Board's spending authority by $300,000 is expected to be reflected in the budget.

Mr. McCauley reported that a required review of the California Supplemental Examination (CSE) is complete. He explained what the review entailed, and concluded that the Board's examination is consistent with national standards. Mr. McCauley advised the next step in the process will be to conduct a linkage study. He also reported it is time for the Board to renew its contract with NCARB for the Architect Registration Examination (ARE).

Mr. McCauley directed the Board's attention to the number of enforcement citations and explained that continuing education (CE) audits are largely responsible for the current increase.

Mr. McCauley reminded the Board of the strategic planning objective to review its fee methodology in the spirit of ensuring that fees are reasonable. He also updated the Board on the state of its budget, and supplied the Board with a Fiscal Year (FY) 2014-15 Expenditure Report. As he reviewed line items, Mr. McCauley informed that zero funds are allocated for out-of-state travel expenses in the current fiscal climate, and noted that Board members are able to travel to NCARB meetings only because NCARB is willing to fund its member boards' efforts to participate. Mr. Baker recalled that NCARB will provide funds for a board's Executive Officer and two Board members to attend annual meetings.

Mr. Baker asked why there appeared to be a difference of approximately $250,000 between the actual expenditure for staff Salary & Wages line item in FY 2013-14 and what is budgeted for FY 2014-15. Vickie Mayer explained that increases in wages that are sometimes automatic (e.g., health benefits, costs for insurance) may cause fluctuations in the budget amount. Mr. McCauley noted that simply having a vacancy in staff would cause the Board to be under budget.
Mr. Baker also asked about the Exam Expenses category of line items, to which Mr. McCauley explained that some line items are no longer relevant since the change in CSE format.
Ms. Mayer suggested providing the prior year's budget amount along with expenditures for future budget reports. She also stated that the Board has authority to transfer funds from one line item to another, so long as the bottom-line remains intact. Mr. McCauley then reviewed the Board's fund condition report, which he characterized as positive.

Mr. McCauley provided a status update on the Sunset Review process. He spoke about the results of the March 18, 2015 hearing, informed that the Board's responses to questions at the hearing were well-received, and asked the Board to ratify its written responses to issues identified in the Sunset Review Background Paper that were submitted to the Legislature.

- **Nilza Serrano moved to ratify the Board's written responses to the issues identified in the Sunset Review Background Paper that were submitted to the Legislature on April 16, 2015.**

  Pasqual Gutierrez seconded the motion.

  Members Gutierrez, Feng, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. Member Campos was absent at time of vote. The motion passed 8-0.

Mr. McCauley updated the Board on legislative items, which he advised that adopting a formal position on them is not necessary unless, however, the Board feels otherwise. He reported that the Board's sunset bill, Assembly Bill (AB) 177 (Bonilla) extends its sunset date to the year 2020. Mr. McCauley also reported that AB 507 (Olsen) would require DCA to submit an annual report to the Legislature concerning cost-benefit analysis of BreEZe. Lastly, he reported that Senate Bill 704 (Gaines), AIACC-sponsored legislation, addresses the issue of conflict of interest as it concerns public officials as members of advisory boards or commissions. Mr. McCauley stated that these bills are of interest, and that the Board should be aware of them.

Board members presented their liaison reports of 2015, which covered assigned organizations' activities and objectives. Mr. Baker reported on his interaction with AIACC; NewSchool; Southern California Institute of Architecture (SCIARC); Citrus College; Orange Coast College; San Diego Mesa College; and Southwestern College. Mr. Baker requested for SCIARC to be reassigned to another Board member due to its location outside of his regional jurisdiction. Mr. Gutierrez reported on his interaction with the California Polytechnic State University, Pomona; Woodbury University; Association of Collegiate Schools of Architecture; Council of Landscape Architectural Registration Boards; Bakersfield College; Cuesta College; Mt. San Antonio College; and San Bernardino Valley College. Ms. Serrano reported on her interaction with Cerritos College; Los Angeles City College; and Ventura College. Ms. Kwan reported on her interaction with the College of Marin; National Council of Examiners on Engineering and Surveying; Urban Land Institute; Academy of Art University, San Francisco; California College of the Arts, San Francisco; and Cosumnes River College. Matthew McGuinness reported on his interaction with the Associated General Contractors of California, Inc.; City College of San Francisco; College of San Mateo; Fresno City College; and West Valley College, Saratoga. Ebony Lewis reported on her interaction with the University of Southern California, Los Angles; East Lost Angeles College, Monterey Park; and Los Angeles Valley College, Van Nuys. Barry Williams reported on his interaction with the California Polytechnic State University, San Luis Obispo; and College of the Desert. Mr. McCauley reported on his interaction with the American Council of Engineering Companies, California; Board for Professional Engineers, Land Surveyors & Geologists; California Building Officials; and Contractors State License Board.

The Board discussed issues pertaining to architect training and education within the context of what liaisons had reported. Ms. Serrano highlighted the need for California colleges and universities to address the chronic problem of California students' inability to gain admittance to graduate architecture programs. She explained that, to the detriment of California students, these institutions receive greater tuition revenue by admitting more students from out-of-state. Mr. Baker suggested for the Board to discuss the issue of architectural knowledge and education at the community college and university level during the next strategic planning discussions.

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Mr. Gutierrez suggested modifying the liaison reporting schedule for reports to be delivered twice annually during the fall and spring months to overlap with the academic calendar.

As a founding member of the architecture program at USD, Mr. López-Pérez informed the Board that the program began six years ago. He stated that the architecture program's five-year review is complete, and spoke about the program's successes. Mr. López-Pérez stated that USD focuses on undergraduate architectural education with a strong undergraduate core curriculum. He characterized the program as a four-year pre-professional program with an annual graduating class size of between 12 and 15 students. Mr. López-Pérez informed that students who choose to continue their studies at the graduate level enjoy a 100% acceptance rate, including to graduate programs at Ivy League institutions. Ms. Serrano asked about student demographics in USD's architecture program, to which Mr. López-Pérez replied that a census was taken of every student for the last five years, and that information is available to the Board. He stated that most students come from California and surrounding states, and very few students are foreign students. Mr. López-Pérez also suggested that he is prepared to commence conversation with NAAB about obtaining accreditation.

G.* DISCUSS AND POSSIBLE ACTION ON AMENDING BOARD'S ADDITIONAL PATH TO LICENSURE SUPPORTING POSITION STATEMENT

Mr. Gutierrez, who also serves as a member of NCARB's Licensure Task Force (LTF), informed the Board that the LTF will reconvene during the first week of August 2015 to review all of the Requests for Proposals (RFP) that were submitted on June 1, 2015 by schools that elected to participate in NCARB's initiative. He also informed that, in September 2015, NCARB will then recognize schools of architecture that are best positioned to launch an Accelerated Path to Architectural Licensure (APAL) program. Mr. Gutierrez explained that, as part of the RFP submittal process, schools of architecture were required to submit a statement from their local board that demonstrated support for the concept. He also explained that the Board's Additional Path to Licensure Supporting Position Statement must be refined to better establish how the Board intends to address the concept. Mr. Gutierrez presented his recommended amendment and asked the Board for approval.

- **Nilza Serrano moved to approve the recommended modification to the Board's Additional Path to Licensure Supporting Position Statement.**

  Sylvia Kwan seconded the motion.

Ms. Kwan asked about the selection process and what the resulting number of schools authorized to begin APAL programs will be. Mr. Gutierrez stated that it will depend on the number of schools that NCARB recognizes or endorses for being positioned to successfully implement such programs.

Mitra Kanaani asked if NAAB will have a role in reviewing schools. Mr. Gutierrez informed that the LTF is composed of individuals who happen to be college presidents, architect practitioners, emerging professionals, and others who may be associated with NAAB. He stated that NAAB, as an entity, is not represented on the LTF.

Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

J. REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT

Mr. McGuinness, as REC Chair, updated the Board on the activities of the REC at its April 29, 2015 meeting. He reported that the Committee discussed 2015-2016 Strategic Plan objectives to (1) review the Board's Occupational Analysis (OA) of the architect profession to identify marketplace trends that impact consumer protection; (2) modify and expand reports to Board members regarding enforcement activities to identify the most common violations and disciplinary actions; (3) pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties; and (4) monitor NCARB action on the title for interns to ensure appropriate consumer protection, and discuss AIACC's request to expand the current terminology for candidates in the Architects Practice Act (Act) to include the title "architectural intern." Mr. McGuinness reported that the REC voted to recommend that the Board not consider the title "architectural intern" for candidates pursuing licensure any further.

Mr. McCauley provided some background on the "architectural intern" title issue. He stated that NCARB's Future Title Task Force presented recommendations at the NCARB Board of Directors meeting in April 2015 concerning terminology used during the life cycle of an architect's career. Mr. McCauley explained that AIACC, in a letter dated March 4, 2015, asked the Board to consider the following:

- NCARB recommends in its *Legislative Guidelines and Model Law* (2014-2015 Edition) that a person with an NCARB record in good standing and currently employed under the responsible control of an architect, be allowed to use the title "intern architect" or "architectural intern" in conjunction with his or her current employment.

- According to NCARB, 28 jurisdictions have titles specifically for those actively pursuing licensure, and currently allow the use of the terms "intern architect," "architectural intern," "architect-in-training," or a combination of the terms.

- Many jurisdictions require interns to register with both NCARB and the state board prior to using the designated title. This can potentially streamline the licensure process by establishing a relationship with the state board early on, and allowing interns to educate themselves about the state licensure requirements from the beginning of their path to licensure.

- Allowing the use of the term "architectural intern" may promote licensure, as this term sets apart those who are actively pursuing licensure from those who choose not to become licensed.

- The Act regulates the use of the terms "architect," "architecture," and "architectural" in order to protect consumers from being misled by unlicensed professionals. The terms "intern architect" and "architectural intern" are not misleading and clearly indicate – by the definition of the word "intern" – that such individuals are trainees in the field of architecture.

Mr. McCauley asked the Board to review and consider the REC's recommendation to no longer consider the title "architectural intern."

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Kurt Cooknick reminded the Board that decisions regarding legal language can only be made by individual licensing boards, and cautioned the Board not to allow NCARB's actions to influence the Board's decisions on the issue. Mr. Cooknick also reminded the Board that the decision to be made at the present time concerns whether to continue or discontinue further consideration of the use of a term similar to "architectural intern." He conveyed that AIACC reflected on and identified remedies to REC's concerns about consumer protection, specifically regarding the use and misuse of the title. Mr. Cooknick stated that he does not find the REC's recommendation to discontinue the "architectural intern" title conversation an appropriate recommendation. He stated that AIACC hopes that, through continued discussion, the concerns of the REC and, ultimately, of the Board, could be sufficiently addressed. Mr. Feng asked who would enforce the use of or the consequences of misusing a title like "architectural intern." Mr. Cooknick replied that he would expect the Board to be the enforcer because the Board's enforcement mechanisms already exist.

Deborah Gerard addressed the Board. Ms. Gerard advised that current restrictions are affecting young professionals' sense of belonging to the profession, and asked the Board to loosen constraints for use of the term "architectural." She stated that use of the term as it concerns young professionals who are "not yet licensed" would not be confusing, and, instead, would help her to better engage and groom the next generation of leaders at her firm. Ms. Gerard asked the Board to lead on this issue.

Julia Flauas spoke about the confusion that exists for young professionals who are graduates of schools of architecture, but who are not yet licensed. Ms. Flauas asked the Board to help young people, and the architecture firms that employ them, to identify an appropriate title to be used until the day they become licensed.

Mr. Cooknick stated that the Board should not be afraid to consider the issue on a deeper level. He informed that an enforcement officer with the Board of Professional Engineers, Land Surveyors, and Geologists communicated to him that misuse of the title "Engineer in Training" is very rare. Mr. Cooknick said that if the engineering profession can designate a title for their young professionals who are not yet licensed, so can the architectural profession. He asked the Board to take a step toward meeting AIACC half-way and continue discussion of designating a title for professionals in the architectural community who are not yet licensed.

Mr. Baker asked about other professions' practices. He asked, for instance, if the legal profession has a term like "intern attorney," or if the medical profession has a term like "intern doctor." Mr. Cooknick stated that the legal profession uses the term "clerk," and the healing arts profession uses the term "intern" when referring to people who are not yet licensed to practice their profession, but are in pursuit of licensure. Ms. Lewis advised the Board that the terms "intern," "resident," and "fellow" are used in the medical profession. She explained that "fellows" are doctors who have completed residency and are specializing in a field of medicine. Ms. Lewis also informed the Board that graduates of medical school are considered "doctors" even if they hold an "internship," "residency," or "fellowship" position.

Ms. Serrano expressed a sense of agreement with the concept of identifying a term like "architect intern," "architect in training," or something similar, for young professionals who are not yet licensed to practice architecture. She opined that, from a consumer perspective, a designation would be positive.

Mr. Gutierrez asked what rationale the REC had to prompt it to recommend discontinuing the "architect intern" title discussion. Mr. McGuinness explained that the Committee considered enforcement implications, and a sense of vagueness that appeared to "water down" the prestige of the title "architect." Mr. Williams added that the REC did not believe a new title was needed. Mr. Gutierrez stated his belief that the consumer would be more endangered by individuals who present themselves illegally as architects than by those who present themselves illegally as interns. He also stated that the protection of the title "architect" has more to do with emotion than it has to do with its relevance to the social climate of the profession. Mr. Gutierrez told the Board that he would not be in favor of accepting the REC's recommendation.

Mr. Feng asked Ms. Gerard if not being able to call her staff "intern," or something similar, harms her firm or her firm's relationships with clients in any way. Ms. Gerard explained that titles are given to her unlicensed staff in a way that respects current law, but does not accurately reflect the work they are tasked to do (e.g., project manager, project coordinator). She informed that there are professionals in her community who feel that the term "intern" is demeaning, and that very few of these professionals are willing to call themselves "intern." Ms. Gerrard stated that she is advocating for use of the term "architect" as a modifier (e.g., architectural staff, architectural technician, and architectural designer).

Mr. Baker asked pointed questions about how to effectively manage the administration of a program for individuals who are not licensed, the program's timeframe, as well as its enforcement. Mr. Cooknick stated his desire for the REC to consider and address each of Mr. Baker's questions, as well as other questions that have not yet been asked. He said that these questions must be addressed in a fair process moving forward, and the discussion should not end at this point in time. Mr. Baker explained that the Board's jurisdiction is architects, and a part of its responsibility is to manage the use of the word "architect" in the context of consumer protection. He further explained that, since the Board's jurisdiction is licensed architects, the management of a process that oversees titling for individuals who are not in the profession is difficult to justify. Mr. Baker opined that modifying the Act to manage anyone "thinking about" becoming practitioners of architecture, alters the Board's mandate in a serious way.

Julianne D'Angelo Fellmeth informed that several other professions with the same kind of licensing structure as the Board have identified a designation for people who are pursuing licensure. Ms. Fellmeth encouraged the Board to reach out to other boards that incorporate the term that is used post-licensure into a term used for someone who is still in training. She said that there is room for inviting young people into the profession who are actively pursuing licensure by making them feel wanted.

Mr. Gutierrez stated that, according to his calculation, 38 states have found a way to use "architect" in one way or another to describe people who are in pursuit of licensure. He noted that a change in reference to people who are not yet licensed that involves the word "architect" will require a revision to the Act. Mr. Gutierrez reminded the Board that these possibilities will never be fully vetted if there is an agreement to discontinue the conversation at this point in time.

- **Sylvia Kwan moved to reject REC's recommendation to discontinue consideration of the term "architectural intern" for candidates pursuing licensure.**

  Ebony Lewis seconded the motion.

Ms. Kwan stated that her perspective on the issue has evolved as a direct result of the current discussion.

Mr. Baker clarified his concern that if the Board decides to take jurisdiction over this new group of people and a new title, then the consequence of that decision would likely include additional funding and staff, and several logistical changes that would be required to oversee a new program. He questioned whether the need is great enough to justify the consequence.

Mr. Baker reiterated that the Board's mandate to govern and oversee the practice of architecture is written into law. Mr. Cooknick reminded the Board that its mandate is over 110 years old, and suggested that it may now be time to consider modifying the Act.

Ms. Kwan asked about the possibility of holding a joint meeting between the Board and the REC, to which Mr. McCauley confirmed the possibility. Mr. McCauley stated that, historically, the committee process has worked well. Mr. Baker suggested considering NCARB's and AIA's research on the issue to inform any future conversation the Board may have.

- **Pasqual Gutierrez moved to amend the motion to reject REC's recommendation to discontinue consideration of the term "architectural intern" for candidates pursuing licensure, and to have the REC research and reevaluate its recommendation to the Board.**

  Tian Feng seconded the amendment to the motion.

Mr. Cooknick expressed his support for the REC to reconsider the intern title issue.

Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted to amend the motion. The motion passed 9-0.

Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the amended motion. The motion passed 9-0.

F. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. Baker reminded the Board that its positions on NCARB resolutions for 2015 have already been identified, but, if desired, the Board may reinforce or modify the positions. Mr. McCauley recommended that the Board support all three of NCARB's resolutions for 2015.

- **Tian Feng moved to support Resolutions 2015-1, 2015-2, and 2015-3.**

  Nilza Serrano seconded the motion.

  Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

Mr. Baker stated that the only contested election is between Margo Jones and Kristine Harding for the NCARB First Vice Presidency. He asked the Board to consider whether to take an immediate position on the candidates, or to allow the Board delegation that will attend the

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Annual Meeting identify candidates to support after hearing speeches and considering all information not yet available.

- **Matthew McGuinness moved to allow the Board's NCARB delegation to identify candidates for office to support.**

  Barry Williams seconded the motion.

  Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

H. REVIEW AND APPROVE MODIFIED TEXT REGARDING PROPOSED AMENDMENTS TO CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, SECTION 120 (RE-EXAMINATION) AS IT RELATES TO REFERENCED EDITION OF *ARCHITECT REGISTRATION EXAMINATION GUIDELINES*

Marccus Reinhardt reminded the Board that, at its September 10, 2014 meeting, it approved proceeding with a regulatory amendment to CCR section 120 (Re-Examination) as it relates to the ARE. He advised that the proposed amendment would update the Board's regulations to incorporate by reference the NCARB *ARE Guidelines*. Mr. Reinhardt explained that, during preparation of the final regulatory package for submission to the regulatory agencies for review and approval, staff was informed that an updated edition (October 2014) of the *ARE Guidelines* was published by NCARB. He stated that, consequently, the regulatory amendment was revised, a 15-day Notice of Modified Language was prepared and made publicly available, and no comments were received regarding the modified language during the comment period.

- **Nilza Serrano moved to adopt the proposed regulatory changes to CCR section 120 as modified and delegate authority to the Executive Officer to make minor technical or non-substantive changes, if needed in completing the rulemaking file.**

  Tian Feng seconded the motion.

  Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

I. REVIEW AND APPROVE 2015/16 INTRA-AGENCY CONTRACT AGREEMENT WITH OFFICE OF PROFESSIONAL EXAMINATION SERVICES FOR CALIFORNIA SUPPLEMENTAL EXAMINATION DEVELOPMENT

Mr. Reinhardt informed the Board that its current Intra-Agency Contract (IAC) agreement with the Office of Professional Examination Services (OPES) for development of the CSE is due to expire on June 30, 2015. He advised that a new IAC agreement is needed for FY 2015/16 for continued examination development.

- **Nilza Serrano moved to approve the new IAC agreement with OPES for examination development for FY 2015/16.**

  Tian Feng seconded the motion.

Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

K. REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 154 (DISCIPLINARY GUIDELINES) AS IT RELATES TO REFERENCE OF PROPOSED REVISED *DISCIPLINARY GUIDELINES*

Justin Sotelo reminded the Board that revisions to its *Disciplinary Guidelines* were approved at the December 2015 meeting. Mr. Sotelo further reminded that those revisions were based on input provided by staff, the Board's legal counsel, Deputy Attorney General liaisons, and the REC. He asked the Board to approve proposed regulatory amendments to CCR section 154 that would, consequently, modify its *Disciplinary Guidelines*. Mr. Baker asked about substantive changes, to which Mr. Sotelo directed the Board's attention to proposed regulatory change documents that detail each modification.

- **Nilza Serrano moved to approve the proposed regulations to amend CCR section 154 and delegate authority to the Executive Officer to adopt the regulations provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.**

  Pasqual Gutierrez seconded the motion.

  Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

L. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

Trish Rodriguez reported that the LATC held a teleconference meeting on May 13, 2015. Ms. Rodriguez informed that an update to the Committee on the status of efforts to reduce licensing fees was provided, and that a new fee schedule will become effective on July 1, 2015. Ms. Kwan asked why LATC's licensing fees are reduced, to which Ms. Rodriguez explained that current fee reductions are part of the process to decrease the Committee's fund balance. Ms. Rodriguez also reported that 1) members received an update on the Committee's ongoing exam development workshop; 2) staff made updates and posted the 2015 LATC Practice Act to its website; 3) the Committee ratified the 2015 Sunset Review written responses to the Legislature; 4) the Committee approved a proposed regulatory change to allow up to one year of training/practice credit for teaching in a landscape architecture degree program; 5) a new member, Patricia Trauth, was recently appointed to the Committee, whose term expires on June 1, 2018; and 6) Mr. Bowden was reappointed to serve on the Committee through June 1, 2019.

Ms. Rodriguez informed the Board that, on February 11, 2015, the LATC participated in a strategic planning session to update its Strategic Plan for 2015-2016. She reported that the LATC approved the draft Plan at its teleconference meeting in May, and asked the Board to ratify the Committee's approval of the Plan.

- **Nilza Serrano moved to approve the draft 2015-2016 LATC Strategic Plan.**

  Pasqual Gutierrez seconded the motion.

Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Serrano, Williams, and President Baker voted in favor of the motion. The motion passed 9-0.

Mr. Cooknick informed that AIACC would like to open discussion with the Board about coursework requirements concerning CE. Mr. Baker asked Mr. Cooknick to provide a written outline of the issues involved (with data) to Mr. McCauley for the Board's consideration.

M. CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTIONS 11126(A)(1), (C)(1) AND (C)(3)

The Board went into closed session to consider possible action on the:

- Closed Session Minutes of the March 12, 2015 Board meeting;
- Proposed enforcement decisions and stipulations; and
- Annual evaluation of Executive Officer.

N. REVIEW OF SCHEDULE

Mr. Feng requested that, being there was not going to be a Strategic Planning session at the December Board meeting, there be time allotted (agendized) for the Board to discuss strategic planning items at the meeting.

O. ADJOURNMENT

Mr. Baker asked for a motion to adjourn.

- **Nilza Serrano moved to adjourn the meeting.**

  Denise Campos seconded the motion.

  Members Gutierrez, Feng, Campos, Kwan, Lewis, McGuinness, Williams, and President Baker voted in favor of the motion. Member Serrano was absent at time of vote. The motion passed 8-0.

The meeting adjourned at 3:20 p.m.

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

DRAFT

EXECUTIVE OFFICER'S REPORT

1. Update on August 2015 Monthly Report

2. Update and Possible Action on Legislation Regarding:
   a. Assembly Bill (AB) 177 (Bonilla) [Authority: Extension]
   b. AB 507 (Olsen) [BreEZe]
   c. Senate Bill 704 (Gaines) [Conflict of Interest]

Edmund G. Brown Jr.
GOVERNOR

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

MEMORANDUM

DATE: September 1, 2015

TO: Board Members

FROM: Doug McCauley, Executive Officer

SUBJECT: Monthly Report

The following information is provided as an overview of Board activities and projects as of August 31, 2015.

ADMINISTRATIVE/MANAGEMENT

Board Board meetings for the remainder of 2015 are scheduled as follows: September 10 (San Francisco) and December 10 (Sacramento).

BreEZe The Department of Consumer Affairs (DCA) has been working with Accenture, LLP to design, configure, and implement an integrated, enterprise-wide enforcement case management and licensing system called BreEZe. This system supports DCA's highest priority initiatives of job creation and consumer protection by replacing aging legacy business systems with an industry-proven software solution that utilizes current technologies to facilitate increased efficiencies for DCA board and bureau licensing and enforcement programs. More specifically, BreEZe supports applicant tracking, licensing, license renewal, enforcement, monitoring, cashiering, and data management capabilities. Additionally, the system is web-based which allows the public to file complaints and search licensee information and complaint status via the Internet. It also allows applicants and licensees to submit applications, license renewals, and make payments online. BreEZe is being deployed department-wide via three separate releases. Release 1 was implemented on October 9, 2013; the Board is currently part of Release 3. In January 2015, DCA had requested a contract amendment for the BreEZe project, which was considered by the Department of Finance (DOF) and the Joint Legislative Budget Committee. Subsequent to that, legislative hearings were held in March which provided the Legislature with additional information regarding the project and the opportunity to more fully evaluate

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the options for moving forward with the project. On March 24, 2015, DCA was notified by the Legislature that it may proceed with the BreEZe contract amendments. Implementation of Release 2 boards and bureaus was moved to the end of 2015 and DCA still intends to bring Release 3 boards and bureaus into BreEZe. However, as recommended by the State Auditor, DCA will conduct a cost-benefit analysis for Release 3 boards and bureaus after Release 2 is completed. Absent any contrary finding in that analysis, DCA plans to bring the remaining boards and bureaus into BreEZe, but likely will do so in smaller groups. In June 2015, DCA informed the Board that, after Release 2 is completed, it will work with the Release 3 boards and bureaus with the California Technology Agency in preparing a project plan for the remaining boards and bureaus. DCA also informed that, prior to beginning work on Release 3, it will perform a formal cost benefit analysis after Release 2 is completed. DCA stated that part of this formal evaluation will include a gap analysis of all existing BreEZe functionality as delivered at the completion of Release 2, to the Release 3 boards and bureaus' business needs and current systems' functionality. It indicated that the cost benefit analysis/feasibility study will determine the strategy taken; and, if contractors are brought on board, a mix of contractors and state staff, or just state staff will be implementing Release 3. DCA anticipates the development of the Release 3 project plan to begin in mid-2016.

Communications Committee Communications Committee members will next meet on October 21, 2015 in Sacramento.

Executive Committee Executive Committee members will next meet on November 24, 2015 in Sacramento and various teleconference locations.

Legislation Assembly Bill (AB) 177 (Bonilla) [Authority: Extension] extends the Sunset date for the Board and LATC until January 1, 2020. On August 27, 2015, the bill passed the Senate Committee on Appropriations and it was amended to express the Board's intention to move the examination eligibility point consistent with Additional Path to Architectural Licensure (APAL) programs' structure so APAL students may test earlier. The amendment is consistent with the Board's APAL Supporting Position Statement, and was developed with National Council of Architectural Registration Boards (NCARB) Licensure Task Force (LTF) member Pasqual Gutierrez.

AB 507 (Olsen) [BreEZe] was introduced on February 23, 2015 and would add Business and Professions Code section (BPC) 210.5 to require DCA to submit an annual report to the Legislature and DOF regarding the BreEZe system. The bill passed the Assembly Committee on Appropriations on May 28, 2015, then was amended to take effect as an urgency statute. AB 507 entered the Senate Committee on Rules on June 18, 2015, where it was amended to require, if enacted, (1) annual submissions of these reports to begin on or before March 1, 2016, and (2) DCA to post on its website the name of each regulatory entity that is utilizing the BreEZe system. The bill is in the Senate BP&ED as of July 13, 2015.

Senate Bill (SB) 704 (Gaines) [Conflict of Interest] establishes an additional provision of Government Code section 1091 wherein appointed members of unelected boards or commissions would be permitted to recuse themselves from decisions on contracts in which they have a financial interest. On April 30, 2015, the bill was amended to add the interest of an owner or

partner of a firm who serves on an unelected board or commission to a contracting agency to the list of "remote interest" exceptions to section 1091. SB 704 was amended by the Assembly Committee on Elections and Reapportionment (E&R) to include new clarifying language about this provision. The bill is on the Governor's desk.

Liaison Program Board member liaisons provided updates on their assigned organization and school activities and objectives at the June 10, 2015 Board meeting. Liaisons requested the schedule of reports be modified to fall and spring and re-assignment of certain schools. Reminders to make contact with assigned organizations and/or schools will be sent to liaisons in the third quarter of 2015.

Newsletter The Board's newsletter, *California Architects*, was published, posted on the website, and distributed to email subscribers on June 11, 2015. Additionally, the Board tweeted about the newsletter being available online. The next issue will be published and distributed in the third quarter of 2015.

Sunset Review The Executive Committee reviewed the first draft of the Sunset Review Report at its meeting on May 20, 2014. The Board also reviewed and approved the draft Report with minor edits at its meeting on June 12, 2014, then again at its September 10, 2014 meeting. Staff finalized the Report and submitted it to the Legislature on October 31, 2014. On February 4, 2015, EO Doug McCauley met with the staff consultant for the Assembly Committee on Business and Professions to discuss any questions that may be raised during the Sunset Review process. The Board's Sunset Review hearing was on March 18, 2015, and the Board's written responses to issues raised by the Legislature were due within 30 days of the hearing.

The Board/Landscape Architects Technical Committee's (LATC) presentation at the hearing received positive feedback from the committees (the Senate and Assembly policy committees met jointly to conduct the hearing). Only two questions were asked regarding the: 1) process for determining content for the California Supplemental Examination (CSE), and 2) possible causes for the non-compliance rate on continuing education audits. The Board's responses were satisfactory to the committees and also received positive feedback.

On April 16, 2015, the Board submitted its written responses to the issues identified in the Sunset Review Background Paper to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development. The Board ratified the written responses at its June 10, 2015 meeting.

AB 177 (Bonilla), the bill that extends the Sunset date for the Board and LATC until January 1, 2020, passed the Senate Committee on Appropriations.

Training The following employees have been scheduled to participate in upcoming training:

9/3/15	Interpersonal Skills for Analysts (Andy and Lily Low)
9/8/15	Leadership Fundamentals (Justin)
9/9/15	Labor Relations for Managers and Supervisors (Justin)
9/23/15	Welcome to DCA (Andy, Cecilia, and Lily Low)
10/6/15	Effective Business Writing (Andy, Lily Low, and Mel)

11/3/15	Hiring and Onboarding New Employees (Justin)
11/4–5/15	Performance Management (Justin)
11/10/15	Research, Analysis and Problem Solving (Andy and Lily Low)
11/19/15	Regulations Training: The Rulemaking Process (Greg)
12/1/15	Completed Staff Work (Andy, Lily Low, and Mel)

Twitter The Board has 731 followers, which is up from 673 followers since the June 10, 2015 Board meeting.

Website In August, the Notice of Approval in the Regulations for California Code of Regulations (CCR) section 109 was posted on the Board's website. Staff posted the agenda for the September 10, 2015 Board meeting.

EXAMINATION AND LICENSING PROGRAMS

Accelerated Path to Architectural Licensure (APAL) In September 2013, NCARB reported that it convened a Licensure Task Force to explore potential new pathways to architectural licensure. Led by Past NCARB President Ronald B. Blitch, the Task Force is charged with analyzing each component of the licensure process as a basis for exploring potential additional pathways that lead to licensure, including determining whether or where there may be overlap and opportunities for efficiencies to be realized. The Task Force, one of several NCARB strategic initiatives, met several times, most recently on November 14–15, 2014.

At its February 26, 2014 meeting, the Board discussed an additional path to licensure model that would integrate experience (Intern Development Program [IDP]) and examination components into a degree program, culminating with eligibility for licensure at graduation. The Board invited representatives from each of the National Architectural Accrediting Board (NAAB)-accredited programs in California to discuss the model. More specifically, the Board was provided with an overview of such a model and reports from school representatives on their respective efforts to promote licensure. Additionally, presentations were provided by NewSchool professor Mitra Kanaani (who introduced a new vision for architectural education) and Steve Altman (who outlined a proposal to establish the Sacramento College of Architecture). Discussion also took place with regard to other current NCARB efforts and the development of a potential framework for an accelerated path to architectural licensure model.

The Professional Qualifications Committee (PQC) discussed this issue further at its April 9, 2014 meeting, as did the Board at its June 12, 2014 meeting. Board Vice President and PQC Vice Chair Pasqual Gutierrez developed a position statement in support of an additional pathway to licensure that was approved by the Board and presented to the NCARB Licensure Task Force in August 2014.

NCARB released a Request for Interest & Information (RFI&I) on September 9, 2014 to NAAB-accredited programs requesting information in order to assess the interest level and readiness to design and develop an integrated path leading to APAL. The deadline for submission of a response to NCARB was October 31, 2014. The RFI&I was the first step in a two-part process that was followed by a formal Request for Proposal (RFP) that was released on January 23, 2015 with a deadline of June 1, 2015. In August/September 2015, NCARB will advise Member

Boards which submittals are aligned with the goal of positioning students for success with an integrated path to licensure (education, experience, and examination).

The Board invited to its March 12, 2015 meeting representatives from each of the NAAB-accredited programs to provide a report on their respective efforts to develop an integrative academic program. Dean Norman Millar and Undergraduate Chair Marc Neveu provided the Board with a detailed presentation that outlined two curricula Woodbury University is considering implementing. Presented were an integrative six-year Bachelor of Architecture program and a corresponding four-year Master of Architecture program. Graduate Architecture Program Chair, Kurt Hunker, presented NewSchool of Architecture and Design's vision for an integrative academic program; four-year and six-year Architecture programs were outlined. Also invited was a representative of the Adroit School of Architecture/American Board of Architecture who was questioned extensively.

NCARB has received more than one dozen responses to the RFP, which were reviewed by the LTF in June/July 2015. NCARB will respond to each school with feedback as to how their proposal is or could become acceptable before releasing the names of the accepted programs. NCARB indicated that all programs that submitted proposals will be coached as to the next steps of the process, including modifications necessary to move forward toward implementation. Member Boards will be engaged by NCARB regarding regulatory changes that would allow access to the Architect Registration Examination (ARE) prior to graduation from a NAAB accredited program.

On August 31, 2015, NCARB announced the first 13 accredited architectural programs to be accepted for participation in what is now called the NCARB Integrated Path Initiative (IPI). It is important to note that three of the 13 accepted schools are from California (NewSchool of Architecture and Design, University of Southern California, and Woodbury University). The initiative encourages NAAB programs to propose a pre-graduation integration of education, experience, and the opportunity to take each of the six divisions of the ARE.

NCARB's acceptance of initial participants culminates a two-year effort of its LTF to design an integrated path framework that promotes individual academic program flexibility while addressing the regulatory requirements for licensure. The LTF reviewed existing programs requiring experience as a pre-graduation requisite and conducted the RFI&I and RFP as part of its deliberations.

NCARB has also established a new Integrated Path Evaluation Committee (IPEC) to oversee the ongoing work of this initiative. It is anticipated that the IPEC will continue to coach accepted programs, promote engagement with state boards regarding the necessary statutory or regulatory changes to incorporate integrated path candidates, and oversee the acceptance of future program applicants.

According to NCARB, each program will implement the integrated path in alignment with the schedule developed by the respective school administration and faculty. Starting date may vary from one school to another. Integrated path students in each program will be part of existing accredited programs.

Board staff reviewed the Architects Practice Act to determine whether any statutory or regulatory changes are necessary for implementation of an NCARB-accepted IPI program. The Executive Officer provided proposed language to legislative staff for inclusion into its Sunset Review bill (AB 177) that would authorize the Board to grant candidates early eligibility to take the ARE.

Staff in the interim is preparing a regulatory amendment package for the Board's consideration at its December 10, 2015 meeting.

ARE The results for ARE divisions taken by California candidates between July 1, 2015 and July 31, 2015 are available below.

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		# Divisions	Passed	# Divisions	Failed
Building Design & Construction Systems	84	52	62%	32	38%
Building Systems	67	37	55%	30	45%
Construction Documents & Services	106	54	51%	52	49%
Programming, Planning & Practice	87	54	62%	33	38%
Schematic Design	66	47	71%	19	29%
Site Planning & Design	98	52	53%	46	47%
Structural Systems	45	27	60%	18	40%

Effective October 1, 2014, NCARB's mandatory wait time for retaking ARE divisions decreased from 6 months to 60 days. This policy change allows candidates who have failed a division to retake the division as soon as 60 days after the previous attempt, and up to 3 times in a running year for any particular division. A running year commences with the first attempt at a specific ARE division. NCARB stated that the policy change was possible because of the implementation of *My Examination* that provided it with a sophisticated technology platform to better implement candidate management services. The policy change is an improvement which allows NCARB to decrease the wait time between retakes of a division, while still ensuring the protection of examination content from over-exposure. Staff identified a need to amend CCR section 120 (Re-Examination) and the Board approved proposed regulatory language to implement NCARB's change to the ARE waiting period. The Board also delegated authority to

the EO to adopt the regulation, provided that no adverse comments are received during the public comment period, and, if needed, to make minor technical changes to the language. During preparation of the final regulatory package, staff was advised that an updated edition (October 2014) of the *ARE Guidelines* was released by NCARB. As a result, staff consulted with legal counsel and it was suggested the proposed amendment be modified to reflect the new edition. Legal counsel also recommended additional changes to further clarify subsections (c) and (d) of 120. A 15-day Notice of Modified Language was prepared and made publicly available. The comment period for the Notice began on May 6, 2015 and ended on May 21, 2015. No comments were received regarding the modified language. The Board adopted the modified language at its June 10, 2015 meeting and delegated authority to the EO to make minor technical or non-substantive changes, if needed. On July 1, 2015, NCARB released a new edition of the ARE Guidelines. As a result, staff prepared and made public a 15-day Notice of Second Modifification Language. The comment period began on July 27, 2015 and will end on August 11, 2015. The language will be submitted to the Board for adoption at its September 10, 2015 meeting. See "Regulation Changes" section below for more information regarding proposed amendments to CCR section 120.

ARE 5.0 In early 2013, the NCARB Board of Directors (BOD) voted unanimously to approve the development of ARE 5.0, the next version of the examination. As part of ARE 5.0 development, the new structure incorporates graphics throughout the examination via new "performance item types" that have candidates perform exercises similar to what an architect does as part of regular practice. Additionally, the incorporation of case studies is anticipated to be implemented in all proposed divisions and will allow more in-depth analysis of architectural scenarios by candidates.

The ARE 5.0 Test Specification determines the division structure, defines the major content areas (sections), measurement objectives, and percentage of content coverage (weightings). The final Test Specification outlining the division structure for ARE 5.0 was approved on December 7, 2013 by the BOD. The future examination will include six divisions, and each will be stand-alone, single test administrations. This structure results from an effort to align the ARE with the more commonly defined professional architect activities of practice management, project management, and project design. The new divisions will be titled: Practice Management, Project Management, Programming & Analysis, Project Planning & Design, Project Development & Documentation, and Construction & Evaluation.

In May 2014, NCARB released information about the transition from ARE 4.0 to 5.0. For this transition, NCARB has released information as far in advance as possible to allow candidates who may be transitioned more time to prepare and create a plan. Additionally, NCARB is making some adjustments that will benefit candidates, such as the: 1) dual delivery of ARE 4.0 and ARE 5.0 for at least 18 months, 2) option for candidates to "self-transition" to ARE 5.0, and 3) availability of interactive tools and resources to help a candidate determine the best strategy for their transition. Additionally, NCARB's Examination Committee and test development consultant reviewed the content covered in each ARE 4.0 and 5.0 division to find a reasonable level of alignment. As a result, candidates will have a greater opportunity to receive credit for ARE 5.0 divisions based on 4.0 divisions passed. ARE 5.0 is anticipated to launch in late 2016, with development and integration testing taking place over the next few years.

California Supplemental Examination (CSE) Development: CSE development is an ongoing process. The prior Intra-Agency Contract Agreement (IAC) with the Office of Professional Examination Services (OPES) for examination development expired on June 30, 2015. Staff worked with OPES on the development of a new IAC for FY 2015/16, which was approved by the Board at its June 10, 2015 meeting.

Occupational Analysis (OA), ARE Review, and Linkage Study: The Board typically conducts an OA every five to seven years by surveying practitioners to determine the necessary knowledge, skills, and abilities to perform architectural services with minimum competency. The last OA was conducted in 2007. The Board authorized the EO to execute an IAC with OPES to conduct an OA, the required review of the national examination [per BPC 139], and a linkage study between the content of the ARE and the results of the Board's OA. The approval of the IAC was ratified by the Board at its February 26, 2014 meeting.

In March 2014, OPES conducted four focus group meetings as one of the initial steps in the OA process. Three of the meetings were half-day meetings and involved the following stakeholders: 1) general building contractors; 2) engineers, land surveyors, and landscape architects; and 3) building officials. The fourth meeting was a two-day session, which involved architects. OPES analyzed the focus group meeting results in late March, which provided additional information with regard to the job tasks and knowledge required of architects. The next stage of the OA included interviews with architect subject matter experts (SMEs) and was conducted in April; the purpose of these interviews was to enable OPES to develop a preliminary list of job tasks and knowledge statements. The following step was to conduct workshops in furtherance of developing the pilot OA questionnaire, which was distributed in June 2014. The final OA questionnaire was distributed to a representative sample of California licensees in early July 2014; selected licensees had until July 18 to complete the questionnaire. Results were reviewed by OPES and analyzed by SMEs at two workshop held in September 2014; the findings were presented to the Board at its December 10, 2014 meeting.

OPES completed the ARE review and linkage study that compare the content of the 2014 CSE Test Plan with the subject matter covered in the various divisions of ARE 4.0 and 5.0. This process will help ensure there is minimal overlap in the content of the CSE. The final step in the process was reclassification of the CSE item bank to align it with the 2014 CSE Test Plan. The reclassification was completed during a workshop held July 16-17, 2015.

CSE Results: In August, the computer-delivered CSE was administered to 47 candidates, of which 30 (64%) passed and 17 (36%) failed. The CSE has been administered to 106 candidates in FY 2015/2016, of which 62 (58%) passed and 44 (42%) failed. During FY 2014/2015, the computer-delivered CSE was administered to 788 candidates, of which 472 (60%) passed, and 316 (40%) failed.

NCARB Broadly Experienced Architect (BEA) Program On June 23, 2014, NCARB released a notice to Member Boards requesting input on proposed changes to the BEA program. It provided a 90-day comment period that ended on September 5, 2014. Then-President Sheran Voigt responded on behalf of the Board in support of the proposed changes on August 12, 2014, which was later ratified by the Board at its December 10, 2014 meeting.

The proposed changes to the BEA program, as initially introduced, reduced the amount of experience required by a licensee to complete the program and receive an NCARB Certificate. Under the originally proposed changes, licensees completing this program must: 1) meet a Member Board's education and experience requirement for initial licensure; 2) successfully complete the ARE; and 3) maintain a license to practice architecture in the jurisdiction of initial licensure in good standing; without disciplinary action for one year.

At its September 11-13, 2014 meeting, the NCARB BOD indicated that half of the Member Boards supported the proposed BEA changes. NCARB's deliberation included the consensus that a professional degree from a NAAB-accredited program must still be valued and incentivized. Further, there was a desire to better understand whether licensed experience is necessary to compensate for commonly identified education deficiencies. Therefore, the BOD directed NCARB staff to facilitate further discussion during the October 31-November 1, 2014 Member Board Chairs/Member Board Executives (MBC/MBE) meeting.

At its December 4-6, 2014 meeting, the BOD voted to revise the proposed changes to the BEA program. The proposed revisions would: 1) require two years of post-licensure practice, combined with compliance with twice the IDP requirements for those holding a pre-professional degree or three times the IDP requirements for those holding an unrelated degree; 2) eliminate NCARB Certificate eligibility for those holding only a high school diploma; and 3) eliminate the Education Evaluation Services for Architects and dossier requirements, eliminate the fees associated with those two steps, and automate the entire process, using IDP as the metric for dictating additional experience in lieu of education. The BOD directed NCARB staff to develop a draft resolution for the BEA program that was submitted for comment to Member Boards and discussion at the NCARB Regional Summit on March 12-15, 2015.

The draft BEA resolution was reviewed by Board staff where it was determined the revised resolution excludes architects who do not have a post-secondary degree from obtaining an NCARB Certificate. Accordingly, this would create significant reciprocity issues. Staff recommended the Board take an "oppose unless amended" position on the resolution.

At the 2015 Regional Summit, membership extensively debated the proposed BEA resolution. Included in those voicing concern about the resolution was Board President Jon Baker who strongly advocated a revision be considered by NCARB leadership, so architects without a post-secondary degree would not be discriminated. Based upon the feedback received from membership, the BOD unanimously voted at its April 23-25, 2015 meeting to revise the draft resolution.

As written before the NCARB 2015 Annual Meeting, the draft resolution required five years of post-licensure practice for all licensees without an accredited education and completion of twice the IDP requirements for those with a pre-professional degree in architecture or five times the requirements for all other candidates. NCARB has stated that the latest revisions preserved the ability of all licensees, regardless of education, to remain eligible for the NCARB Certificate. Board staff has revised its recommendation and advised the Board support the resolution during the NCARB membership vote that was held this month at the NCARB 2015 Annual Meeting.

Prior to the membership vote at the Annual Meeting, the resolution was further amended; reversing the latest revision that had been approved by the BOD in April. The final amended version of the resolution subsequently failed to pass by a narrow margin. NCARB stated that it will apply feedback received from the membership toward a revised alternative and return next year with a proposal that will attempt to capture the blend of rigor, inclusion and ease of use that is acceptable to a majority of its members.

NCARB Broadly Experienced Foreign Architect (BEFA) Program On June 23, 2014, NCARB released a notice to Member Boards requesting input on proposed changes to the BEFA program. It provided a 90-day comment period that ended on September 5, 2014. Then-President Sheran Voigt responded on behalf of the Board in support of the proposed changes on August 12, 2014, which was later ratified by the Board at its December 10, 2014 meeting.

The proposed changes to the BEFA program, as initially introduced, eliminated the experience dossier, the corresponding dossier review, and interview; reducing the amount of documentation a foreign licensee must provide. Under the proposed changes, BEFA program candidates must: 1) hold a license as an architect in a country that has a formal record keeping method for disciplinary actions for architects; 2) hold a recognized education credential that leads to the lawful practice of architecture in a country other than the U.S. or Canada; 3) document two years of active licensed practice in the country of licensure or document two years working in the U.S. under the direct supervision of an architect; and 4) complete the ARE.

At its September 11-13, 2014 meeting, the BOD revised the BEFA proposal to limit the proposed two years of experience to working under the supervision of a U.S. licensed architect, with all other proposed revisions including ARE passage remaining intact. The BOD directed NCARB staff to facilitate further discussion during the October 31-November 1, 2014 MBC/MBE meeting.

At its December 4-6, 2014 meeting, the BOD voted to revise the proposed changes to BEFA by requiring applicants to complete IDP in lieu of documenting seven years credentialed practice in a foreign country. The BOD directed NCARB staff to develop a draft resolution that was submitted for comment to Member Boards and for discussion at the NCARB Regional Summit on March 12-15, 2015.

The Board voted to support the BEFA Resolution 2015-B, at its March 12, 2015 meeting. The resolution was approved by Member Boards at the June 18-20, 2015 NCARB Annual Meeting, and will become effective on July 1, 2016.

The PQ considered the resolution at its July 14, 2015 meeting and formulated a recommendation for discussion and possible action at the Board's September 10, 2015 meeting.

NCARB Intern Development Program (IDP) On June 23, 2014, NCARB released a notice to Member Boards requesting input on two IDP proposals that will be implemented in two phases, and provided a 90-day comment period that ended on September 5, 2014. The first proposed change would require interns only document the core hour requirement to complete IDP. This proposed change would reduce the number of hours required to complete IDP from 5,600 to 3,740.

The second proposal is the development of a new IDP framework. The framework would remove the separate experience areas within the four IDP experience categories and create six new experience categories which directly align with the six phase-based areas of practice.

The Board President responded on behalf of the Board in support of the proposed changes on August 12, 2014. The Board ratified the President's action at its December 10, 2014 meeting.

At its September 11-13, 2014 meeting, the NCARB BOD voted to move forward with both phases of IDP modifications. On July 1, 2015, NCARB released an updated edition of the *IDP Guidelines*, implementing the first phase of the IDP modifications The second phase is tentatively scheduled to be introduced in July 1, 2016, preceding the rollout of ARE 5.0.

Outreach On July 30, 2015, Marccus Reinhardt, Program Manager Examination/Licensing Unit, and Timothy Rodda, Examination/Licensing Analyst, provided a presentation with NCARB Internship + Education Manager Martin Smith at Cavignac & Associates in conjunction with The American Institute of Architects, San Diego Chapter. They explained the Board's licensing requirements, the role of NCARB, IDP, and the ARE. Approximately 120 individuals attended the presentation.

Professional Qualifications Committee (PQC) The PQC met on July 14, 2015 in Sacramento and via teleconference (Boston). At the meeting, the PQC approved the October 30, 2014 Summary Report, discussed 2015 Strategic Plan Objectives to: 1) collaborate with California's NAAB accredited programs at schools and NCARB to establish and promote an "Accelerated Path to Architectural Licensure"; 2) conduct a review of ARE and Linkage Study to meet requirements of BPC section 139 and DCA policy on licensure examination validation and identify areas of California practice for which the ARE and CSE are appropriate for assessing candidate competency, thus ensuring a valid and defensible examination process; 3) reclassify CSE item bank based upon results of 2014 OA in order to ensure item content reflects critical tasks and knowledge related to newly-licensed architects as identified by the OA and to maintain relevance with contemporary practice; 4) conduct a review of ARE testing environment in order to ensure security and efficiency; 5) evaluate the profession in order to identify entry barriers for diverse groups, and also discussed NCARB resolutions 2015-01 and 2015-02 and the NCARB initiative of a path for professionals with qualified experience beyond five years.

The next PQC meeting has not yet been scheduled.

Regulation Changes *CCR section 109 (Filing of Applications)* – NCARB released a new edition of the *IDP Guidelines* in July 2014 which allows experience to be gained beyond the initial six month reporting period. Candidates may now report experience up to five years prior at a reduced value of 50 percent toward IDP requirements. Staff developed proposed regulatory language to reflect the new edition of the Guidelines. The Board approved the proposed regulatory language to amend CCR section 109 at its September 10, 2014 meeting and delegated authority to the EO to adopt the regulation, provided that no adverse comments are received during the public comment period, and, if needed, to make minor technical changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 109:

September 10, 2014	Proposed regulatory language approved by the Board
January 23, 2015	Notice of Proposed Changes in the Regulations published by Office of Administrative Law (OAL)
January 23, 2015	Regulation package submitted to DCA Division of Legislative and Policy Review
March 9, 2015	Public hearing, no comments received
April 24, 2015	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
June 1, 2015	Final rulemaking file submitted to Business, Consumer Services and Housing Agency (Agency) for approval
June 18, 2015	Final rulemaking file approved by Agency
June 30, 2015	Final rulemaking file submitted to OAL for approval
August 5, 2015	Final rulemaking file approved by OAL
October 1, 2015	Effective date of regulatory change

CCR section 120 (Re-Examination) – Effective October 1, 2014, NCARB's mandatory wait time for retaking ARE divisions decreased from 6 months to 60 days. This policy change allows candidates who have failed a division to retake the division as soon as 60 days after the previous attempt, and up to 3 times in a running year for any particular division. During analysis of the aforementioned NCARB policy change and existing regulations, staff noted that there were no provisions allowing for an extension to a candidate's Rolling Clock date that NCARB may grant under specific circumstances. Additionally, CCR section 120 requires that candidates reapply to NCARB or its authorized representative upon failing a division or failing to appear for a scheduled division, which is not the current practice as outlined in the most recent edition of the *ARE Guidelines*. Staff developed proposed regulatory language to amend CCR section 120 to reflect the proposed retest modifications, update regulations to accept Rolling Clock extensions, and reference the current edition of the *ARE Guidelines* for rescheduling procedures. The Board approved the proposed regulatory language to amend CCR section 120 at its September 10, 2014 meeting and delegated authority to the EO to adopt the regulation, provided that no adverse comments are received during the public comment period, and, if needed, to make minor technical changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 120:

September 10, 2014	Proposed regulatory language approved by the Board
February 27, 2015	Notice of Proposed Changes in the Regulations submitted to OAL
March 13, 2015	Notice of Proposed Changes in the Regulations published by OAL
April 27, 2015	Public hearing, no comments received
May 6, 2015	Notice of Modified Text mailed to interested parties
May 21, 2015	No comments received during 15-day Notice period
June 10, 2015	Modified text approved by the Board
July 27, 2015	Notice of Second Modified Text mailed to interested parties
August 11, 2015	End of 15-day Notice comment period
September 10, 2015	Second Modified text to Board for approval

CCR section 109 (Filing of Applications) – The Canadian Architectural Licensing Authority released a new edition of the *Internship in Architecture Program (IAP) Manual* which: 1) reduces the total length of the required experience from 5,600 hours to 3,720; 2) eliminates Discretionary Experience and credit gained while enrolled in a school of architecture; and 3) allows documentation of credit only while enrolled in IAP or IDP. Staff developed proposed regulatory language to reflect the new edition of the Manual. The Board approved the proposed regulatory language to amend CCR section 109 at its March 12, 2015 meeting and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR section 109:

March 12, 2015	Proposed regulatory language approved by the Board
May 15, 2015	Notice of Proposed Changes in the Regulations submitted to OAL
May 29, 2015	Notice of Proposed Changes in the Regulations published by OAL
July 13, 2015	Public hearing, no comments received
July 27, 2015	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
August 31, 2015	Final rulemaking file submitted to Agency for approval

CCR sections 109 (Filing of Applications) and 111 (Review of Applications) – On September 27, 2014, Governor Edmund G. Brown Jr. signed SB 1226 (Correa) [Chapter 657, Statutes of 2014] into law, which added BPC 115.4. BPC 115.4 requires the Board, on and after July 1, 2016, to expedite or, when applicable, assist the initial licensure process for a candidate who supplies satisfactory evidence to the Board they have served as an active duty member of the Armed Forces of the United States and were honorably discharged. Forthcoming changes based on BPC 115.4 necessitate a revision to the Application for Eligibility Evaluation. Changes to the application will also include: updating the name of the application in regulation, transitioning from a print-based version to one that is web-based, and standardizing language and layout to meet current web accessibility standards. Staff developed proposed regulatory language to reflect the new version of the application. The Board approved the proposed regulatory language to amend CCR sections 109 and 111 at its March 12, 2015 meeting and delegated authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and, if needed, to make minor technical changes.

Following is a chronology, to date, of the processing of the Board's regulatory proposal for CCR sections 109 and 111:

March 12, 2015	Proposed regulatory language approved by the Board
June 4, 2015	Notice of Proposed Changes in the Regulations submitted to OAL
June 19, 2015	Notice of Proposed Changes in the Regulations published by OAL
August 3, 2015	Public hearing, no comments received
August 13, 2015	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review

ENFORCEMENT PROGRAM

Architect Consultants Building Official Contact Program: Architect consultants were available on-call to Building Officials in August when they received seven telephone, email, and/or personal contacts. These types of contacts generally include discussions regarding the Board's policies and interpretations of the Architects Practice Act, stamp and signature requirements, and scope of architectural practice.

Education/Information Program: Architect consultants are the primary source for responses to technical and/or practice-related questions from the public and licensees. In August, there were 20 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for nine of the contacts and included inquiries regarding written contract requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

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

Enforcement Actions Irena Stepanova (Mountain View) The Board issued a one-count citation that included a $750 administrative fine to Irena Stepanova, architect license number C-33609, for an alleged violation of BPC 5536.22(a) (Written Contract). The action alleged that Stepanova failed to execute a written contract prior to commencing professional services. Stepanova paid the fine, satisfying the citation. The citation became final on July 17, 2015.

	Current Month	Prior Month	Prior Year
Enforcement Statistics	August 2015	July 2015	August 2014
Total Cases Received/Opened**:	38	62	38
Complaints with Outside Expert:	1	1	0
Complaints to DOI:	0	4	2
Complaints Pending DOI:	0	0	2
Complaints Pending AG:	17	16	3

Complaints Pending DA:	1	1	3
Total Cases Closed**:	31	33	19
Total Cases Pending*:	158	157	183
Settlement Cases (§5588) Opened:	3	6	2
Settlement Cases (§5588) Pending:	16	13	2
Settlement Cases (§5588) Closed:	0	2	4
Citations Final:	12	1	0

* *Includes complaints, settlement cases, citations, disciplinary actions and 31 cases referred to Enforcement Unit as a result of the continuing education (CE) coursework audits conducted after license renewal (a total of 148 CE cases have been referred to the Enforcement Unit).*

** *Includes complaint and settlement cases.*

At the end of each FY, staff reviews the average number of complaints received, pending, and closed for the past three FYs. From FY 2012/13 through 2014/15, the average number of complaints received per month was 25. The average pending caseload was 106 complaints and the average number of complaints closed per month was 23.

Regulatory and Enforcement Committee (REC) REC members will next meet on November 5, 2015 in Sacramento.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)

LATC ADMINISTRATIVE/MANAGEMENT

Committee At the August 6, 2015 LATC meeting, the Committee elected Andrew Bowden as Chair and David Allen Taylor Jr. as Vice-Chair. The next LATC meeting will be held on November 17, 2015 in Los Angeles.

Website In August, staff published the updated "Licensee Search" lists.

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE) BPC 139 requires that an OA be conducted every five to seven years. The last OA used to develop the CSE was conducted in 2006. BPC 139 also requires boards and bureaus that use a national examination in conjunction with one developed by the state to have a psychometric process review conducted along with a linkage study, which compares the knowledge tested for on the national examination with those identified by the California OA. This is done to ensure that the national examination tests for knowledge relevant to license practice in California and to identify the California relevant knowledge not covered by the national examination. This latter knowledge typically forms the basis for the content of the CSE.

On January 24, 2013, LATC approved the IAC with OPES for the OA and began recruiting SMEs to participate in OA workshops in May 2013. The final OA workshop was held on February 27-28, 2014, and at the June 25, 2014 LATC meeting, OPES presented the results of the OA and the Committee voted to approve the results, including the examination plan for the next development phase.

Staff worked with OPES to develop another IAC authorizing OPES to conduct the review of the national examination and a linkage study. LATC discussed and approved the IAC at its meeting on March 20, 2014. As part of the linkage study, OPES reviewed the Landscape Architect Registration Examination (LARE) background information and psychometric quality of the LARE in June. A linkage study between LARE specifications and California OA results was conducted September 8-9, 2014, and data analysis of the linkage study and final report concluded in November 2014. The LARE was found to meet psychometric standards for examination development and to measure knowledge relevant to California landscape architect practice. The examination plan for the CSE, developed as part of the OA, was further refined to minimize overlap between the LARE and the CSE while focusing strongly on California-specific landscape architect practice. The findings of the linkage study were reviewed and approved by the Committee at their February 10, 2015 meeting.

In November 2014, LATC began recruiting SMEs to participate in exam development workshops. The first of seven exam development workshops was held on December 11-12, 2014 and the final workshop was held on June 25-26, 2015. LATC staff is currently drafting a FY 2015/16 IAC agreement with OPES to continue CSE development to be reviewed by the Committee at the November 17, 2015 LATC meeting.

Landscape Architect Registration Examination (LARE) The most recent LARE administration was held August 3-15, 2015. The next LARE administration is on November 30-December 13, 2015 and the candidate application deadline for the is October 16, 2015.

Regulation Changes *CCR section 2620.5 (Requirements for an Approved Extension Certificate Program)* – LATC established the original requirements for an approved extension certificate program based on university accreditation standards from the Landscape Architectural Accreditation Board (LAAB). These requirements are outlined in CCR section 2620.5. In 2009, LAAB implemented changes to their university accreditation standards. Prompted by the changes made by LAAB, LATC drafted updated requirements for an approved extension certificate program and recommended that the Board authorize LATC to proceed with a regulatory change. The Board approved the regulatory change and adopted the regulations at the December 15-16, 2010 Board meeting. The regulatory proposal to amend CCR section 2620.5 was published by the OAL on June 22, 2012. The University of California Extension Certificate Program Task Force recommended additional modifications to CCR section 2620.5 to further update the regulatory language with LAAB guidelines and LATC goals. At the November 14, 2012 LATC meeting, LATC approved the Task Force's recommended modifications to CCR section 2620.5, with additional edits. At the January 24-25, 2013 LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR section 2620.5 and agreed to remove some proposed modifications to the language to accommodate comments received from the public. The Board approved adoption of the modified language for CCR section 2620.5 at its March 7, 2013 meeting. On July 17, 2013, a Decision of Disapproval of Regulatory Action was issued by the OAL. Staff is currently analyzing proposed modifications to develop a new regulatory proposal with sufficient justification that will meet OAL standards.

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

November 22, 2010	Proposed regulatory language approved by LATC
December 15, 2010	Proposed regulatory language approved by Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing; no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted on website
January 9, 2013	Written comment (one) received during 40-day period
January 24, 2013	Modified language to accommodate public comment approved by LATC
February 15, 2013	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Policy Review
March 7, 2013	Final approval of modified language by Board
May 31, 2013	Final rulemaking file submitted to OAL for approval
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff worked with University of California Extension Certificate Program Review Task Force Chair to draft justifications for proposed changes*

**Staff is analyzing proposed modifications to develop a new regulatory proposal with sufficient justification that will meet OAL standards, and submit to OAL.*

CCR section 2649 (Fees) – At the January 24-25, 2013 LATC meeting, DCA Budget Office staff provided a budget presentation to LATC. In this presentation, LATC fund balance of 19.5 months in reserve was discussed in context with BPC 128.5 (Reduction of License Fees in Event of Surplus Funds), which requires funds to be reduced if an agency has 24 months of funds. As a result of this discussion, LATC asked staff to consult with the BO to determine if license fees could be reduced for one renewal cycle and to explore additional ways of addressing the fund balance to comply with BPC 128.5. Staff met with DCA BO staff and legal counsel to explore options and a license renewal fee reduction from $400 to $220 was recommended in addition to a negative BCP to reduce LATC's spending authority by $200,000. At the May 22, 2013 LATC meeting, the members approved a proposed temporary fee reduction, reducing license renewal fees for one renewal cycle beginning in FY 2015/2016 from $400 to $220. A regulatory change to CCR section 2649 would be necessary to execute the temporary fee reduction. Staff worked with the Office of Information Services to update the renewal forms with the new renewal fee for the 2015-2017 renewal cycle. On July 21, 2015, letters were sent to the 144 licensees whose licenses are set to expire to notify them about the new $220 renewal fee.

Following is a chronology, to date, of the processing of the regulatory proposal for section 2649:

August 20, 2013	Proposed regulatory language approved by LATC
September 12, 2013	Proposed regulatory language approved by Board
February 7, 2014	Notice of Proposed Changes in the Regulations published by OAL
March 24, 2014	Public hearing, one written comment received
June 12, 2014	Final rulemaking file submitted to DCA Legal Office and Division of Legislative and Policy Review
October 1, 2014	Final rulemaking file submitted to Agency for approval
October 3, 2014	Final rulemaking file approved by Agency
November 12, 2014	Final rulemaking file to DOF for approval
January 16, 2015	Final rulemaking file approved by DOF

March 18, 2015 Final rulemaking file approved by OAL
July 1, 2015 Effective date of regulatory change

Strategic Plan Objectives LATC's Strategic Plan for 2015-2016 contains numerous objectives. Below is a summary of a few:

Reciprocity Requirements - to review reciprocity requirements of other states to determine possible changes to California requirements to improve efficiencies. This objective was discussed at the November 7, 2013 LATC meeting. As a result of this discussion, staff was directed to 1) summarize state reciprocity data by identifying the specific number of years required by each state for education, 2) determine whether a degree is mandatory, and 3) identify the number of years of experience required for initial licensure. The Committee also asked for state specific requirements for reciprocity. This topic was revisited at the March 20, 2014 LATC meeting where the Committee reviewed the education and experience requirements of other states for initial and reciprocity licensure, prepared by staff. LATC voted to address the topic further at the next Strategic Planning session. At its meeting on February 10, 2015, LATC directed staff to obtain a sample of regulatory language from Arizona and New York and draft proposed regulatory language for the Committee to consider at a future meeting.

Training Credit for Teaching Under a Licensed Landscape Architect - to review the Table of Equivalents for training and experience credit and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect. This objective was discussed at the November 7, 2013 LATC meeting and staff was directed to 1) determine if a future LATC meeting could be held in southern California, in order to invite schools to attend to provide input, 2) add the objective to a future LATC meeting agenda, and 3) review the Education Subcommittee summary reports to see if allowing training credit for teaching experience under a licensed landscape architect was previously considered by the Education Subcommittee, and include the findings when this agenda item is addressed again by the LATC. Staff researched whether teaching experience was addressed by the Education Subcommittee and found that it was not previously discussed. This topic was addressed again at the February 10-11, 2015 LATC meeting. The Committee reviewed information from other states that allow teaching to count for a portion of the experience/training requirements. Following discussion, the Committee directed staff to prepare proposed regulatory language to grant up to one year credit for teaching under the supervision of a licensed landscape architect in degree programs specified in CCR section 2620. The proposed language was presented at the May 13, 2015 LATC meeting and approved by LATC. At the August 6, 2015 LATC meeting, the Committee approved the proposed regulation and authorized staff to move forward with noticing the language and the rulemaking process. The proposed regulatory changewill be presented to the Board for approvalat its September 10, 2015 meeting.

Sunset Review The LATC reviewed the first draft of the Sunset Review Report at its meeting on August 28, 2014 and delegated authority to LATC Chair and EO to make any necessary changes prior to submittal to the Legislature. The Board approved the draft Report with minor edits at its meeting on September 10, 2014. Staff finalized the Report and submitted it to the Legislature on October 31, 2014. On February 4, 2015, EO Doug McCauley met with the staff consultant for the Assembly Committee on Business and Professions to discuss any questions that may be raised during the Sunset Review process. The LATC's Sunset Review hearing was held on

March 18, 2015. LATC's written responses to the issues identified in the Sunset Review Background Paper were submitted on April 16, 2015 to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development. At its May 13, 2015 meeting, LATC ratified staff's responses to the Sunset Review Background Paper as did the Board at its June 10, 2015 meeting.

LATC ENFORCEMENT PROGRAM

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

Website The updated Landscape Architects Practice Act is now available on LATC's website.

In addition, the 2015 LATC Practice Act booklets were completed and received from the Office of State Printing on July 10, 2015. These booklets will be mailed to schools, newly licensed individuals, and are also available upon request. The last booklets were printed in 2006.

Enforcement Actions Mark Annerl (Los Angeles) Effective July 20, 2015, Annerl's landscape architect license number LA 3400 was revoked; however, revocation was stayed, his license was suspended for 30 days, and he was placed on probation for five years with specific terms and conditions, including reimbursing the Board $3,603.75 for its investigative and prosecution costs. The action came after a stipulated settlement was negotiated and adopted by the Board.

An Accusation was filed against Annerl for alleged violations of BPC sections 5671 (Negligence, Willful Misconduct in Practice), 5670 (Fraud, Deceit in Practice), 5616 (Landscape Architecture Contract – Contents, Notice Requirements), and 5640 (Unlicensed Person Engaging in Practice, Sanctions). The Accusation alleged that Annerl prepared plans and drawings but recommended various workarounds in an attempt to circumvent the applicable permitting and approval processes, particularly for a Verdura retaining wall to be constructed as part of the project. Annerl labeled the wall as pre-existing and manipulated the property line to make it look like significant landscape features were within the property line, when in truth and fact they were outside the property line

	Current Month August 2015	Prior Month July 2015	Prior Year August 2014
Enforcement Statistics			
Complaints Opened:	0	2	5
Complaints to Expert:	1	0	0

	Current Month August 2015	Prior Month July 2015	Prior Year August 2014
Enforcement Statistics			
Complaints to DOI:	0	2	0
Complaints Pending DOI:	1	1	0
Complaints Pending AG:	2	2	0
Complaints Pending DA:	0	0	0
Total Cases Closed:	2	2	10
Total Cases Pending*:	17	19	15
Settlement Cases (§5678.5) Opened:	0	0	0
Settlement Cases (§5678.5) Pending:	2	2	0
Settlement Cases (§5678.5) Closed:	0	0	0
Citations Final:	0	0	0

**Includes both complaint and settlement cases*

UPDATE AND POSSIBLE ACTION ON LEGISLATION REGARDING:

a. **ASSEMBLY BILL (AB) 177 (BONILLA) [AUTHORITY: EXTENSION]**
b. **AB 507 (OLSEN) [BREEZE]**
c. **SENATE BILL 704 (GAINES) [CONFLICT OF INTEREST]**

AB 177 (Bonilla) [Authority: Extension]

Under current law, the statutory authority of the California Architects Board and Landscape Architects Technical Committee (LATC) will expire on January 1, 2016. AB 177 (Bonilla) extends the Sunset date for the Board and LATC until January 1, 2020. On August 27, 2015, the bill passed the Senate Committee on Appropriations and it was amended to expresses the Board's intention to move the eligibility point consistent with Additional Path to Architectural Licensure (APAL) programs' structure so APAL students may test earlier. The amendment is consistent with the Board's APAL Supporting Position Statement, and was developed with National Council of Architectural Registration Boards' Licensure Task Force member, Pasqual Gutierrez. It is staff's recommendation that the Board take a "support" position on this bill.

AB 507 (Olsen) [BreEZe]

AB 507 (Olsen) would add Business and Professions Code section 210.5 to require the Department of Consumer Affairs to submit an annual report to the Legislature and the Department of Finance regarding the BreEZe system. The bill passed the Assembly Committee on Appropriations on May 28, 2015, then was amended to take effect as an urgency statute. AB 507 entered the Senate Committee on Rules on June 18, 2015, where it was amended to require, if enacted, (1) annual submissions of these reports to begin on or before March 1, 2016, and (2) DCA to post on its website the name of each regulatory entity that is utilizing the BreEZe system. The bill is in the Senate BP&ED as of July 13, 2015. It is staff's recommendation that the Board not take a position on this bill.

Senate Bill (SB) 704 (Gaines) [Conflict of Interest]

SB 704 (Gaines) establishes an additional provision of Government Code section 1091 wherein appointed members of unelected boards or commissions would be permitted to recuse themselves from decisions on contracts in which they have a financial interest. On April 30, 2015, the bill was amended to add the interest of an owner or partner of a firm who serves on an unelected board or commission to a contracting agency to the list of "remote interest" exceptions to section 1091. SB 704 was amended by the Assembly Committee on Elections and Reapportionment (E&R) to include new clarifying language about this provision. The bill is on the Governor's desk. It is staff's recommendation that the Board not take a position on this bill.

Attachments:
1. AB 177 (Bonilla) [Authority: Extension]
2. AB 507 (Olsen) [BreEZe]
3. SB 704 (Gaines) [Conflict of Interest]

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE JUNE 30, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY MARCH 3, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL No. 177

Introduced by Assembly Member Bonilla
(Principal Coauthor: Senator Hill)

January 26, 2015

An act to amend Sections *207,* 5510, 5517, 5620, 5621, 5622, 6710, 6714, 6749, 7839.2, 7841, 7841.1, 7841.2, 8710, and 8759 of, to amend and repeal Section 7885 of, to amend, repeal, and add Sections 205, ~~207,~~ 6797, 7886, and 8800 of, *to add Section 5550.2 to,* and to add and repeal Sections 6775.2, 7860.2, and 8780.2 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 177, as amended, Bonilla. Professions and vocations: licensing ~~boards: authority: extension.~~ *boards.*

(1) The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land Surveyors, and ~~Geologists, which consists of 15 members, in the Department of Consumer Affairs.~~ *Geologists.* The act requires the board to appoint an executive ~~officer, as specified. Under existing law, these provisions are repealed on January 1, 2016.~~ *officer. Existing law repeals the board and the executive officer position on January 1, 2016.*

This bill would extend the operation of these provisions ~~until~~ *to* January 1, 2020. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder. ~~The bill would also make technical amendments to the act.~~

(2) Existing ~~law~~ *law, the Architects Practice Act,* provides for the licensure and regulation of architects and landscape architects by the California Architects Board~~, which consists of 10 members, in the Department of Consumer of Affairs.~~ *and authorizes the board to appoint an executive officer.* Existing law establishes, within the jurisdiction of the board, the Landscape Architects Technical Committee for the purpose of, among other things, assisting the board in the examination of candidates for a landscape architect's license. ~~Under existing law, these provisions are repealed on January 1, 2016.~~ *Existing law repeals the board, the executive officer position, and the committee on January 1, 2016. Existing law requires a person to pass an examination as a condition of licensure as an architect and authorizes a person to take the examination if he or she meets certain examination eligibility requirements.*

This bill would extend the operation of ~~these~~ *those* provisions ~~until~~ *to* January 1, 2020. *The bill would also authorize the board to grant eligibility to a candidate to take the licensure examination if he or she is enrolled in an Additional Path to Architecture Licensing program, as specified.*

(3) The Professional Land Surveyors' Act provides for the licensure and regulation of land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists, which is vested with the power to administer the ~~act. Under existing law, these provisions are repealed on January 1, 2016.~~ *act until January 1, 2016.*

This bill would extend ~~the operation of these provisions until~~ *that power to* January 1, 2020. The ~~bill~~ *bill, until January 1, 2020,* would also add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(4) The Geologist and Geophysicist Act provides for the registration and regulation of professional geologists and professional geophysicists and the certification of applicants in ~~specialties~~ *a specialty* in geology

and geologists-in-training by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires an applicant for registration as a geologist to meet certain requirements, including, among others, that he or she has graduated with a major in geological sciences from college or university, and requires an applicant for registration as a geophysicist to meet certain requirements, including, among others, that he or she has completed a combination of at least 30 semester hours in courses, as specified. The act requires an applicant for certification as a geologist-in-training to comply with certain requirements, including, among ~~others~~ *others*, that the applicant successfully pass the Fundamentals of Geology examination.

This bill would provide for licensure instead of registration under the act. The bill would also allow an applicant for licensure as a geologist to have graduated from a college or university with a major in a discipline other than geological sciences that, in the opinion of the board, is relevant to geology. The bill would also ~~allows~~ *allow* an applicant for licensure as a geophysicist to have completed at least the equivalent of 30 semester hours in courses, as specified. The bill would require an applicant for certification as a geologist-in-training to have graduated from a college or university with a major in geological sciences or any other discipline *relevant to geology*, as specified. The ~~bill~~ *bill, until January 1, 2020,* would add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(5) Under existing law, there is the Professions and Vocations Fund in the State Treasury, which consists of certain special funds and accounts, including the Professional Engineer's and Land Surveyor's Fund and the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund. Under existing law the moneys in the Geology and Geophysics Account are *continuously* appropriated to carry out the purposes of the Geologist and Geophysicist Act, the moneys in the Professional Engineers's and Land Surveyor's Fund are *continuously* appropriated for the purposes of the Professional Engineers *Act* and the Professional Land ~~Surveyor's~~ *Surveyors'* Act, and the moneys in those funds *that* are attributable to administrative fines, civil penalties, and criminal penalties, as specified, are not continuously appropriated and are only available for expenditure upon appropriation by the Legislature.

~~This bill, on and after July 1, 2016, would merge the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund into the fund, which would be renamed the Professional Engineer's, Land Surveyor's, and Geologist's Fund, and would require that the fees and civil penalties received under the Professional Engineers Act, the Professional Land Surveyors' Act, and the Geologist and Geophysicist Act be deposited into that fund. The bill would specify that the fees in the fund are continuously appropriated, as specified.~~

This bill, beginning July 1, 2016, would abolish the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund and would rename the Professional Engineer's and Land Surveyor's Fund as the Professional Engineer's, Land Surveyor's, and Geologist's Fund. The bill would direct those moneys collected under the Professional Engineers Act, the Professional Land Surveyors' Act, and the Geologist and Geophysicist Act to be deposited into the Professional Engineer's, Land Surveyor's, and Geologist's Fund, a continuously appropriated fund. Because additional moneys, except for fine and penalty money, would be deposited into a continuously appropriated fund, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 205 of the Business and Professions Code is amended to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

(1) Accountancy Fund.
(2) California Architects Board Fund.
(3) Athletic Commission Fund.
(4) Barbering and Cosmetology Contingent Fund.
(5) Cemetery Fund.
(6) Contractors' License Fund.
(7) State Dentistry Fund.
(8) State Funeral Directors and Embalmers Fund.
(9) Guide Dogs for the Blind Fund.
(10) Home Furnishings and Thermal Insulation Fund.
(11) California Architects Board-Landscape Architects Fund.

(12) Contingent Fund of the Medical Board of California.
(13) Optometry Fund.
(14) Pharmacy Board Contingent Fund.
(15) Physical Therapy Fund.
(16) Private Investigator Fund.
(17) Professional Engineer's and Land Surveyor's Fund.
(18) Consumer Affairs Fund.
(19) Behavioral Sciences Fund.
(20) Licensed Midwifery Fund.
(21) Court Reporters' Fund.
(22) Veterinary Medical Board Contingent Fund.
(23) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
(24) Electronic and Appliance Repair Fund.
(25) Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund.
(26) Dispensing Opticians Fund.
(27) Acupuncture Fund.
(28) Physician Assistant Fund.
(29) Board of Podiatric Medicine Fund.
(30) Psychology Fund.
(31) Respiratory Care Fund.
(32) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
(33) Board of Registered Nursing Fund.
(34) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
(35) Animal Health Technician Examining Committee Fund.
(36) State Dental Hygiene Fund.
(37) State Dental Assistant Fund.
(38) Structural Pest Control Fund.
(39) Structural Pest Control Eradication and Enforcement Fund.
(40) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

~~(c) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

(c) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 2. Section 205 is added to the Business and Professions Code, to read:

205. (a) There is in the State Treasury the Professions and Vocations Fund. The fund shall consist of the following special funds:

(1) Accountancy Fund.
(2) California Architects Board Fund.
(3) Athletic Commission Fund.
(4) Barbering and Cosmetology Contingent Fund.
(5) Cemetery Fund.
(6) Contractors' License Fund.
(7) State Dentistry Fund.
(8) State Funeral Directors and Embalmers Fund.
(9) Guide Dogs for the Blind Fund.
(10) Home Furnishings and Thermal Insulation Fund.
(11) California Architects Board-Landscape Architects Fund.
(12) Contingent Fund of the Medical Board of California.
(13) Optometry Fund.
(14) Pharmacy Board Contingent Fund.
(15) Physical Therapy Fund.
(16) Private Investigator Fund.
(17) Professional Engineer's, Land Surveyor's, and Geologist's Fund.
(18) Consumer Affairs Fund.
(19) Behavioral Sciences Fund.
(20) Licensed Midwifery Fund.
(21) Court Reporters' Fund.
(22) Veterinary Medical Board Contingent Fund.
(23) Vocational Nurses Account of the Vocational Nursing and Psychiatric Technicians Fund.
(24) Electronic and Appliance Repair Fund.
(25) Dispensing Opticians Fund.
(26) Acupuncture Fund.
(27) Physician Assistant Fund.
(28) Board of Podiatric Medicine Fund.

(29) Psychology Fund.
(30) Respiratory Care Fund.
(31) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Fund.
(32) Board of Registered Nursing Fund.
(33) Psychiatric Technician Examiners Account of the Vocational Nursing and Psychiatric Technicians Fund.
(34) Animal Health Technician Examining Committee Fund.
(35) State Dental Hygiene Fund.
(36) State Dental Assistant Fund.
(37) Structural Pest Control Fund.
(38) Structural Pest Control Eradication and Enforcement Fund.
(39) Structural Pest Control Research Fund.

(b) For accounting and recordkeeping purposes, the Professions and Vocations Fund shall be deemed to be a single special fund, and each of the several special funds therein shall constitute and be deemed to be a separate account in the Professions and Vocations Fund. Each account or fund shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) This section shall become operative on July 1, ~~2017.~~ *2016.*

SEC. 3. Section 207 of the Business and Professions Code is amended to read:

207. (a) Notwithstanding any other provision of law, the money in any fund described in Section 205 that is attributable to administrative fines, civil penalties, and criminal penalties imposed by a regulating entity, or cost recovery by a regulating entity from enforcement actions and case settlements, shall not be continuously appropriated. The money in each fund that is not continuously appropriated shall be available for expenditure as provided in this code only upon appropriation by the Legislature.

(b) Notwithstanding any other provision of law, the annual Budget Act may appropriate, in a single budget item for each individual fund described in ~~paragraphs (1) to (40), inclusive, of~~ subdivision (a) of Section 205, the entire amount available for expenditure in the budget year for that fund. That appropriation may include funds that are continuously appropriated and funds that are not continuously appropriated.

~~(c) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

~~SEC. 4. Section 207 is added to the Business and Professions Code, to read:~~

~~207. (a) Notwithstanding any other provision of law, the money in any fund described in Section 205 that is attributable to administrative fines, civil penalties, and criminal penalties imposed by a regulating entity, or cost recovery by a regulating entity from enforcement actions and case settlements, shall not be continuously appropriated. The money in each fund that is not continuously appropriated shall be available for expenditure as provided in this code only upon appropriation by the Legislature.~~

~~(b) Notwithstanding any other provision of law, the annual Budget Act may appropriate, in a single budget item for each individual fund described in paragraphs (1) to (39), inclusive, of subdivision (a) of Section 205, the entire amount available for expenditure in the budget year for that fund. That appropriation may include funds that are continuously appropriated and funds that are not continuously appropriated.~~

~~(c) This section shall become operative on July 1, 2016.~~

~~SEC. 5.~~

SEC. 4. Section 5510 of the Business and Professions Code is amended to read:

5510. There is in the Department of Consumer Affairs a California Architects Board which consists of 10 members.

Any reference in law to the California Board of Architectural Examiners shall mean the California Architects Board.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

~~SEC. 6.~~

SEC. 5. Section 5517 of the Business and Professions Code is amended to read:

5517. The board may appoint a person exempt from civil service who shall be designated as an executive officer and who shall exercise the powers and perform the duties delegated by the board and vested in him or her by this chapter.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 6. Section 5550.2 is added to the Business and Professions Code, to read:

5550.2. Notwithstanding subdivision (b) of Section 5552, the board may grant eligibility, based on an eligibility point determined by the Additional Path to Architectural Licensing Program, for a candidate to take the examination for a license to practice architecture if he or she is enrolled in an Additional Path to Architectural Licensing program that integrates the experience and examination components offered by a National Architectural Accrediting Board-accredited degree program.

SEC. 7. Section 5620 of the Business and Professions Code is amended to read:

5620. The duties, powers, purposes, responsibilities, and jurisdiction of the California State Board of Landscape Architects that were succeeded to and vested with the Department of Consumer Affairs in accordance with Chapter 908 of the Statutes of 1994 are hereby transferred to the California Architects Board. The Legislature finds that the purpose for the transfer of power is to promote and enhance the efficiency of state government and that assumption of the powers and duties by the California Architects Board shall not be viewed or construed as a precedent for the establishment of state regulation over a profession or vocation that was not previously regulated by a board, as defined in Section 477.

(a) There is in the Department of Consumer Affairs a California Architects Board as defined in Article 2 (commencing with Section 5510) of ~~Chapter 3.~~ *Chapter 3 of Division 3.*

Whenever in this chapter "board" is used, it refers to the California Architects Board.

(b) Except as provided herein, the board may delegate its authority under this chapter to the Landscape Architects Technical Committee.

(c) After review of proposed regulations, the board may direct the examining committee to notice and conduct hearings to adopt, amend, or repeal regulations pursuant to Section 5630, provided that the board itself shall take final action to adopt, amend, or repeal those regulations.

(d) The board shall not delegate its authority to discipline a landscape architect or to take action against a person who has violated this chapter.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 8. Section 5621 of the Business and Professions Code is amended to read:

5621. (a) There is hereby created within the jurisdiction of the board, a Landscape Architects Technical Committee, hereinafter referred to in this chapter as the landscape architects committee.

(b) The landscape architects committee shall consist of five members who shall be licensed to practice landscape architecture in this state. The Governor shall appoint three of the members. The Senate Committee on Rules and the Speaker of the Assembly shall appoint one member each.

(c) The initial members to be appointed by the Governor are as follows: one member for a term of one year; one member for a term of two years; and one member for a term of three years. The Senate Committee on Rules and the Speaker of the Assembly shall initially each appoint one member for a term of four years. Thereafter, appointments shall be made for four-year terms, expiring on June 1 of the fourth year and until the appointment and qualification of his or her successor or until one year shall have elapsed, whichever first occurs. Vacancies shall be filled for the unexpired term.

(d) No person shall serve as a member of the landscape architects committee for more than two consecutive terms.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 9. Section 5622 of the Business and Professions Code is amended to read:

5622. (a) The landscape architects committee may assist the board in the examination of candidates for a landscape architect's license and, after investigation, evaluate and make recommendations regarding potential violations of this chapter.

(b) The landscape architects committee may investigate, assist, and make recommendations to the board regarding the regulation of landscape architects in this state.

(c) The landscape architects committee may perform duties and functions that have been delegated to it by the board pursuant to Section 5620.

(d) The landscape architects committee may send a representative to all meetings of the full board to report on the committee's activities.

(e) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 10. Section 6710 of the Business and Professions Code is amended to read:

6710. (a) There is in the Department of Consumer Affairs a Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members.

(b) Any reference in any law or regulation to the Board of Registration for Professional Engineers and Land Surveyors, or the Board for Professional Engineers and Land Surveyors, is deemed to refer to the Board for Professional Engineers, Land Surveyors, and Geologists.

(c) This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 11. Section 6714 of the Business and Professions Code is amended to read:

6714. The board shall appoint an executive officer at a salary to be fixed and determined by the board with the approval of the Director of Finance.

This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 12. Section 6749 of the Business and Professions Code is amended to read:

6749. (a) A professional engineer shall use a written contract when contracting to provide professional engineering services to a client pursuant to this chapter. The written contract shall be executed by the professional engineer and the client or the client's representative prior to the professional engineer commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following:

(1) A description of the services to be provided to the client by the professional engineer.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the professional engineer, and the name and address of the client.

(4) A description of the procedure that the professional engineer and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional engineering services rendered by a professional engineer for which the client will not pay compensation.

(2) A professional engineer who has a current or prior contractual relationship with the client to provide engineering services, and that client has paid the professional engineer all of the fees that are due under the contract.

(3) If the client knowingly states in writing after full disclosure of this section that a contract which complies with the requirements of this section is not required.

(4) Professional engineering services rendered by a professional engineer to any of the following:

(A) A professional engineer licensed or registered under this chapter.

(B) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(C) An architect licensed under Chapter 3 (commencing with Section 5500).

(D) A contractor licensed under Chapter 9 (commencing with Section 7000).

(E) A geologist or a geophysicist licensed under Chapter 12.5 (commencing with Section 7800).

(F) A manufacturing, mining, public utility, research and development, or other industrial corporation, if the services are provided in connection with or incidental to the products, systems, or services of that corporation or its affiliates.

(G) A public agency.

(c) "Written contract" as used in this section includes a contract that is in electronic form.

SEC. 13. Section 6775.2 is added to the Business and Professions Code, to read:

6775.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 6775 or 6775.1.

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 14. Section 6797 of the Business and Professions Code is amended to read:

6797. (a) The department shall receive and account for all money derived from the operation of this chapter and, at the end of each month, shall report such money to the ~~State~~ Controller and shall pay it to the ~~State~~ Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's and Land Surveyor's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's and Land Surveyor's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's and Land Surveyor's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

~~(d) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

(d) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 15. Section 6797 is added to the Business and Professions Code, to read:

6797. (a) The department shall receive and account for all money derived from the operation of this chapter and, at the end of each month, shall report such money to the ~~State~~ Controller and shall pay it to the ~~State~~ Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's, Land Surveyor's, and Geologist's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's, Land Surveyor's, and Geologist's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's, Land Surveyor's, and Geologist's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

SEC. 16. Section 7839.2 of the Business and Professions Code is amended to read:

7839.2. (a) A professional geologist or professional geophysicist shall use a written contract when contracting to provide geological or geophysical services to a client pursuant to this chapter. The written contract shall be executed by the professional geologist or professional geophysicist and the client or the client's representative prior to the professional geologist or professional geophysicist commencing work, unless the client states in writing that work may be commenced before the contract is executed. The written contract shall include, but is not limited to, all of the following:

(1) A description of the services to be provided to the client by the professional geologist or professional geophysicist.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the professional geologist or professional geophysicist, and the name and address of the client.

(4) A description of the procedure that the professional geologist or professional geophysicist and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) Subdivision (a) shall not apply to any of the following:

(1) Geologic or geophysical services rendered by a professional geologist or professional geophysicist for which the client will not pay compensation.

(2) A geologist or geophysicist who has a current or prior contractual relationship with the client to provide geologic or geophysical services, and who has already been paid the fees that are due under the contract by the client.

(3) If the client executes a waiver in writing after full disclosure of this section that a contract that complies with the requirements of this section is not required.

(4) Geological or geophysical services rendered by a geologist or geophysicist to any of the following:

(A) A geologist or geophysicist licensed under this chapter.

(B) An engineer licensed under Chapter 7 (commencing with Section 6700).

(C) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(D) An architect licensed under Chapter 3 (commencing with Section 5500).

(E) A contractor licensed under Chapter 9 (commencing with Section 7000).

(F) A public agency.

(c) As used in this section, "written contract" includes a contract in electronic form.

SEC. 17. Section 7841 of the Business and Professions Code is amended to read:

7841. An applicant for licensure as a geologist shall have all the following qualifications:

(a) Not have committed any acts or crimes constituting grounds for denial of licensure under Section 480.

(b) Graduation from a college or university with a major in geological sciences or any other discipline that, in the opinion of the board, is relevant to geology.

(c) Have a documented record of a minimum of five years of professional geological experience of a character satisfactory to the board, demonstrating that the applicant is qualified to assume responsible charge of this work upon licensure as a geologist. This experience shall be gained under the supervision of a geologist or geophysicist licensed in this or any other state, or under the supervision of others who, in the opinion of the board, have the training and experience to have responsible charge of geological work. Professional geological work does not include routine sampling, laboratory work, or geological drafting.

Each year of undergraduate study in the geological sciences shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geological sciences at college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of upper division or graduate courses.

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of three years towards meeting the requirement for at least five years of professional geological work as set forth above.

The ability of the applicant shall have been demonstrated by the applicant having performed the work in a responsible position, as the term "responsible position" is defined in regulations adopted by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination that incorporates a national examination for geologists created by a nationally recognized entity approved by the board, and a supplemental California specific examination. The California specific examination shall test the applicant's knowledge of state laws, rules and regulations, and of seismicity and geology unique to practice within this state.

SEC. 18. Section 7841.1 of the Business and Professions Code is amended to read:

7841.1. An applicant for licensure as a geophysicist shall have all of the following qualifications. This section shall not apply to applicants for licensure as geologists.

(a) Not have committed any acts or crimes constituting grounds for denial of licensure under Section 480.

(b) Meet one of the following educational requirements fulfilled at a school or university whose curricula meet criteria established by rules of the board.

(1) Graduation with a major in a geophysical science or any other discipline that, in the opinion of the board, is relevant to geophysics.

(2) Completion of a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geophysics. At least 24 semester hours, or the equivalent, shall be in the third or fourth year, or graduate courses.

(c) Have at least seven years of professional geophysical work that shall include either a minimum of three years of professional geophysical work under the supervision of a professional geophysicist, except that prior to July 1, 1973, professional geophysical work shall qualify under this subdivision if it is under the supervision of a qualified geophysicist, or a minimum of five

years' experience in responsible charge of professional geophysical work. Professional geophysical work does not include the routine maintenance or operation of geophysical instruments, or, even if carried out under the responsible supervision of a professional geophysicist, the routine reduction or plotting of geophysical observations.

Each year of undergraduate study in the geophysical sciences referred to in this section shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geophysical sciences referred to in this section at a college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of third or fourth year or graduate courses.

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of four years towards meeting the requirements for at least seven years of professional geophysical work as set forth above.

The ability of the applicant shall have been demonstrated by his or her having performed the work in a responsible position, as the term "responsible position" is defined in regulations adopted by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination.

SEC. 19. Section 7841.2 of the Business and Professions Code is amended to read:

7841.2. An applicant for certification as a geologist-in-training shall comply with all of the following:

(a) Not have committed acts or crimes constituting grounds for denial of certification under Section 480.

(b) Successfully pass the Fundamentals of Geology examination.

(c) Graduation from a college or university with a major in geological sciences or any other discipline that, in the opinion of the board, is relevant to geology.

SEC. 20. Section 7860.2 is added to the Business and Professions Code, to read:

7860.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a

representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section ~~7860 or 7860.1.~~ *7860.*

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 21. Section 7885 of the Business and Professions Code is amended to read:

7885. (a) The board shall report each month to the State Controller the amount and source of all revenue received by it pursuant to this chapter and at the same time pay the entire amount thereof into the State Treasury for credit to the Geology and Geophysics Account, which is hereby created within the Professional Engineer's and Land Surveyor's Fund established in Section 6797.

(b) All moneys in the Geology and Geophysics Fund on January 1, 2012, shall be transferred on that date to the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund.

~~(c) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

(c) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 22. Section 7886 of the Business and Professions Code is amended to read:

7886. (a) The moneys paid into the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund pursuant to this chapter are hereby appropriated to be used by the board to carry out the provisions of this chapter.

~~(b) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

(b) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 23. Section 7886 is added to the Business and Professions Code, to read:

7886. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the Controller and shall pay it to the Treasurer, who shall keep the money in a separate

fund known as the Professional Engineer's, Land Surveyor's, and Geologist's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's, Land Surveyor's, and Geologist's Fund shall be deemed to be a single special fund and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's, Land Surveyor's, and Geologist's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

SEC. 24. Section 8710 of the Business and Professions Code is amended to read:

8710. (a) The Board for Professional Engineers, Land Surveyors, and Geologists is vested with power to administer the provisions and requirements of this chapter, and may make and enforce rules and regulations that are reasonably necessary to carry out its provisions.

(b) The board may adopt rules and regulations of professional conduct that are not inconsistent with state and federal law. The rules and regulations may include definitions of incompetence and negligence. Every person who holds a license or certificate issued by the board pursuant to this chapter, or a license or certificate issued to a civil engineer pursuant to Chapter 7 (commencing with Section 6700), shall be governed by these rules and regulations.

(c) This section shall remain in effect only until January 1, 2020, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 25. Section 8759 of the Business and Professions Code is amended to read:

8759. (a) A licensed land surveyor or licensed civil engineer authorized to practice land surveying shall use a written contract when contracting to provide professional services to a client pursuant to this chapter. The written contract shall be executed by the licensed land surveyor or licensed civil engineer and the client or the client's representative prior to the licensed land surveyor or licensed civil engineer commencing work, unless the client knowingly states in writing that work may be commenced before

the contract is executed. The written contract shall include, but not be limited to, all of the following:

(1) A description of the services to be provided to the client by the licensed land surveyor or licensed civil engineer.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the licensed land surveyor or licensed civil engineer, and the name and address of the client.

(4) A description of the procedure that the licensed land surveyor or licensed civil engineer and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional land surveying services rendered by a licensed land surveyor or licensed civil engineer for which the client will not pay compensation.

(2) A licensed land surveyor or licensed civil engineer who has a current or prior contractual relationship with the client to provide professional services pursuant to this chapter, and that client has paid the licensed land surveyor or licensed civil engineer all of the fees that are due under the contract.

(3) If the client knowingly states in writing after full disclosure of this section that a contract which complies with the requirements of this section is not required.

(4) Professional services rendered by a licensed land surveyor or a licensed civil engineer to any of the following:

(A) A professional engineer licensed under Chapter 7 (commencing with Section 6700).

(B) A land surveyor licensed under this chapter.

(C) An architect licensed under Chapter 3 (commencing with Section 5500).

(D) A contractor licensed under Chapter 9 (commencing with Section 7000).

(E) A geologist or a geophysicist licensed under Chapter 12.5 (commencing with Section 7800).

(F) A manufacturing, mining, public utility, research and development, or other industrial corporation, if the services are

provided in connection with or incidental to the products, systems, or services of that corporation or its affiliates.

(G) A public agency.

(c) "Written contract" as used in this section includes a contract that is in electronic form.

SEC. 26. Section 8780.2 is added to the Business and Professions Code, to read:

8780.2. (a) The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 8780 or 8780.1.

(b) This section shall remain in effect only until January 1, 2020, and as of that date is repealed.

SEC. 27. Section 8800 of the Business and Professions Code is amended to read:

8800. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the ~~State~~ Controller and shall pay it to the ~~State~~ Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's and Land Surveyor's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's and Land Surveyor's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's and Land Surveyor's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

~~(d) This section shall become inoperative on July 1, 2016, and, as of January 1, 2017, is repealed.~~

(d) This section shall remain in effect only until July 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2016, deletes or extends that date.

SEC. 28. Section 8800 is added to the Business and Professions Code, to read:

8800. (a) The department shall receive and account for all money derived under the operation of this chapter and, at the end of each month, shall report such money to the ~~State~~ Controller and

shall pay it to the ~~State~~ Treasurer, who shall keep the money in a separate fund known as the Professional Engineer's, Land Surveyor's, and Geologist's Fund.

(b) For accounting and recordkeeping purposes, the Professional Engineer's, Land Surveyor's, and Geologist's Fund shall be deemed to be a single special fund, and shall be available for expenditure only for the purposes as are now or may hereafter be provided by law.

(c) The fees and civil penalties received under this chapter shall be deposited in the Professional Engineer's, Land Surveyor's, and Geologist's Fund. All moneys in the fund are hereby appropriated for the purposes of this chapter.

(d) This section shall become operative on July 1, 2016.

O

AMENDED IN SENATE JULY 9, 2015

AMENDED IN ASSEMBLY JUNE 1, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL No. 507

Introduced by Assembly Member Olsen
(Principal coauthor: Assembly Member Gray)
(Coauthors: Assembly Members ~~Chang and Dodd~~) ***Chang, Dodd, Obernolte, and Waldron)***
(Coauthor: Senator Bates)

February 23, 2015

An act to add Section 210.5 to the Business and Professions Code, relating to the Department of Consumer Affairs, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 507, as amended, Olsen. Department of Consumer Affairs: BreEZe system: annual report.

Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprisewide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature. Existing law requires the amount of contract funds for the system to be consistent with costs approved by the office of the State Chief Information Officer, based on information provided by the department in a specified manner.

This bill would, on ~~and after October 1, 2015,~~ *or before March 1, 2016, or thereafter when available,* require the department to submit an annual report to the Legislature and the Department of Finance that includes, among other things, the department's plans for implementing the BreEZe system at specified regulatory entities included in the department's's 3rd phase of the BreEZe implementation project, *when available,* including, but not limited to, a timeline for the implementation. *The bill would also require the department to post on its Internet Web site the name of each regulatory entity that is utilizing the BreEZe system once the regulatory entity begins using the BreEZe system.*

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ⅔. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 210.5 is added to the Business and Professions Code, immediately following Section 210, to read:

210.5. (a) On ~~and after October 1, 2015,~~ *or before March 1, 2016, or thereafter when available,* the department shall submit an annual report to the Legislature and the Department of Finance that includes ~~all of~~ the following:

(1) The department's plan for implementing the BreEZe system at the regulatory entities in the department's third phase of the implementation project, including, but not limited to, a timeline for implementation.

(2) The total estimated costs of implementation of the BreEZe system at the regulatory entities in the department's third phase of the implementation project and the results of any *related* cost-benefit analysis the department ~~conducted for the third phase of the implementation project.~~ *conducts.*

(3) A description of ~~whether and to what extent the BreEZe system will achieve~~ any operational efficiencies ~~resulting from~~ *achieved as a result of BreEZe* implementation by the ~~boards and~~ regulatory entities within the department's ~~jurisdiction.~~ *jurisdiction, if available.*

(b) The report described in subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(c) The department shall post on its Internet Web site the name of each regulatory entity that is utilizing the BreEZe system once the regulatory entity begins using the BreEZe system.

~~(c)~~

(d) For purposes of this section, "the regulatory entities in the department's third phase of the implementation project" includes all of the following:

(1) Acupuncture Board.

(2) Board for Professional Engineers, Land Surveyors, and Geologists.

(3) Bureau of Automotive Repair.

(4) Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation.

(5) Bureau for Private Postsecondary Education.

(6) California Architects Board.

(7) California Board of Accountancy.

(8) California State Board of Pharmacy.

(9) Cemetery and Funeral Bureau.

(10) Contractors' State License Board.

(11) Court Reporters Board of California.

(12) Landscape Architects Technical Committee.

(13) Professional Fiduciaries Bureau.

(14) Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board.

(15) State Athletic Commission.

(16) State Board of Chiropractic Examiners.

(17) State Board of Guide Dogs for the Blind.

(18) Structural Pest Control Board.

(19) Telephone Medical Advice Services Bureau.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

Because of the circumstances surrounding the implementation of the BreEZe system, and in order to ensure that healing arts and other professionals are licensed in a timely and efficient manner, it is necessary that this act take effect immediately.

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Senate Bill No. 704

Passed the Senate September 1, 2015

_____

Secretary of the Senate

Passed the Assembly August 27, 2015

_____

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of _____, 2015, at _____ o'clock ____M.

_____

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 1091 of the Government Code, relating to public officers and employees.

LEGISLATIVE COUNSEL'S DIGEST

SB 704, Gaines. Public officers and employees: conflict of interest: contracts.

Existing law prohibits Members of the Legislature, state, county, district, judicial district, and city officers or employees from being financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Existing law identifies certain remote interests in contracts that are not subject to this prohibition and other situations in which an official is not deemed to be financially interested in a contract. Existing law makes a willful violation of this prohibition a crime.

This bill would include in the definition of "remote interest" the interest of a person who is an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency, if the owner or partner recuses himself or herself from providing any advice to the contracting agency regarding the contract between the firm and the contracting agency, and from all participation in reviewing a project that results from that contract. The bill would also include in the definition of "remote interest" the interest of a planner employed by a consulting engineering, architectural, or planning firm.

The people of the State of California do enact as follows:

SECTION 1. Section 1091 of the Government Code is amended to read:

1091. (a) An officer shall not be deemed to be interested in a contract entered into by a body or board of which the officer is a member within the meaning of this article if the officer has only a remote interest in the contract and if the fact of that interest is disclosed to the body or board of which the officer is a member and noted in its official records, and thereafter the body or board authorizes, approves, or ratifies the contract in good faith by a vote

of its membership sufficient for the purpose without counting the vote or votes of the officer or member with the remote interest.

(b) As used in this article, "remote interest" means any of the following:

(1) That of an officer or employee of a nonprofit entity exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), pursuant to Section 501(c)(5) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(5)), or a nonprofit corporation, except as provided in paragraph (8) of subdivision (a) of Section 1091.5.

(2) That of an employee or agent of the contracting party, if the contracting party has 10 or more other employees and if the officer was an employee or agent of that contracting party for at least three years prior to the officer initially accepting his or her office and the officer owns less than 3 percent of the shares of stock of the contracting party; and the employee or agent is not an officer or director of the contracting party and did not directly participate in formulating the bid of the contracting party.

For purposes of this paragraph, time of employment with the contracting party by the officer shall be counted in computing the three-year period specified in this paragraph even though the contracting party has been converted from one form of business organization to a different form of business organization within three years of the initial taking of office by the officer. Time of employment in that case shall be counted only if, after the transfer or change in organization, the real or ultimate ownership of the contracting party is the same or substantially similar to that which existed before the transfer or change in organization. For purposes of this paragraph, stockholders, bondholders, partners, or other persons holding an interest in the contracting party are regarded as having the "real or ultimate ownership" of the contracting party.

(3) That of an employee or agent of the contracting party, if all of the following conditions are met:

(A) The agency of which the person is an officer is a local public agency located in a county with a population of less than 4,000,000.

(B) The contract is competitively bid and is not for personal services.

(C) The employee or agent is not in a primary management capacity with the contracting party, is not an officer or director of

the contracting party, and holds no ownership interest in the contracting party.

(D) The contracting party has 10 or more other employees.

(E) The employee or agent did not directly participate in formulating the bid of the contracting party.

(F) The contracting party is the lowest responsible bidder.

(4) That of a parent in the earnings of his or her minor child for personal services.

(5) That of a landlord or tenant of the contracting party.

(6) That of an attorney of the contracting party or that of an owner, officer, employee, or agent of a firm that renders, or has rendered, service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and if these individuals have an ownership interest of 10 percent or more in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

(7) That of a member of a nonprofit corporation formed under the Food and Agricultural Code or a nonprofit corporation formed under the Corporations Code for the sole purpose of engaging in the merchandising of agricultural products or the supplying of water.

(8) That of a supplier of goods or services when those goods or services have been supplied to the contracting party by the officer for at least five years prior to his or her election or appointment to office.

(9) That of a person subject to the provisions of Section 1090 in any contract or agreement entered into pursuant to the provisions of the California Land Conservation Act of 1965.

(10) Except as provided in subdivision (b) of Section 1091.5, that of a director of, or a person having an ownership interest of, 10 percent or more in a bank, bank holding company, or savings and loan association with which a party to the contract has a relationship of borrower or depositor, debtor or creditor.

(11) That of an engineer, geologist, architect, or planner employed by a consulting engineering, architectural, or planning firm. This paragraph applies only to an employee of a consulting firm who does not serve in a primary management capacity, and does not apply to an officer or director of a consulting firm.

(12) That of an elected officer otherwise subject to Section 1090, in any housing assistance payment contract entered into pursuant to Section 8 of the United States Housing Act of 1937 (42 U.S.C. Sec. 1437f) as amended, provided that the housing assistance payment contract was in existence before Section 1090 became applicable to the officer and will be renewed or extended only as to the existing tenant, or, in a jurisdiction in which the rental vacancy rate is less than 5 percent, as to new tenants in a unit previously under a Section 8 contract. This section applies to any person who became a public official on or after November 1, 1986.

(13) That of a person receiving salary, per diem, or reimbursement for expenses from a government entity.

(14) That of a person owning less than 3 percent of the shares of a contracting party that is a for-profit corporation, provided that the ownership of the shares derived from the person's employment with that corporation.

(15) That of a party to litigation involving the body or board of which the officer is a member in connection with an agreement in which all of the following apply:

(A) The agreement is entered into as part of a settlement of litigation in which the body or board is represented by legal counsel.

(B) After a review of the merits of the agreement and other relevant facts and circumstances, a court of competent jurisdiction finds that the agreement serves the public interest.

(C) The interested member has recused himself or herself from all participation, direct or indirect, in the making of the agreement on behalf of the body or board.

(16) That of a person who is an officer or employee of an investor-owned utility that is regulated by the Public Utilities Commission with respect to a contract between the investor-owned utility and a state, county, district, judicial district, or city body or board of which the person is a member, if the contract requires the investor-owned utility to provide energy efficiency rebates or other type of program to encourage energy efficiency that benefits the public when all of the following apply:

(A) The contract is funded by utility consumers pursuant to regulations of the Public Utilities Commission.

(B) The contract provides no individual benefit to the person that is not also provided to the public, and the investor-owned utility receives no direct financial profit from the contract.

(C) The person has recused himself or herself from all participation in making the contract on behalf of the state, county, district, judicial district, or city body or board of which he or she is a member.

(D) The contract implements a program authorized by the Public Utilities Commission.

(17) That of an owner or partner of a firm serving as an appointed member of an unelected board or commission of the contracting agency if the owner or partner recuses himself or herself from providing any advice to the contracting agency regarding the contract between the firm and the contracting agency and from all participation in reviewing a project that results from that contract.

(c) This section is not applicable to any officer interested in a contract who influences or attempts to influence another member of the body or board of which he or she is a member to enter into the contract.

(d) The willful failure of an officer to disclose the fact of his or her interest in a contract pursuant to this section is punishable as provided in Section 1097. That violation does not void the contract unless the contracting party had knowledge of the fact of the remote interest of the officer at the time the contract was executed.

Approved _____, 2015

_____

Governor

NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

1. Update and Possible Action on NCARB's Actions Related to Accelerated Path to Architectural Licensure

2. Discuss and Possible Action on NCARB Initiative of a Path for Professionals with Qualified Experience Beyond Five Years

UPDATE AND POSSIBLE ACTION ON NCARB'S ACCELERATED PATH TO ARCHITECTURAL LICENSURE

The Board's 2015-16 Strategic Plan contains an objective assigned to the Professional Qualifications Committee (PQ) to collaborate with California's National Architectural Accrediting Board (NAAB) accredited programs and the National Council of Architectural Registration Boards (NCARB) to establish and promote an "accelerated path to architectural licensure."

NCARB has been pursuing what was until recently termed the "Accelerated Path to Architectural Licensure" since it commissioned its Licensure Task Force (LTF) in September 2013. The LTF, whose membership is composed of licensing board members, former presidents of related architectural organizations, recently licensed architects and aspiring architects, deans and instructors, and members of the public, is charged with exploring all potential avenues to licensure by analyzing the essential components (education, experience, and examination) and determining where efficiencies can be realized in order to streamline the licensure process. The accelerated path integrates the internship and examination requirements into the years spent earning a professional degree in architecture. On May 30, 2014, NCARB formally announced its endorsement of the concept.

On September 9, 2014, NCARB released its Request for Interest and Information (RFI&I) to NAAB-accredited programs for assessment of the interest level and readiness to design and develop an accelerated integrative path leading to licensure. At its September 10, 2014 meeting, the Board adopted a Supporting Position Statement (attached).

The LTF received 38 responses to its RFI&I from schools with an accredited program by the October 31, 2014 deadline. Of the schools that responded, 32 (representing 26 percent of institutions with NAAB-accredited degree programs) declared an interest in submitting a formal proposal. The RFI&I was the first in a two-part process that was followed by a formal Request for Proposal (RFP) that was released on January 23, 2015 with a submission deadline of June 1, 2015.

At its July 14, 2015 meeting, the PQ received an update from staff on the objective's status, and was informed that staff will continue to monitor California accredited and non-accredited schools and NCARB for the status of current initiatives and any new proposals.

NCARB has received more than one dozen responses to the RFP, which were reviewed by the LTF in June/July 2015. On August 31, 2015, NCARB announced the names of the first 13 accredited architectural programs to be accepted for participation in what is now called the NCARB Integrated Path Initiative (IPI). The initiative encourages NAAB programs to propose a pre-graduation integration of education, experience, and the opportunity to take each of the six divisions of the Architect Registration Examination (ARE).

NCARB's acceptance of initial participants culminates a two-year effort of its LTF to design an integrated path framework that promotes individual academic program flexibility while addressing the regulatory requirements for licensure. The LTF reviewed existing programs requiring experience as a pre-graduation requisite and conducted the RFI&I and RFP as part of its deliberations.

NCARB has also established a new Integrated Path Evaluation Committee (IPEC) to oversee the ongoing work of this initiative. It is anticipated that the IPEC will continue to coach accepted programs, promote engagement with state boards regarding the necessary statutory or regulatory changes to incorporate integrated path candidates, and oversee the acceptance of future program applicants.

The inaugural class of NCARB-accepted Integrated Path programs is composed of:

- Boston Architectural College; Boston, Massachusetts
- Clemson University; Clemson, South Carolina
- Drexel University; Philadelphia, Pennsylvania
- Lawrence Technological University; Southfield, Michigan
- NewSchool of Architecture and Design; San Diego, California
- North Carolina State University; Raleigh, North Carolina
- Portland State University; Portland, Oregon
- Savannah College of Art and Design; Savannah, Georgia
- University of Cincinnati; Cincinnati, Ohio
- University of Detroit Mercy; Detroit, Michigan
- University of Kansas; Lawrence, Kansas
- University of North Carolina-Charlotte; Charlotte, North Carolina
- University of Southern California; Los Angeles, California
- Woodbury University; Los Angeles, California

It is important to note that three of the schools accepted are from California (NewSchool of Architecture and Design, University of Southern California, and Woodbury University).

According to NCARB, each program will implement the integrated path in alignment with the schedule developed by the respective school administration and faculty. Starting date may vary from one school to another. Integrated path students in each program will be part of existing accredited programs.

Board staff reviewed the Architects Practice Act to determine whether any statutory or regulatory changes are necessary for implementation of an NCARB-accepted IPI program. The Executive Officer provided proposed language to legislative staff for inclusion into a bill that would authorize the Board to grant candidates early eligibility to take the ARE.

Staff in the interim is preparing a regulatory amendment package for the Board's consideration.

At today's meeting, the Board will receive an update and is asked to provide any appropriate direction to staff.

Attachment:
Additional Path to Licensure Supporting Position Statement

CALIFORNIA ARCHITECTS BOARD
PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

Additional Path to Licensure
Supporting Position Statement

California's examination and licensure requirements are more flexible than most other jurisdictions. Obtaining a license in California involves requirements that can be met in multiple ways with several possible entry points. Although each candidate's path to licensure may differ, all candidates will complete the process with the necessary knowledge, skills, and ability to be a licensed architect who practices in a way that protects the health, safety, and welfare of Californians.

The California Architects Board supports and encourages California schools of architecture to participate in formulating integrated curriculums of education, experience, and examination that promote licensure. The Board will monitor and analyze, for alignment, participating school proposals and the National Council of Architectural Registration Boards' initiative with the intent to establish an earlier entry point of eligibility to begin taking the Architect Registration Examination.

Adopted by the Board on September 10, 2014
Amended by the Board on December 10, 2014
Amended by the Board on March 12, 2015
Amended by the Board on June 10, 2015

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DISCUSS AND POSSIBLE ACTION ON NCARB'S INITIATIVE: PATH FOR PROFESSIONALS WITH QUALIFIED EXPERIENCE BEYOND FIVE YEARS

During its June 18–20, 2015 Annual Business Meeting, the National Council of Architectural Registration Boards (NCARB) announced a program that benefits professionals for whom it was necessary to put their licensure goals on hold due to career or personal decisions. NCARB stated that during the summer and fall 2015 it would commence work with Member Boards on developing a proposed program for professionals who have qualified experience from more than five years ago.

The Intern Development Program (IDP) reporting requirement (also known as the "Six-month Rule") was implemented on July 1, 2010. At that time, no experience older than eight months could be reported and used to satisfy IDP requirements. Commencing on July 1, 2014, NCARB expanded the reporting requirement to allow 50% credit for experience performed up to five years ago. However, Member Board feedback suggested that there exists a group of individuals who have work experience that falls outside the restrictions of the current reporting requirements. The NCARB Board of Directors (BOD) agreed that a gap exists in IDP. Subsequently, NCARB staff was directed to develop a concept for individuals to submit qualifying experience that identifies proficiency in the IDP categories, but falls outside of the current reporting requirement.

The proposed program is similar to the Broadly Experience Design Professional pathway that was envisioned by Board Vice President Pasqual Gutierrez. NCARB estimates there are approximately 12,000 professionals in its system with experience older than five years that could benefit from this proposed program. A recent NCARB poll of this group found 80 percent would be interested in such program, if it becomes available.

On July 1, 2015, NCARB sent the attached memorandum to Member Boards in an effort to solicit feedback regarding the proposed program and provided a submission deadline of September 29, 2015. NCARB hopes the feedback received throughout the summer and fall 2015 will enable its BOD to make a final determination on this proposed program at its December 2015 meeting. If the BOD grants its final approval at the December meeting, NCARB then hopes to make the proposed program available by July 1, 2016.

At its July 14, 2015 meeting, the PQ members briefly discussed the rudimentary concept as it was first introduced in June and approved a recommendation that the Board send a letter of support.

The Board is asked to consider PQ's recommendation and provide its feedback regarding the program for submission to NCARB before the September 29, 2015 deadline.

Attachment:
NCARB Memorandum Dated July 1, 2015 Re: Intern Development Program Experience Portfolio Documentation Method

NCARB

National Council of Architectural Registration Boards

Dennis S. Ward, AIA, NCARB
President/Chair of the Board
Florence, South Carolina

Kristine A. Harding, AIA, NCARB
1st Vice President/President-Elect
Huntsville, Alabama

Gregory L. Erny, NCARB, AIA
2nd Vice President
Reno, Nevada

David L. Hoffman, FAIA, NCARB
Treasurer
Huntsville, Alabama

Terry L. Allers, AIA, NCARB
Secretary
Fort Dodge, Iowa

Dale McKinney, FAIA, NCARB
Past President
Sioux City, Iowa

David R. Prengaman, AIA, NCARB
Director, Region 1
Providence, Rhode Island

Susan B. McClymonds, AIA, CSI
Director, Region 2
Amsterdam, New York

Alfred Vidaurri Jr., FAIA, NCARB, AICP
Director, Region 3
Fortworth, Texas

Stephen L. Sharp, AIA, NCARB
Director, Region 4
Springfield, Ohio

Bayliss Ward, NCARB, AIA
Director, Region 5
Bozeman, Montana

Robert M. Calvani, NCARB, AIA
Director, Region 6
Albuquerque, New Mexico

Kingsley Johnson Glasgow
Member Board Executive Director
Little Rock, Arkansas

John G. Cameron Jr.
Public Director
Grand Rapids, Michigan

Michael J. Armstrong
Chief Executive Officer

MEMORANDUM

TO: NCARB Member Boards

FROM: Dennis S. Ward, AIA, NCARB
President/Chair of the Board

DATE: July 1, 2015

RE: INTERN DEVELOPMENT PROGRAM
Experience Portfolio Documentation Method
Member Board Comment Period

INTRODUCTION

The NCARB Board of Directors is considering development of a new program and is seeking input from Member Boards and other related organizations. After over a year of deliberation by the Board, this concept was introduced to Member Boards at the 2015 Regional Summit in Long Beach, California. During the recent 2015 NCARB Annual Business Meeting, workshops were held to better inform our membership about this proposal and begin the process of garnering feedback.

Comments from our Member Boards will be received through September 29th. Although the comment period will still be open, our Board of Directors will review comments received to date during their September meeting. We will then seek additional feedback from Member Board Members through virtual meetings to be offered in October in order to assure sufficient engagement by the Member Boards with this proposal. We hope that the Member Board feedback through the summer and fall will enable us to make a final determination on this program when our Board of Directors meets again in December, 2015.

Your participation in the comment period as well as the virtual meetings is important. The Board of Directors would like to assure that we have heard from our membership on this issue and that they are developing a program that will be valued and utilized by our Member Boards. If your Board has not scheduled a meeting during this comment period, we urge you to convene a special meeting to provide comment. If your Board is unable to meet during the comment period and provide collective feedback, we encourage you to submit your individual comments and plan to participate in the virtual meetings.

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The following pages provide a detailed description of the program. There is much information contained in this document, so please read carefully. Questions regarding the proposal should be directed to Harry Falconer (hfalconer@ncarb.org) or Derek Haese (dhaese@ncarb.org).

BACKGROUND

The Intern Development Program reporting requirement (known as the "six month rule") was implemented in July, 2010. At that point, no experience older than eight months could be reported and used to satisfy the IDP experience requirements. Last year, the Council expanded the reporting of experience to allow 50% credit for experience up to five years in the past. According to our Member Boards, there is a cohort of individuals who have work experience that falls outside of the current reporting requirements, i.e. more than 5 years old. This proposed program is intended to provide a path for completing the experience requirement for those who:

- left the profession and would like to come back.
- did not document their IDP experience with NCARB
- did not pursue licensure in a timely fashion, e.g. Project Managers
- can otherwise meet licensure requirements including education and examination

Past President Dale McKinney remarked at the Annual Business Meeting, "We all know folks who stepped away from a career in architecture and want to come back. In some cases, we work with people who have a degree from a NAAB-accredited program, loads of experience, and now want to move up from being a project manager to a licensed architect. However, their IDP-relevant experience is more than five years old – and thus outside of the reporting requirements for IDP."

The NCARB Board of Directors agrees a gap exists in our program. Therefore Council staff was directed to develop a concept that would allow individuals to submit experience that identifies proficiency in the IDP experience categories that fall outside of the current reporting requirement. Staff was given two directives:

- Protect the traditional IDP path, or whatever the future program is called, as the preferred experience path.
- Develop a conceptual program that will not be overly complicated and financially burdensome.

This concept was first introduced to the Board of Directors two years ago when we launched the Broadly Experienced Special Project Team. An outline for this program was developed through numerous discussions during the past year. NCARB staff have presented research and presentations of a conceptual program to the Board. The facilitation of licensure is a primary goal for NCARB and this program is one of many that redefines the path to licensure without sacrificing the value or rigor that we place on experience, education, and examination.

We have learned some valuable lessons in the past year regarding introduction of new or revised programs. As a result, we sought initial reaction and feedback from our Member Board Members at the Annual Business Meeting through five workshops.

Over 175 member board members and member board executives attended the workshops. Initial reaction to the proposed concept and its components was positive by a clear majority. Feedback from the attendees was similar in nature at each session:

- They support the concept of a program that will allow persons to document experience that falls outside of the current IDP reporting rules.
- They like the concept that the current architect supervisor or a mentor will sign off on the experience. They noted this concept could be enhanced by adding a minimum number of years that the supervisor/mentor has known the applicant.
- The majority agree that documentation of work product to demonstrate competency is better than documentation of hours. They noted that applicants may not be able to obtain actual work samples from previous employers. The program will need to define options for all applicants.
- They recommended the Council develop a robust supervisor/mentor training program to support this program.

We now continue to seek your engagement on this proposal through two very important steps:

- Member Board 90-day Comment Period
- Virtual meetings with our Member Board Members to be held in early October

These steps are being taken because implementation of this program will require a change to the *IDP Guidelines*. Changes at this level require a vote by the Board of Directors.

Subsequently, our Board has indicated a desire to take action on this proposal before the end of this calendar year. I assure you however, that no Board vote will be taken until sufficient discussion and feedback has occurred.

I want to strongly urge you to provide your feedback over the summer during this comment period, and again when we hold virtual meetings this fall. Your Board of Directors and I thank you in advance for your consideration and thoughtful insight on this proposed program.

THE PROPOSED PROGRAM

EXECUTIVE SUMMARY

In August 2013, an NCARB multi-departmental team was formed to thoroughly analyze the need, identify options, and develop an approach for individuals to document valid work experience fulfilling the spirit of the Intern Development Program (IDP) but falling outside the limits of current IDP reporting requirements. Currently, licensure applicants can earn full credit for experience reported within eight months, and 50 percent credit for experience earned beyond eight months and up to five years.

NCARB is committed to supporting the facilitation of licensure. NCARB is committed to our message that "experience is experience." There is a group of individuals educated, trained, and experienced in architecture who, for whatever life event occurred, did not pursue licensure. These individuals now want to join fully in the profession through licensure. They can meet their jurisdiction's education requirement, and they are willing to take the Architect Registration Examination® (ARE®); however they are negatively impacted by our current IDP reporting requirements.

NCARB's records estimate that about 12,000 professionals in in our system currently show experience older than five years, not counting the others who have never engaged with experience reporting. A recent poll of this group found that 80 percent would be interested in such a program if it becomes available.

The research team was tasked with identifying ways to be more inclusive of intern architects' path to initial licensure while ensuring the process is objective, attainable, sustainable, and defensible. The team leaders presented thoughts, concepts, and approaches to the Board of Directors at the December 2013; and April, September, and December 2014 meetings. In December the Board directed the research team to develop proposed program elements and requirements, with the intent to engage the Member Boards at the 2015 Annual Business Meeting. These elements include the proposed audience, proposed eligibility requirements, and proposed programmatic details and processes:

Eligibility:

- Work experience occurred outside of current IDP reporting requirement (i.e. older than 5 years)
- Work experience that meets the current IDP requirements (tasks, etc.)

Documentation of Experience:

- Work history, including role, project types, project descriptions, project budgets, etc.
- Work product samples demonstrating competent performance of IDP tasks in each of the six practice categories

Certification/Affirmation of Competency:

- Current architect supervisor
- Architect mentor who is NCARB certified

Process:

- Work samples of valid experience will be submitted through automated e-portfolio system to the supervisor or mentor

NCARB is committed to supporting the facilitation of licensure. This program can provide a pathway for design professionals (e.g. project managers, project designers) who cannot complete the experience hours in the IDP experience areas based on their current employment role and responsibilities, though work experienced performed beyond the limits of the reporting requirements would meet today's requirements.

NCARB is committed to our message that "experience is experience" and firmly maintains that timely reporting is an essential element of the IDP. This proposed program recognizes that the implementation of the reporting requirement was a substantial benefit validating the IDP. The facilitation of licensure is a primary goal for NCARB and this proposal is one of many that redefines the path to licensure without sacrificing the value that we place on experience, education, and examination.

PROGRAM OVERVIEW

To participate, an applicant will need to validate that they have substantial past experience that meets the current requirements of the IDP. The proposed approach requires detailed, verified documentation to support the claim that experience gained outside of the IDP reporting requirements has been completed competently and satisfies the current IDP requirements. Specifically, applicants will need to do the following:

- Document work history since graduation to present.
  a. Include brief description of projects (type, size, cost, duration, and role on projects.)
- Document project work product to demonstrate acquisition of knowledge/skills and competent performance of the expected tasks.
  a. NCARB will develop descriptions and a format for applicants to follow.

- Submit documentation to a current architect supervisor or mentor who is NCARB certified.

The applicant must be able to provide all required information and documentation for review and certification/affirmation of competence by their current supervisor or mentor.

ELIGIBILITY
The applicant must have:
- Work experience that occurred outside of current IDP reporting requirement (i.e. older than 5 years)
- Work experience that meets the current IDP requirements (tasks, etc.)

Rationale:
All persons participating in the IDP were required to comply with the IDP reporting requirements (a.k.a. six month rule) as of July 1, 2010. There are individuals who have not reported experience in accordance with the IDP reporting requirement, but have substantial experience that is further in the past than the current IDP reporting requirement allows. While these individuals may currently be working in architecture or a related field, their current role and responsibilities will not allow them to perform tasks that are required by the IDP.

DOCUMENTATION OF EXPERIENCE
Each applicant will be required to provide detailed, verified documentation to support his/her claim that their experience gained outside of the IDP reporting requirements has been completed competently and satisfies the current IDP requirements.

The applicant will be required to document their complete work history. The information required will include:
- Employer Name
- Employer Address
- Dates of Employment
- Position(s) Held
- Roles and Responsibilities

Rationale:
The current architect supervisor or mentor certifying/affirming the competence of the applicant will be have a 'complete picture' of the applicant's experience. This will allow for a more comprehensive look at and consideration of one's overall experience.

The applicant will be required to list projects they are submitting to their supervisor to document satisfaction of the current IDP requirements: The information required will include:

- Project Name
- Project Type
- Project Size
- Project Budget
- Project Duration
- Project Description
- His/her Role in the Project
- Identify relevant IDP Practice Areas (reason for inclusion)

Rationale:
The current architect supervisor or mentor certifying/affirming the competence of the applicant needs to have a 'complete picture' of the projects the applicant is submitting in support of their prior experience. This will allow for a comprehensive and informed review and consideration of one's experience in the practice areas defined by the IDP.

The applicant will be required to submit work samples that represent competent performance of the tasks identified in six practice areas of the overhauled IDP that will be implemented in July 2016. The following charts reflect the required tasks in each IDP practice area. Further, the charts provide the applicant with recommended examples of work products they may choose from to demonstrate competent performance of each of the tasks:

Intern Development Program

Experience Portfolio Documentation Method	
Practice Management	
Tasks	**Work Sample Demonstrating Competent Performance**
Adhere to ethical standards and codes of professional conduct	Letter from supervisor/mentor; letter to or from client; letter to or from consultant; brief written report addressing this topic
Comply with laws and regulations governing the practice of architecture	Letter from architect supervisor; building or planning permit; brief written report addressing this topic
Prepare final procurement and contract documents	Client contract; consultant contract; RFP; RFQ
Understand implications of project delivery technologies	Sketches; digital presentations; letter to client recommending a type of project delivery
Participate in professional development activities that offer exchanges with other design professionals	Continuing education transcripts; evidence of professional presentations given at conferences; professional development conference registrations
Understand implications of policies and procedures to ensure supervision of design work by architect in responsible charge/control	Letter from architect supervisor; quality control procedure documents; brief written report addressing this topic
Maintain positive work environment within firm that facilitates cooperation, teamwork, and staff morale	Participation in office committees; leadership in project team; professional development review
Develop and maintain effective and productive relationships with clients	Reference letter from client; project close-out letter; project follow-up
Develop professional and leadership skills within firm	Participation in office committees; professional development review; certificate of completion from a leadership development program
Prepare proposals for services in response to client requirements	RFP sections; pre-proposal meeting minutes; research documents/findings depicting insight on client requirements
Participate in community activities that may provide opportunities for design of facilities that reflect community needs	Photos of events attended; information surveys written by applicant; letter from leader of community activity describing candidate's role
Develop procedures for responding to contractor requests (Requests for Information)	Checklist for RFI response, plus RFI response; documentation of conversations with client and/or firm leadership on process documentation
Prepare marketing documents that accurately communicate firm's experience and capabilities	Marketing proposal or brochure prepared by applicant; PowerPoint (or similar) presentations; evidence of online or virtual media demonstrating marketing capabilities

Establish procedures for documenting project decisions	Code checklist or similar document for a project; meeting minutes; examples of template forms (RFI, change orders, meeting minutes, site visit documentation, etc.)
Develop procedures for responding to changes in project scope	Checklist for scope change, CO request to client; examples of template forms (RFI, change orders, meeting minutes, site visit documentation, etc.)
Establish procedures to process documentation during contract administration	Request for information; notice of clarification; shop drawing logs; punchlist; similar contract administration documents

Intern Development Program

Experience Portfolio Documentation Method	
Project Management	
Tasks	**Work Sample Demonstrating Competent Performance**
Participate in pre-construction, pre-installation and regular progress meetings with design team	Sign-in sheet demonstrating candidate was in attendance; agenda; meeting minutes
Coordinate design work of consultants	Coordination meeting minutes; correspondence with consultants; letters from consultants describing the candidate's coordination efforts on a project
Determine project schedule	Provide a project schedule depicting internal milestones (quality control, printing, etc.) and external milestones (client receives deliverable, design review meeting date, etc.)
Understand implications of project delivery methods	A letter from candidate to client/firm/design team members indicating the scope of work, fee, and project delivery methods; samples of different delivery contracts for projects
Prepare written communications related to design ideas, project documentation and contracts	Design submittals; emails; letters; written contracts
Monitor project schedule to maintain compliance with established milestones	Project schedules with updates/modifications during project, emails or other relevant documents that describe a recovery plan in the event that more staffing is required
Assist Owner in obtaining necessary permits and approvals	Authority having jurisdiction submittals, comments, comment responses, plan approvals, PowerPoint presentations given to Owner/City Council/any approving authority
Conduct periodic progress meetings with design and project team	Meeting minutes; Outlook meeting invitations distributed to design team; agenda

Identify changes in project scope that require additional services	Correspondence; additional service proposals; contract modifications
Manage information exchange during construction	Data logs (i.e. submittals, RFIs, etc.); meeting minutes; capturing information exchange; site visit reports with photograph excerpts
Perform quality control reviews throughout the documentation process	Quality control review checklists, meeting minutes; red-lined drawings performed by candidate
Determine scope of services	Fee letter and proposal; meeting minutes or documentation of scoping efforts between candidate and owner
Monitor performance of design team consultants	Email or documentation from candidate to consultant's point of contact providing update on performance
Present design concept to stakeholders	PowerPoint presentations; meeting minutes; design models; submittals
Resolve conflicts that may arise during design and construction process	Email or documentation from candidate demonstrating conflict resolution
Manage implementation of sustainability criteria	LEED (or other facilitating program) checklist; documents demonstrating sustainability goals; letter from client describing candidate's sustainability initiatives in project
Determine design fee budget	Fee letter and fee proposals; man-hour estimates
Collaborate with stakeholders during design process to maintain design intent and comply with Owner specifications	A document that captures candidate's comments after performing an interdisciplinary coordination review; red-lined drawings; meeting minutes of coordination meetings
Coordinate design work of in-house team members	A document that captures candidate's comments after performing an interdisciplinary coordination review; red-lined drawings; meeting minutes of coordination meetings
Prepare Architect-Consultant Agreement	A contract; documentation of dialogue between the professional liability insurance provider/attorney discussing contract clauses; documentation of conversations between candidate and consultant
Assist client in determining delivery method for construction of project	Letter from client that describes candidate's efforts; letter of recommendation from candidate to client providing the recommendation
Prepare Owner-Architect Agreement	A contract; documentation of dialogue between the professional liability insurance provider/attorney discussing contract clauses; documentation of conversations between candidate and owner
Perform constructability review to determine buildability, bidability, and construction sequencing of proposed project	Provide a quality control review document that captures candidate's comments after performing an interdisciplinary coordination review; red-lined drawings; relevant checklists

Establish methods for Architect-Client communication based on project scope of work	Job plan that depicts method of communication; phone logs with client; email documentation with client documenting key decisions
Manage modifications to the construction contract	RFI response on formal template; meeting minutes capturing information exchange; change order documentation endorsed by candidate
Perform constructability reviews throughout the design process	Provide a quality control review document that captures candidate's comments after performing an interdisciplinary coordination review; red-lined drawings
Define roles and responsibilities of team members	Project team directory with work plan; design consultant fee letter and scope of services proposal
Manage project-specific bidding process	Pre-bid meeting agenda and meeting minutes, addenda; bid form and log
Evaluate appropriateness of building information modeling (BIM) for proposed project	Project software comparison matrix
Submit schedule of Architect's services to Owner for each phase	A contract that demonstrates the scope of work and deliverables for each phase of design; a schedule of values that assigns a dollar amount relative to the total fee assigned to each design deliverable
Prepare staffing plan to meet project goals	Project work plan with staff assigned; a document from a scheduling program (ex: PlanTrax) that depicts the actual project percent complete versus goal to date percent complete
Assist client in selecting contractors	Letter from client that describes candidate's efforts; contractor request for qualifications; bid log

Intern Development Program

Experience Portfolio Documentation Method	
Programming & Analysis	
Tasks	**Work Sample Demonstrating Competent Performance**
Determine impact of applicable zoning and development ordinances to determine project constraints	Zoning & building code analysis documentation
Analyze existing site conditions to determine impact on facility layout	Graphic site analysis, including environmental conditions

Determine impact of environmental, zoning and other regulations on site	Graphic site analysis, including environmental conditions
Prepare diagrams illustrating spatial relationships and functional adjacencies	Bubble diagrams; 3D + section programming models representing vertical adjacencies; program stacking; other programming logics that might inform a concept massing organizational strategy
Prepare site analysis diagrams to document existing conditions, features, infrastructure and regulatory requirements	Graphic site analysis, including environmental conditions and land/topo/utility surveys; 3D models illustrating zoning-compliant massing / programming strategies
Assist Owner in preparing building program including list of spaces and their characteristics	Project programming document, including summary of space square footages; other programming logics that might inform a concept massing organizational strategy
Gather information about client's vision, goals, budget, and schedule to validate project scope and program	Project programming document; agenda or minutes from a client meeting; copy of a 3rd party document to form the basis of design and/or part of owner/architect agreement
Assess environmental impact to formulate design decisions	Graphic site analysis, including environmental conditions, diagrams, preliminary site planning, geotech report, environmental reports
Consider results of environmental studies when developing site alternatives	Graphic site analysis, including environmental conditions, diagrams, preliminary site planning, geotech report, environmental reports
Establish sustainability goals affecting building performance	Meeting minutes from environmental kick-off meeting with clients; LEED checklist; any supplemental budgetary analysis evaluating pros and cons of achieving certain levels of certification
Establish project design goals	Meeting minutes from kick-off meeting with clients establishing aesthetic goals, budget goals, sustainability goals, performance criteria, and time frame
Consider recommendations from geotechnical studies when establishing design parameters	Structural schematics; preliminary site planning; geotech report; environmental reports
Develop conceptual budget	Project budget; cost estimate; written review of contractor's preliminary estimate
Evaluate opportunities and constraints of alternative sites	Site studies with report on pros/cons; preliminary site planning; geotech report; environmental reports
Determine impact of existing transportation infrastructure on site	Graphic site analysis, including transit infrastructure, entry/exit onto streets, setbacks, servitudes/easements, height limitations, FAR, etc.
Review legal documents related to site to determine project constraints	Site analysis with planning & zoning report, including covenants, easements, etc.
Gather information about community concerns and issues that may impact proposed project	Project programming document, agenda or minutes from a client meeting on related subject matter
Evaluate results of feasibility studies to determine project's financial viability	Report/minutes regarding project cost/benefit; preliminary cost opinion/rough order of magnitude; preliminary project timeline

Intern Development Program

Experience Portfolio Documentation Method	
Project Planning & Design	
Tasks	**Work Sample Demonstrating Competent Performance**
Perform building code analysis	Written building code analysis or worksheet
Prepare code analysis documentation	Graphic building code plan; completed code search or code analysis document; correspondence regarding code analysis
Select materials, finishes, and systems based on technical properties and aesthetic requirements	Material schedule; cut sheets of products or finishes; listing of clients technical requirements for finishes; materials and systems; examples of completed finish boards.
Prepare design alternatives for client review	Examples of design options which were presented to a client; sketches or other in-progress documents from creating design alternatives.
Oversee design integration of building components and systems	Progress/development drawings; final drawings; coordination meeting minutes
Review local, state and federal codes for changes that may impact design and construction	Completed code analysis document; correspondence with code officials; written documentation of other codes that may impact design and construction.
Determine impact of existing utilities infrastructure on site	Preliminary site narrative; existing site survey; conceptual site plan
Understand implications of evolving sustainable design strategies and technologies	Sustainability diagrams; correspondence with team members or consultants; meeting minutes
Develop sustainability goals based on existing environmental conditions	Sustainability checklist and diagrams; meeting minutes; correspondence regarding sustainability.
Define requirements for site survey based on established project scope	Request for proposal for site survey; site survey contract
Determine design parameters for building engineering systems	Meeting minutes & agendas; questionnaire; correspondence with owner and engineers; design parameters checklist.
Present design ideas to client orally	Design presentation meeting minutes and agenda
Evaluate results of feasibility studies to determine project's technical viability	Documentation of studies; feasibility study follow-up correspondence/reports

Prepare Cost of Work estimates	Floor plans, sections, elevations used for estimates; supporting documentation on sources of pricing
Apply principles of historic preservation for projects involving building restoration or renovation	Meeting notes; historic preservation checklist; correspondence with team members
Develop mitigation options to address adverse site conditions	examples of alternate site plans; correspondence regarding alternate plans.
Design landscape elements for site	Landscape plans; sections, etc. plant options; renderings/3D views

Intern Development Program

Experience Portfolio Documentation Method	
Project Development	
Tasks	**Work Sample Demonstrating Competent Performance**
Communicate design ideas to the client graphically	Drawings, sketches, renderings, images, etc. used in correspondence with client.
Prepare submittals for regulatory approval	Exhibits prepared for regulatory reviews; checklists of documents required for regulatory approval.
Communicate design ideas to client with two-dimensional (2-D) computer aided design software	Floor plans, elevations, sections, or other views created specifically for communicating with the client.
Select furniture, fixtures and equipment that meet client's design requirements and needs	Cut sheets of products; clients requirements for furniture, fixtures and equipment; meeting minutes
Communicate design ideas to the client using hand drawings	Sketches and design presentation submittal using hand drawings
Communicate design ideas to client with three-dimensional (3-D) computer aided design software	Renderings, or other views created specifically for communicating with the client.
Update Cost of Work estimates	Floor plans used for estimates; supporting documentation on sources of pricing; revised construction cost estimates

Intern Development Program

Experience Portfolio Documentation Method	
Construction & Evaluation	
Tasks	**Work Sample Demonstrating Competent Performance**
Review shop drawings and submittals during construction for conformance with design intent	Returned shop drawings or submittals with comments; correspondence regarding submittals with contractor
Respond to Contractor Requests for Information	RFI responses; correspondence regarding RFI's.
Complete field reports to document field observations from construction site visit	Issued field reports, construction photos, notes from a site visit.
Review results from field reports, third-party inspections, and other test results for conformance with contract documents	Correspondence regarding these documents; examples of returned documents.
Review Application and Certificate for Payment	Examples of approved documents
Manage project close-out procedures and documentation	Punch list; certificate of substantial completion; final application for payment; operation and maintenance manual submittal reviews

Rationale:

The 2012 NCARB *Practice Analysis of Architecture* identified the tasks the profession sees as important experience one should develop competence in prior to the independent practice of architecture upon initial licensure. Successful completion of the IDP indicates that the applicant, at the completion of the program requirements, be able to competently perform the tasks in each practice area. Everyone's experience path can be different. This program acknowledges that the current architect supervisor or mentor is aware of the applicant's competence in their current role; and that they are confident the applicant is competent to practice architecture independently. The documentation of past experience demonstrating competence at the task level is to inform the supervisor or mentor of the applicant's experience to support their competency in the defined areas of the IDP. The work products listed to support each task are descriptive of appropriate work samples the applicant may wish to provide in support of their demonstration of competency. The descriptive work products also provide the supervisor or mentor with a definition of what they should expect to see in their review of the applicant's experience.

CERTIFICATION/AFFIRMATION OF COMPETENCY

The applicant must have a current architect (licensed) supervisor or mentor (licensed to practice architecture and NCARB certified) who will certify/affirm that the applicant's work experience meets the current requirements of the IDP.

Rationale:

The aspiring architect's supervisor has historically held the responsibility for certifying that the experience of the applicant has demonstrated competence to practice architecture. The recollection of hours of experience completed, or level of competency, from work performed over 5 years ago is not probable or realistic. Therefore, this program proposes that the applicant must have a current architect supervisor or a current architect mentor to certify his or her past experience demonstrates the comprehension of the knowledge/skills necessary to perform the tasks required by the IDP.

Historically, the IDP has required an intern's work experience to be certified by an architect supervisor exercising *direct supervision*:

> *"Direct supervision" of interns shall occur either through personal contact or through a mix of personal and remote communication (e.g. e-mail, online markups, webinars, internet) such that the IDP supervisor has control over the work of the intern and has sufficient professional knowledge of the supervised work so that the IDP supervisor can determine that the intern understands and is performing his or her work experience within the professional standard of care. To earn experience hours in workplace settings described in this document, the intern must work under the direct supervision of an IDP supervisor. The supervisor shall verify the experience of the intern and foster a professional relationship that is grounded in a direct professional association between the intern and the supervisor.*

Currently, the IDP requirements also recognize a mentors' critical oversight of an interns work in specific areas:

> *"A mentor is defined as a loyal advisor, teacher, or coach. In IDP, there are opportunities for your mentor to certify certain supplemental experience opportunities and provide guidance in your professional development. To serve as your mentor for the IDP, the individual must hold a current license to practice architecture in a U.S. or Canadian jurisdiction; however, your mentor does not have to be registered in the jurisdiction where you are located."*

The success of this program relies on the allowance for broader verification of work experience, through certification of the work by the current architect supervisor or mentor. Restricting certification of experience to only those that have a qualified direct supervisor of existing experience will limit many applicants that may have many hours of experience but no access to previous supervisors for its verification.

PROCESS

The documentation and exchange of information will be a paperless, completely electronic exchange of information between the applicant and their supervisor or mentor. This electronic exchange will be facilitated through NCARB's information systems and supported by Customer Relations. Candidates for this program will be required to:

- Submit documentation to a current architect supervisor or mentor who is NCARB certified.
- Architect supervisor or mentor will review the work and attest to satisfaction of the experience requirement per our guidelines.
- NCARB will develop descriptions and a format for supervisor/mentor to follow.
- NCARB will perform random audits of electronic portfolios.
- Audit reviews to be performed by IC or EDU committee members and/or staff architects.

Rationale:

The applicant will be able complete all required information and upload all project documentation for review. This system will allow for collaboration on additional or corrective work samples needed to document competence in any content area, and obtain final certification/affirmation by their supervisor. NCARB will maintain all reported experience in the applicant's NCARB Record.

REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, SECTION 109 (FILING OF APPLICATIONS) AS IT RELATES TO REFERENCE OF THE CURRENT EDITION OF *INTERN DEVELOPMENT PROGRAM (IDP) GUIDELINES*

On June 23, 2014, the National Council of Architectural Registration Boards (NCARB) released a notice to Member Boards requesting input on two proposed IDP changes that will be implemented in two phases, and provided a 90-day comment period that ended on September 5, 2014. The first proposed change would require interns only document the core hour requirement to complete IDP. This proposed change would reduce the number of hours required to complete IDP from 5,600 to 3,740. The second proposed change is the development of a new IDP framework. The framework would remove the separate experience areas within the four IDP experience categories and create six new experience categories which directly align with the six phase-based areas of practice.

Board President Jon Baker responded on behalf of the Board in support of the proposed changes on August 12, 2014. The Board ratified the President's action at its December 10, 2014 meeting.

At its September 11-13, 2014 meeting, the NCARB Board of Directors voted to move forward with both phases of IDP modifications. NCARB subsequently revised its *IDP Guidelines* (attached) to reflect the approved change, which was then published on its website on July 1, 2015. The Board's regulations, specifically CCR section 109(b)(2), currently reference the July 2014 edition of the *IDP Guidelines*. As such, Board approval is required to initiate the regulatory process and amend CCR section 109(b)(2) to update the referenced edition of the *IDP Guidelines* to July 2015.

In anticipation of the Board's desire to pursue the above regulatory amendment, staff prepared the attached drafts of the Notice of Proposed Changes in the Regulations, Initial Statement of Reasons, and Proposed Regulatory Language for CCR section 109 (Filing of Applications). The Board is asked to review and approve the proposed regulations and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Attachments
1. NCARB *IDP Guidelines* July 2015
2. Notice of Proposed Changes in the Regulations
3. Initial Statement of Reasons
4. Proposed Regulatory Language CCR Section 109

NCARB

IDP

INTERN DEVELOPMENT PROGRAM GUIDELINES

JULY 2015

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This document, effective July 2015, supersedes all previous editions of the IDP Guidelines. Please check NCARB's website, www.ncarb.org, regularly for updates to this publication and for the most current information regarding the Intern Development Program (IDP) and the experience requirement for NCARB certification.

INTRODUCTION

What is IDP?

The Intern Development Program (IDP) is an essential step in the path to become an architect. Your journey typically begins in a school of architecture; however, it does not end there. Ultimately, through the IDP you will learn about the daily realities of architectural practice, acquire comprehensive experience in basic practice areas, explore specialized areas of practice, develop professional judgment, and refine your career goals. IDP is designed to help you realize those goals.

The IDP was created jointly in the 1970s by the National Council of Architectural Registration Boards (NCARB) and the American Institute of Architects (AIA). The IDP is developed and administered by NCARB.

In most jurisdictions, completion of the IDP is a requirement for initial registration. The IDP identifies the comprehensive experience that is essential for competent practice. The program is structured to prepare you to practice architecture independently upon initial registration.

What is NCARB?

The National Council of Architectural Registration Boards, a nonprofit organization, is a federation of the architectural licensing boards in each of the 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. These 54 boards constitute NCARB's membership.

NCARB serves to protect the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects. NCARB is responsible for establishing, interpreting, and enforcing national standards for architectural licensure.

The U.S. Constitution establishes that individual states or jurisdictions maintain the actual power to regulate the practice of architecture, including the registration of architects. Each of NCARB's 54 Member Boards has instituted a set of registration requirements that, when satisfied, results in the granting of a license to practice architecture within their jurisdiction.

What is an Intern?
In the architecture profession, an "intern" is any person who by means of their education or experience has qualified to enter the IDP.

In this document, the term intern refers to any individual in the process of satisfying a registration board's experience requirements. This includes anyone not registered to practice architecture in a U.S. or Canadian jurisdiction, graduates from NAAB-accredited programs, architecture students who acquire acceptable experience prior to graduation, and other qualified individuals identified by a registration board.

Only individuals who are licensed by a board of architecture may call themselves architects.

NCARB Record
Throughout your career, your Record becomes a detailed, verified record of your education, experience, and examination used to establish qualification for licensure, and certification. Your NCARB Record is confidential and maintained on a secure server. The contents may only be discussed with the Record holder directly or provided to the registration board identified by the Record holder.

Establishing a Record is essential for documenting the IDP and accessing the ARE. Your NCARB Record gives you access to the online reporting system for the timely and accurate reporting of IDP experience. It is also the first step for those seeking eligibility to take the ARE, or for foreign educated applicants who are having their education evaluated through the Education Evaluation Services for Architects (EESA).

The term "licensure" is used to denote the actual issuance and maintenance of an architectural license. Licensure is part of registration. This document refers to licensure and registration interchangably.

INTRODUCTION: **NCARB SERVICES**

NCARB has a variety of roles in the licensure process, including the development and administration of the IDP, the Architect Registration Examination® (ARE®), and NCARB certification, which facilitates reciprocal licensure. With millions of digital images in its holdings—offical transcripts, verified employment records, examination scores, and more—NCARB is also the official custodian of secure and confidential records for thousands of interns, architects, and registration boards. These records are housed, managed, and evaluated by NCARB and then, at various points in the licensure process, can be transmitted to the registration boards of an individual's choosing. NCARB services include:

For Students

- Supports educators in providing accurate information on the licensure process.
- Supports the American Institute of Architecture Students (AIAS) in their mission to promote excellence in architecture education, training, and practice.
- Provides funding for new curriculum initiatives that integrate practice and education.
- Engages AIAS on relevant NCARB committees to contribute to the process of creating NCARB standards for registration.
- Supports the National Architectural Accrediting Board (NAAB) in the development of standards for accredited architectural education.
- Visits schools, AIAS chapters, and NAAB schools across the country to promote the value of licensure and benefits of NCARB certification.
- Supports the Architect Licensing Advisors Community.

For Interns

- Compiles and evaluates a comprehensive record of credentials.
- Stores secure, confidential, and comprehensive Records to assist their path to licensure.
- Develops and administers the IDP.
- Develops and administers the ARE.
- Creates tools to assist interns in completing the internship and examination process.
- Compiles, evaluates, and transmits an intern's Record in support of examination or initial registration.
- Visits AIA chapters and firms across the country to promote the values of licensure and the benefits of NCARB certification.
- Engages interns on relevant NCARB committees to contribute to the process of creating NCARB standards for registration.
- Supports the Architect Licensing Advisors Community.

For Architects

- Compiles and evaluates a comprehensive record of credentials.
- Stores secure, confidential, and comprehensive Records to support their career path.
- Develops and recommends national standards for registration to its Member Boards to facilitate reciprocity between jurisdictions.
- Grants an NCARB Certificate to architects who meet the national standards outlined in this guideline.
- Maintains an architect's Record in a condition suitable for transmittal to a jurisdiction.
- Transmits an architect's NCARB Record or Certificate to a jurisdiction in support of reciprocal registration.
- Visits AIA chapters and firms across the country to promote the values of licensure and the benefits of NCARB certification.
- Provides continuing education opportunities through the Monograph Series.

For Registration Boards

- Stores secure, confidential, and comprehensive Records on NCARB Certificate holders and NCARB Record holders.
- Develops and recommends Model Law and Model Regulations for registration boards to adopt to facilitate reciprocal licensure and help Member Boards protect the health, safety, and welfare of the public.
- Develops, administers, and maintains programs to satisfy education, experience, and examination requirements.
- Represents the interests of Member Boards before public and private agencies.
- Produces resources for interns and architects on the registration process.
- Partners with Member Boards across the country to promote the values of licensure and the benefits of NCARB certification.

INTRODUCTION: **LICENSURE/REGISTRATION**

Architects are responsible for the health, safety, and welfare of the people who live or work in the buildings and environments they create. You are not an architect without a license. You must be licensed by a jurisdiction in order to practice architecture within that jurisdiction. While it is possible to work within the profession without having a license, you may not practice architecture or call yourself an architect without a license. Licensure signifies to the public that you have completed the education, experience, and examination necessary to practice architecture independently.

Education

Most U.S. jurisdictions require a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or a professional degree in architecture from a Canadian program accredited by the Canadian Architectural Certification Board (CACB) to satisfy their education requirement.

For a list of NAAB-accredited programs, visit www.naab.org.

Some jurisdictions may accept education equivalencies. For a guide to equivalency requirements, refer to the *NCARB Education Standard* included in the *Education Guidelines* at www.ncarb.org.

Experience

Most U.S. jurisdictions have adopted the IDP as their experience requirement for initial registration. All jurisdictions require a structured internship with direct supervision by a registered architect for some period of time. Compare the IDP with any additional experience requirement your registration board may require. Where differences exist, you must first comply with your jurisdiction's requirement; however, completion of the IDP facilitates certification and future registration in other jurisdictions.

The requirements of the IDP are outlined in these guidelines.

Examination

Every U.S. jurisdiction requires interns to pass the ARE to satisfy its examination requirement.

The ARE is a practice-based exam administered on a year-round basis that covers:

- Programming, Planning & Practice
- Site Planning & Design
- Building Design & Construction Systems
- Schematic Design
- Structural Systems
- Building Systems
- Construction Documents & Services

The content of the ARE is based on the knowledge and skills required of a recently licensed architect, practicing independently, to provide architectural services. The ARE evaluates an applicant's competence in the provision of architectural services to protect the public health, safety, and welfare.

For more information concerning the ARE, refer to the *ARE Guidelines*, available at www.ncarb.org.

Registration Requirements are set by Jurisdictions
The 54 architectural registration boards, which are members of NCARB, have the legal authority to establish licensure requirements, enforce licensure laws and regulations, and respond to complaints of unlicensed or unethical practice.

Each registration board determines its own education, experience, and examination requirements for initial and reciprocal registration in their jurisdiction. Most jurisdictions have adopted the standards specified in NCARB's *Legislative Guidelines and Model Law/Model Regulations*.

For an overview of each jurisdiction's registration requirements go to the NCARB website at www.ncarb.org/Reg-Board-Requirements. Since each jurisdiction may change its rules, statutes, and regulations at any time, it is always advisable to check with the individual board to verify registration and practice requirements.

INTRODUCTION: NCARB CERTIFICATION

Many architects choose to seek NCARB certification following initial licensure. The NCARB Certificate facilitates reciprocal registration among all 54 NCARB Member Boards, and 11 Canadian provincial associations. The NCARB Certificate signifies that you have met the national standards established by the registration boards.

To qualify for NCARB certification, you must satisfy all of the Requirements for certification outlined in *Certification Guidelines* .Requirements include: good character; satisfaction of NCARB's education, experience, and examination requirements; and a current registration to practice architecture issued by an NCARB Member Board.

While NCARB certification facilitates reciprocity, it does not provide you the privilege to practice architecture. You must be registered in each jurisdiction before you are permitted to seek work or are qualified to practice architecture. In some jurisdictions the NCARB Certificate allows the benefit of soliciting work or participating in a design competition prior to licensure. See the licensing requirements page on ncarb.org.

Benefits of the NCARB Certificate

- **PRESTIGIOUS CREDENTIAL** – By obtaining and maintaining the NCARB Certificate, an individual has demonstrated that they have met the established standards for certification. An architect who has an active NCARB Certificate may use the letters "NCARB" after his/her name.
- **RECIPROCITY** – The NCARB Certificate makes it easier to obtain reciprocal registration in other jurisdictions. In fact, many registration boards require the NCARB Certificate for reciprocal registration. Most NCARB Member Boards accept the NCARB Certificate as a primary method to support reciprocal registration.
- **MOBILITY** – The NCARB Certificate gives you the mobility to seek work wherever it is. Even if your work interests center solely on projects within the jurisdiction where you are licensed, with an NCARB Certificate you are prepared to meet your clients' needs as they move or expand across state lines.
- **COMPETITIVE EDGE** – Many architectural firms consider certification an important factor in hiring and promotion because they know that an architect with an NCARB Certificate provides the firm with greater flexibility when pursuing opportunities and expanding their practice. Additionally, some jurisdictions allow the benefit of soliciting work or participating in a design competition prior to licensure if you hold an NCARB Certificate.
- **SECURITY** – Your records are maintained on a secure server and are ready when you are, eliminating the need to worry about misplaced records or obtaining necessary verifications from a previous employer who may no longer be in business.
- **CONTINUING EDUCATION** – Both mini-monographs and monographs are available to NCARB Certificate holders for free!

Save Money

Interns can save money just by keeping their NCARB Record active while they complete the steps for licensure. If you have a professional degree from a NAAB-accredited program and have completed the IDP, you'll meet the requirements for NCARB certification when you pass the ARE and receive your initial license.

The cost to keep your NCARB Record active while you pursue your initial license is just $75 a year.

If you maintain an active Record in good standing, the application fee for NCARB certification ($1,500) will be waived and you will receive a 50 percent discount on Certificate renewals for the first three years of service.

IDP STEPS

Step 1

ESTABLISH YOUR NCARB RECORD

To start participating in the IDP, you must have an NCARB Record.

To create your NCARB Record, go to the "My NCARB" section on the NCARB homepage, and click on "establish record." Once you have established your account, add the NCARB Record service. If you are interrupted in process or need additional information to complete the application, you can save it and return later to complete it.

In order to establish an NCARB Record and receive your NCARB Record number, you must complete the application and submit payment. Once you click "Submit," you will receive two e-mails. The first will confirm receipt of your payment. The second will assign your NCARB Record number and provide further instructions.

Refer to the NCARB Fees for establishing and maintaining your NCARB Record. All fees are subject to change, and are non-refundable unless otherwise noted.

If you have applied for an NCARB Record in the past, please do not reapply. You should reactivate your existing Record by logging into your NCARB Record online and selecting the Annual Renewal option. All renewals and reactivations can be submitted online.

Step 2

IDENTIFY YOUR IDP SUPERVISOR

Your IDP supervisor is the individual who supervises you on a daily basis and has responsibility for and professional knowledge of your work. Your IDP supervisor is required to certify that the information you submit on your experience report is true and correct.

Refer to the supervision requirements when identifying your IDP supervisor.

Step 3

IDENTIFY YOUR MENTOR

A mentor is a loyal advisor, teacher, or coach. You have the option to select a mentor whom you feel will make a long-term commitment to your professional growth. You should choose a mentor outside of your office so that you can gain insight and perspective independent of your daily work experience.

Refer to the supervision requirements to identify who can serve as your mentor for IDP.

Refer to www.aia.org/mentorship for more information about the AIA mentorship program.

IDP STEPS

Step 4

DOCUMENT YOUR EXPERIENCE

The online reporting system allows you to document your experience directly into your NCARB Record. Log into "My NCARB" to access your Record and to document your experience regularly.

Upon submission of your experience report through the online reporting system, your supervisor will receive notification that an experience report is ready for review. You and your supervisor should meet to go over your experience. Your supervisor must approve your experience report, thereby certifying the information furnished by you is true and correct, and that you performed the work competently.

There are no circumstances in the IDP that allow you to verify your own experience.

All experience is subject to review and evaluation by NCARB for compliance with the program.

Learn more about NCARB's online reporting system here.

Repeat Step 4 Often

You must submit your experience report to NCARB at specified intervals according to the reporting requirements.

- All experience reports must be submitted electronically through the online reporting system.
- You will not be able to submit a report that is in the "saved" status if it contains experience more than five years in the past.
- To comply with the reporting requirements, your experience reports must be in the submitted or approved status within the online reporting system.
- In the submitted status, a supervisor can return a report to you for modifications or edits.
- Submitted experience hours can be lost if they are deemed invalid and rejected by a supervisor, or by NCARB if they are not earned in accordance with the requirements of the IDP.

All Experience Must be Verified

In most settings, your experience must be verified by your IDP supervisor. There are opportunities within supplemental experience that may be verified by a mentor.

Make sure you review and understand the supervision requirements.

Changing Employment

During the course of IDP participation, personal circumstances or external factors can result in new employment opportunities. If you change employers, be sure to:

1. Document all experience prior to leaving your current employer. All experience earned at your current employer must be certified by your current IDP supervisor.
2. Identify your IDP supervisor at your new employer.
3. Document your experience at your new employer (after meeting the employment requirements). All experience earned at your new employer must be certified by your new IDP supervisor.

ADDITIONAL STEPS

Document Your Education

Upon graduation, you must provide a copy of your final transcript to NCARB.

- Download and mail the transcript request forms and any associated fee to your school(s).
- Each transcript must be returned directly to NCARB by the school. NCARB will only accept official transcripts submitted by the school.

Transmit Your NCARB Record

Registration boards are required to examine and maintain a record of the qualifications of each applicant for registration. To satisfy this requirement, a complete copy of your NCARB Record may be transmitted to a jurisdiction to support your application for initial or reciprocal registration. All NCARB Member Boards accept the NCARB Record for initial registration.

Transmittal of your Record in support of initial registration is only available for active Record holders.

Take the ARE

Does your jurisdiction allow you to take the ARE before completion of the IDP?

Each jurisdiction establishes its own application procedures for examination. As soon as you determine where you will seek initial registration you should request application materials from your jurisdiction. Review your jurisdictional requirements for licensure.

You must notify NCARB of your intent to apply for examination. You may make the request from "My NCARB".

For more on the ARE, visit the "Getting Started with the ARE" webpage.

Get Licensed

All jurisdictions require individuals to be licensed (registered) before they may call themselves architects and contract to provide architectural services. You must contact your registration board to find out their requirements and to complete the licensure process.

The registration board will determine if you have met the requirements for licensure. In addition to the education, experience, and examination requirements, there may be additional jurisdictional requirements. For more information, check the Registration Board Licensing Requirement page on www.ncarb.org.

Get NCARB Certified

The NCARB Certificate signifies that you have met the national standards established by the registration boards.

Upon receiving your initial license to practice, notify NCARB in writing at customerservice@ncarb.org. NCARB will update your Record to reflect your new status and follow up with you if you are interested in seeking an NCARB Certificate. You can also notify us of your initial licensure and convert directly through "My NCARB".

If you maintain an active Record in good standing, the application fee for NCARB certification ($1,500) will be waived and you will receive a 50 percent discount on Certificate renewals for the first three years of service.

Monitor your NCARB Record status through "My NCARB". This will allow you to make sure processes are taking place in a timely manner. For example, once you graduate, your transcript will need to be submitted to NCARB from your school(s). By monitoring your Record, you'll be able to determine if there are hold-ups.

Transmittal Requests

To authorize NCARB to transmit your Record, select "Request a Transmittal" online at "My NCARB" to access instructions on transmitting your NCARB Record to the NCARB Member Board of your choice. If you cannot access this online service or need assistance with your request, please contact customerservice@ncarb.org.

Jurisdictional Requirements

When you request transmittal of your NCARB Record to an NCARB Member Board, NCARB will try to apprise you of any additional requirements that exist for that jurisdiction. However, you should confirm specific requirements directly with the jurisdiction prior to seeking registration. Please review the Registration Board Licensing Requirement page on www.ncarb.org to determine the specific requirements for reciprocal registration in any jurisdiction.

IDP REQUIREMENTS: **ELIGIBILITY, REPORTING, AND EMPLOYMENT**

Eligibility Requirements

You can earn IDP experience once you have successfully graduated from high school or an established equivalent.

Reporting Requirements

All experience must be submitted online through the online reporting system or My IDP mobile app—free for iPhone and Android.

To earn full credit for experience, interns must submit all experience including supplemental experience in reporting periods of no longer than six months and within two months of completion of each reporting period.

Experience reported beyond the two-month filing period and up to five years after the date of the experience will be accepted at a reduced value of fifty percent (50 percent) toward the IDP requirements.

Provisions have been made for reasonable extensions to the two-month filing period. For more information on the reporting requirements and extensions, please refer to the NCARB website.

Please note: Architects registered in a U.S. or Canadian jurisdiction documenting experience for the purpose of obtaining the NCARB Certificate are not subject to these reporting requirements when retroactively documenting their experience. However, they must document their experience through the online reporting system.

Employment Requirements

To earn experience in setting A, setting O, "Design or Construction Related Employment" within setting S, and some scenarios in "Construction Work" within Additional Opportunities, you must be employed.

- Unpaid internships are not eligible to earn experience hours with the exception of the approved Community-Based Design Center/Collaborative as defined in experience setting S.
- No experience may be earned outside of the U.S. or Canada, except at an organization engaged in the practice of architecture, an approved Community-Based Design Center/Collaborative as defined in experience setting S, or through Leadership and Service defined in experience setting S.
- To earn experience in Teaching or Research as defined in Additional Opportunities, you must be employed by the institution.

IDP REQUIREMENTS: **EXPERIENCE SETTINGS**

You earn experience hours in experience settings. Experience settings are defined by the type of organization, the work performed, and who verifies the experience. NCARB recognizes three experience settings:

A: Practice of Architecture

1,860 HOURS MINIMUM

Direct supervision by an IDP supervisor licensed as an architect in a U.S. or Canadian jurisdiction in an organization engaged in the lawful practice of architecture.

- *The definition of the "lawful" practice of architecture is determined by individual jurisdictions. For more information contact your registration board.*
- *You must earn a minimum of 1,860 hours in experience setting A. There is no maximum number of hours you may earn in this experience setting.*

O: Other Work Settings

1,860 HOURS MAXIMUM

Direct supervision by an IDP supervisor licensed as an architect in a U.S. or Canadian jurisdiction in an organization not engaged in the practice of architecture.

Direct supervision by an architect not registered in the United States/Canada engaged in the practice of architecture outside of the United States or Canada.

Direct supervision by a landscape architect or registered engineer (practicing as a structural, civil, mechanical, fire protection, or electrical engineer in the field of building construction).

S: Supplemental Experience

Opportunities to earn experience hours outside of a traditional work setting. Many of the supplemental experience opportunities may be completed whether or not employed. To earn IDP credit, experience earned through supplemental experience may not earn academic credit.

Academic Internships

Many schools have programs where interns work in firms as part of their degree curriculum. Any internship that is integrated into an academic program, whether as a requirement or as an elective, is considered an academic internship.

If an academic internship includes employment within Experience Setting A or O, it may earn credit for IDP while earning academic credit at the same time. The employment must meet all the stipulations of Experience Setting A or O in order to qualify, including the eligibility, reporting, and employment requirements.

Reporting Academic Internships

- Experience as part of an academic internship is reported using the online reporting system and is submitted in the same fashion as any other Experience Setting A or O employment. Academic internship programs need not be pre-approved by NCARB, nor identified within the online reporting system.

Tip

If you are interested in specific programs at your school, please contact your school's architect licensing advisor. If you are not sure who your architect licensing advisor is, check the Architect Licensing Advisor section of www.ncarb.org.

IDP REQUIREMENTS: **SUPERVISION**

Supervision Requirements

IDP SUPERVISOR

Your IDP supervisor is the individual who supervises you on a daily basis and has responsibility for and professional knowledge of your work. Your IDP supervisor is required to certify that the information you submit on your experience report is true and correct and that you performed the work competently.

IDP supervisors are usually registered architects; however, in certain experience settings your IDP supervisor may be a professional from another discipline.

In experience settings A and opportunities within O your IDP supervisor must be licensed per the experience settings, but not necessarily in the jurisdiction where they are located.

If you are earning experience in New York, you must contact the New York board to verify its supervisor requirements.

DIRECT SUPERVISION

"Direct supervision" of interns shall occur either through personal contact or through a mix of personal contact and remote communication (e.g. e-mail, online markups, webinars, internet) such that the IDP supervisor has control over the work of the intern and has sufficient professional knowledge of the supervised work so that the IDP supervisor can determine that the intern understands and is performing his or her work experience within the professional standard of care.

To earn experience hours in workplace settings described in this document, the intern must work under the direct supervision of an IDP supervisor. The supervisor shall verify the experience of the intern and foster a professional relationship that is grounded in a direct professional association between the intern and the supervisor.

MENTOR

You may have many mentors throughout your career. A mentor is defined as a loyal advisor, teacher, or coach. In IDP, there are opportunities for your mentor to certify certain supplemental experience opportunities and provide guidance in your professional development.

To serve as your mentor for the IDP, the individual must hold a current license to practice architecture in a U.S. or Canadian jurisdiction; however, your mentor does not have to be registered in the jurisdiction where you are located.

IDP REQUIREMENTS: **EXPERIENCE CATEGORIES AND AREAS**

3,740 Experience Hours

In order to satisfy the IDP experience requirement, you must document required hours in each of the 17 experience areas. IDP experience can only be gained in experience settings recognized by NCARB.

Experience Areas

The four experience categories include 17 experience areas. To complete the 3,740 required hours, you must satisfy the minimum hours required in each experience area.

Required Hours

Hours documented in each IDP experience area that reflect the competent performance of the tasks defined in that area.

Reporting Hours

All hours must be submitted in accordance with the reporting requirement. It is important to note that some jurisdictions may require additional experience and/or have a minimum employment duration requirement. NCARB recommends that interns continue to report all hours. Doing so will help facilitate licensure and reciprocity in jurisdictions with different experience requirements.

Pre-Design	Required Hours
Programming	80
Site and Building Analysis	80
Project Cost and Feasibility	40
Planning and Zoning Regulations	60
TOTAL	**260**

Design	Required Hours
Schematic Design	320
Engineering Systems	360
Construction Cost	120
Codes and Regulations	120
Design Development	320
Construction Documents	1,200
Material Selection and Specification	160
TOTAL	**2,600**

Project Management	Required Hours
Bidding and Contract Negotiation	120
Construction Administration	240
Construction Phase: Observation	120
General Project Management	240
TOTAL	**720**

Practice Management	Required Hours
Business Operations	80
Leadership and Service	80
TOTAL	**160**

TOTAL HOURS **3,740**

IDP REQUIREMENTS: **SUPPLEMENTAL EXPERIENCE**

Supplemental Experience

There are several opportunities to earn hours through supplemental experience. However, each opportunity has specific limitations in terms of maximum allowable hours. Hours earned through supplemental experience are credited to the specific experience category or area in which they are earned.

OPPORTUNITY	WHETHER OR NOT EMPLOYED?	WHO APPROVES	WHERE THE HOURS GO	HOURS EARNED	
Design or Construction Related Employment	See employment requirements	IDP Supervisor	Any IDP experience area	Up to 930 hours	
Leadership and Service	Yes	See page 14	Leadership and Service	Up to 320 hours, 80 hours minimum	
Community-Based Design Center/Collaborative	Yes	"Designated IDP Supervisor"	Any IDP experience area **except** Leadership and Service	Up to 40 hours per area	Maximum of 40 hours per IDP experience area in any combination of opportunities. Maximum of 600 total hours.
CSI Certification: CCCA	Yes	NCARB	Construction Administration	40 hours	
CSI Certification: CCS	Yes	NCARB	Material Selection and Specification	40 hours	
Design Competitions	Yes	Mentor	Any IDP experience area **except** Leadership and Service	Up to 40 hours per area	
Emerging Professional's Companion (EPC)	Yes	IDP Supervisor or Mentor	Any IDP experience area	Up to 40 hours per area	
NCARB's Professional Conduct Monograph	Yes	NCARB	Business Operations	16 hours	
Site Visit With Mentor	Yes	Mentor	Construction Phase: Observation	Up to 40 hours	

IDP REQUIREMENTS: **SUPPLEMENTAL EXPERIENCE**

Design or Construction Related Employment

930 HOURS MAXIMUM

Design or construction related activities under the direct supervision of a person experienced in the activity (e.g. analysis of existing buildings; planning; programming; design of interior space; review of technical submissions; management of building construction activities).

REPORTING DESIGN OR CONSTRUCTION RELATED EMPLOYMENT

- Experience must be submitted in compliance with the reporting requirements.

Leadership and Service

80 HOURS MINIMUM
320 HOURS MAXIMUM

Qualifying experience is pro bono, in support of an organized activity or in support of a specific organization. There must be an individual who can certify to NCARB that you have performed services in support of the organization.

APPROVAL OF LEADERSHIP AND SERVICE
Whenever possible, the individual certifying your Leadership and Service experience should be the person in charge of the activity at the organization. However, your IDP Supervisor or mentor can also certify the Leadership and Service experience.

You may satisfy your leadership and service requirement in any combination of the following categories:

- Design Industry related (construction, arch services, planning & development)
  ex: Habitat for Humanity, mediator at City Planning charrettes
- Education related
  ex: critic at design review, ESOL teacher, participation in high school career day
- Strengthening of community
  ex: volunteering for food drives or soup kitchens
- Regulatory or professional organization
  ex: volunteering for AIA or USGBC, Boy/Girl Scouts

REPORTING LEADERSHIP AND SERVICE

- Experience must be submitted in compliance with the reporting requirements.

Additional Opportunities

40 HOURS MAXIMUM PER EXPERIENCE AREA
600 HOURS MAXIMUM

You may earn a **maximum of 40 hours in each of the IDP experience areas** by completing **any combination of the following** NCARB-recognized supplemental experience opportunities:

- CSI Certification: CCS & CCCA
- Community-Based Design Center/Collaborative
- Design Competitions
- Emerging Professional's Companion (EPC)
- NCARB's *Professional Conduct* Monograph
- Site Visit With Mentor

You may not earn more than **600 hours** through any combination of these qualifying supplemental experience opportunities.

Community-Based Design Center/Collaborative

Interns may earn up to 40 hours in each IDP experience area (except for Leadership and Service) for volunteer service in support of a pre-approved charitable organization outside of a recognized experience setting or academic requirement.

Community-Based Design Center/Collaborative organizations must apply to NCARB to be recognized for the purpose of IDP credit.

The organization must be pre-approved by NCARB before the experience occurs.
For the list of qualifying Community-Based Design Center/Collaborative organizations currently recognized by NCARB, please check our website.

Organizations interested in applying to NCARB should contact idp@ncarb.org.

To be considered as a recognized organization, the Community-Based Design Center/Collaborative must meet the following criteria:

- The organization must have 501(c)(3) status as a charitable organization.
- The work must be in support of "building" or "planning" projects.
- The organization must have an established ongoing relationship with an architect who can exercise direct supervision over the work of the intern. This individual will be considered the "designated IDP supervisor" for the organization.
- The work performed by the organization must be documented as related to the IDP experience areas and certified by the "designated IDP supervisor" as directly related to the practice of architecture.

REPORTING COMMUNITY-BASED DESIGN CENTER/ COLLABORATIVE EXPERIENCE:

- The IDP supervisor for the organization must approve your experience.
- Experience must be submitted in compliance with the reporting requirements.

CSI Certifications: CCS & CCCA

Interns, whether or not employed in a qualified experience setting, may earn hours for completing the following CSI certifications:

CSI Certified Construction Specifier (CCS): 40 hours in Material Selection and Specification for passing the CCS certification.

CSI Certified Construction Contract Administrator (CCCA): 40 hours in Construction Administration for passing the CCCA certification.

Information regarding the Construction Specifications Institute is available at www.csinet.org.

REPORTING CSI CERTIFICATION

- You must upload the CSI certificate documenting completion of the program
- Once reported, the CSI Certification is reviewed and approved by NCARB.
- Experience must be submitted in compliance with the reporting requirement.

Design Competitions

Interns may earn up to 40 hours in each IDP experience area (except Leadership and Service) for completion and submission of a design competition entry outside of a recognized experience setting or academic requirement. Competitions completed for a firm while employed count for IDP credit under the related experience setting.

The design competition must be completed under the supervision of a mentor and meet the following criteria:

- Align to at least one of the IDP experience areas
- Be for a "building" or "planning" project
- Be a formally structured competition with specified submission requirements
- Sponsored by a recognized business entity, governmental agency, or professional association
- The intern must be appropriately credited on the competition entry.

WORK PRODUCT

It is required that interns retain copies of all documentation related to design competitions completed for IDP credit for a period of at least three years beyond the date the experience is approved by their mentor.

REQUIRED DOCUMENTATION

- You must upload a complete Design Competition Verification Form.
- To qualify for IDP credit, the competition entry must be completed and submitted in compliance with the published design competition requirements.

REPORTING DESIGN COMPETITIONS:

- You must upload your completed Design Competition Verification Form.
- Experience must be submitted in compliance with the reporting requirement.

EXPECTATIONS

Intern

- Research and identify possible design competitions
- Select appropriate competition with mentor approval
- Determine and document a schedule for the work
- Develop competition entry
- Review work with mentor on a regular basis
- Submit competition entry
- Complete the verification form
- Document experience through the online reporting system and upload the verification form

Mentor

- Review possible competitions with intern
- Approve competition selection
- Review proposed schedule of work
- Review competition work with intern on a regular basis
- Review final competition entry prior to submission

The Emerging Professionals Companion (EPC)

Interns whether or not employed in a qualified experience setting can earn up to 40 hours in each experience area by completing activities in the Emerging Professional's Companion (EPC).

Interns can complete EPC activities for IDP hours under the supervision of either their IDP supervisor or mentor.

- EPC, located at www.epcompanion.org, is an IDP enrichment resource. The EPC provides free web-based experience opportunities outside of the studio or work environment.
- The EPC chapters are aligned with the IDP experience areas.
- Each chapter includes activities that are identified as qualifying for either core or elective credit.
- Each activity is worth eight hours.
- **Only activities identified as qualifying for core credit can be applied to your required hours.**
- Interns can earn a maximum of 600 hours through EPC with no more than 40 hours earned in any one of the IDP experience areas.

If an intern has already completed the maximum allowable of 40 hours in a given experience area through any combination of supplemental experience, then EPC activities completed in that experience area will be applied to any additional experience requirements for your jurisdiction or for the purposes of reciprocity.

EPC activities completed for IDP credit may not receive academic credit.

(continued on next page)

The Emerging Professionals Companion (EPC) *continued*

WORK PRODUCT

It is required that interns retain copies of all documentation related to EPC activities completed for IDP credit for a period of at least three years beyond the date the experience is approved by their mentor or IDP supervisor.

REPORTING EPC

- If you are not an AIAS or AIA associate member, you may obtain a temporary AIA customer number by completing the webform at www.aia.org. Contact the AIA at emergingprofessionals@aia.org with any additional questions.
- Associate members of the AIA may use their associate number to report continuing education.
- EPC activities must be reviewed and approved by your IDP supervisor or mentor.
- Experience must be submitted in compliance with the reporting requirement.

NCARB's *Professional Conduct* Monograph

Interns, whether or not employed, may earn 16 hours in Business Operations by reading the NCARB *Professional Conduct* Monograph and passing the related quiz.

NCARB monographs are written by experts in their fields and explore topics relevant to architectural practice. NCARB monographs may be completed by architects to satisfy their continuing education requirements, or by interns for IDP credit. Interns completing NCARB monographs for IDP hours will not be eligible to repeat the monograph for continuing education credit.

ACCESS TO NCARB'S *PROFESSIONAL CONDUCT* MONOGRAPH

Interns may download a PDF of the *NCARB Professional Conduct Monograph* at no charge through your NCARB Record.

REPORTING NCARB'S *PROFESSIONAL CONDUCT* MONOGRAPH

- Take and pass the quiz. The quiz will be available to you in your NCARB Record.
- Interns who do not pass the quiz may repeat the quiz as necessary.
- You will automatically earn IDP hours upon passing the quiz.

Site Visit With Mentor

Interns may earn up to 40 hours in Construction Phase: Observation for visiting construction sites with their mentor.

The site visit must be outside of a recognized experience setting.

EXPECTATIONS

- Opportunities where an intern can see the progress of a job over time are ideal; however, single visits to a site are acceptable.
- It is beneficial to be able to review and discuss the project relative to the drawings
- The experience should be interactive with opportunities to discuss how issues related to the specific project were resolved.
- The discussion should include why particular design decisions were made.
- Interaction with members of the design and construction industry involved in the project is encouraged.

The site visit should include a level of learning consistent with what an intern could expect to learn if their firm was working on the project.

REPORTING SITE VISIT WITH MENTOR:

- Your mentor who lead the site visit must approve your experience.
- Experience must be submitted in compliance with the reporting requirement.

IDP TASKS AND KNOWLEDGE/SKILLS

The requirements for IDP are based on the tasks and knowledge/skills necessary to practice architecture independently. Each experience area has tasks and knowledge/skills that have been derived from the *Practice Analysis of Architecture*. Upon completion of the IDP, you should be able to complete the tasks associated with each experience area.

Category 1: Pre-Design

Programming
Site and Building Analysis
Project Cost and Feasibility
Planning and Zoning Regulations

Category 2: Design

Schematic Design
Engineering Systems
Construction Cost
Codes and Regulations
Design Development
Construction Documents
Material Selection and Specification

Category 3: Project Management

Bidding and Contract Negotiation
Construction Administration
Construction Phase: Observation
General Project Management

Category 4: Practice Management

Business Operations
Leadership and Service

Are you having trouble gaining experience in a specific experience area?
Use these tasks as reference when discussing experience opportunities with your IDP supervisor or mentor.

PRE-DESIGN

PROGRAMMING

Minimum Programming Experience: 80 Hours

DEFINITION: The process of discovering the owner/client's requirements and desires for a project and setting them down in written, numerical, and graphic form.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Assess the client's needs, opportunities, and constraints
- Develop and/or review a program with the client
- Develop a vision and goals for the project
- Develop or review client's design standards and guidelines
- Establish sustainability goals for the project
- Define the scope of the pre-design services

KNOWLEDGE OF/SKILL IN

- Architectural programming including working with clients to define their needs
- Facilities planning (e.g., building use; building conditions; systems conditions; infrastructure; space allocation)
- Space planning
- Sustainable design
- Contract negotiation (e.g., fees, scope, schedules)
- Oral and written communications
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Team building, leadership, participation
- Creativity and vision

PRE-DESIGN

SITE AND BUILDING ANALYSIS

Minimum Site and Building Analysis Experience: 80 Hours

DEFINITION: Involves research and evaluation of a project's context and may include site and building evaluation, land planning or design, and urban planning.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Develop or review master plan
- Establish requirements of site survey(s)
- Review site survey(s)
- Review geotechnical and hydrological conditions
- Evaluate and compare alternative sites
- Perform site analysis
- Assess environmental, social, and economic conditions related to project
- Document and evaluate existing conditions

KNOWLEDGE OF/SKILL IN

- Interpreting existing site/environmental conditions and data (e.g., topography, drainage, soils, local ecology environmental impact issues)
- Site planning (e.g., site selection, master planning)
- Regional impact on project (e.g., seismic, climate, transportation, economy, labor)
- Government and regulatory requirements (e.g., zoning, planning, design review)
- Community-based awareness (e.g., values, traditions, sociology, future objectives)
- Hazardous conditions and materials
- Facilities planning (e.g., building use, building conditions, systems conditions, infrastructure, space allocation)
- Site design
- Building design

PRE-DESIGN

PROJECT COST AND FEASIBILITY

Minimum Project Cost and Feasibility Experience: 40 Hours

DEFINITION: Analyze and/or establish project costs relative to project conditions and owner's budget.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Perform or review a feasibility study to determine the cost and/or technical advisability of a proposed project
- Establish preliminary project scope, budget, and schedule

KNOWLEDGE OF/SKILL IN

- Project financing and funding
- Project delivery methods
- Construction sequencing
- Cost estimating
- Value engineering
- Life cycle analysis
- Project budget management
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)

PRE-DESIGN

PLANNING AND ZONING REGULATIONS

Minimum Planning and Zoning Regulations Experience: 60 Hours

DEFINITION: Evaluate, reconcile, and coordinate applicable regulatory requirements and professional design standards.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Identify requirements of regulatory agencies
- Prepare and present submittals for governmental approval

KNOWLEDGE OF/SKILL IN

- Government and regulatory requirements (e.g., zoning, planning, design review)
- Permit and approval processes
- Building codes, zoning codes, and ordinances
- Accessibility laws, codes, and guidelines
- Specialty codes and regulations (e.g., seismic, life safety, fair housing, historic preservation, energy)
- Universal design (environments usable by everyone regardless of limitations)
- Designing and delivering presentations

DESIGN

SCHEMATIC DESIGN

Minimum Schematic Design Experience: 320 Hours

DEFINITION: Involves the development of graphic and written conceptual design solutions for owner/client's approval.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Develop design concepts, including site design
- Prepare schematic design documents
- Apply sustainable design principles
- Apply historic preservation principles
- Prepare presentation materials (e.g., models, renderings, drawings)
- Develop project phasing plans

KNOWLEDGE OF/SKILL IN

- 3-D modeling
- Adaptive reuse of buildings and/or materials
- Alternative energy systems and technologies
- Architectural history and theory
- Basic engineering principles
- Building design
- Building Information Modeling (BIM) technology
- Building systems and their integration
- Computer Aided Design and Drafting (CADD)
- Conflict resolution
- Construction sequencing
- Creativity and vision
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Design impact on human behavior
- Design principles
- Designing and delivering presentations
- Freehand drawing and design sketching
- Graphic communication
- Implications of design decisions (e.g., cost, engineering, schedule)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Manual drafting
- Natural and electric lighting (e.g., daylight, solar control, energy consumption)
- Oral and written communications
- Problem solving
- Site design
- Space planning
- Spatial visualization and modeling
- Sustainable design
- Team building, leadership, participation
- Universal design (environments usable by everyone regardless of limitations)
- Vertical circulation

DESIGN

ENGINEERING SYSTEMS

Minimum Engineering Systems Experience: 360 Hours

DEFINITION: Involves selecting and specifying structural, mechanical, electrical, and other systems, and integrating them into the building design. These systems are normally designed by consultants in accordance with the client's needs.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Analyze and design basic structural elements and systems
- Coordinate building systems (e.g., structural, mechanical, electrical, fire safety, security, telecommunications/data) and reconcile systems' conflicts
- Apply sustainable design principles

KNOWLEDGE OF/SKILL IN

- Adaptive reuse of buildings and/or materials
- Alternative energy systems and technologies
- Basic engineering principles
- Building envelope
- Building Information Modeling (BIM) technology
- Building systems and their integration
- Characteristics and properties of construction materials
- Conflict resolution
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Design impact on human behavior
- Design principles
- Engineering load calculations
- Hazardous materials mitigation
- Implications of design decisions (e.g., cost, engineering, schedule)
- Indoor air quality
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Life cycle analysis
- Natural and electric lighting (e.g., daylight, solar control, energy consumption)
- Oral and written communications
- Problem solving
- Product evaluation, selection, and availability
- Sustainable design
- Team building, leadership, participation
- Technological advances and innovative building products
- Vertical circulation

DESIGN

CONSTRUCTION COST

Minimum Construction Cost Experience: 120 Hours

DEFINITION: Involves estimating the probable construction cost of a project.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Prepare and/or evaluate estimates of probable construction costs
- Perform value engineering of selected building elements
- Perform life cycle cost analysis of selected building elements

KNOWLEDGE OF/SKILL IN

- Alternative energy systems and technologies
- Building Information Modeling (BIM) technology
- Construction sequencing
- Cost estimating
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Hazardous materials mitigation
- Implications of design decisions (e.g., cost, engineering, schedule)
- Life cycle analysis
- Product evaluation, selection, and availability
- Value engineering

DESIGN

CODES AND REGULATIONS

Minimum Codes and Regulations Experience: 120 Hours

DEFINITION: Involves evaluating a specific project in the context of relevant local, state, and federal regulations that protect public health, safety, and welfare.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Perform code analyses (e.g., building, energy, accessibility)
- Review project with code officials
- Submit documents to approval agencies and obtain approvals

KNOWLEDGE OF/SKILL IN

- Accessibility laws, codes, and guidelines
- Building codes, zoning codes, and ordinances
- Conflict resolution
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Designing and delivering presentations
- Government and regulatory requirements (e.g., zoning, planning, design review)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Permit and approval processes
- Problem solving
- Specialty codes and regulations (e.g., seismic, life safety, fair housing, historic preservation, energy)

DESIGN

DESIGN DEVELOPMENT

Minimum Design Development Experience: 320 Hours

DEFINITION: During design development, a project's schematic design is refined, including designing details and selecting materials. This step occurs after the owner/client has approved the schematic design.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Prepare design development documents
- Investigate and select building systems and materials
- Meet with client to refine design and obtain approvals
- Conduct or respond to a constructability review
- Apply sustainable design principles

KNOWLEDGE OF/SKILL IN

- 3-D modeling
- Adaptive reuse of buildings and/or materials
- Alternative energy systems and technologies
- Applied mathematics (e.g., algebra, geometry, trigonometry)
- Basic engineering principles
- Building design
- Building envelope
- Building Information Modeling (BIM) technology
- Building systems and their integration
- Characteristics and properties of construction materials
- Computer Aided Design and Drafting (CADD)
- Conflict resolution
- Constructability
- Construction details
- Construction sequencing
- Creativity and vision
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Design impact on human behavior
- Design principles
- Designing and delivering presentations
- Engineering load calculations
- Freehand drawing and design sketching
- Furnishings, fixtures, and equipment
- Graphic communication
- Hazardous materials mitigation
- Implications of design decisions (e.g., cost, engineering, schedule)
- Indoor air quality
- Interior materials and finishes
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Managing quality through best practices
- Manual drafting
- Natural and electric lighting (e.g., daylight, solar control, energy consumption)
- Oral and written communications
- Problem solving
- Product evaluation, selection, and availability
- Project scheduling (e.g., construction document setup, storyboarding, staffing projections)
- Site design
- Space planning
- Spatial visualization and modeling
- Specifications
- Sustainable design
- Team building, leadership, participation
- Technological advances and innovative building products
- Universal design (environments usable by everyone regardless of limitations)
- Vertical circulation

DESIGN

CONSTRUCTION DOCUMENTS

Minimum Construction Documents Experience: 1,200 Hours

DEFINITION: Includes the written and graphic instructions used for construction of the project. These documents must be accurate, consistent, complete, and understandable.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Prepare construction documents
- Coordinate construction documents (e.g., architectural, structural, mechanical, civil, electrical)
- Conduct quality control review of project documents
- Apply sustainable design principles

KNOWLEDGE OF/SKILL IN

- 3-D modeling
- Adaptive reuse of buildings and/or materials
- Alternative energy systems and technologies
- Basic engineering principles
- Building design
- Building envelope
- Building Information Modeling (BIM) technology
- Building systems and their integration
- Characteristics and properties of construction materials
- Computer Aided Design and Drafting (CADD)
- Conflict resolution
- Constructability
- Construction details
- Construction sequencing
- Creativity and vision
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Design impact on human behavior
- Design principles
- Designing and delivering presentations
- Engineering load calculations
- Freehand drawing and design sketching
- Furnishings, fixtures, and equipment
- Graphic communication
- Hazardous materials mitigation
- Implications of design decisions (e.g., cost, engineering, schedule)
- Indoor air quality
- Interior materials and finishes
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Managing quality through best practices
- Manual drafting
- Natural and electric lighting (e.g., daylight, solar control, energy consumption)
- Oral and written communications
- Problem solving
- Product evaluation, selection, and availability
- Project scheduling (e.g., construction document setup, storyboarding, staffing projections)
- Site design
- Space planning
- Spatial visualization and modeling
- Specifications
- Sustainable design
- Team building, leadership, participation
- Technological advances and innovative building products
- Vertical circulation

DESIGN

MATERIAL SELECTION AND SPECIFICATION

Minimum Material Selection and Specification Experience: 160 Hours

DEFINITION: The analysis and selection of building materials and systems for a project. The materials specified for a particular project communicate the requirements and quality expected during construction. Specifications are included in a project manual that is used during bidding and construction.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Prepare specifications based on performance criteria
- Research, select, and specify materials

KNOWLEDGE OF/SKILL IN

- Adaptive reuse of buildings and/or materials
- Alternative energy systems and technologies
- Basic engineering principles
- Building design
- Building envelope
- Building Information Modeling (BIM) technology
- Building systems and their integration
- Characteristics and properties of construction materials
- Constructability
- Construction details
- Construction sequencing
- Critical thinking (e.g., analysis, synthesis, and evaluation of information)
- Design principles
- Furnishings, fixtures, and equipment
- Hazardous materials mitigation
- Implications of design decisions (e.g., cost, engineering, schedule)
- Indoor air quality
- Interior materials and finishes
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Life safety
- Managing quality through best practices
- Oral and written communications
- Problem solving
- Product evaluation, selection, and availability
- Project scheduling (e.g., construction document setup, storyboarding, staffing projections)
- Site design
- Specifications
- Sustainable design
- Technological advances and innovative building products
- Vertical circulation

PROJECT MANAGEMENT

BIDDING AND CONTRACT NEGOTIATION

Minimum Bidding and Contract Negotiation Experience: 120 Hours

DEFINITION: Involves the establishment and administration of the bidding process, issuance of addenda, evaluation of proposed substitutions, review of bidder qualifications, analysis of bids, and selection of the contractor(s).

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Conduct or participate in bidding/negotiating phase
- Evaluate product and material substitutions
- Prepare bid documents including addenda

KNOWLEDGE OF/SKILL IN

- Conflict resolution
- Construction procurement (e.g., bidding, negotiating)
- Contracts (e.g., professional services and construction)
- Interpreting construction documents
- Oral and written communications
- Product and material substitutions
- Project delivery methods

PROJECT MANAGEMENT

CONSTRUCTION ADMINISTRATION

Minimum Construction Administration Experience: 240 Hours

DEFINITION: Tasks carried out in the architect's office include facilitating project communication, maintaining project records, reviewing and certifying amounts due contractors, and preparing change orders.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Respond to Requests for Information (RFI)
- Issue Architect's Supplemental Instructions (ASI)
- Process shop drawings and submittals
- Process Change Orders
- Review and certify contractor's application for payment
- Review material test reports
- Record changes to the contract documents
- Provide substantial and final completion services

KNOWLEDGE OF/SKILL IN

- Change order process
- Conflict resolution
- Construction conflict resolution
- Contractor application for payment
- Contracts (e.g., professional services and construction)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Interpreting construction documents
- Managing quality through best practices
- Problem solving
- Product and material substitutions
- Project budget management
- Project closeout procedures
- Project records management
- Shop drawing review
- Site observation
- Team building, leadership, participation

PROJECT MANAGEMENT

CONSTRUCTION PHASE: OBSERVATION

Minimum Construction Phase Observation Experience: 120 Hours

DEFINITION: Tasks carried out in the field include observing construction for conformance with drawings and specifications and reviewing and certifying amounts due to contractors.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Conduct on-site observations
- Document and communicate status to owner and constructor
- Resolve constructability issues

KNOWLEDGE OF/SKILL IN

- Constructability
- Construction procurement
- Contract negotiation
- Contracts (e.g., professional services and construction)
- Electronic communications (e.g., virtual offices, video-conferencing, web-based networking)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Invoicing for services
- Oral and written communications
- Permit and approval processes
- Project budget management
- Project delivery methods
- Project records management
- Risk management (e.g., professional and general liability)
- Team building, leadership, participation
- Attend, conduct, and record meetings
- Document project status and progress

PROJECT MANAGEMENT

GENERAL PROJECT MANAGEMENT

Minimum General Project Management Experience: 240 Hours

DEFINITION: Includes planning, organizing, and staffing; budgeting and scheduling; leading and managing the project team; documenting key project information; and monitoring quality assurance.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Prepare and manage design contracts (owner/architect)
- Prepare and execute professional services contracts (architect/consultant)
- Attend, conduct, and record meetings throughout all phases
- Select, manage, and coordinate consultants
- Partner with the owner's project delivery team
- Prepare and manage design team schedule and budget (consultant and staff costs)
- Obtain client authorization to proceed per contract phases
- Present at public hearings
- Document project status and progress
- Monitor project construction costs
- Prepare owner/contractor agreement
- Conduct post-occupancy evaluation
- Identify the project design team members and their required scope of services, roles, and responsibilities (e.g., architects, engineers, specialty consultants)
- Identify the project delivery team's roles and responsibilities (e.g., owner, architect, contractor, program manager)
- Identify project delivery method

KNOWLEDGE OF/SKILL IN

- Construction procurement (e.g., bidding, negotiating)
- Contract negotiation (e.g., fees, scope, schedules)
- Contracts (e.g., professional services and construction)
- Designing and delivering presentations
- Electronic communications (e.g., virtual offices, video-conferencing, web-based networking)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Invoicing for services
- Oral and written communications
- Permit and approval processes
- Post-occupancy evaluations
- Project budget management
- Project delivery methods
- Project records management
- Project scheduling (e.g., construction document setup, storyboarding, staffing projections)
- Risk management (e.g., professional and general liability)
- Team building, leadership, participation

PRACTICE MANAGEMENT

BUSINESS OPERATIONS

Minimum Business Operations Experience: 80 Hours

DEFINITION: Involves allocation and administration of office resources to support the goals of the firm.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Obtain and maintain professional and business licenses
- Manage project revenues and expenses
- Calculate hourly billing rates
- Negotiate and establish fees for basic and additional services and reimbursable expenses
- Invoice for services rendered and reimbursable expenses
- Develop and manage positive client relationships

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO ACTIVELY PARTICIPATE IN THE FOLLOWING TASKS: ("Actively participate" is the expectation that you will collaborate with your supervisor in learning how to perform the task.)

Business Operations

- Maintain record management systems
- Develop and manage firm's strategic and business plans
- Develop firm's financial plan
- Develop, implement, and manage marketing and communications plans
- Obtain and update computer technology, including security systems and licenses
- Investigate and use new digital technologies

Human Resources

- Develop and manage human resource/office policies and operations
- Conduct performance appraisal, career development, and compensation reviews
- Recruit, retain, and manage staff
- Develop training and professional development plans, including IDP and continuing education requirements

Legal & Insurance

- Establish firm's legal structure
- Consult legal counsel
- Secure liability and other insurance

KNOWLEDGE OF/SKILL IN

Business Operations

- Business planning
- Contract negotiation (e.g., fees, scope, schedules)
- Current software applications
- Designing and delivering presentations
- Electronic communications (e.g., virtual offices, video-conferencing, web-based networking)
- Entrepreneurship
- Ethics and integrity
- Financial management
- Information management (e.g., hardware and software maintenance, office standards)
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Invoicing for services
- Legal and ethical issues pertaining to contracts
- Legal and ethical issues pertaining to practice (e.g., liens, taxation, licensure)
- Managing quality through best practices
- Marketing and communications
- Oral and written communications
- Project budget management
- Recognized ethical standards of the profession
- Requests for Qualifications (RFQ) and Requests for Proposal (RFP)
- Risk management (e.g., professional and general liability)
- Strategic planning
- Team building, leadership, participation

Human Resources

- Human resources management
- IDP mentoring and supervising
- Oral and written communications
- Managing quality through best practices
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Team building, leadership, participation
- Mentoring and teaching others
- Personal time management
- Ethics and integrity
- Supervising

PRACTICE MANAGEMENT

LEADERSHIP AND SERVICE

Minimum Leadership and Service Experience: 80 Hours

(Maximum Allowed: 320 hours)

DEFINITION: These tasks will increase your understanding of the people and forces that shape society, as well as augment your professional knowledge and leadership skills. Interns will find that voluntary participation in professional and community activities enhances their professional development. Community service does not have to be limited to architecture-related activities for you to receive these benefits.

TASKS

AT THE COMPLETION OF YOUR INTERNSHIP, YOU SHOULD BE ABLE TO:

- Develop leadership skills to enable successful practice
- Identify and articulate leadership traits required to maintain a successful and healthy office environment in an architecture firm
- Contribute your talents in a community-based organization to improve the quality of life

KNOWLEDGE OF/SKILL IN

- Community leadership/civic involvement
- Creativity and vision
- Entrepreneurship
- Ethics and integrity
- Interpersonal skills (e.g., listening, diplomacy, responsiveness)
- Managing quality through best practices
- Mentoring – teaching others
- Personal time management
- Service to the profession (e.g., AIA, NCARB)
- Supervising
- Team building, leadership, participation

ADDITIONAL OPPORTUNITIES FOR JURISDICTIONAL EXPERIENCE REQUIREMENTS

Some jurisdictions may require documentation of additional hours to meet their experience requirement. NCARB recommends that you submit all experience until you have satisfied your jurisdiction's requirement. You can review your jurisdiction's licensing requirements on our website.

The opportunities listed here do not qualify for the IDP's required hours or any specific experience area. However, you can use these opportunities to meet additional experience requirements in your jurisdiction. Completion of these opportunities will be added to your total hours.

OPPORTUNITY	WHETHER OR NOT EMPLOYED?	WHO APPROVES	HOURS EARNED
Advanced Degrees	Yes	NCARB	930 hours
AIA Continuing Education	Yes	NCARB	Up to 1,860 hours
Construction Work	Yes	IDP Supervisor	Up to 930 hours
CSI Certificate Program: CDT	Yes	NCARB	40 hours
Emerging Professional's Companion (EPC)	Yes	IDP Supervisor or Mentor	Up to 1,800 hours (including EPC for core)
GBCI LEED AP Credential	Yes	NCARB	40 hours
Teaching or Research	See employment requirements	IDP Supervisor	Up to 1,860 hours

Maximum of 1,860 hours in any combination of these Additional Opportunities for Jurisdictional Requirements

ADDITIONAL OPPORTUNITIES FOR JURISDICTIONAL EXPERIENCE REQUIREMENTS

Advanced Degree

Interns may earn 930 additional hours for earning an advanced degree in architecture after earning a professional degree in architecture from a program accredited by the NAAB or CACB. This opportunity is available for one degree only.

Interns may earn IDP credit for advanced degrees in architecture that meet the following criteria:

- The advanced degree must be conferred after the first professional degree (dual degrees do not qualify)
- The conferring institution must have a college/school of architecture/design that has a NAAB/CACB-accredited program.
- The advanced degree must be conferred within the college/school of architecture/design.
- The advanced degree must be documented as related to the IDP experience areas and certified by the institution as directly related to the practice of architecture.

NCARB publishes a list of acceptable degrees on its website. Programs identified by NAAB as "post-professional" degrees are automatically included on the list. Qualifying advanced degrees are submitted directly to NCARB by the school in order to be on the list.

The advanced degree must be on the list at the time the degree is conferred. For a list of degrees currently recognized by NCARB as qualifying advanced degrees, please check our website.

REPORTING ADVANCED DEGREE

- Download and mail the transcript request forms and any fee to your school(s).
- Each transcript must be returned directly to NCARB by the school. NCARB will only accept official transcripts submitted by the school.
- In addition to requesting an official transcript, you are required to report your advanced degree through the online reporting system in your NCARB Record.
- You will be required to upload a copy of your transcript or diploma.
- NCARB will not be able to approve your advanced degree until after the official transcript from your school has been received.
- Experience must be submitted in compliance with the reporting requirement.

AIA Continuing Education

Interns, whether or not employed in a qualified experience setting, may earn additional hours by completing AIA-approved continuing education resources and programs. Self-reported continuing education is not eligible for IDP credit.

One AIA learning unit earns one IDP hour.

Information regarding the American Institute of Architects (AIA) continuing education programs is available at www.aia.org/education.

REPORTING AIA CONTINUING EDUCATION

- If you are not an AIAS or AIA Associate member, you may obtain a temporary AIA customer number by completing the webform at www.aia.org. Contact the AIA at emergingprofessionals@aia.org with any additional questions.
- Associate members of the AIA may use their associate number to report continuing education.
- You must have a copy of your AIA transcript documenting completion of AIA continuing education. Your AIA transcript is available at www.aia.org/education.
- Once reported, AIA continuing education is reviewed and approved by NCARB.
- Experience must be submitted in compliance with the reporting requirement.

NCARB'S monographs and mini-monographs

NCARB monographs are written by experts in their fields and explore topics relevant to architectural practice. NCARB monographs may be completed by architects to satisfy their continuing education requirements or by interns for IDP credit. Interns completing NCARB monographs for IDP experience hours will not be eligible to repeat the monograph for continuing education credit. NCARB monographs are available at www.ncarb.org. Interns, whether or not employed, may earn additional hours by completing NCARB monographs and mini-monographs. Best of all, they're **FREE** for NCARB Certificate holders and active intern Record holders!

Completion of the monographs must be documented on an AIA transcript, and reported through the online reporting system as AIA continuing education.

ADDITIONAL OPPORTUNITIES FOR JURISDICTIONAL EXPERIENCE REQUIREMENTS

Construction Work

Interns may earn up to 930 additional hours for construction work performed in either of two scenarios:

1. Paid position meeting the IDP employment requirement.
2. Volunteer service at a nonprofit organization.

GENERAL EMPLOYMENT SCENARIOS

Qualifying construction activities include "hands-on" experience working for a variety of organizations including but not limited to:

- General contractor
- Subcontractor
- Fabrication shop
- Materials supplier
- Manufacturers (doors, windows, etc.)
- Developer/development corporation
- School district or higher education physical plan or facilities department
- Facilities department for a private corporation
- Military construction battalion (e.g. Navy Seabees)
- Disaster relief efforts
- Nonprofits (e.g. Habitat for Humanity, Community Development Corporation, Youth Corps, religious/multi-denominational development corporations, neighborhood housing services)

TYPES OF CONSTRUCTION WORK

Qualifying construction activities include "hands-on" experience working in a variety of scenarios including but not limited to:

- Building layout
- Framing
- Roofing
- Concrete and masonry
- Painting and finishing
- Drywall and plastering
- Flooring
- Tile setting
- Wiring and equipment installation
- Ductwork mechanical equipment installation
- Plumbing and fixture installation
- Site clearing and preparation
- Backhoe operation, grading, etc.

APPROVAL OF CONSTRUCTION WORK

The individual certifying Construction Work experience must be an IDP Supervisor who maintains direct supervision over the intern and is experienced in the activity being performed (e.g. foreman, project manager, etc.).

REPORTING CONSTRUCTION WORK

- Experience must be submitted in compliance with the reporting requirement.

CSI Certificate Program: CDT

Interns, whether or not employed in a qualified experience setting, may earn additional hours for completing the following CSI certificate program:

CSI Certified Construction Documents Technologist (CDT): 40 hours for passing the CDT certificate program.

Information regarding the Construction Specifications Institute is available at www.csinet.org.

REPORTING CSI CERTIFICATION

- You must upload the CSI certificate documenting completion of the program
- Once reported, the CSI Certification is reviewed and approved by NCARB.
- Experience must be submitted in compliance with the reporting requirement.

ADDITIONAL OPPORTUNITIES FOR JURISDICTIONAL EXPERIENCE REQUIREMENTS

The Emerging Professional's Companion (EPC)

Interns, whether or not employed in a qualified experience setting, can earn additional hours through completion of activities in the Emerging Professional's Companion (EPC).

Interns can complete EPC activities for IDP credit under the supervision of either their IDP supervisor or mentor.

The EPC, located at www.epcompanion.org, is an IDP training enrichment resource. The EPC provides free web-based training opportunities outside of the studio environment.

- The EPC chapters are aligned with the IDP experience areas.
- Each chapter includes activities that are identified as qualifying for either core or elective credit.
- Each activity is worth eight hours.
- Additional activities are not applied to any specific experience area.

WORK PRODUCT

It is required that interns retain copies of all documentation related to EPC activities completed for IDP credit for a period of at least three years beyond the date the experience is approved by their IDP supervisor or mentor.

REPORTING EPC

- If you are not an AIAS or AIA Associate member, you may obtain a temporary AIA customer number by completing the webform at www.aia.org/FreeTranscriptsForInterns. Contact the AIA at emergingprofessionals@aia.org with any additional questions.
- Associate members of the AIA may use their associate number to report continuing education.
- EPC activities must be reviewed and approved by your IDP supervisor or mentor.
- Experience must be submitted in compliance with the reporting requirement.

GBCI LEED AP Credential

Interns, whether or not employed in a qualified experience setting, may earn 40 additional hours by obtaining the GBCI LEED AP credential.

- Obtaining the GBCI LEED AP credential with or without specialization qualifies for IDP credit.
- Obtaining the GBCI LEED Green Associate credential does not qualify for IDP credit.
- An intern may only receive IDP credit for one GBCI LEED AP credential.

Information regarding the Green Building Certification Institute (GBCI) LEED AP Credential is available at www.gbci.org.

REPORTING GBCI LEED AP CREDENTIAL

- You must have the official GBCI LEED AP certificate or a passing score report confirming the credential.
- Once reported, the GBCI LEED AP Credential is reviewed and approved by NCARB.
- Experience must be submitted in compliance with the reporting requirement based on the date the credential was earned.

Teaching or Research

Teaching or research in a NAAB- or CACB-accredited program under the direct supervision of a person experienced in the activity.

REPORTING TEACHING OR RESEARCH

- Experience must be submitted in compliance with the reporting requirements.

IDP SUPERVISORS

Contents for Supervisors

- Experience Settings
- Supervision Requirements
- Employment Requirements
- Experience Categories and Areas
- Tasks
- Eligibility Requirements
- Reporting Requirements

Being an IDP Supervisor

IDP supervisors play a vital role in the profession. Completion of the IDP is an essential component of the licensure process. As interns earn the experience required to complete the IDP, all the experience must be verified.

As an IDP supervisor you will be required to have direct supervision over the work performed, foster a professional relationship that is grounded in a direct professional association, and verify your intern's experience.

IDP Supervisors:

- Supervise the intern on a daily basis
- Have control over the work performed
- Provide reasonable opportunities for the intern to gain IDP experience
- Regularly assess the quality of the intern's work
- Periodically certify the intern's experience reports

Being a Mentor

As a registered architect in a U.S. or Canadian jurisdiction, you may also serve as a mentor. There are opportunities for mentors to verify experience earned through supplemental experience.

How Can Becoming an IDP Supervisor Benefit Your Firm?

- You will benefit the overall morale of the firm when interns understand their firm supports them becoming licensed.
- You will contribute to the future success of your firm. What interns learn from you now will establish your success as a team later.
- You continue the historic tradition in which the architect/apprentice relationship was an integral factor in the development of the profession.
- You will "pay it forward" for the training you once received as an intern.
- You will assist in staff retention.
- You will develop leaders who will drive the future of your practice and the profession.

What Additional Resources are Available for IDP Supervisors?

- The NCARB website has information specific to IDP Supervisors here.
- Join the IDP Supervisors Group on LinkedIn!
- Learn about the Architect Licensing Advisors Community. Consider becoming an Architect Licensing Advisor at your firm.

IDP SUPERVISORS

Experience Settings

- Interns earn experience in experience settings.
- As an IDP supervisor, you must understand what experience setting you are in.
- Your experience setting is defined by: the type of organization, the work performed, and your professional credentials.
- NCARB recognizes three experience settings:
  A: Practice of Architecture
  O: Other Work Settings
  S: Supplemental Experience
- For more information, refer to experience settings.

Supervision Requirements

- In most experience settings you must be a registered architect to be an IDP supervisor.
- In certain settings, a professional from another discipline may act as an IDP supervisor.
- As an IDP supervisor, you must understand the requirements of direct supervision.
- For more information refer to supervision requirements.

Employment Requirements

- To earn experience in most settings, interns must be employed by the organization where the work is performed.
- For more information, refer to employment requirements.

Experience Areas

- Interns earn IDP experience by earning hours in the experience areas.
- Interns must earn 3,740 hours to complete the IDP.
- The hours are earned in the 17 experience categories.
- Some jurisdictions may have additional experience requirements. Therefore, interns should report all qualifying hours to help facilitate reciprocity.
- For more information, refer to experience categories and areas.

Tasks

- The requirements for the IDP are based on the tasks and knowledge/skills necessary to practice architecture independently.
- The tasks and knowledge/skills are derived from the *Practice Analysis of Architecture*, and are aligned with current practice.
- Upon completion of the IDP, an intern should be able to complete the tasks associated with each experience area.
- For more information refer to tasks.

Eligibility Requirements

You can earn IDP experience once you have successfully graduated from high school or an established equivalent.

Reporting Requirements

ONLINE REPORTING

- Interns must report experience through the online reporting system or My IDP mobile app.
- As an IDP supervisor, you will review and approve experience through the online system.
- For more information on how to use the online reporting system refer to the NCARB website.

TIMELY REPORTING

- To earn full credit for experience, interns must submit all experience within eight months. Experience reported beyond this period and up to five years after the date of the experience will be accepted at a reduced value of 50 percent.
- As an IDP supervisor, you are encouraged to review experience in a timely manner; however, it is the obligation of the intern to meet the reporting requirements.
- For more information refer to the reporting requirements.

TITLE 16. CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

Department of Consumer Affairs
2420 Del Paso Road, Sequoia Room
Sacramento, California 95834
TBD
_____ p.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on TBD or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 5526 and 5552.5 of the Business and Professions Code, and to implement, interpret or make specific sections 5550 and 5552.5 of said Code, the Board is considering changes to Division 2 of Title 16 of the California Code of Regulations (CCR) as follows:

Informative Digest:

Section 5526 of the Business and Professions Code authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Architects Practice Act. Section 5550 authorizes the Board to establish qualifications required to become eligible for examination.

Amend Title 16 CCR Section 109 – Filing of Applications

On July 1, 2015, the National Council of Architectural Registration Boards (NCARB) published a new edition of the *Intern Development Program (IDP) Guidelines*.

The existing regulation references a previous edition of the I*DP Guidelines*. This proposal will update the version of the *IDP Guidelines* referenced in regulation to the

July 2015 edition.

Policy Statement Overview/Anticipated Benefits of Proposal

This action will prevent any confusion as to which edition of the *IDP Guidelines* candidates must adhere. The revised *IDP Guidelines* reduce the required hours for completion of the program.

Consistency and Compatibility with Existing State Regulations

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

DOCUMENT INCORPORATED BY REFERENCE

National Council of Architectural Registration Boards' Intern Development Program Guidelines, July 2015 Edition

Fiscal Impact Estimates

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

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

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

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

Effect on Housing Costs: None

Effect on Small Business

The Board has determined that the proposed regulations would not affect small businesses as it only affects applicants pursuing an architect license.

Result of Economic Impact Assessment/Analysis:

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation: This regulatory proposal will update the requirements of architectural applicants to the nationally accepted standard thereby benefitting the health, safety, and welfare of California residents.

Consideration of Alternatives

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

Initial Statement of Reasons and Information

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

Text of Proposal

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

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

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

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

Contact Person

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

Name:	Timothy Rodda
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7217
Fax No.	(916) 575-7283
E-Mail Address:	timothy.rodda@dca.ca.gov

The backup contact person is:

Name:	Marccus Reinhardt
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7212
Fax No.	(916) 575-7283
E-Mail Address:	marccus.reinhardt@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.cab.ca.gov.

CALIFORNIA ARCHITECTS BOARD

INITIAL STATEMENT OF REASONS

Hearing Date: TBD

Subject Matter of Proposed Regulations: Intern Development Program (IDP)

Sections Affected: Title 16, California Code of Regulations (CCR), Section 109

Specific Purpose:

Section 109 – Filing of Applications

1. Problem being addressed: The National Council of Architectural Registration Boards (NCARB) has published a new edition of the *IDP Guidelines* that reduces the total hours required to complete IDP. Action is required to bring the Board's regulations into alignment with the revised *IDP Guidelines*.

2. Anticipated benefits from this regulatory action: The proposed regulatory amendment will update the edition of IDP referenced in CCR 109 to the July 2015 edition. The proposed regulatory amendment will prevent any confusion as to which edition of the *IDP Guidelines* candidates must adhere. The revised *IDP Guidelines* eliminate the elective hour requirement for completion of the program, thus allowing candidates to complete IDP in a shorter amount of time.

Factual Basis/Rationale:

The Board is mandated to protect the public health, safety, and welfare, and like other regulatory programs under the Department of Consumer Affairs (DCA), is authorized to establish eligibility requirements for applicants of a professional license.

Through Business and Professions Code (BPC) Chapter 3, Division 3, section 5552.5, the Board is authorized to implement an intern development program. CCR, Title 16, Division 2, section 109, clarifies BPC 5552.5 and specifies IDP as an acceptable intern development program.

IDP is a program that exposes United States (U.S.) architect applicants to training in all aspects of architectural practice. IDP is required prior to licensure in most of the U.S. NCARB, the organization that develops and administers IDP, revised the *IDP Guidelines* to reflect a reduction in the required hours for completion of the program.

The proposed regulatory amendment eliminates 1,860 elective hours of IDP, reducing the total hours required for completion from 5,600 to 3,740 core hours. The edition of the *IDP Guidelines* currently referenced in CCR 109 is obsolete.

Underlying Data

None

Business Impact

The proposed regulatory action will not have a significant adverse economic impact directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure, which has no effect on business or bearing on competitiveness.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects the reporting requirement for applicants pursuing an architect license, and the effect is insufficient to create or eliminate jobs.

- It will not create new business or eliminate existing businesses within the State of California because it only affects the reporting requirement for applicants pursuing an architect license, and there is no indication that any businesses will be affected.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects the reporting requirement for applicants pursuing an architect license, and there is no indication that any businesses will be affected.

- This regulatory proposal benefits the health and welfare of California residents by ensuring architect applicants follow the current nationally accepted standard of intern development and receive training accordingly.

- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.

- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the

purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

One alternative is to keep the status quo, but if the Board does not adopt the proposed amendment, candidates completing IDP would be referring to an obsolete edition of the program. This would cause an adverse delay in completion of IDP, and subsequently licensure.

CALIFORNIA ARCHITECTS BOARD

PROPOSED REGULATORY LANGUAGE

Article 2. Applications

Amend subsection (b)(2) of Section 109 as follows:

Text in gray highlight indicates a separate pending regulatory proposal (Z-2015-0515-01) wherein the Board is proposing to incorporate by reference the January 2012 edition of the Canadian Architectural Licensing Authorities' Internship in Architecture Program Manual.

Section 109. Filing of Applications.

* * *

(b) Application Process:

* * *

(2) A new or inactive candidate applying to the Board for eligibility evaluation for the ARE shall prior to licensure complete the IDP of the NCARB, as defined in the most recent edition of NCARB's *Intern Development Program Guidelines* (currently the July ~~2014~~ 2015 edition), or the Internship in Architecture Program (IAP) of Canada (currently the January 2012 edition). Both documents referred to in the preceding sentence are hereby incorporated by reference.

The IDP/IAP requirement does not apply to a candidate who (A) was determined by the Board to be eligible on or before December 31, 2004, and who is active in the examination process; or (B) has completed all of the necessary education equivalents prior to January 1, 2005, who has submitted a completed application for eligibility evaluation to the Board that is postmarked on or before December 31, 2004, and who has been determined by the Board to be eligible.

* * *

Note: Authority cited: Sections 5526 and 5552.5, Business and Professions Code.
Reference: Sections 5550 and 5552.5, Business and Professions Code.

REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 118.5 (EXAMINATION TRANSFER CREDIT) AND ADOPT SECTION 119.8 (EXAMINATION TRANSITION PLAN - ARE 4.0 TO ARE 5.0)

In early 2013, the National Council of Architectural Registration Boards (NCARB) Board of Directors (BOD) voted unanimously to approve the development of ARE 5.0, the next iteration of the examination. As part of ARE 5.0 development, the new structure incorporates graphics throughout the examination via new "performance item types" that have candidates perform exercises similar to what an architect does as part of regular practice. Additionally, the incorporation of case studies is anticipated to be implemented in all proposed divisions and will allow more in-depth analysis of architectural scenarios by candidates.

The ARE 5.0 Test Specification determines the division structure, defines the major content areas (sections), measurement objectives, and percentage of content coverage (weightings). The final Test Specification (attached) outlining the division structure for ARE 5.0 was approved on December 7, 2013 by the BOD. The future examination will include six divisions, and each will be stand-alone, single test administrations. This structure results from an effort to align the ARE with the more commonly defined professional architect activities of practice management, project management, and project design. The new divisions will be titled: Practice Management, Project Management, Programming & Analysis, Project Planning & Design, Project Development & Documentation, and Construction & Evaluation.

In May 2014, NCARB released information about the transition from ARE 4.0 to ARE 5.0. For this transition, NCARB has released information (see attached ARE 5.0 Credit Model and Frequently Asked Questions) as far in advance as possible to allow candidates who may be transitioned adequate time to prepare and create an action plan. Additionally, NCARB is making some adjustments that will benefit candidates, such as the: 1) dual delivery of ARE 4.0 and ARE 5.0 for at least 18 months, 2) option for candidates to "self-transition" to ARE 5.0, and 3) availability of interactive tools and resources to help a candidate determine the best strategy for their transition. Additionally, NCARB's Examination Committee and test development consultant reviewed the content covered in each ARE 4.0 and ARE 5.0 division to find a reasonable level of alignment. As a consequence, candidates will have a greater opportunity to receive credit for ARE 5.0 divisions based upon their respective ARE 4.0 divisions that were passed; however, transitioning from ARE 5.0 to ARE 4.0 will not be allowed. ARE 5.0 is anticipated to launch in late 2016.

The Board's regulations, specifically California Code of Regulations (CCR) section 118.5, currently do not allow candidates to receive transfer credit for ARE 4.0 or the upcoming ARE 5.0 when transferring to California from another jurisdiction. Additionally, the Board's regulations do not contain a provision for the granting of transitional credit from ARE 4.0 to ARE 5.0 or obtaining credit for successfully completing divisions of ARE 5.0. Accordingly, Board approval is required to initiate the regulatory process to amend CCR section 118.5 to allow transfer credit for those passed ARE divisions, and create CCR section 119.8 to allow candidates to transition to and obtain credit for ARE 5.0.

In anticipation of the Board's desire to pursue the above regulatory amendment, staff prepared the attached drafts of the Notice of Proposed Changes in the Regulations, Initial Statement of Reasons, and Proposed Regulatory Language for CCR sections 118.5 (Examination Transfer Credit) and 119.8 (Examination Transition Plan – ARE 4.0 to ARE 5.0). The Board is asked to review and approve the proposed regulations and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Attachments

1. ARE 5.0 Test Specification
2. ARE 5.0 Credit Model
3. ARE 5.0: Frequently Asked Questions
4. Notice of Proposed Changes in the Regulations
5. Initial Statement of Reasons
6. Proposed Regulatory Language CCR Sections 118.5 and 119.8

NCARB

ARE 5.0

Test Specification

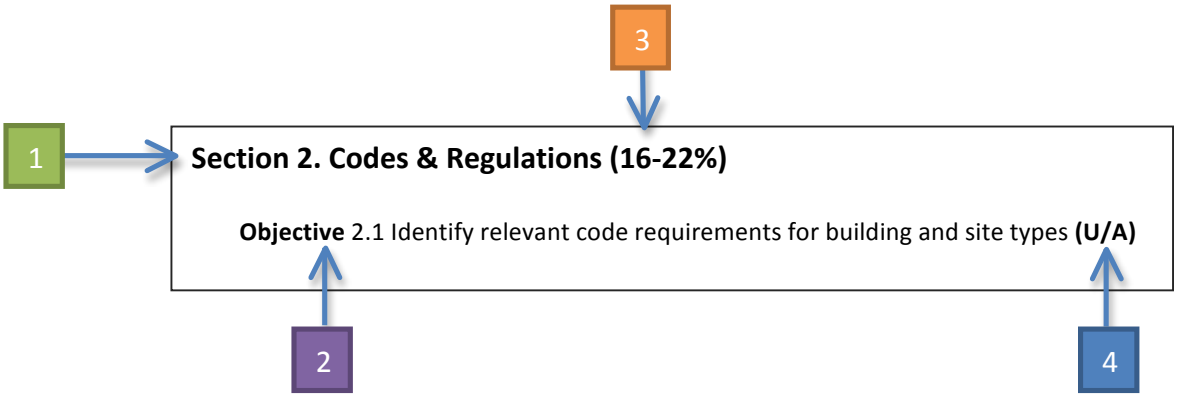
The test specification identifies the division structure of the exam and additionally defines: the major content areas, called Sections; the measurement Objectives; and the percentage of content coverage, called Weightings.

Published: 9 December 2013

NCARB

KEY TERMINOLOGY AND TEST SPECIFICATION STRUCTURE

The following is a list of key terminology and an example of the structure of the ARE 5.0 Test Specification.



1 **Section**: A major content area within a Division representing the domain of knowledge/skills & tasks a newly licensed architect practicing independently, *must demonstrate* within that Division.

2 **Objective**: Measurement targets that define the breadth and depth within a Section.

- Each exam item (question) on the exam will be written to a specific objective
- Each item will be written to the appropriate Cognitive Complexity (*see item 4 below*) of the Objective
- The number of Objectives within a Section is a factor of the Section Weighting (*see item 3 below*)

3 **Section Weightings**: The percentage of content from that Section that will be represented on each form of the exam for that Division. Section Weightings are presented as a range, allowing for flexibility when producing multiple forms per year.

4 **Cognitive Complexity**: This is the term used to describe the mental processing needed to perform a task. Cognitive complexity ranges from a low level of *Remember*, to higher levels of *Understanding & Application*, up to levels of *Analyze & Evaluate*. For the purpose of this examination, it is not appropriate for a candidate to simply remember a piece of information, such as: *a typical interior ADA ramp has a slope of 1:12*. However, it is appropriate for a candidate to analyze information in a given situation and apply it correctly. An example would be to perform a code analysis and then select an appropriate ramp configuration—the question is not necessarily harder, it is targeted to the knowledge/skills & tasks necessary to practice independently.

- **Remember (R)** – signifies an Objective requires only rote retrieval of information.
- **Understand/Apply (U/A)** – signifies an Objective requires the performance of a concept(s) using standard mental processing.
- **Analyze/Evaluate (A/E)** – signifies an Objective requires the performance of a concept(s) using non-standard or non-predictive mental processing.

Published: 9 December 2013

NCARB

DEFINITION OF COMPETENCE AS RELATED TO THE ARE®

To protect the health, safety, and welfare of the public, a newly licensed architect practicing independently *must demonstrate* the competence to be responsible for a project from its inception through completion. This includes, but is not limited to:

- Apply architectural business practices;
- Evaluate legal, ethical, and contractual standards;
- Establish and coordinate project team activities;
- Establish programmatic and regulatory requirements;
- Provide design alternatives;
- Evaluate and incorporate appropriate materials and building systems;
- Provide and coordinate project documentation for a building and site;
- Provide construction phase services; and
- Assess the project during all phases.

Published: 9 December 2013

NCARB

Division: **Practice Management**

Division Description:

This division will assess objectives related to the management of architectural practice including professional ethics, fiduciary responsibilities, and the regulations governing the practice of architecture. The division will focus on issues related to pre-contract tasks including negotiation, human resource management and consultant development. Candidates must demonstrate an understanding of, and abilities in, business structure, business development, as well as asset development and protection.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Applying competent delivery of professional architectural services
- Applying the laws and regulations of architectural practice
- Evaluating legal, ethical and contractual standards in the performance of architectural tasks

Division Specification:

Section 1. Business Operations (20-26%)

Objective 1.1. Assess resources within the practice **(A/E)**

Objective 1.2. Apply the regulations and requirements governing the work environment **(U/A)**

Objective 1.3. Apply ethical standards to comply with accepted principles within a given situation **(U/A)**

Objective 1.4. Apply appropriate Standard of Care within a given situation **(U/A)**

Section 2. Finances, Risk, & Development of Practice (29-35%)

Objective 2.1. Evaluate the financial well-being of the practice **(A/E)**

Objective 2.2. Identify practice policies and methodologies for risk, legal exposures, and resolutions **(U/A)**

Objective 2.3. Select and apply practice strategies for a given business situation and policy **(U/A)**

Published: 9 December 2013

Division: **Practice Management** (*continued*)

Section 3. Practice-Wide Delivery of Services (22-28%)

Objective 3.1. Analyze and determine response for client services requests **(A/E)**

Objective 3.2. Analyze applicability of contract types and delivery methods **(A/E)**

Objective 3.3. Determine potential risk and/or reward of a project and its impact on the practice **(A/E)**

Section 4. Practice Methodologies (17-23%)

Objective 4.1. Analyze the impact of practice methodologies relative to structure and organization of the practice **(A/E)**

Objective 4.2. Evaluate design, coordination, and documentation methodologies for the practice **(A/E)**

NCARB

Division: **Project Management**

Division Description:

This division will assess objectives related to the management of architectural projects including organizing principles, contract management and consultant management. The division will focus on issues related to office standards, development of project teams and overall project control of client, fee and risk management. Candidates must demonstrate an understanding of and abilities in, quality control, project team configuration and project scheduling. In addition, candidates must demonstrate the ability to establish and deliver project services per contractual requirements in collaboration with consultants.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Administering contract requirements and competent delivery of project services
- Organizing a team to design and produce contract documents
- Coordinating project team activities and project budget
- Communicating information to all constituents throughout the project delivery process
- Developing a project schedule that defines tasks and meets milestones

Division Specification:

Section 1. Resource Management (7-13%)

Objective 1.1. Determine criteria required to assemble team **(U/A)**

Objective 1.2. Assess criteria required to allocate and manage project resources **(A/E)**

Section 2. Project Work Planning (17-23%)

Objective 2.1. Develop and maintain project work plan **(U/A)**

Objective 2.2. Determine criteria required to develop and maintain project schedule **(A/E)**

Objective 2.3. Determine appropriate communication to project team – owner, contractor, consultants, and internal staff **(U/A)**

Published: 9 December 2013

Division: **Project Management** (*continued*)

Section 3. Contracts (25-31%)

Objective 3.1. Evaluate and verify adherence to owner/architect agreement **(A/E)**

Objective 3.2. Interpret key elements of, and verify adherence to architect/consultant agreement **(U/A)**

Objective 3.3. Interpret key elements of the owner/contractor agreement **(U/A)**

Objective 3.4. Interpret key elements of the owner/consultant agreement to integrate the consultant's work into the project **(U/A)**

Section 4. Project Execution (17-23%)

Objective 4.1. Evaluate compliance with construction budget **(A/E)**

Objective 4.2. Evaluate and address changes in scope of work and scope creep **(A/E)**

Objective 4.3. Evaluate project documentation to ensure it supports the specified delivery method **(A/E)**

Objective 4.4. Identify and conform with the requirements set forth by authorities having jurisdiction in order to obtain approvals for the project **(U/A)**

Section 5. Project Quality Control (19-25%)

Objective 5.1. Apply procedures required for adherence to laws and regulations relating to the project **(U/A)**

Objective 5.2. Identify steps in maintaining project quality control, and reducing risks and liabilities **(A/E)**

Objective 5.3. Perform quality control reviews of project documentation throughout life of project **(A/E)**

Objective 5.4. Evaluate management of the design process to maintain integrity of design objectives **(A/E)**

NCARB

Division: **Programming & Analysis**

Division Description:

This division will assess objectives related to the evaluation of project requirements, constraints and opportunities related to the project. The division will focus on issues related to programming, site analysis, and zoning & code requirements. Candidates must demonstrate an understanding of and abilities in, project type analysis, the establishment of qualitative and quantitative project requirements, evaluation of project site and context, and assessment of economic issues.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Evaluating qualitative and quantitative project requirements
- Analyzing environmental, social and economic requirements of a project
- Synthesizing project requirements based on gathered information

Division Specification:

Section 1. Environmental & Contextual Conditions (14-21%)

Objective 1.1. Evaluate site-specific environmental and socio-cultural opportunities **(A/E)**

Objective 1.2. Evaluate site-specific environmental constraints **(A/E)**

Objective 1.3. Determine optimal use of onsite resources by incorporating sustainability principles **(U/A)**

Section 2. Codes & Regulations (16-22%)

Objective 2.1. Identify relevant code requirements for building and site types **(U/A)**

Objective 2.2. Identify relevant zoning and land use requirements **(U/A)**

Objective 2.3. Identify relevant local and site-specific requirements **(U/A)**

Published: 9 December 2013

Division: **Programming & Analysis** (*continued*)

Section 3. Site Analysis & Programming (21-27%)

Objective 3.1. Evaluate relevant qualitative and quantitative attributes of a site as they relate to a program **(A/E)**

Objective 3.2. Synthesize site reports with other documentation and analysis **(A/E)**

Objective 3.3. Analyze graphical representations regarding site analysis and site programming **(A/E)**

Section 4. Building Analysis & Programming (37-43%)

Objective 4.1. Evaluate relevant qualitative and quantitative attributes of a new or existing building as they relate to the program **(A/E)**

Objective 4.2. Evaluate documentation, reports, assessments, and analyses to inform the building program **(A/E)**

Objective 4.3. Identify and prioritize components of the building program **(A/E)**

Objective 4.4. Assess spatial and functional relationships for the building program **(A/E)**

Objective 4.5. Recommend a preliminary project budget and schedule **(U/A)**

Objective 4.6. Identify alternatives for building and structural systems for given programmatic requirements, preliminary budget, and schedule **(U/A)**

Objective 4.7. Analyze graphical representations regarding building analysis and building programming **(A/E)**

NCARB

Division: **Project Planning & Design**

Division Description:

This division will assess objectives related to the preliminary design of sites and buildings. The division will focus on issues related to the generation or evaluation of design alternatives that synthesize environmental, cultural, behavioral, technical and economic issues. Candidates must demonstrate an understanding of and abilities in, design concepts, sustainability/environmental design, universal design, and other forms of governing codes and regulations.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Evaluating project design alternatives
- Determining if a design meets project parameters including those defined by the client, the environment, and society
- Selecting the appropriate building systems and material to meet project goals and regulatory requirements
- Integrating technical knowledge and information to develop a design

Division Specification:

Section 1. Environmental Conditions & Context (10-16%)

Objective 1.1. Determine location of building and site improvements based on site analysis **(A/E)**

Objective 1.2. Determine sustainable principles to apply to design **(A/E)**

Objective 1.3. Determine impact of neighborhood context on the project design **(U/A)**

Section 2. Codes & Regulations (16-22%)

Objective 2.1. Apply zoning and environmental regulations to site and building design **(U/A)**

Objective 2.2. Apply building codes to building design **(U/A)**

Objective 2.3. Integrate multiple codes to a project design **(A/E)**

Published: 9 December 2013

NCARB

Division: **Project Planning & Design** (*continued*)

Section 3. Building Systems, Materials, & Assemblies (19-25%)

Objective 3.1 Determine mechanical, electrical, and plumbing systems **(A/E)**

Objective 3.2. Determine structural systems **(A/E)**

Objective 3.3 Determine special systems such as acoustics, communications, lighting, security, conveying, and fire suppression **(A/E)**

Objective 3.4 Determine materials and assemblies to meet programmatic, budgetary, and regulatory requirements **(A/E)**

Section 4. Project Integration of Program & Systems (32-38%)

Objective 4.1. Determine building configuration **(A/E)**

Objective 4.2. Integrate building systems in the project design **(A/E)**

Objective 4.3. Integrate program requirements into a project design **(A/E)**

Objective 4.4. Integrate environmental and contextual conditions in the project design **(A/E)**

Section 5. Project Costs & Budgeting (8-14%)

Objective 5.1. Evaluate design alternatives based on the program **(A/E)**

Objective 5.2 Perform cost evaluation **(A/E)**

Objective 5.3. Evaluate cost considerations during the design process **(A/E)**

NCARB

Division: **Project Development & Documentation**

Division Description:

This division will assess objectives related to the integration and documentation of building systems, material selection, and material assemblies into a project. The division will focus on issues related to the development of design concepts, the evaluation of materials and technologies, selection of appropriate construction techniques, and appropriate construction documentation. Candidates must demonstrate an understanding of and abilities in, integration of civil, structural, mechanical, electrical, plumbing, and specialty systems into overall project design and documentation.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Evaluating project documentation for the constructability of a building and site
- Integrating technical knowledge and information to refine a design
- Integrating materials and building systems to meet the project design requirements
- Translating design decisions into appropriate construction documentation

Division Specification:

Section 1. Integration of Building Materials & Systems (31-37%)

Objective 1.1. Analyze the integration of architectural systems and technologies to meet project goals **(A/E)**

Objective 1.2. Determine the size of mechanical, electrical, plumbing systems and components to meet project goals **(U/A)**

Objective 1.3. Determine the size of structural systems to meet project goals **(U/A)**

Objective 1.4. Integrate specialty systems such as acoustics, lighting, fire suppression, conveying, security, and communications to meet project goals **(U/A)**

Objective 1.5. Determine how to detail the integration of multiple building systems and technologies **(U/A)**

Objective 1.6. Coordinate mechanical, electrical, plumbing, structural, and specialty systems and technologies **(U/A)**

Division: **Project Development & Documentation** (*continued*)

Section 2. Construction Documentation (32-38%)

Objective 2.1. Determine appropriate documentation of building design **(A/E)**

Objective 2.2. Determine appropriate documentation of site features **(A/E)**

Objective 2.3. Determine appropriate documentation of detailed building drawings within individual architectural systems **(A/E)**

Objective 2.4. Apply standards required to assemble a set of clear and coordinated construction documentation **(U/A)**

Objective 2.5. Determine impact of project changes on documentation requirements and method to communicate those changes to owner and design team **(U/A)**

Section 3. Project Manual & Specifications (12-18%)

Objective 3.1. Identify and prioritize components required to write, maintain, and refine project manual **(U/A)**

Objective 3.2. Identify and prioritize components required to write, maintain and refine project specifications (**U/A)**

Objective 3.3. Coordinate specifications with construction documentation **(U/A)**

Section 4. Codes & Regulations (8-14%)

Objective 4.1. Determine adherence to building regulatory requirements (IBC) at detail level **(U/A)**

Objective 4.2. Determine adherence with specialty regulatory requirements at the detail level **(U/A)**

Section 5. Construction Cost Estimates (2-8%)

Objective 5.1. Analyze construction cost estimates to confirm alignment with project design **(A/E)**

NCARB

Division: **Construction & Evaluation**

Division Description:

This division will assess objectives related to construction contract administration and post occupancy evaluation of projects. The division will focus on issues related to bidding and negotiation processes, support of the construction process, and evaluation of completed projects. Candidates must demonstrate an understanding of and abilities in, construction contract execution, construction support services (including construction observation and shop drawing or submittal review), payment request processing, and project closeout. In addition, candidates must also demonstrate an understanding and abilities in project evaluation of integrated building systems and their performance.

This division will test a candidate's ability to protect the public's health, safety and welfare by:

- Delivering professional services during project construction
- Translating construction documents and specifications to communicate and bring clarity to design intent
- Coordinating construction activities to meet design intent
- Evaluating completed projects

Division Specification:

Section 1. Preconstruction Activities (17-23%)

Objective 1.1. Interpret the architect's roles and responsibilities during preconstruction, based on delivery method **(U/A)**

Objective 1.2. Analyze criteria for selecting contractors **(A/E)**

Objective 1.3. Analyze aspects of the contract or design to adjust project costs **(A/E)**

Section 2. Construction Observation (32-38%)

Objective 2.1. Evaluate the architect's role during construction activities **(A/E)**

Objective 2.2. Evaluate construction conformance with contract documents, codes, regulations, and sustainability requirements **(A/E)**

Objective 2.3. Determine construction progress **(U/A)**

Published: 9 December 2013

Division: **Construction & Evaluation** (*continued*)

Section 3. Administrative Procedures & Protocols (32-38%)

Objective 3.1. Determine appropriate additional information to supplement contract documents **(U/A)**

Objective 3.2. Evaluate submittals including shop drawings, samples, mock-ups, product data, and test results **(A/E)**

Objective 3.3. Evaluate the contractor's application for payment **(A/E)**

Objective 3.4. Evaluate responses to non-conformance with contract documents **(A/E)**

Section 4. Project Closeout & Evaluation (7-13%)

Objective 4.1. Apply procedural concepts to complete close-out activities **(U/A)**

Objective 4.2. Evaluate building design and performance **(A/E)**

ARE 5.0 CREDIT MODEL

This matrix identifies the relationships across the current seven divisions of ARE 4.0 and the future six divisions of ARE 5.0.

Exam expiration date(s) of ARE 4.0 divisions will be applied to ARE 5.0 credits earned.

ARE 5.0 DIVISIONS /

Use these columns to determine which ARE 4.0 division(s) you will need to pass to earn an ARE 5.0 credit.

ARE 4.0 DIVISIONS /

If you do not pass a division of ARE 4.0, use these rows to determine which ARE 5.0 division(s) you will need to complete.

ARE 4.0 DIVISIONS	Practice Management	Project Management	Programming & Analysis	Project Planning & Design	Project Development & Documentation	Construction & Evaluation
Construction Documents & Services	●	●			●	●
Programming Planning & Practice	●	●	●			
Site Planning & Design			●	●		
Building Design & Construction Systems				●	●	
Structural Systems				●	●	
Building Systems				●	●	
Schematic Design				●		

ARE 5.0: FREQUENTLY ASKED QUESTIONS

What is ARE 5.0?

In early 2013, the NCARB Board of Directors voted unanimously to approve the development of ARE 5.0, the next version of the examination. As part of ARE 5.0 development, NCARB is investigating the incorporation of dramatic new breakthroughs in graphic testing methods and the use of case studies. The new performance item type questions, along with other refinements and enhancements to the examination, will allow the determination of a candidate's competency while not requiring the present outdated CAD software system.

Why is NCARB developing a new version of the exam?

The ARE is in a constant state of evolution, and NCARB makes significant annual investments in research and development to ensure that the exam remains relevant to current practice, psychometrically justifiable, and legally defensible. NCARB and its volunteer committees are committed to using and implementing effective testing methodologies in order to test a candidate's ability to protect the public's health, safety, and welfare.

When will ARE 5.0 be released?

ARE 5.0 is anticipated to launch in late 2016.
We should know an official launch date in the next year.

How many divisions will be included in ARE 5.0?

The structure includes six divisions:

1. Practice Management
2. Project Management
3. Programming & Analysis
4. Project Planning & Design
5. Project Development & Documentation
6. Construction & Evaluation

Each of the divisions will be standalone, single test administrations. The new Test Specification approved by the NCARB Board of Directors, is ***available here***.

Why is the division structure different from ARE 4.0?

These divisions are a change from the current seven division structure in an effort to align the divisions of the ARE with the more commonly defined professional architecture activities of practice management, project management, and project design. The Test Specification was strongly informed by the results of the *2012 NCARB Practice Analysis of Architecture*. This comprehensive study included multiple surveys designed to engage architects—the most appropriate representatives of the profession—in the evaluation of tasks and knowledge/skills required of an independent practitioner.

Will there still be graphic vignettes on the exam?

ARE 5.0 is expected to take advantage of new tools and technology in the testing industry. The division structure for ARE 5.0 incorporates graphics throughout the exam through new performance item types like hot spots (candidates are presented a question asking them to identify the correct location, or "hot spot," on a response image) instead of through the current graphic vignettes. These new item types allow for testing at higher levels of cognition through analytical, synthetic, and evaluative exercises—which will be more like what an architect does as part of regular practice.

Are other new item (question) types being incorporated into the exam?

In addition to the new performance item types under consideration, case studies are also anticipated to be implemented. These will consist of a scenario with a related set of resource documents (e.g., drawings, specifications, code resources). Case studies require candidates to assess multiple pieces of information and make evaluative judgments, a better reflection of the practice of architecture, as often no one decision is made in isolation of other factors.

continued ▶

How is the transition to ARE 5.0 different from the transition to ARE 4.0?

For the transition to ARE 5.0, dual delivery of both ARE 4.0 and ARE 5.0 will last longer—at least 18 months. Additionally, candidates will have the ability to self-transition to ARE 5.0 when it is most convenient for them during the dual delivery. There will also be more interactive tools available for candidates to help determine their individual path forward.

What does dual delivery mean?

Dual delivery means that both ARE 4.0 and ARE 5.0 will be offered at the same time. Candidates who started in ARE 4.0 will have at least 18 months after the launch of ARE 5.0 to finish in that version before they are transition to ARE 5.0. However, candidates who started in ARE 4.0 will have the option to choose to start testing in ARE 5.0 anytime after it launches.

What does self-transition mean?

Once ARE 5.0 launches, ARE 4.0 candidates will be able to make the individual choice as to whether to keep testing in ARE 4.0 or transition their eligibilities to ARE 5.0. The ability to self-transition will allow candidates to control how they strategically complete the ARE. Once you transition to ARE 5.0, however, you must finish the exam in ARE 5.0.

If I don't self-transition, how long can I keep testing in ARE 4.0?

The last day ARE 4.0 will be available in test centers is 30 June 2018. After this day, any remaining ARE 4.0 candidate will be transitioned to ARE 5.0.

How was ARE 4.0 mapped to ARE 5.0?

NCARB's Examination Committee, consisting of subject-matter expert, architects and psychometricians from our test development consultant, mapped the content in ARE 4.0 to ARE 5.0. Grounded in the science of testing, they used the *2012 Practice Analysis of Architecture* as a guide to compare ARE 4.0 to ARE 5.0 to look for a reasonable level of alignment. You can view the credit model ***here***.

How much will each ARE 5.0 division cost?

The cost of each ARE 5.0 division is still being determined. The Council expects to release the fee structure sometime in 2016.

When will ARE 5.0 study materials be available?

Study materials will be available in early 2016, allowing ample time for any candidate to prepare for a division of ARE 5.0. ARE 5.0's test specification (what each division will test) has already been released and is available to download ***here***.

What can I do right now to prepare for ARE 5.0?

Keep testing in ARE 4.0! The average candidate finishes the ARE in two years—meaning most candidates currently testing will be done with ARE 4.0 before ARE 5.0 even launches.

Does NCARB have any suggested strategies for preparing for ARE 5.0?

Yes. A good strategy for any candidate who thinks they may transition to ARE 5.0 is to focus on passing three critical divisions in ARE 4.0, which will maximize credits in ARE 5.0:

1. **Construction Documents & Services**
2. **Programming, Planning, & Practice**
3. **Site Planning & Design**

If you pass these three divisions in ARE 4.0, you will only need to take two additional divisions in ARE 5.0—Project Planning & Design and Project Development & Documentation. If you take this path, you could finish the ARE in only five divisions!

When determining your testing strategy to prepare for ARE 5.0, it is important to know your Rolling Clock dates. It may be in your best interest to finish the exam now to ensure exam credits do not expire.

Is ARE 5.0 going to be harder?

No. ARE 5.0 will not be easier or harder than ARE 4.0. It is going to be different in that NCARB will be using different question types to assess a candidate's understanding of the knowledge and skills being tested through the ARE.

Will ARE 5.0 have more questions than ARE 4.0?

The exact number of questions in each division of ARE 5.0 is still being determined. Final details about how each ARE 5.0 division is structured will be released in early 2016.

I am currently testing, should I wait for the launch of ARE 5.0?

No. Your Rolling Clock will still tick in the time between now and the launch of ARE 5.0. You should look at what divisions you have currently passed and make a plan to pass the remaining divisions. If you believe you may be affected by the transition to ARE 5.0, you should make sure you test strategically going forward.

Is NCARB going to shorten the six-month retake policy for ARE 5.0?

NCARB is constantly evaluating all of the policies that govern its programs—including the retake policy. At this time, the six-month retake policy remains in affect.

continued ▶

When will I get my score in ARE 5.0?

More information about how candidates will receive score reports will be available in 2016.

Is ARE 5.0 the right path forward for the examination?

All of the proposed item types for ARE 5.0 have been judged by outside testing experts to be psychometrically justifiable for purposes of the program. The Standards for Educational and Psychological Testing (AERA, APA, & NCME, 1999) requires test developers to collect evidence that supports the intended interpretations and uses of test scores. Such evidence is typically collected to ensure that the test is measuring the intended knowledge and skills (validity), in a consistent manner (reliability) that is appropriate for all examinees (fairness).

The proposed direction for ARE 5.0 was informed by:

- Multi-year efforts by the Research & Development Subcommittee with additional support from the Graphics Grading Subcommittee
- Expert psychometric advice
- Research conducted by a multi-disciplinary staff project team
- Emerging technology, including interviews of industry leaders
- Results of the *2012 NCARB Practice Analysis of Architecture*

Why will it take so long for ARE 5.0 to launch?

NCARB is committed to a thorough and sound design process. The important contributions of the psychometric experts who advise us, and of the architects who serve on our volunteer committees, will continue in the coming months—and years—as ARE 5.0 moves from concept to development. ARE 5.0 is anticipated to launch in late 2016, and the next few years will be devoted to development and integration testing.

The Council is committed to transparency throughout the development process, and our goal is to provide plenty of advance notice to candidates as important decisions are made about the future of the ARE.

Who are the volunteers that help develop the ARE?

ARE 5.0 is being developed by practitioner volunteers from across the United States, ranging from recently licensed to experienced architects, from large firms to small firms, from education to private practice, all of which allow the future exam to reflect the broad aspects of current practice. These architects voluntarily serve on ARE-related committees that fulfill critical functions such as: setting standards for the exam; development and implementation of the practice analysis; exam research and development; writing, editing, and pretesting items; developing and applying grading criteria; and updating the test specification.

How can candidates stay informed about the development and implementation of ARE 5.0?

Leading up to the launch of ARE 5.0 in 2016, NCARB will provide ongoing updates to candidates about the development of ARE 5.0 as well as tips and resources to help prepare for the transition to the future exam.

In the coming months, updates will include invitations to webinars, announcements about preparation resources, and more. Subscribe to ARE Updates to receive notification when new information is available. ***Subscribe now!***

TITLE 16. CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

Department of Consumer Affairs
2420 Del Paso Road, Sequoia Room
Sacramento, California 95834
TBD
_____ p.m.

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on TBD or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 5526 and 5550 of the Business and Professions Code (BPC), and to implement, interpret or make specific section 5550 of said Code, the Board is considering changes to Division 2 of Title 16 of the California Code of Regulations (CCR) as follows:

Informative Digest:

Section 5526 of the BPC authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Architects Practice Act. Section 5550 authorizes the Board to require an application to become eligible for examination.

Amend Title 16 CCR Section 118.5 – Examination Transfer Credit

The National Council of Architectural Registration Boards (NCARB) announced a new version of the Architect Registration Examination (ARE) (ARE 5.0) that will begin to be offered no earlier than October 1, 2016. The current version (ARE 4.0) will continue to be offered until June 30, 2018; candidates may choose to transition from ARE 4.0 to ARE 5.0 until June 30, 2018. Subsequently, NCARB released a credit model that

details the credit transition of ARE divisions from ARE 4.0 to ARE 5.0.

Existing regulations specify acceptable ARE credit for those candidates who have taken and passed divisions of the ARE in other jurisdictions and subsequently become California licensure candidates. This proposed change will specify in regulation that candidates who transfer to California from another jurisdiction and have passed portions of the ARE will retain transitional credit in accordance with sections 119.7 and 119.8.

Policy Statement Overview/Anticipated Benefits of Proposal

This action will specify in regulation that candidates who transfer to California from another jurisdiction and have passed portions of the ARE will retain transitional credit in accordance with sections 119.7 and 119.8.

Adopt Title 16 CCR Section 119.8 – Examination Transition Plan - ARE 4.0 to ARE 5.0

NCARB announced ARE 5.0 will begin to be offered no earlier than October 1, 2016. ARE 4.0 will continue to be offered until June 30, 2018; candidates may choose to transition from ARE 4.0 to ARE 5.0 until June 30, 2018. Subsequently NCARB released a credit model that details the credit transition of ARE divisions from ARE 4.0 to ARE 5.0.

Existing regulations specify the transition plan for previous divisions of the ARE to the current divisions and how candidates will receive transitional credit. This proposed adoption requires candidates made eligible on and after October 1, 2016 to take ARE 5.0 and permits already eligible candidates to continue taking ARE 4.0 through June 30, 2018. In addition, the proposed language outlines the transition plan effective October 1, 2016 for candidates who transition from ARE 4.0 to ARE 5.0, and clarifies that candidates may not transition from ARE 5.0 to ARE 4.0.

Policy Statement Overview/Anticipated Benefits of Proposal

This proposed adoption requires candidates made eligible on and after October 1, 2016 to take ARE 5.0 and permits current candidates to continue taking ARE 4.0 through June 30, 2018. In addition, the proposed language outlines the transition plan effective October 1, 2016 for candidates who transition from ARE 4.0 to ARE 5.0 and clarifies that candidates may not transition from ARE 5.0 to ARE 4.0.

Consistency and Compatibility with Existing State Regulations

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

Material Relied Upon:

NCARB ARE 5.0 Credit Model

NCARB ARE 5.0 Test Specification

NCARB ARE 5.0: Frequently Asked Questions

Fiscal Impact Estimates

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

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

Business Impact: The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination: N/A

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

Effect on Housing Costs: None

Effect on Small Business

The Board has determined that the proposed regulations would not affect small businesses as it only affects applicants pursuing an architect license.

Result of Economic Impact Assessment/Analysis:

Impact on Jobs/Businesses: The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Benefits of Regulation: Candidates will be able to receive credit for the new ARE Version and transitional credit for prior ARE Versions.

Consideration of Alternatives

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

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

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

Initial Statement of Reasons and Information

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

Text of Proposal

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the California Architects Board at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

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

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

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

Contact Person

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

Name:	Timothy Rodda
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7217
Fax No.	(916) 575-7283
E-Mail Address:	timothy.rodda@dca.ca.gov

The backup contact person is:

Name:	Marccus Reinhardt
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7212
Fax No.	(916) 575-7283
E-Mail Address:	marccus.reinhardt@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.cab.ca.gov.

CALIFORNIA ARCHITECTS BOARD

INITIAL STATEMENT OF REASONS

Hearing Date: TBD

Subject Matter of Proposed Regulations: Architect Registration Examination (ARE) Transition

Sections Affected: Title 16, California Code of Regulations (CCR), Sections 118.5 and 119.8

Specific Purpose:

Section 118.5 – Examination Transfer Credit and Section 119.8 – Examination Transition Plan – ARE 4.0 to ARE 5.0

1. Problem being addressed: The National Council of Architectural Registration Boards (NCARB) has developed a new version of the ARE (ARE 5.0), the national architectural examination, and a transitional credit model for prior ARE versions. No earlier than October 1, 2016, ARE 5.0 will be offered. Beginning October 1, 2016, all candidates obtaining ARE eligibility must take ARE 5.0. Candidates who are eligible prior to October 1, 2016, will be allowed to take the current version (ARE 4.0) until June 30, 2018, at which point they will be transitioned to ARE 5.0. Action is needed to bring the Board's regulations into alignment with the national architectural examination and allow candidates to receive ARE credit gained in other jurisdictions.

2. Anticipated benefits from this regulatory action: This proposal aligns credit for ARE divisions specified in the regulations with the nationally accepted model. The proposal also creates a chart for those candidates who transition from ARE 4.0 to ARE 5.0, allowing candidates to retain credit for divisions of the ARE passed in prior versions. Candidates who change their licensing jurisdiction to California will retain credit for divisions taken in other jurisdictions.

Factual Basis/Rationale:

The Board is mandated to protect the public health, safety, and welfare, and like other regulatory programs under the Department of Consumer Affairs (DCA), is authorized to establish eligibility requirements for applicants of a professional license.

Through Business and Professions Code (BPC) Chapter 3, Division 3, section 5550, the Board is authorized to examine a candidate for licensure. CCR, Title 16, Division 2, section 109, clarifies BPC 5550 and specifies the ARE as the examination to be used when examining candidates for licensure and as an eligibility requirement for the California Supplemental Examination, and subsequently a California architect license.

No earlier than October 1, 2016, NCARB will release ARE 5.0, which reformats the ARE from seven to six divisions as well as incorporates graphics and performance items throughout the examination. According to NCARB, the goal of ARE 5.0 is to better integrate the examination while improving the assessment of a candidate's knowledge, skill, and ability to practice architecture independently.

Candidates who are deemed eligible to take the ARE on or after October 1, 2016 will be required to take ARE 5.0. ARE 4.0 will continue to be offered until June 30, 2018; candidates may choose to transition from ARE 4.0 to ARE 5.0 until June 30, 2018. However candidates may not transition from Version 5.0 to ARE 4.0. Subsequently, NCARB released a credit model that details the credit transition of ARE divisions from ARE 4.0 to ARE 5.0.

This regulation is also necessary to ensure candidates transferring to California from another jurisdiction receive applicable credit for passed ARE divisions. This is also necessary to be consistent with the transition plan used by NCARB.

Underlying Data

NCARB ARE 5.0 Credit Model

NCARB ARE 5.0 Test Specification

NCARB ARE 5.0: Frequently Asked Questions

Business Impact

The proposed regulatory action will not have a significant adverse economic impact directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure, which has no effect on business or bearing on competitiveness.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects the licensing examination version and credit for applicants pursuing an architect license, and the effect is insufficient to create or eliminate jobs.

- It will not create new business or eliminate existing businesses within the State of California because it only affects the licensing examination version and credit for applicants pursuing an architect license, and there is no indication that any businesses will be affected.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects the licensing examination version and credit for applicants pursuing an architect license, and there is no indication that

any businesses will be affected.

- This regulatory proposal does not affect the health and welfare of California residents because it only affects the licensing examination version and credit for applicants pursuing an architect license.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

One alternative would be to keep the status quo, but if the Board does not adopt the proposed amendment, candidates would be unable to receive new or transitional credit for examinations in the updated format. This would cause an adverse delay in completion of the ARE, and subsequently licensure

CALIFORNIA ARCHITECTS BOARD

PROPOSED REGULATORY LANGUAGE

Article 3. Examinations

Amend Section 118.5 as follows:

Section 118.5. Examination Transfer Credit.

A candidate who is not a licensed architect and who has passed an examination prepared by NCARB or divisions thereof in another United States or Canadian jurisdiction shall be entitled to receive Board credit, in accordance with sections 119, 119.5, ~~and~~ 119.6, 119.7, and 119.8 for those examination sections or divisions as they correspond to the ARE divisions.

Note: Authority cited: Sections 5526 and 5550, Business and Professions Code.
Reference: Section 5550, Business and Professions Code.

Article 3. Examinations

Adopt Section 119.8 as follows:

§ 119.8 Examination Transition Plan – ARE 4.0 to ARE 5.0

Effective October 1, 2016 Architect Registration Examination (ARE) Version 5.0 (ARE 5.0) will become available.

(a) All candidates for licensure as an architect who are deemed eligible to take the ARE by the Board on or after October 1, 2016 are required to take and pass all divisions of ARE 5.0 and versions thereafter.
(b) All candidates for licensure as an architect who were deemed eligible to take the ARE prior to October 1, 2016 may elect to transition from ARE Version 4.0 (ARE 4.0) to ARE 5.0. Candidates may not transition from ARE 5.0 to ARE 4.0.
(c) All candidates for licensure as an architect who have not passed all divisions of ARE 4.0 by June 30, 2018 are required to transition to ARE 5.0 and versions thereafter.

Candidates who transition from ARE 4.0 to ARE 5.0 will be required to take and pass divisions of ARE 5.0 in accordance with the following transition chart:

Divisions Not Passed in Version 4.0	*Divisions Required for Version 5.0*
Programming Planning & Practice	Practice Management Programming & Analysis Project Management
Site Planning & Design	Programming & Analysis Project Planning & Design
Schematic Design	Project Planning & Design
Structural Systems	Project Development & Documentation Project Planning & Design
Building Systems	Project Development & Documentation Project Planning & Design
Building Design & Construction Systems	Project Development & Documentation Project Planning & Design
Construction Documents & Services	Construction & Evaluation Practice Management Project Development & Documentation Project Management

Note: Authority cited: Sections 5526 and 5550, Business and Professions Code.
Reference: Section 5550, Business and Professions Code.

REVIEW AND APPROVE SECOND MODIFIED TEXT REGARDING PROPOSED AMENDMENT TO CCR, TITLE 16, SECTION 120 (RE-EXAMINATION) AS IT RELATES TO REFERENCE OF CURRENT EDITION OF *ARCHITECT REGISTRATION EXAMINATION GUIDELINES*

At its September 10, 2014 meeting, the Board approved proceeding with a regulatory amendment to CCR section 120 (Re-Examination) as it relates to the Architect Registration Examination (ARE). The proposed amendment would update the Board's regulations to: 1) incorporate by reference the National Council of Architectural Registration Boards (NCARB) *ARE Guidelines*; 2) set the standards by which candidates receive a Rolling Clock extension; 3) clarify procedures to reschedule a division where a candidate has failed to appear; and 4) modify the wait period to retake a failed division.

No comments were received during the initial 45-day comment period which ended on April 27, 2015. During preparation of the final regulatory package for submission to the regulatory agencies for review and approval, staff was advised that an updated edition (October 2014) of the *ARE Guidelines* was released by NCARB. As a result, staff consulted with legal counsel and it was suggested the proposed amendment to section 120 be modified to reflect the new edition of the *ARE Guidelines*. Legal counsel also recommended additional changes to further clarify subsections (c) and (d) of 120. A 15-day Notice of Modified Language was prepared and made publicly available. The comment period for the Notice began on May 6, 2015 and ended on May 21, 2015. No comments were received regarding the modified language.

After staff submitted the final rulemaking file to Legal for its final review, NCARB released another updated edition (July 2015) of the *ARE Guidelines*. Accordingly, staff recalled the rulemaking file from Legal and a 15-day Notice of Second Modified Language (attached) was prepared and made publicly available. The modification to the proposed language is shown in double strikethrough and double underline with italics and bold. The comment period for this Notice began on July 27, 2015 and ended on August 11, 2015. No comments were received regarding the second modified language.

The Board is asked to review and adopt the proposed regulatory changes as modified and delegate authority to the Executive Officer to make minor technical or non-substantive changes, if needed in completing the rulemaking file.

Attachments:
1. Second Modified Text
2. *ARE Guidelines*, July 2015 Edition

CALIFORNIA ARCHITECTS BOARD

Second Modified Text

Changes to the originally proposed language are shown by double underline for new text and double strikethrough for deleted text.

Changes to the modified proposed language are shown by double underline with italics and bold for new text and double strikethrough with italics and bold for deleted text

Article 3. Examinations

Amend Section 120 as follows:

Section 120. Re-Examination.

(a) Credit for divisions of the Architect Registration Examination (ARE) passed prior to January 1, 2006 shall expire on July 1, 2014 unless all divisions of the ARE have been passed and credited.

(b) Effective January 1, 2006, candidates for the ARE shall receive conditional credit for each division passed and shall be required to retake only those divisions of the ARE previously failed or those divisions passed on or after January 1, 2006 for which the conditional credit has expired. Conditional credit shall remain valid for five years after the date the division was passed ~~for which conditional credit was granted~~, or until the date set by an extension granted by the National Council of Architectural Registration Boards (NCARB). Conditional credit shall become full credit only if the ~~conditional credit is~~ candidate has passed all remaining divisions of the ARE within ~~its~~ the ~~five-year~~ period of validity ~~and the candidate has passed all remaining divisions of the ARE~~. Candidates who have received full credit for all divisions ~~of the ARE~~ shall be deemed to have passed the ARE.

(c) A candidate who has ~~failed a division of the ARE or who has~~ failed to appear for a scheduled division of the ARE shall ~~not be permitted to take any subsequent divisions of the ARE unless he or she has reapplied properly to NCARB or its authorized representative for the division(s)~~follow the procedures set forth in the ~~***October 2014***~~ ***July 2015*** edition of NCARB's *Architect Registration Examination Guidelines* (~~currently the July 2014 edition~~ARE Guidelines) hereby incorporated by reference, to reschedule that division. ~~The document referred to in the preceding sentence is hereby incorporated by reference.~~

(d) A candidate who has failed a division of the ARE shall ~~not be permitted to reapply to NCARB or its authorized representative for~~~~adhere to~~follow the procedures set forth in ~~accordance with~~ the ARE Guidelines, ~~as referenced in section 120(c),~~ to retake that ~~previously failed~~ division ~~within six (6) months after the date that the candidate last failed the division~~.

Note: Authority cited: Section 5526, Business and Professions Code. Reference: Section 5550, Business and Professions Code.

NCARB

ARE

ARCHITECT REGISTRATION EXAMINATION GUIDELINES

JULY 2015

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© 2015 This document, effective July 2015, supersedes all previous editions of the *ARE 4.0 Guidelines*.
Please check NCARB's website, www.ncarb.org, regularly for updates to the *ARE Guidelines* and for the most current information regarding the ARE.

INTRODUCTION: **ABOUT NCARB**

The National Council of Architectural Registration Boards, a nonprofit organization, is a federation of the architectural licensing boards in each of the 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. These 54 boards constitute NCARB's membership.

NCARB serves to protect the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects. NCARB is responsible for establishing, interpreting, and enforcing national standards for architectural licensure.

The U.S. Constitution establishes that individual states or jurisdictions maintain the actual power to regulate the practice of architecture, including the registration of architects. Each of NCARB's 54 Member Boards has instituted a set of registration requirements that, when satisfied, results in the granting of a license to practice architecture within their jurisdiction.

The term "licensure" is often used to denote the actual issuance and maintenance of an architectural license. Since licensure is part of the registration process, this document will primarily use the terms "registration" and "registered" in lieu of "licensure" and "licensed."

NCARB Mission

The National Council of Architectural Registration Boards (NCARB) protects the public health, safety, and welfare by leading the regulation of the practice of architecture through the development and application of standards for licensure and credentialing of architects.

Core Values

The National Council of Architectural Registration Boards believes in:

- Leadership – Proactive, creative thinking, and decisive actions.
- Accountability – Consistent, equitable, and responsible performance.
- Transparency – Clear and accessible rules, policies, procedures, governance, and communication.
- Integrity – Honest, impartial, and well-reasoned action.
- Collaboration – Working together toward common goals.
- Excellence – Professional, expert, courteous, respectful, and responsive service.

INTRODUCTION: **NCARB SERVICES**

NCARB serves a variety of roles in the licensure process, including the development and administration of the Intern Development Program (IDP), the Architect Registration Examination® (ARE®), and NCARB certification, which facilitates reciprocal registration. With millions of digital images in its holdings—official transcripts, verified employment records, examination scores, and more—NCARB is also the official custodian of secure and confidential records for thousands of interns, architects, and registration boards. These records are housed, managed, and evaluated by NCARB and then, at various points in the licensure process, can be transmitted to the registration boards of an individual's choosing. NCARB Services include:

For Students

- Supports educators in providing accurate information on the licensure process.
- Supports the American Institute of Architecture Students (AIAS) in its mission to promote excellence in architectural education, training, and practice.
- Provides funding for new curriculum initiatives that integrate practice and education.
- Engages AIAS on relevant NCARB committees to contribute to the process of creating NCARB standards for registration.
- Supports the National Architectural Accrediting Board (NAAB) in the development of standards for accredited architectural education.
- Visits schools and AIAS chapters across the country to promote the value of licensure and benefits of NCARB certification.
- Supports the Architect Licensing Advisors Community.

For Interns

- Compiles and evaluates a comprehensive record of credentials.
- Stores secure, confidential, and comprehensive Records to assist their path to licensure.
- Develops and administers the IDP.
- Develops and administers the ARE.
- Creates tools to assist interns in completing the internship and examination process.
- Compiles, evaluates, and transmits an intern's Record in support of examination or initial registration.
- Visits AIA chapters and firms across the country to promote the values of licensure and the benefits of NCARB certification.
- Engages interns on relevant NCARB committees to contribute to the process of creating NCARB standards for registration.
- Supports the Architect Licensing Advisors Community.

For Architects

- Compiles and evaluates a comprehensive record of credentials.
- Stores secure, confidential, and comprehensive Records to support their career path.
- Develops and recommends national standards for registration to its Member Boards to facilitate reciprocity between jurisdictions.
- Grants an NCARB Certificate to architects who meet the national standards outlined in this guideline.
- Maintains an architect's Record in a condition suitable for transmittal to a jurisdiction.
- Transmits an architect's NCARB Record or Certificate to a jurisdiction in support of reciprocal registration.
- Visits AIA chapters and firms across the country to promote the importance of licensure and the benefits of NCARB certification.
- Provides continuing education opportunities through the Monograph Series.

For Registration Boards

- Stores secure, confidential, and comprehensive records on NCARB Certificate holders and NCARB Record holders.
- Develops and recommends Model Law and Model Regulations for registration boards to adopt to facilitate reciprocal registration and help registration boards protect the health, safety, and welfare of the public.
- Develops, administers, and maintains programs to satisfy education, experience, and examination requirements.
- Represents the interests of Member Boards before public and private agencies.
- Produces resources for interns and architects on the registration process.
- Partners with Member Boards across the country to promote the importance of licensure and the benefits of NCARB certification.

INTRODUCTION: **LICENSURE/REGISTRATION**

Architects are responsible for protecting the health, safety, and welfare of the people who live or work in the buildings and environments they create. You are not an architect without a license. You must be licensed by a jurisdiction in order to practice architecture within that jurisdiction. While it is possible to work within the profession without having a license, you may not practice architecture or call yourself an architect without a license. Licensure signifies to the public that you have completed the education, experience, and examination necessary to practice architecture independently.

Education

Most U.S. jurisdictions require a professional degree in architecture from a program accredited by the National Architectural Accrediting Board (NAAB) or a professional degree in architecture from a Canadian program accredited by the Canadian Architectural Certification Board (CACB) to satisfy their education requirement.

For a list of NAAB-accredited programs, visit NAAB here.

Some jurisdictions may accept education alternatives. For a guide to alternatives to the education requirement, refer to the *NCARB Education Standard* included in the Education Guidelines at www.ncarb.org.

Experience

All jurisdictions require a structured internship with direct supervision by a registered architect for some period of time. Most U.S. jurisdictions have adopted the IDP as their experience requirement for initial registration. Compare the IDP with any additional experience requirement your registration board may require. Where differences exist, you must first comply with your jurisdiction's requirement; however, completion of the IDP facilitates certification and future registration in other jurisdictions.

For more information concerning the IDP, refer to the IDP Guidelines, available at www.ncarb.org.

Examination

Every U.S. jurisdiction requires interns to pass the ARE to satisfy its examination requirement.

The content of the ARE is based on the knowledge and skills required of a recently licensed architect, practicing independently, to provide architectural services. The ARE evaluates an applicant's competence in the provision of architectural services to protect the public health, safety, and welfare.

Steps for completing the ARE, including eligibility and requirements, are outlined in these guidelines. For more information, please see the ARE section of the website.

Registration Requirements are set by Jurisdictions
The 54 architectural registration boards, which are members of NCARB, have the legal authority to establish licensure requirements, enforce licensure laws and regulations, and respond to complaints of unlicensed or unethical practice.

Each registration board determines its own education, experience, and examination requirements for initial and reciprocal registration in its jurisdiction. Most jurisdictions have adopted the standards specified in NCARB's *Legislative Guidelines and Model Law/Model Regulations*.

For an overview of each jurisdiction's registration requirements click here. Since each jurisdiction may change its rules, statutes, and regulations at any time, it is always advisable to check with the individual board to verify registration and practice requirements.

INTRODUCTION: **NCARB CERTIFICATION**

Many architects choose to seek NCARB certification following initial licensure. The NCARB Certificate facilitates reciprocal registration among all 54 NCARB Member Boards, and 11 Canadian provincial associations. The NCARB Certificate signifies that you have met the national standards established by the registration boards.

To qualify for NCARB certification, you must satisfy all of the requirements for certification outlined in the Certification Guidelines. Requirements include; good character; satisfaction of NCARB's education, experience, and examination requirements; and a current registration to practice architecture issued by an NCARB Member Board.

While NCARB certification facilitates reciprocity, it does not provide you the privilege to practice architecture. You must be registered in each jurisdiction before you are permitted to seek work or are qualified to practice architecture. In some jurisdictions the NCARB Certificate allows the benefit of soliciting work or participating in a design competition prior to licensure. Refer to the See the licensing requirements page on ncarb.org.

Benefits of the NCARB Certificate

- **PRESTIGIOUS CREDENTIAL** – By obtaining and maintaining the NCARB Certificate, an individual has demonstrated that he/she has met the established standards for certification. An architect who has an active NCARB Certificate may use the letters "NCARB" after his/her name.
- **RECIPROCITY** – The NCARB Certificate makes it easier to obtain reciprocal registration in other jurisdictions. In fact, many registration boards require the NCARB Certificate for reciprocal registration. Most NCARB Member Boards accept the NCARB Certificate as a primary method to support reciprocal registration.
- **MOBILITY** – The NCARB Certificate gives you the mobility to seek work wherever it is. Even if your work interests center solely on projects within the jurisdiction where you are licensed, with an NCARB Certificate you are prepared to meet your clients' needs as they move or expand across state lines.
- **COMPETITIVE EDGE** – Many architectural firms consider certification an important factor in hiring and promotion because they know that an architect with an NCARB Certificate provides the firm with greater flexibility when pursuing opportunities and expanding their practice. Additionally, some jurisdictions allow the benefit of soliciting work or participating in a design competition prior to licensure if you hold an NCARB Certificate.
- **SECURITY** – Your records are maintained on a secure server and are ready when you are, eliminating the need to worry about misplaced records or obtaining necessary verifications from a previous employer who may no longer be in business.
- **CONTINUING EDUATION** – Both mini-monographs and monographs are available to NCARB Certificate holders for free!

Save Money

Interns can save money just by keeping their NCARB Record active while they complete the steps for licensure. If you have a professional degree from a NAAB-accredited program and have completed the IDP, you'll meet the requirements for NCARB certification when you pass the ARE and receive your initial license.

The cost to keep your NCARB Record active while you pursue your initial license is just $75 a year.

If you maintain an active Record in good standing, the application fee for NCARB certification ($1,500) will be waived and you will receive a 50 percent discount on Certificate renewals for the first three years of service.

INTRODUCTION: **WHAT IS THE ARE®?**

The Architect Registration Examination® (ARE®) is developed by the National Council of Architectural Registration Boards (NCARB). The ARE is used by U.S. state and territorial registration boards as the registration examination for candidates for architectural registration. It is also accepted by select Canadian provincial and territorial architectural associations for registration.

The ARE assesses a candidate's knowledge, skills, and abilities to provide various services required in the practice of architecture. No single examination can test for competency in all aspects of architectural practice; the ARE is not intended for that purpose. The ARE concentrates on the professional services that affect the public health, safety, and welfare. The intent of the examination is to evaluate a candidate's competence to protect the public by providing the architectural services of pre-design, site design, building design, building systems, and construction documents and services as they relate to social, cultural, natural and physical forces, and to other related external constraints.

In addition to testing for competence in specific subject areas, NCARB is aware of the responsibilities an architect may have for coordinating the activities of others involved in the design/construction process. The ARE attempts to determine a candidate's qualifications not only in performing measurable tasks, but also in exercising the skills and judgment of a generalist working with numerous specialists. In short, the objective is to reflect the practice of architecture as an integrated whole.

The ARE is administered exclusively on computers at a network of test centers across the United States and its territories; Canada; London, England; Hong Kong, People's Republic of China; and Abu Dhabi, United Arab Emirates. Scores for each division will be made available to the board of architecture that qualified the candidate for the examination. That board of architecture has the ultimate authority to determine a candidate's qualifications to practice architecture within its jurisdiction.

Prior to taking the ARE, you must be made eligible by one of NCARB's member registration boards or one of the Canadian provincial architectural associations (or via NCARB for boards participating in NCARB's Direct Registration Program). It is not possible to "sign-up" for the exam with NCARB's testing consultant. Only individuals who have been made eligible for the ARE will be permitted to take the exam. For more on eligibility, please see page 8.

ARE 4.0 consists of the following seven divisions:

- Programming, Planning & Practice
- Site Planning & Design
- Building Design & Construction Systems
- Schematic Design
- Structural Systems
- Building Systems
- Construction Documents & Services

To help candidates prepare for the examination, the content areas and references for each division are available to be downloaded from NCARB's website here.

ARE 5.0 will consist of six divisions that align with the more commonly defined professional architecture activities of practice management, project management, and project design.

Languages
ARE 4.0 is only available in English.

Units of Measurement
Effective July 2013, the ARE includes measurements in inch-pound units only.

ARE 5.0
ARE 5.0 will launch in late 2016. Learn more.

INTRODUCTION: **KEY ORGANIZATIONS**

NCARB

NCARB administers the ARE with the assistance of two examination consultants. For more general examination information, visit the ARE section of the NCARB website. Specific information about your progress through the examination process can be found in the My Examination section of your NCARB Record. Log in at My NCARB.

NCARB will be your main point of contact for questions related to the ARE. Questions should be directed to NCARB Customer Relations at 202/879-0520.

Prometric®

Prometric® provides technology-based assessment services for academic assessment, professional licensing and certification, and information technology. Prometric operates and maintains test centers that administer various computer based examination programs.

Prometric serves as NCARB's test center administration consultant and maintains test centers in which eligible candidates can sit for divisions of the ARE. There are approximately 300 Prometric test centers with 4,000 ARE workstations.

Alpine Testing Solutions, Inc.

Alpine serves as NCARB's test content and candidate management consultant for the ARE.

Alpine offers test development and psychometric services, which enable test sponsors to build, maintain, and continuously improve testing programs. Alpine provides test content and candidate management consultation to NCARB for the ARE. Candidate management is powered by CertMetrics™, a psychometric tool that delivers reports based upon appropriate psychometric analyses, provides proactive security monitoring, and enables responsible score reporting.

CALA

The Canadian Architectural Licensing Authorities (CALA) acts as the forum of the provincial architectural associations to facilitate communication, cooperation, and coordination among its members, and other organizations, regarding issues relating to national standards for admission to the profession and for the performance of architectural services in Canada. Members of the CALA are autonomous associations. The CALA comprises a representative from each of the provincial and territorial associations of architecture.

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111 Moatfield Drive
Toronto, ON M3B 3L6

STEPS TO COMPLETING THE ARE

Step 1: Establishing Your Eligibility to Test

In order to take the ARE, you must establish an NCARB Record and meet the ARE eligibility requirements of the board of architecture in the jurisdiction where you want to be licensed to practice architecture. To establish your NCARB Record, fill out the online application at www.ncarb.org. Then, make your request to begin taking the ARE via the ARE tab in your NCARB Record. Your board of architecture will deem you eligible (or via NCARB for boards participating in NCARB's Direct Registration Program), and your board will set your eligibility information via My Examination.

You will receive an automated e-mail notification when you are made eligible to take the ARE.

- The My Examination section of your NCARB Record includes your name, address, NCARB Record number, and all divisions you are eligible to take. Each ARE division is listed with beginning and ending eligibility dates.
- Verify that the name indicated in your NCARB Record is accurate and matches the name printed on your primary form of identification. If your name is incorrect, immediately notify NCARB Customer Relations at 202/879-0520. **Do not schedule an appointment to test until you have verified that the name in your NCARB Record matches the name on your primary form of identification. If the name in your NCARB Record does not match your primary form of identification, you will not be admitted to the examination, and there will be no refund of your test fee.**
- If you need to change the name shown in your NCARB Record, you must send a written request and official documentation to NCARB Customer Relations at customerservice@ncarb.org. Name discrepancies must be resolved at least one week prior to a scheduled exam appointment.
- Updates to your address can be made in your NCARB Record.

MAINTAINING ELIGIBILITY

NCARB's Rolling Clock

Under the terms of the Rolling Clock, which was officially implemented 1 January 2006, candidates for the ARE must pass all divisions within five years.

Rules

Effective 1 January 2006, and subject to certain conditions, a passing grade for any division of the ARE shall be valid for five years, after which time the division must be retaken unless all divisions have been passed.

The transitional rules are as follows:

- For applicants who passed all divisions of the ARE by 1 January 2006, regardless of the time taken, such applicants will have passed the ARE.
- For applicants who have passed one or more but not all divisions of the ARE by 1 January 2006, such applicants will have five years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five years, after which time the division must be retaken if the remaining divisions have not been passed. The five-year period shall commence after 1 January 2006, on the date when the first remaining division is passed. **Any division passed prior to 1 January 2006 shall no longer remain valid if all remaining divisions have not been passed by 1 July 2014.**
- For applicants who have passed no divisions of the ARE by 1 January 2006, such applicants shall be governed by the above five-year requirement. The five-year period shall commence on the date when the first passed division is administered.
- Effective 1 January 2011 and thereafter, the authorization to test of any applicant shall terminate unless the applicant has passed or failed a division of the ARE within a period of five years. This includes the five-year period prior to 1 January 2011. Any applicant whose authorization is so terminated must establish a new eligibility under the then current procedures of a Member Board.

Direct Registration

The Direct Registration program is a service provided to Member Boards. For those boards participating in the program, NCARB serves as an intermediary and manages candidate eligibility for candidates that meet NCARB's current education and experience requirements.

If you are made eligible to test through the Direct Registration program, your NCARB Record and candidate information will not be transmitted to your board until you complete both the ARE and IDP. If you require approval for testing accommodations or have questions about your eligibility, score reporting, or any other exam-related issue, please contact NCARB directly.

Please note: If your jurisdiction participates in Direct Registration, but you do not meet NCARB's education and experience requirements, you must contact your jurisdiction directly to determine if you may still be made eligible through any alternative methods it may permit. If so, your board will be responsible for managing your eligibility status.

For the most up-to-date list of jurisdictions participating in Direct Registration, click here.

Step 1: Establishing Your Eligibility to Test *(continued)*

Rolling Clock Extension Process

In order to be considered for a Rolling Clock extension, as prescribed by NCARB in the Rolling Clock Extension Request Form, applicants must submit requests for a Rolling Clock extension directly to NCARB. Any request, including appropriate back-up documentation and a completed Rolling Clock Extension Request Form, must be received by NCARB by the end of your NCARB Rolling Clock end date.

Adherence to these rules is required for NCARB certification.

Maintaining Exam Eligibility with Your Jurisdiction

You are responsible for maintaining your exam eligibility with your registration board. Because the rules vary from board to board and are subject to frequent change, it is important for you to stay informed of your individual registration board's policies and procedures. This includes notifying them of any address changes so they can contact you about eligibility renewals or any other important licensure information.

NOTE: In addition to NCARB's Rolling Clock Policy, your jurisdiction may have its own retake limit/exam validity timeframe. Please contact your jurisdiction directly to determine your exam status under its rules and policies.

If your state-based eligibility period expires before you successfully complete all divisions of the ARE or if an ARE division credit/passing score expires due to NCARB's Rolling Clock, you MUST contact your board of architecture (or NCARB if you were made eligible to take the ARE through a jurisdiction participating in the Direct Registration program).

Important Reminder

Rules that may impact you:

A candidate's Authorization to Test will be terminated if the applicant does not test during a five-year period, including the five-year period prior to 1 January 2011.

- Authorization will not be terminated if the applicant tests and fails; it will only be terminated if the applicant does not take at least one division every five years.
- If authorization is terminated for inactivity, candidate may reestablish new eligibilities through a Member Board under their then current procedures.

The full policy is on page 8.

Step 2: Scheduling an Exam Appointment

SCHEDULING

When you have been made eligible to test, you can schedule to sit for individual divisions of the ARE. You may take any division of the ARE at any time, and in any sequence you choose. You are not required to take the ARE in the same jurisdiction where you are seeking initial registration.

Testing reservations are accepted on a first come, first-served basis and are restricted by seat availability at each test center. You must schedule your appointment a minimum of three business days in advance of the test date. Saturday and Sunday are NOT considered business days. Walk-in appointments are not allowed.

The divisions you are eligible to take are indicated in the My Examination section of your NCARB Record. **You must schedule a separate appointment for each division of the ARE.**

- Any divisions eligible to be scheduled will be displayed with a scheduling link in My Examination.
- **All appointments must be scheduled through My Examination in your NCARB Record.**

Credit cards will be charged when the appointment is scheduled. **Once you schedule an appointment, your test fee CANNOT be refunded.**

You will receive a confirmation e-mail for each appointment scheduled.

Cancellation of a scheduled appointment is NOT permitted. If you cancel an exam, regardless of reason, your testing fee is non-transferable and non-refundable.

RESCHEDULING

You can reschedule an existing appointment if the originally scheduled appointment date is four or more business days away. Saturday and Sunday are NOT considered business days. Leaving a message on the local test center answering machine is NOT an acceptable method of rescheduling your appointment. **Rescheduling an appointment can ONLY be done via My Examination.**

Any changes to scheduled appointments will be subject to the rescheduling fees noted on page 14 of this document.

If you fail to arrive for your scheduled appointment or attempt to reschedule an appointment without giving the required notice, you will forfeit the entire test fee.

Scheduling an appointment to take the ARE is governed by contractual agreements between NCARB and Prometric. If you encounter difficulty scheduling a testing appointment, use the ARE Scheduling Verification Form to learn more about your options.

If you anticipate transitioning to ARE 5.0, there are three important divisions to pass in ARE 4.0:

- Construction Documents & Services
- Programming, Planning & Practice and
- Site Planning & Design

To learn more about the transition to ARE 5.0, visit NCARB's website.

Step 2: Scheduling an Exam Appointment *(continued)*

TESTING ACCOMMODATIONS

All test centers in the Prometric network are designed to accommodate people with disabilities. Testing accommodations will only be made with the authorization of your board of architecture.

To receive testing accommodations you must make a request directly to your board of architecture (or to NCARB for boards participating in NCARB's Direct Registration Program). Your request must comply with requirements established by your board and NCARB for people requesting testing accommodations. Typically, these requirements include documentation of past accommodations, if any, and a specific diagnosis by an appropriately licensed professional that includes a description of the accommodations that are appropriate for your condition. The diagnosis should indicate how the condition substantially limits major life activity and its anticipated duration. The Americans with Disabilities Act (ADA) will be used by NCARB as a guide when evaluating testing accommodation requests. This ensures fairness and consistency for all ARE candidates.

Once you have been approved for testing accommodations by both your board and NCARB, you will receive notification from NCARB and instructions on how to make an appointment.

DO NOT attempt to schedule any exam appointments until you receive written notification that accommodations have been approved by NCARB. Accommodations will NOT be added retroactively to previously scheduled exam appointments and exam fees will NOT be transferred or refunded.

You must follow the instructions outlined in My Examination to schedule an appointment if you require and have been approved for testing accommodations.

If you arrive at the test site and do not have an approved testing accommodation on file, you will not be admitted as an accommodations candidate, but will be instructed to call your board of architecture to initiate the testing accommodations process.

As noted, if your jurisdiction participates in NCARB's Direct Registration Program, your request for testing accommodations must be submitted directly to NCARB. For the most up-to-date list of jurisdictions participating in Direct Registration, click here. Contact Customer Relations at customerservice@ncarb.org to receive the testing accommodations request form.

Step 2: Scheduling an Exam Appointment *(continued)*

TESTING ACCOMMODATIONS: PRE- APPROVED PERSONAL ITEMS

Please note that candidates do NOT need to request Testing Accommodations for the SPECIFIC ITEMS indicated below. However, if ANY OTHER accommodations are needed that are NOT listed below, the formal testing accommodation request process indicated previously MUST BE FOLLOWED. For example, if you wear an insulin pump (which by itself does not require approval) and require a separate room and/or the ability to take extra breaks, etc.; the formal testing accommodation request process indicated previously must be followed.

Medicine and Medical Devices

- Arm/Shoulder Sling
- Bandages
- Braces – Neck, Back, Wrist, Leg or Ankle
- Casts/Cervical Collar
- Cough drops (must be unwrapped and not in a bottle/container)
- Earplugs (Foam with no strings)
- EpiPen
- Eye drops
- Eye patches
- Eyeglasses (without the case)
- Glucose Monitor
- Glucose tablets
- Handheld Magnifying Glass (non-electric, no case)
- Ice Packs/Heating Pads
- Inhaler
- Medical Alert Bracelet
- Nitroglycerin tablets
- Pillow/Lumbar Support
- Pills (must be unwrapped and not in a bottle/container). Candidates may bring pills that are still in the packaging if the packaging states they MUST remain in the packaging, such as nitroglycerin pills that cannot be exposed to air. (Packaging will be inspected by Test Center Administrator and a Center Problem Report will be submitted).
- Stool for elevating a limb
- Surgical Facemask
- Walking boot casts

Medical Devices (Attached to a person's body)

- Catheter
- Colostomy Bag
- Heart Rate Monitor
- Insulin Pump
- Oxygen Tank
- Spinal Cord Stimulator
- TENS Units (Transcutaneous Electrical Nerve Stimulation) for nerve pain
- Urine drainage bag

Communication Aids

- Hearing Aid/Cochlear implant
- Vocal Chord Magnifiers

Mobility Devices

- Cane
- Crutches
- Walker
- Wheelchair

Other

- Service Animal

For security purposes, all personal items will be subject to inspection prior to testing.

Step 2: Scheduling an Exam Appointment *(continued)*

APPOINTMENT TIMES

Each testing appointment you schedule includes an overall amount of time for various introductory screens, a mandatory scheduled break, and a post-administration survey. The following tables show the total scheduled appointment time for each division along with a breakdown of the time alloted for each testing portion.

PROGRAMMING, PLANNING & PRACTICE

SCHEDULED APPOINTMENT TIME	4:00	
Intro Time		
MC Testing Time	2:00	85 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	1:00	Site Zoning
Exit Questionnaire		

SITE PLANNING & DESIGN

SCHEDULED APPOINTMENT TIME	4:30	
Intro Time		
MC Testing Time	1:30	65 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	2:00	Site Grading, Site Design
Exit Questionnaire		

BUILDING DESIGN & CONSTRUCTION SYSTEMS

SCHEDULED APPOINTMENT TIME	5:30	
Intro Time		
MC Testing Time	1:45	85 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	2:45	Accessibility/Ramp, Stair Design, Roof Plan
Exit Questionnaire		

SCHEMATIC DESIGN

SCHEDULED APPOINTMENT TIME	6:00	
Intro Time		
Graphic Testing Time	1:00	Interior Layout
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	4:00	Building Layout
Exit Questionnaire		

STRUCTURAL SYSTEMS

SCHEDULED APPOINTMENT TIME	5:30	
Intro Time		
MC Testing Time	3:30	125 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	1:00	Structural Layout
Exit Questionnaire		

BUILDING SYSTEMS

SCHEDULED APPOINTMENT TIME	4:00	
Intro Time		
MC Testing Time	2:00	95 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	1:00	Mechanical & Electrical Plan
Exit Questionnaire		

CONSTRUCTION DOCUMENTS & SERVICES

SCHEDULED APPOINTMENT TIME	4:00	
Intro Time		
MC Testing Time	2:00	100 items
Scheduled Break	:15	
Intro Time		
Graphic Testing Time	1:00	Building Section
Exit Questionnaire		

Step 2: Scheduling an Exam Appointment *(continued)*

FEES AND PAYMENT OPTIONS

Payment by Credit Card

Payment must be made using VISA, MasterCard, or American Express when you schedule your test appointment(s) via My Examination in your NCARB Record. Credit cards will be charged when the appointment is scheduled.

Veterans Affairs Benefit

The ARE has been approved by the Department of Veterans Affairs and qualifies as an education benefit. U.S. military veterans may be eligible for payment assistance to take divisions of the ARE. Please contact your regional Veterans Affairs Office for further details regarding the program or the Veteran's Affairs website at here.

Exam Fees

United States and Canada (includes U.S. territories):

- Cost of the ARE (seven divisions): $1,470
- Individual divisions: $210
- Retakes: $210

International locations (London, Abu Dhabi, Hong Kong):

- Cost of the ARE (seven divisions): $2,170
- Individual divisions: $310
- Retakes: $310

Rescheduling Fees:

- 0-3 business days before appointment: Rescheduling not permitted
- 4-15 business days (noon ET) before appointment: $80
- 16 or more business days (noon ET) before the appointment: $60

Fees are in U.S. dollars. Rescheduling fees must be paid via credit card at the time of rescheduling.
** All fees are subject to change.*

Refund Policy

Once you schedule an appointment for a particular division, your test fee CANNOT be refunded or used as payment for another division. If you reschedule an appointment within the procedure explained on page 10, the test fee will remain valid for a period of one year from the date the payment is processed. If you reschedule an exam appointment, you must reschedule within one year of the original test date. The exam fee is valid for one year only.

PAYMENT DISCREPANCIES/BAD DEBT

NCARB reserves the right to withhold test scores and suspend test-taking privileges until any outstanding debt or payment discrepancies are resolved.

Step 3: Taking the ARE

PERSONAL IDENTIFICATION

When you arrive at the test center, you are required to present a proper form of identification as outlined below. You will not be admitted to the examination without proper identification, and there will be no refund of your test fee. The primary form of identification must bear your signature and a recent photograph. The name on the identification must be the same as the name that appears in your NCARB Record. You must keep your identification with you at all times. If you need to change the name shown in your NCARB Record, you must send a request and official documentation to NCARB Customer Relations. **Name discrepancies must be resolved at least one week prior to your scheduled exam appointment.**

Primary Identification Requirements

Primary identification must be from the following list of forms of identification and must include your signature and a recent recognizable photograph. This ID must be current (not expired).

- valid driver's license with photo
- military identification card with photo
- national identification card with photo
- valid passport with photo

Alternate Identification Requirements

If you cannot present one of the primary IDs listed containing both a photo and signature, you must present alternate forms of identification (not expired), ONE of which must contain a recent recognizable photo and ONE of which must contain your signature.

- valid driver's license
- military identification card
- national identification card
- valid passport
- student identification card
- state/province identification card
- U.S. passport card

Unacceptable Forms of Identification

- ID with no photo (unless accompanied by another form of ID with photo)
- expired driver's license or passport
- draft classification card
- letter of identity from a notary
- Social Security card
- credit card or bank card of any kind
- employee identification

If the test center administrator questions the ID presented, you may be asked for additional proof of identity. You may be refused access to an examination if the test center staff believes you have not sufficiently proven your identity. You will not be admitted to the examination without proper identification and there will be no refund of your test fee. Admittance to the test center and completion of your examination does not imply that your identification is valid or that your score will be reported.

Tips

- Verify that the name in your NCARB Record is accurate and matches the name printed on your identification. If your name is incorrect, immediately contact NCARB Customer Relations.
- When you arrive at the test center, you are required to present an approved form of identification.
- The name on the ID must match the name in your NCARB Record.
- You will not be admitted to the examination without the proper form of ID, and there will be no refund of your test fee.

Step 3: Taking the ARE *(continued)*

AT THE TEST CENTER

The staff at each test center is required to guide you through designated procedures to ensure that the operation of the test center meets NCARB criteria.

1. You should arrive at the test center at least 30 minutes before your scheduled appointment. If you arrive later than 15 minutes after your scheduled appointment time, you may be required to forfeit your appointment and your test fee will not be refunded.
2. Your test session should begin within 30 minutes of your scheduled appointment. If circumstances arise that delay your test session more than 30 minutes after your scheduled appointment time, you will be given the choice of continuing to wait or rescheduling your appointment.
3. You are required to present proper identification. You must keep your identification with you at all times.
4. Prometric requires all candidates to be scanned by a handheld metal detector prior to each entry into the testing room, including returns from breaks. All candidates will be required to submit to the scans, with few exceptions. Candidates refusing to be scanned may not be permitted to test.

   In addition, Prometric uses mandatory biometric-enabled check-in procedures that include:

   - a scan of a candidate's photo ID
   - the providing of six digital fingertip swipes (three from each hand for first appointment, one swipe for subsequent appointments). **Candidates will NOT be permitted to test if they refuse to provide fingertip swipes.**
   - a test-day photo
5. You will be escorted to a workstation by the test center administrator. You must remain in your seat during the examination, except when authorized to leave by test center staff.
6. Each division includes one mandatory 15-minute break. You must leave the testing room during the break. PLEASE NOTE: **Communication devices, such as personal calculators, personal digital assistants, pagers, and cellular telephones or any study materials are NOT allowed to be accessed or used during mandatory or unscheduled breaks.** When you return to your test, you must comply with all re-admittance procedures as noted in #10 below.
7. Scratch paper and pencils are provided and may be replaced as needed during testing. Used scratch paper will be collected before additional scratch paper is distributed. You are not allowed to bring your own scratch paper or pencils into the testing room. You may not remove any scratch paper from the testing room at any time under any circumstances. You are NOT permitted to separate, detach, or tear portions of the scratch paper provided to you.
8. Raise your hand to notify the test center administrator if:

   - you experience a problem with your computer
   - an error message appears on the computer screen **(do not clear the message)**
   - you need additional scratch paper or pencils
   - you need to take an unscheduled break (testing time will not be suspended)
   - you need the test center personnel for any other reason
9. In the event that a software or hardware problem occurs before or during your test, please see page 17 for additional information.
10. If you leave the testing room for any reason, you will be required to show the test center administrator your identification, sign a logbook, be scanned by a handheld metal detector and provide a fingertip swipe to be readmitted to the testing room.
11. When you finish the examination, quietly leave the testing room, return all scratch paper, and sign the test center registration log. The test center administrator will dismiss you after completing all necessary procedures.

Guessing
You should answer every question presented. If you are not sure of the correct answer, make your best guess and/or mark the question for later review during completion of the multiple-choice section. All unanswered questions will be counted as incorrect responses.

Reviewing Answers
You will be able to review and change your answers or solutions within a section of the exam (multiple-choice or graphic). However, once you have exited the section OR the time limit has expired for the section, you will NOT be able to return to any items in that section.

Personal Calculators
ARE candidates are not permitted to bring a personal calculator into the test center. All divisions of the ARE include an on-screen scientific calculator for your use.

What to Expect
To learn more about what to expect at a Prometric test center, click here.

Step 3: Taking the ARE *(continued)*

REPORTING TEST CONCERNS

DO NOT wait to receive your test results before expressing your concerns. NCARB policy does not allow for response to complaints received more than 15 days following your test date. You must send your complaint to: customerservice@ncarb.org

PLEASE NOTE: **The filing of a report by the test center administrator does NOT satisfy the requirements of notifying** customerservice@ncarb.org **directly.**

COMMENTS AND QUESTIONS ABOUT YOUR EXAM ADMINISTRATION

If you have any comments or questions concerning your exam administration, direct your comments in writing to customerservice@ncarb.org within 15 days following your test administration. A copy of this letter should be forwarded to your board of architecture. You will receive a reply from NCARB or your board of architecture as appropriate.

INQUIRIES ABOUT SPECIFIC ARE QUESTIONS OR VIGNETTES

NCARB employs extensive quality control procedures throughout the development of the ARE. In spite of these procedures, typographical errors or flawed questions or vignettes may be encountered on rare occasion. If you suspect an error in a specific question or vignette, write to customerservice@ncarb.org **immediately after taking the test.**

In your correspondence, include:

- the name of the division
- the test date
- the specific concern(s) about the question or vignette

You are not allowed to copy the question before leaving the test center and are not expected to recreate the entire question in your correspondence. NCARB will review the question, and you will be notified of the findings. The correct answer will not be revealed.

TECHNICAL DIFFICULTIES

In the event that a software or hardware problem occurs before or during your test, please wait to see if the test center administrator, with assistance from Prometric technical support, can resolve the problem. In the event a computer must be restarted, the computer software has been designed to suspend testing time until the computer is operating again.

If your examination cannot be administered because of technical difficulties, your examination will be rescheduled at your earliest convenience.

If rescheduling your examination is necessary, you may be eligible for limited compensation for incidental expenses such as transportation, parking, or meals. Lost wages or hourly fees are NOT compensated under this policy. Details can be found here.

RESCHEDULING WHEN TEST CENTER IS CLOSED

In the event your test center is closed, you will be contacted by Prometric to assist you with rescheduling your exam as follows:

1. You will receive a phone call from Prometric within 24 hours of your test center closing to reschedule your exam.
2. If you miss this phone call, you will automatically be rescheduled at no charge for the next available slot at a test center near you. You will receive an e-mail and automated phone call from Prometric notifying you of the new appointment time.
3. If you are unable to make the automatically rescheduled appointment time, you must call Prometric's Customer Care line at 1-800-853-6769 to reschedule your exam at no cost. When speaking with the Prometric representative, **you must mention that you need to reschedule your automatically rescheduled appointment because of a test center closure.** You may not reschedule your appointment through My Examination in this circumstance.

Test Center Closings

If you are unsure whether a test center is closed due to inclement weather or any other reason, you should contact the test center directly. **If the center is open, it is your responsibility to keep the appointment.** If the center is closed, you will be given the opportunity to reschedule.

If you are unable to contact the local test center, please visit Prometric for a list of test centers that are currently or will be non-operational and cannot deliver exams.

Step 3: Taking the ARE *(continued)*

TEST CENTER REGULATIONS

To ensure that all ARE divisions are administered under comparable conditions to that of other candidates and that the results represent a fair and accurate measurement, it is necessary to maintain a standardized testing environment. You must adhere to the following regulations:

- **Communication devices, such as personal calculators, personal digital assistants, pagers, and cellular telephones, are not allowed in the testing room and are not allowed to be accessed or used during mandatory or unscheduled breaks.**
- Eating, drinking, or use of tobacco is not allowed in the test center.
- Papers, books, food, purses, or wallets are not allowed in the testing room.
- You may not leave the testing room without the test center administrator's permission.
- You must present your identification, sign a logbook, be scanned by a handheld metal detector and provide a fingertip swipe to be readmitted to the testing room.
- No reference material may be brought into the testing room or accessed from your locker during the administration of your exam. On-screen reference material is accessible during the Structural Systems division and the Building Systems division.
- Leaving the testing center anytime during your exam administration **(including mandatory and unscheduled breaks)** is strictly prohibited.

You are required to leave all personal belongings outside the testing room. Candidates will not be allowed to take anything into the testing room other than those items given to them by the test center administrator (such as pencils, scratch paper, earplugs), and their identification documents (e.g., driver's license, passport).

Small lockers are provided for candidate use to secure purses, wallets, keys, cellular telephones, pagers, etc. Lockers will NOT accommodate briefcases, laptop computers, or large purses and bags. Do not bring large items (bags, textbooks, notebooks, etc.) to the testing center. Test center staff will not take responsibility for these items; you will be asked to remove large items from the testing center.

GROUNDS FOR DISMISSAL

An examinee who engages in misconduct and/or does not heed the administrator's warning to discontinue inappropriate behavior may be dismissed from the test center and/or have examination results cancelled, and/or have examination eligibilities suspended.

Examples of misconduct include:

- Failing to follow the instructions of the test center administrator.
- Violating the test center regulations.
- Creating a disturbance of any kind.
- Removing or attempting to remove examination questions and/or responses (in any format) or notes about the examination from the testing room.
- Removing or attempting to remove scratch paper from the test center.
- Attempting to take the examination for someone else.
- Tampering with the operation of the computer or attempting to use it for any function other than taking the examination.
- Leaving the testing room without permission.
- Using any unauthorized references or devices.
- **Using electronic communications equipment such as personal digital assistants, cellular telephones, pagers, etc. during any mandatory <u>or</u> unscheduled breaks.**
- **Bringing any study materials (e.g., textbooks, classroom notes, crib sheets, or language translation dictionaries) to the testing center.**
- **Reviewing any materials during mandatory <u>or</u> unscheduled breaks.**

Step 3: Taking the ARE *(continued)*

EXAMINATION SECURITY

To ensure the integrity of the ARE program, specific security measures are enforced during the administration of your examination.

You will be observed at all times while taking the examination. This may include direct observation by test center staff, as well as audio and video recording of your examination session.

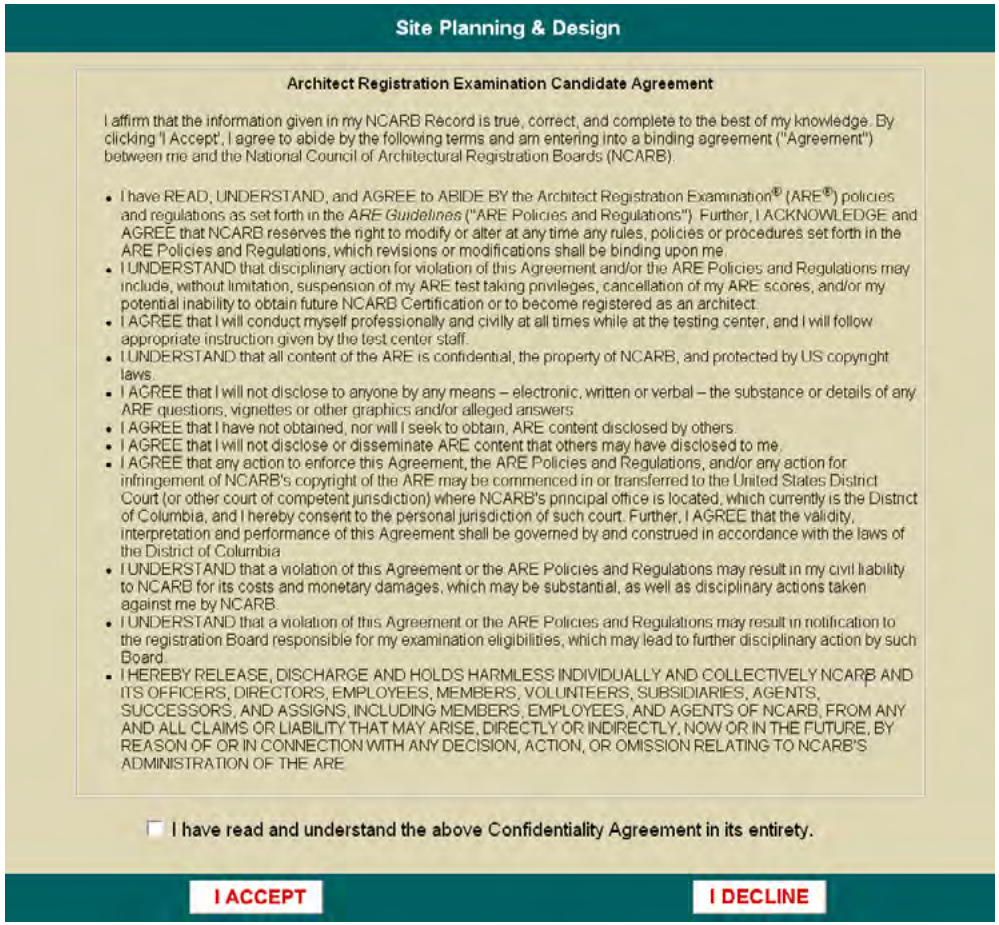
Waiting areas at the test center are for candidates only. Friends or relatives who accompany you to the test center will not be permitted to wait in the test center or contact you while you are taking the examination.

CONFIDENTIALITY AGREEMENT

All NCARB tests are held in strict security and confidence. **Before beginning your test, you will be required to accept a Confidentiality Agreement, which prohibits any disclosure of exam content.**

By taking divisions of the ARE, you are personally responsible for maintaining the confidentiality of all information relating to the exam. You may not discuss exam content in any manner with anyone, including but not limited to family, friends, other examinees, and test preparation providers. This agreement also covers Internet chat rooms, mailing list servers, websites, etc. Following completion of your exam, you will also be reminded of your acceptance of the confidentiality statement that you accepted prior to commencing the exam.

Any disclosure of ARE content is strictly prohibited and may result in severe disciplinary action, including the suspension of testing privileges, and/or the cancellation of scores.



Site Planning & Design

Architect Registration Examination Candidate Agreement

I affirm that the information given in my NCARB Record is true, correct, and complete to the best of my knowledge. By clicking 'I Accept', I agree to abide by the following terms and am entering into a binding agreement ("Agreement") between me and the National Council of Architectural Registration Boards (NCARB).

- I have READ, UNDERSTAND, and AGREE to ABIDE BY the Architect Registration Examination® (ARE®) policies and regulations as set forth in the *ARE Guidelines* ("ARE Policies and Regulations"). Further, I ACKNOWLEDGE and AGREE that NCARB reserves the right to modify or alter at any time any rules, policies or procedures set forth in the ARE Policies and Regulations, which revisions or modifications shall be binding upon me.
- I UNDERSTAND that disciplinary action for violation of this Agreement and/or the ARE Policies and Regulations may include, without limitation, suspension of my ARE test taking privileges, cancellation of my ARE scores, and/or my potential inability to obtain future NCARB Certification or to become registered as an architect.
- I AGREE that I will conduct myself professionally and civilly at all times while at the testing center, and I will follow appropriate instruction given by the test center staff.
- I UNDERSTAND that all content of the ARE is confidential, the property of NCARB, and protected by US copyright laws.
- I AGREE that I will not disclose to anyone by any means – electronic, written or verbal – the substance or details of any ARE questions, vignettes or other graphics and/or alleged answers.
- I AGREE that I have not obtained, nor will I seek to obtain, ARE content disclosed by others.
- I AGREE that I will not disclose or disseminate ARE content that others may have disclosed to me.
- I AGREE that any action to enforce this Agreement, the ARE Policies and Regulations, and/or any action for infringement of NCARB's copyright of the ARE may be commenced in or transferred to the United States District Court (or other court of competent jurisdiction) where NCARB's principal office is located, which currently is the District of Columbia, and I hereby consent to the personal jurisdiction of such court. Further, I AGREE that the validity, interpretation and performance of this Agreement shall be governed by and construed in accordance with the laws of the District of Columbia.
- I UNDERSTAND that a violation of this Agreement or the ARE Policies and Regulations may result in my civil liability to NCARB for its costs and monetary damages, which may be substantial, as well as disciplinary actions taken against me by NCARB.
- I UNDERSTAND that a violation of this Agreement or the ARE Policies and Regulations may result in notification to the registration Board responsible for my examination eligibilities, which may lead to further disciplinary action by such Board.
- I HEREBY RELEASE, DISCHARGE AND HOLDS HARMLESS INDIVIDUALLY AND COLLECTIVELY NCARB AND ITS OFFICERS, DIRECTORS, EMPLOYEES, MEMBERS, VOLUNTEERS, SUBSIDIARIES, AGENTS, SUCCESSORS, AND ASSIGNS, INCLUDING MEMBERS, EMPLOYEES, AND AGENTS OF NCARB, FROM ANY AND ALL CLAIMS OR LIABILITY THAT MAY ARISE, DIRECTLY OR INDIRECTLY, NOW OR IN THE FUTURE, BY REASON OF OR IN CONNECTION WITH ANY DECISION, ACTION, OR OMISSION RELATING TO NCARB'S ADMINISTRATION OF THE ARE.

☐ I have read and understand the above Confidentiality Agreement in its entirety.

I ACCEPT | I DECLINE

NCARB Board of Directors Policy Regarding Cheating
For further details and to review the Policy and Procedure for testing irregularities visit the NCARB website.

ARE Candidate Agreement
To review the ARE Candidate Agreement refer to the NCARB website.

Step 4: Receiving Your Score

All divisions of the ARE are administered and graded by computer. **Results for all divisions are typically processed within four weeks of your test date. When your score is processed and available to you, an automated notification will be sent to you via e-mail. At that time, you will be able to access your score report online via My Examination.** Test results are not released at the test center.

Although every effort is made to process examination scores in a timely manner, NCARB's first priority is to ensure that all examinations are scored fairly and accurately and that no errors are made in the score-reporting process.

All test scores are reported as pass or fail. You will receive limited descriptive feedback for each failed division. This feedback information indicates areas of relative strength and weakness based on the division's content areas and vignettes. If you fail a division, you can develop your general study plan according to these diagnostics prior to retaking the ARE.

NCARB recognizes your rights to control personal information maintained by NCARB, Alpine, and Prometric. NCARB policy is designed to safeguard this information from unauthorized disclosure. To protect your rights to control score distribution, reports are released only to the board of architecture for which you are being tested. A board of architecture may reserve the right to cancel one or more of your test scores, if, in its sole opinion, there is any reason to question its validity.

NCARB does not release test scores except for use in research studies that preserve your anonymity or under compulsion of legal process. However, NCARB reserves the right to anonymously publish selected sample solutions of vignettes for the benefit of future candidates.

THE PASSING STANDARD

Passing or failing the ARE depends solely on your level of performance in relation to the established point representing entry-level competence.

Careful judgment has been exercised in setting the passing standards for all NCARB examinations. The passing scores are the same for every board of architecture and are not affected by the number of people who pass or fail each division of the examination. **There is no fixed percentage of candidates who pass or fail the ARE.**

MULTIPLE-CHOICE SECTIONS

Approximately every five years, NCARB assembles a group of architects to establish the passing standard for the multiple-choice sections of the ARE. This group of architects is selected from the United States and Canada and represents a general cross section of practicing architects.

GRAPHIC VIGNETTE SECTIONS

Members of select NCARB committees establish the grading standards for each vignette. These members are practicing architects from the United States. Throughout the year, randomly selected solutions are reviewed by these committees of architects to ensure that the software accurately reflects the professional judgment of this group of practitioners.

The computer scoring programs for the graphic vignettes objectively assess your solution based on its conformance to the specific programmatic requirements of each vignette. The compensatory scoring model evaluates an extensive list of features before determining the final score and compensates for weaknesses in some areas when strengths in others are demonstrated.

Step 4: Receiving Your Score *(continued)*

REVIEW AND CHALLENGE

A review procedure is available to you ONLY if your board of architecture permits reviews of failed examinations. It is at the sole discretion of each board of architecture whether or not to administer the review process. If you wish to pursue the review process, immediately contact your board of architecture to better understand the procedures and fees involved. The application for review and review fee must be received by NCARB within four months of the administration of your test and the review process must be completed within six months following the administration of your test.

Only those questions you answered incorrectly or those vignettes listed at Performance Level 3 on your score report can be reviewed. The correct answer or proper solution will not be revealed.

During the review process, you may only challenge a question answered incorrectly for a multiple-choice section if your board of architecture allows challenges and appeals. Your challenge to a multiple-choice question will be forwarded to NCARB for review and response. Any challenge to a graphic vignette will not be reviewed by NCARB.

Depending on the laws of the jurisdiction where you are seeking registration, you may be able to challenge the score received on any ARE division. If your board of architecture (or a court with jurisdiction) changes your score from fail to pass, outside of the NCARB facilitated review/challenge process, ONLY that jurisdiction is required to accept the new score. NCARB will not recognize the new score for purposes of NCARB certification. Alternatively, if there is a successful challenge to any multiple-choice choice question/s on a candidate's examination that has been determined by NCARB to positively impact an ARE division score from fail to pass, via the NCARB facilitated review/challenge process, the new score will be recognized for the purpose of NCARB certification.

Step 5: Retaking the ARE

Effective October 1, 2014, candidates can retake a failed division of the ARE as soon as 60 days after the previous attempt of that division. A candidate may only take the same division of the ARE three (3) times within a running year.

Upon receiving a failing score report in My Examination, you will be permitted to schedule a test appointment for that same division for a date on or after the start date of your new eligibility period. For scheduling details, please refer to Step 2 of this document.

If you fail a division, it is important to spend the time between test administrations gaining additional knowledge, skills, and abilities in the appropriate areas of practice.

ARE REFERENCE MATERIALS

ARE® 4.0 Exam Guides

The exam guide for each division is available in a downloadable PDF format. Each guide contains sample multiple-choice questions (except Schematic Design), one passing and one failing solution for each sample vignette, and a non-exhaustive list of references.

Direct download links:

- Programming, Planning & Practice
- Site Planning & Design
- Building Design & Construction Systems
- Schematic Design
- Structural Systems
- Building Systems
- Construction Documents & Services

Reference Material

Structural Systems and Building Systems divisions include reference material that is accessed through a resources button on the computer screen. These screens include formulae and other reference material that may be helpful when answering questions in these multiple-choice sections of each division. PDF copies of the reference materials that will be available to you in the test center are available to download and review in advance of your examination here.

Codes and Standards

For each ARE division, candidates should be familiar with the latest edition of the following codes and standards:

International Code Council, Inc.

- International Building Code, 2009
- International Mechanical Code, 2009
- International Plumbing Code, 2009
- International Residential Code, 2009

US Department of Justice

- 2010 ADA Standards for Accessible Design

American National Standards Institute

- A117.1 - 2003: Accessible and Usable Buildings and Facilities

National Fire Protection Association

- NFPA 101: Life Safety Code, 2009
- NFPA 70: National Electrical Code, 2008

American Concrete Institute

- ACI 318-08: Building Code Requirements for Structural Concrete

American Institute of Steel Construction

- AISC 360-05: Specification for Structural Steel Buildings
- AISC 340-05: Seismic Provisions for Structural Steel Buildings

American Society of Civil Engineers

- ASCE 7-05: Minimum Design Loads for Buildings and Other Structures

American Institute of Architects

- AIA Documents, current edition

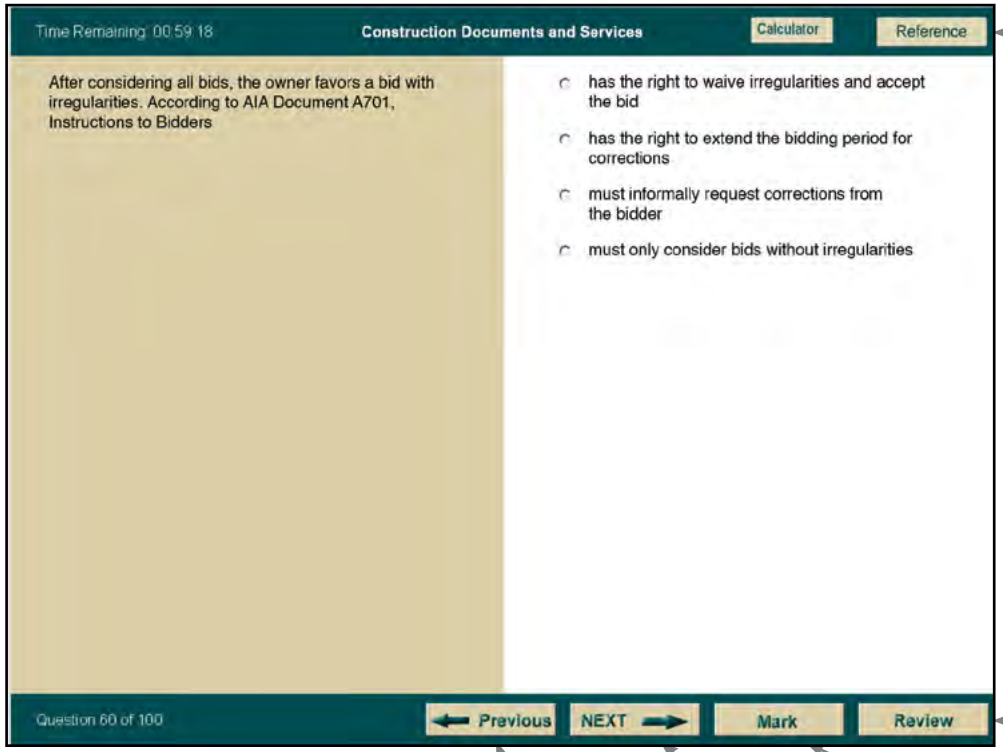
Preparing for the ARE

The Preparing for the ARE page includes links to:

- Exam Guides
- Practice Programs
- Reference sheets for Structural Systems and Building Systems divisions

Sample Unanswered Question

TIME DISPLAY
Shows the time remaining in your multiple-choice section.



REFERENCE
Click here to access formulae and other reference material.

REVIEW
Click to see the status of each question.

QUESTION NUMBER
Shows the number of the question you are on and the total number in the division.

PREVIOUS
Click here to return to the last question.

NEXT
Click here to move to the next question.

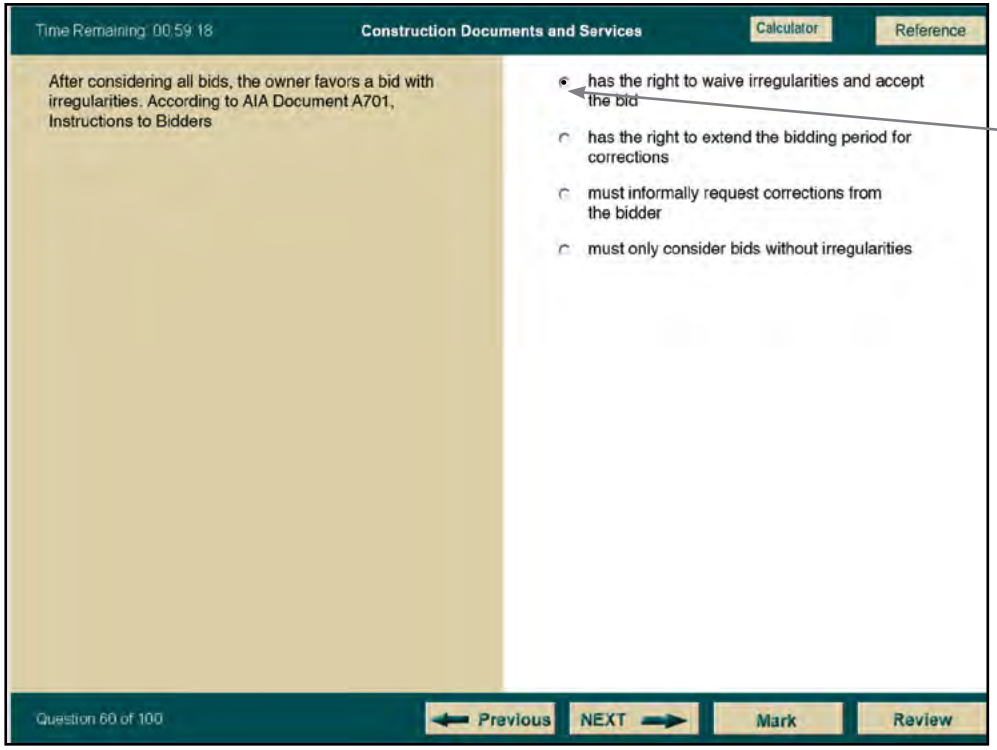
MARK
Click here to mark the question on the screen for later review.

Sample Unanswered Question
The question shown to the left represents a typical unanswered question from one of the multiple-choice sections as it appears on the computer screen.

Unlike sample questions in the exam guides, only one question appears at a time on the screen. The tools along the bottom portion of the screen allow you to navigate through the questions.

Before you begin the timed portion of your examination, a brief instructional tutorial is administered. This will allow you the opportunity to become familiar with the navigation icons and to practice using the mouse to select your answer.

Sample Answered Question



Click on the circle to select your answer.

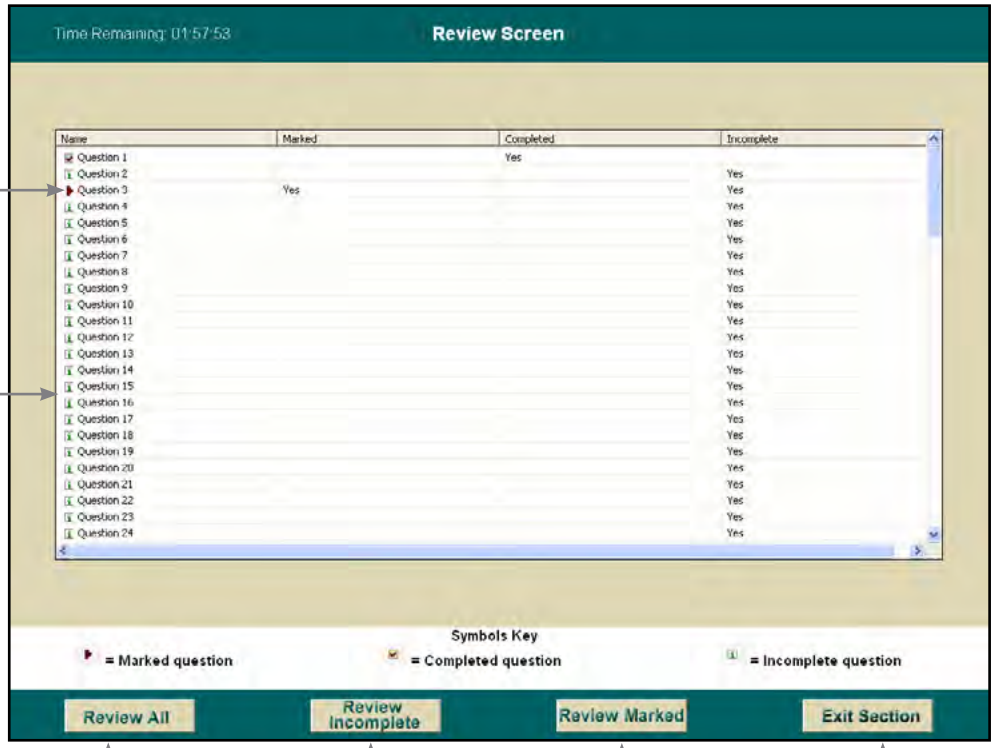
Sample Answered Question
The question shown to the left represents a typical answered question from one of the multiple-choice section as it appears on the computer screen. To select an answer from the list of available choices, position the mouse pointer over the circle that corresponds to your selection and press to click. The circle will become solid.

After selecting an answer, you can change your selection by clicking on a different selection, or you can unanswer the question by clicking again on the choice previously selected. The circle will appear empty.

Review Screen

MARKED FOR REVIEW
If you click the "Mark" icon on any question, a red "▶" will appear in this column.

INCOMPLETE
If you do not answer or choose to skip a question, a green "i" will appear in this column.



REVIEW ALL
Selecting this icon will sequentially deliver all questions.

REVIEW INCOMPLETE
Selecting this icon will sequentially deliver all "Incomplete" questions.

REVIEW MARKED
Selecting this icon will sequentially deliver only the questions you "marked."

EXIT SECTION
Selecting this icon will terminate your multiple-choice section.

Review Screen
Clicking on the "Review" icon on the question screen will take you to a screen similar to the one shown. This review screen indicates the status of each question and enables you to move to any specific question within the section. You may have to use the scroll bar on the right to see those questions that do not appear in the display. To move to a specific question, double-click the question number.

While answering the test questions, you can mark questions that you'd like to go back to and review by clicking on the "Mark" button. If you've clicked "Mark" on any question, a red "▶" appears to the left of the question number on the review screen. Therefore, it is possible to answer all the questions, mark a few for review, and then use the review screen after you have seen all of the questions in the division to return to those you want to see again. It is not necessary to undo the "Mark" icon before you end your section.

If you do not answer a question, or choose to skip to the next question without selecting an answer, a green "i" appears to the left of the incomplete question number. It is possible to skip a question and "Mark" it for later review. In this instance, both the green "i" and the red "▶" appear on the review screen.

If you click on the "End Exam" icon, a warning screen will appear asking you to confirm that you intend to quit your multiple-choice section. **If you click on the "Yes" button on the warning screen, your section will end and you will not be able to return to answer or review any questions.**

ARE DIVISIONS & REFERENCE MATERIALS: **GRAPHIC VIGNETTE SECTIONS**

Introduction

All divisions of the ARE include problems called vignettes that are used to assess your knowledge, skills, and abilities in the different facets of architectural practice.

You are required to create a solution for each of the 11 vignettes listed below based on the program and code requirements presented with each vignette.

Programming, Planning & Practice
Site Zoning

Site Planning & Design
Site Grading
Site Design

Building Design & Construction Systems
Accessibility/Ramp
Stair Design
Roof Plan

Schematic Design
Interior Layout
Building Layout

Structural Systems
Structural Layout

Building Systems
Mechanical & Electrical Plan

Construction Documents & Services
Building Section

The format of NCARB's exam guides assumes that users are prepared to take the ARE and that they want more information on the format of the examination. The guides will familiarize you with the software used to take the test. The guides are not to be used as the only source for preparing for the exam as they are not intended to "teach" the architectural content of the exam's separate test divisions. The samples included in each exam guide are presented to illustrate the types of graphic vignettes delivered within each division.

Each exam guide includes a sample passing and failing solution for the vignette(s) that comprises that division of the ARE. These sample solutions are formatted similarly to the way the vignettes appear on the actual examination. The graphics have been reduced to fit into the exam guides; they appear in a larger format within the exam.

The comments included on the sample solutions are intended to help users identify some of the positive and negative aspects of the solutions. These comments do not represent the entire evaluation process. Many deficiencies may not be noted at all; however, the overall passing or failing scores are realistic, relevant, and accurate.

HELPFUL URLS
Exam Guide Download Page

Direct download links:

- Programming, Planning & Practice
- Site Planning & Design
- Building Design & Construction Systems
- Schematic Design
- Structural Systems
- Building Systems
- Construction Documents & Services

Practice Program

PRACTICE SOFTWARE FOR GRAPHIC VIGNETTES

The practice program for the graphic vignettes allows you the opportunity to become familiar with the software interface before you schedule a testing appointment. The exam guides do not contain the practice software for the graphic sections; however, you can download the practice program (for personal use only) from NCARB's website here, free of charge. Candidates are encouraged to frequently check NCARB's website in order to download the latest version of the practice program. Warning: The practice programs downloadable at the above link will not run in a 64-bit operating system. See below for additional information.

The practice program for the graphic vignettes consists of tutorials, directions, and one practice vignette for each of the 11 vignettes. The tutorials have been developed to help you learn how to use the features of the computer software to create solutions for the graphic vignettes. **You should spend as much time as necessary practicing with the software before taking your examination, even if you feel comfortable using other computer and/or graphic drawing programs.**

Prior knowledge of CAD or other graphic drawing programs is not necessary, as there will be differences between the drawing tools you use in the examination and the software you are familiar with.

CLOUD-BASED PRACTICE PROGRAM SERVICE

For candidates using a 64-bit Windows or Mac operating sytems, NCARB has launched a cloud-based service through My NCARB to run the practice programs. The service has a $10 annual fee. Learn more FAQs

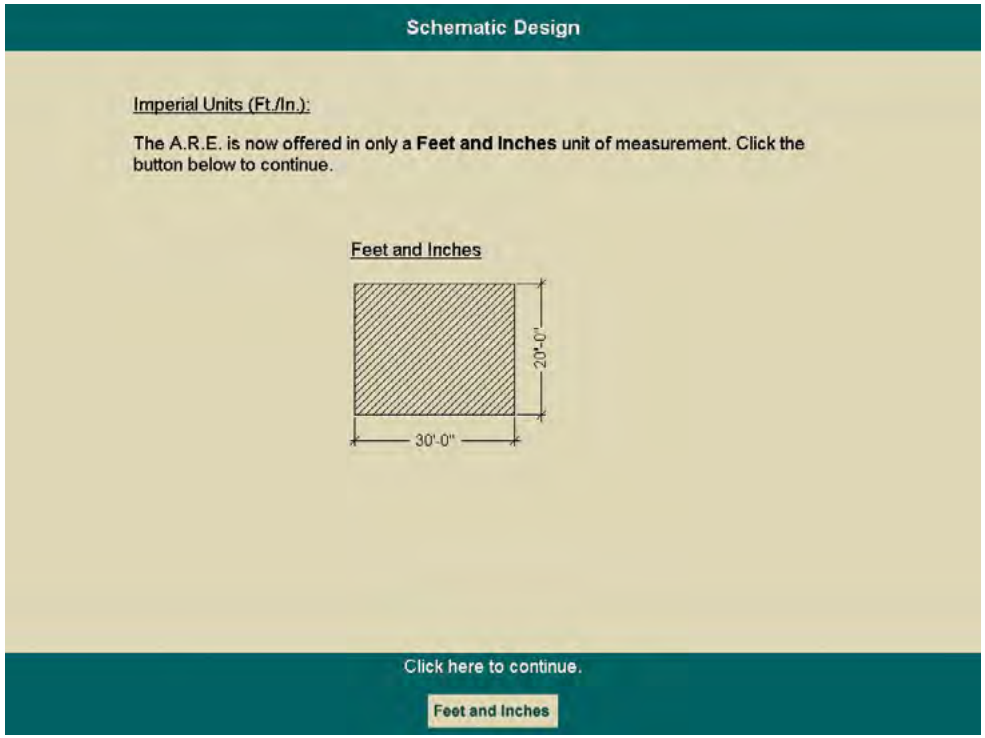
Download the Practice Program

The practice programs can be found here.

They include the following graphic vignettes:

- Site Zoning
- Site Design
- Site Grading
- Accessibility/Ramp
- Stair Design
- Roof Plan
- Interior Layout
- Building Layout
- Structural Layout
- Mechanical & Electrical Plan
- Building Section

Basic Controls



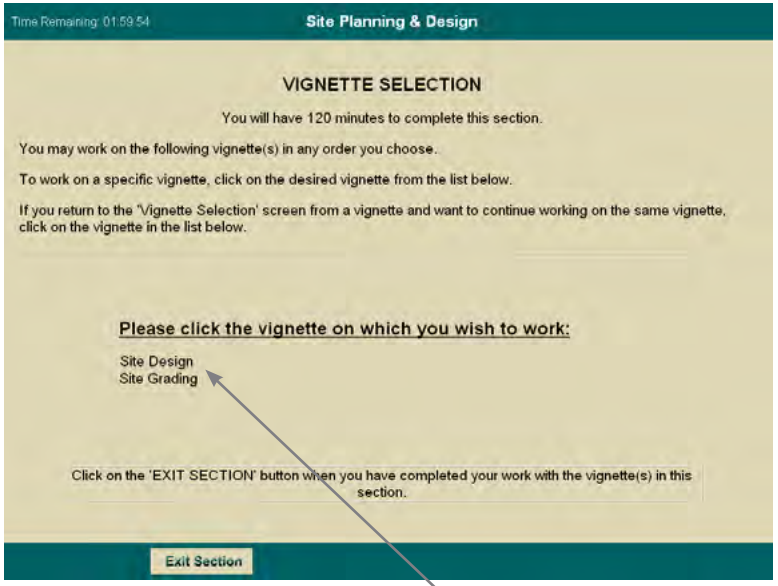
Click Feet and Inches to continue.

Units of Measure
Before beginning each graphic section, you will be required to confirm that all vignette work will be completed in feet and inch units.

Saving Your Work
The test software automatically saves your solution on an ongoing basis while you are working, whenever you close one vignette to move to another vignette, and whenever you say that you are finished with your examination. There is no "Save" button or keyboard command that you have to implement.

Menus and Windows

A section is the group of vignettes you are able to see and work on at a given time. Within each section, you will respond to a specific series of vignettes. You may work on the vignettes within a section in any order you choose, and you may take as much time as you need on each vignette up to the maximum time allotted for that section. Vignettes within a section may be reviewed; however, **when the section time limit is up, or if you have exited the section, you will not be able to return to any vignette in that section. Do not exit a section unless you are finished with the current set of vignettes.**



If you click "Exit Section," you will go to this screen.

If you click the name of a vignette, you will go to this screen.

If you wish to continue working, select "Vignette Selection."

DO NOT click on the "Exit Section" button until you have completed all of the vignettes contained within the section.

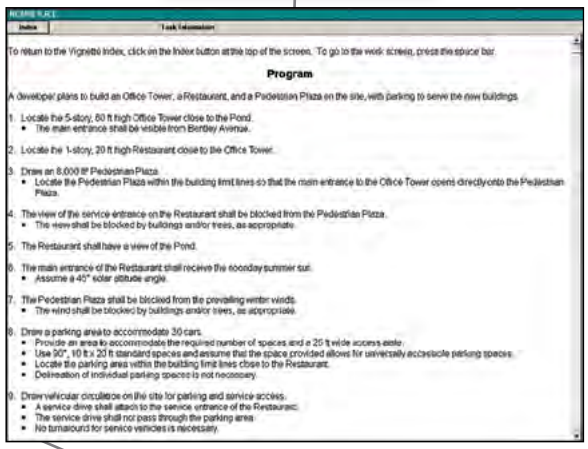
Click on the "Vignette Selection" button to navigate back to the Vignette Selection screen.

Moving Between Vignettes
You can move between vignettes that are administered within a single section by clicking on the "Review Vignettes" icon in the lower left corner of the work screen. (A review of all the icons in the graphic divisions begins on page 34.) The vignette selection screen lists all of the vignettes available to you during that section of the test. You can click on any vignette to move to that vignette. You should also click on the "Review Vignettes" icon when you have completed all of the vignettes within a section. The vignette review screen contains an icon that allows you to exit the test section. If you choose to exit the test section, a warning screen will appear to confirm that you intend to exit.

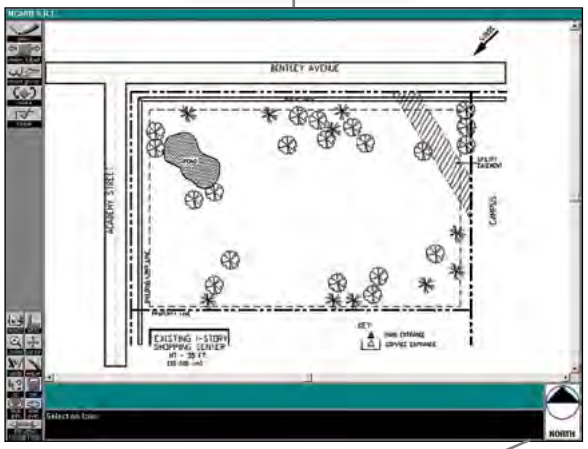
ONLY click on the "Exit Section" button, when you have completed all of your work for all of the vignette(s) contained within the section. If you click on the "Exit Section" button, you will receive the warning screen to the left, to help prevent you from prematurely exiting your examination. **If you exit a section prematurely, you WILL NOT be able to return to any vignette in that section.**

Basic Controls

REFERENCE SCREEN



WORK SCREEN

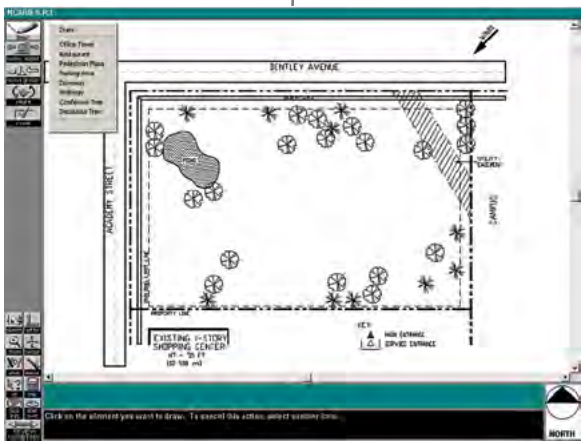


Click on the space bar to toggle between the reference screen and work screen.
If nothing happens when you press the space bar, you may have
left a menu open. See below for an example.

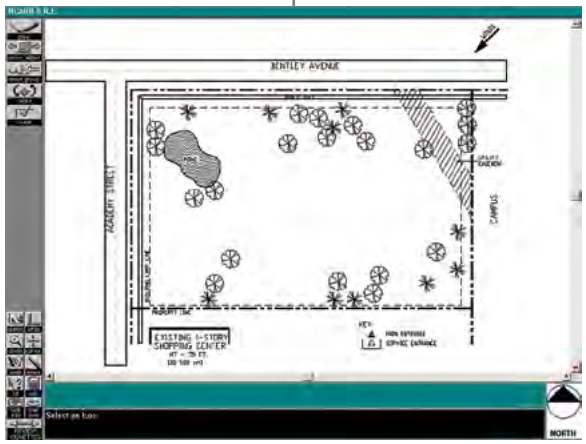
Z	X	C	V	B	N	M	< ,	> .	? /

Ctrl	KEYBOARD SPACE BAR	Alt

SAMPLE SCREEN WITH MENU OPEN



SAMPLE SCREEN WITH MENU CLOSED

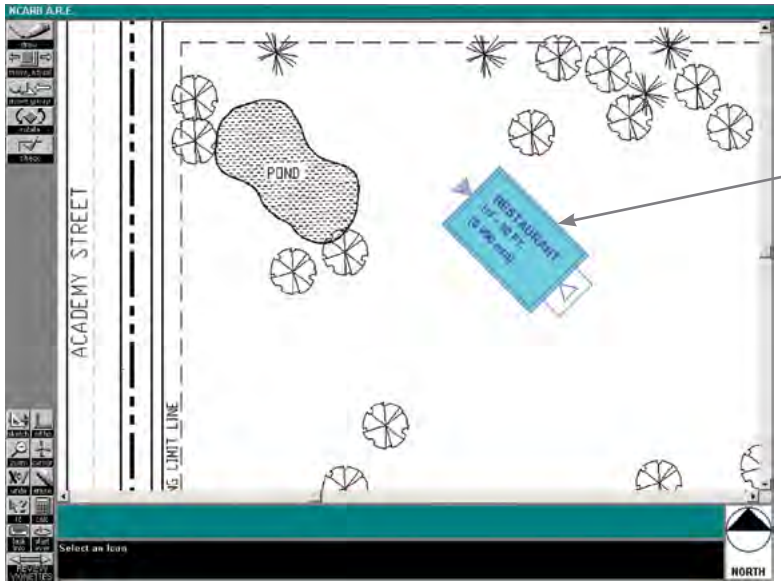


Toggle Between Screens
You can switch between the reference information and the work screen by pressing the space bar on the computer keyboard. This allows you to leave any one of the reference screens, view the work screen, and return to the same reference information.

Drop-Down Menu
When you attempt to leave the work screen and move to the reference screen by pressing the space bar, you may find that the space bar doesn't do anything. This can be caused by having a menu open. For example, in the Site Design vignette, when you click on the "Draw" icon, a drop-down menu opens. You cannot move to the reference screen while the menu is open. You need to click anywhere on the screen outside the open menu to close the menu and then you will be able to switch back to the reference screen.

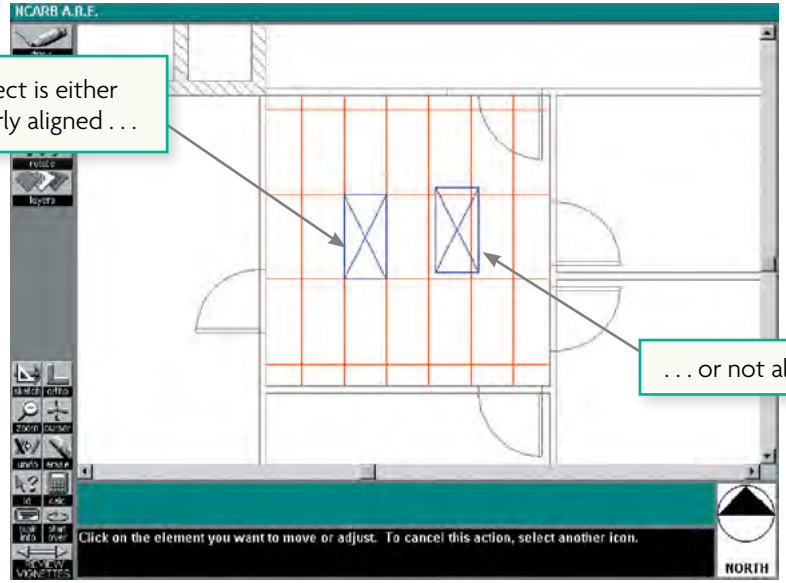
Basic Controls

SITE DESIGN VIGNETTE



Object can be placed anywhere.

MECHANICAL & ELECTRICAL PLAN VIGNETTE



Object is either clearly aligned . . .

. . . or not aligned.

Snaps and Grids
All vignettes contain a pre-set, hidden grid that allows the objects you draw or place to align automatically. The grid dimensions have been set with each particular vignette in mind. On vignettes such as the **Site Design** vignette, you may not notice that there is a grid because the objects you draw and place can be laid out anywhere on the site. On the other hand, the **Mechanical & Electrical Plan** vignette has a very obvious grid to help guide you when placing objects. In this vignette, the hidden grid makes it obvious that elements are either right on the ceiling grid or clearly not on the grid. This prevents you from placing an object close but not quite in alignment.

You are responsible for being as accurate as possible when drawing your solutions. More accurate information will result in more accurate scoring. Using the "Zoom" tool and the "Full Screen Cursor" may make it easier to produce more accurate solutions. A "Check" tool is provided in several vignettes to help you identify problem areas, such as overlapping elements.

Tolerances are built into each scoring program to allow for slight graphic inaccuracies. These tolerances vary from vignette to vignette based on the importance of the feature being evaluated.

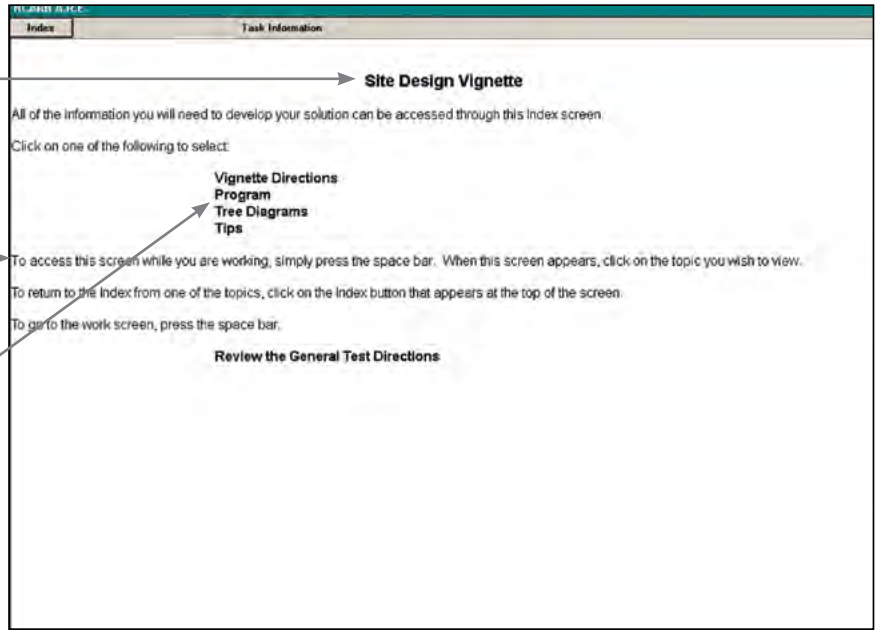
ARE DIVISIONS & REFERENCE MATERIALS: **GRAPHIC VIGNETTE SECTIONS**

Index Screen

VIGNETTE TITLE

INFORMATION AVAILABLE TO YOU
Bold-faced type indicates information is available to you. Click on the text of the information you want to see.

CLICKING ON THIS TEXT . . .



. . . BRINGS UP THIS SCREEN WITH THE VIGNETTE DIRECTIONS ON IT

INDEX BUTTON
Click here to return to the Index Screen.

All 11 vignettes that make up the ARE follow the same format outlined on this page. The first screen you will see when you begin a vignette shows the title of the vignette and lists in boldface reference information that is available for you to use in completing your solution.

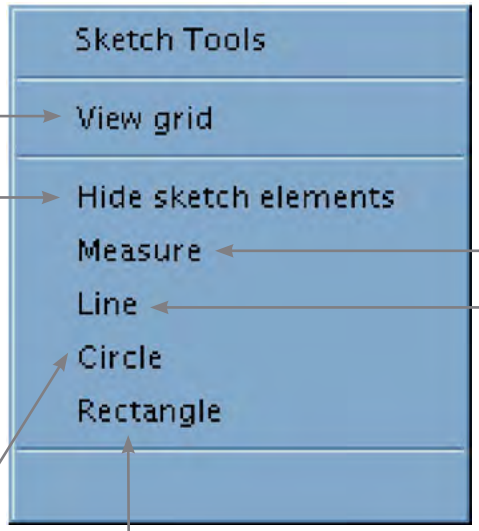
To go to any of the items in bold-faced type, click on the text for that item, and the screen will change to show you that information.

After reviewing the information on the screen, you can return to the Index Screen by clicking on the "Index" button found in the upper left corner of the screen.

Common Tools

The following pages contain an overview of most of the tools used in the graphic vignettes. Many of them are common to all divisions; others, such as the "Set Roof" tool, are only used in the Roof Plan vignette.

Objects drawn with sketch tools will not be scored.



VIEW GRID
Opens a visible grid on the background drawing.

HIDE SKETCH ELEMENTS
Hides all sketch items you draw. Use it to check your solution when you think you are finished. Sketch elements are invisible during scoring and can be left visible or hidden.

CIRCLE
Click on center point and move the mouse while watching the radius dimension given at the bottom of the screen. The cursor will remain attached to the center of the circle and can be placed multiple times.

RECTANGLE
Click to establish one corner, pull the rectangle into desired shape, and click again to complete. Dimensions and area of the rectangle are given at the bottom of the screen.

MEASURE
Click on a starting point and then an ending point. A dimension will be given for that distance at the bottom of the screen. A small crosshair will remain on the screen for reference.

LINE
Draws lines. Dimensions and angles are given at the bottom of the screen.

Common Tools

DRAW
Brings up a menu of items to be drawn or placed.

MOVE, ADJUST
Changes the shape and/or moves previously drawn objects.

SKETCH
Brings up a menu of sketch tools. Objects drawn with sketch tools will not be scored.

ZOOM
Zooms in on a window you have drawn. The image in the window will re-size to fill the screen as much as possible. Click on "Zoom" again to return to the original size.

UNDO
Undoes the last operation completed.

ID
Brings up identifying information for a selected object at the bottom of the screen.

TASK INFO
Returns the screen to the reference screens. This is the same as pressing the space bar (described on page 29).

REVIEW VIGNETTES
Click on this icon when you are finished with the vignette or you wish to go to other vignettes. You will be able to access all vignettes in the section you are working in until time runs out or you indicate you are finished with the section. Clicking on this icon may bring up warning windows if you have not completed all the tasks necessary to have your solution scored. If you get a warning message, follow the instructions.

MOVE GROUP
Moves objects as a group. Click on this icon then click on all the other objects you want to move. Click on this icon again and the highlighted objects will move as a group.

ORTHO
Limits movement of most drawing tools to only vertical and horizontal directions. Use when you want to create orthogonal lines.

CURSOR
Changes the cursor from a small cross to one with horizontal and vertical crosshairs that extend the entire width and height of the screen (full-screen cursor). This tool is extremely useful when aligning objects.

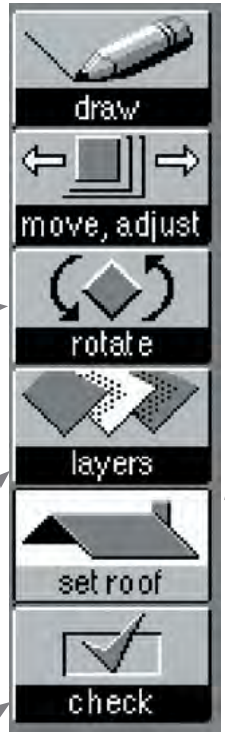
ERASE
Removes objects from the work screen. Click on "Erase," then select the item(s) you want to remove, and then click on "Erase" again. Cancel by not clicking on "Erase" a second time or by starting a new operation.

CALCULATOR
Brings up an on-screen calculator as shown here.

START OVER
Erases the entire solution in case you want to begin again. If you click here, a warning message will ask you to confirm the action to prevent accidental erasures.

Specialized Tools

Some vignettes have tools that are shown and used in that vignette only. Here is a sample tool palette from the Roof Plan vignette.



ROTATE
Dynamically rotates objects. Click on the icon and then on the object(s) to be rotated. When all the objects are highlighted (selected), click on the "Rotate" icon again to rotate them. Angular measurements are given at the bottom of the screen.

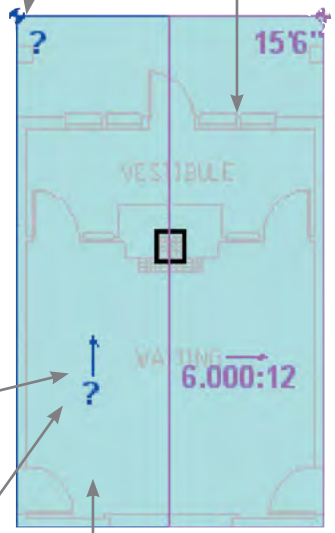
LAYERS
Some vignettes require solutions to be drawn on more than one layer. This tool allows you to move between layers.

CHECK
Depending on the vignette, the "Check" tool lets you check for overlapping spaces, objects, or trees that will be removed by the solution.

SET ROOF
Clicking on this icon opens up the tool to the right.

ROOF ELEVATION MARKER
Click on the "?" mark to set an elevation. The elevation marker can be moved to any corner by clicking anywhere inside the roof plane.

This roof plane is complete and no "?" marks remain.



ROOF SLOPE DIRECTION MARKER
Click on this arrow repeatedly until it points in the direction of downward slope.

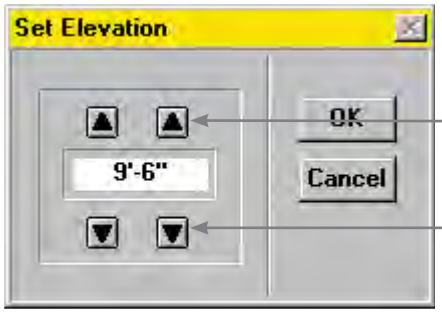
ROOF SLOPE VALUE
Click on the "?" to bring up the Roof Slope Ratio Window. Remember to set both sides of the ratio (e.g., 6:12).

This roof plane is considered incomplete as no values have been set for elevation or slope.

Specialized Tools

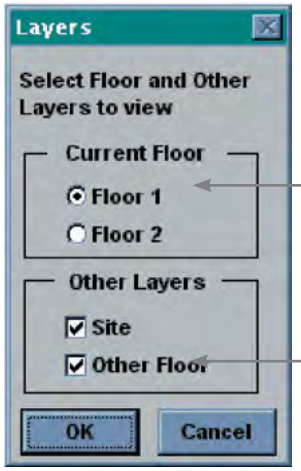
SET ELEVATION
Clicking on this tool opens up the tool to the right.

Sets the landing elevation and end-of-stair elevations for the Stair vignette. A similar tool appears in the Accessibility/ Ramp vignette.



Click on the up and down arrows to set the desired elevation.

LAYERS
Clicking on this icon opens up the tool below.



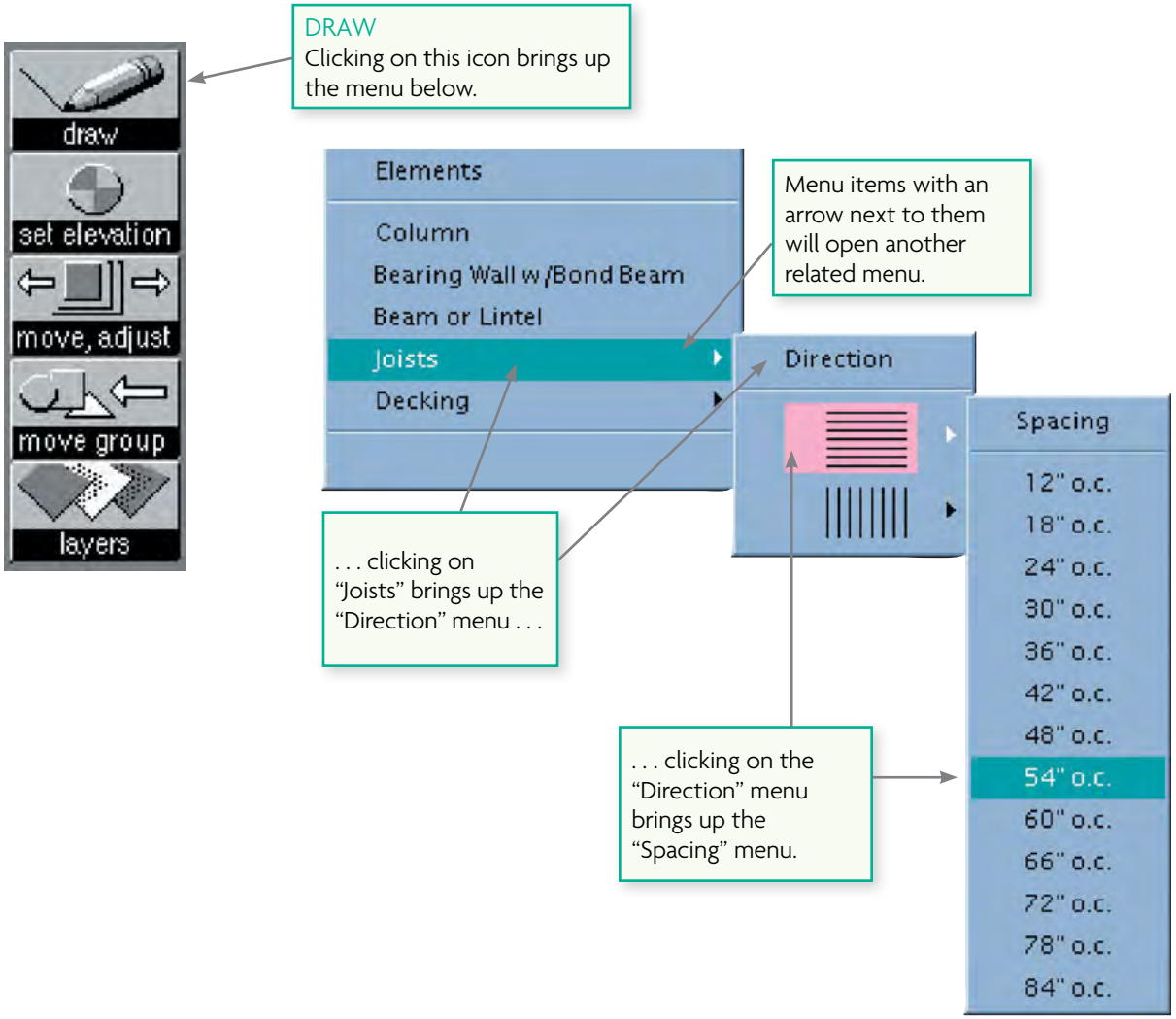
CURRENT FLOOR
Click to select the floor level you want to display.

OTHER LAYERS
Depending on the vignette, select to view or hide additional background drawing information.

This is a sample tool palette from the Stair Design vignette. The tools used to create your solution differ from those used in the Roof Plan vignette described on the previous page.

Becoming familiar with all the tools and their functions in the various vignettes will help you manage your time more efficiently during your test.

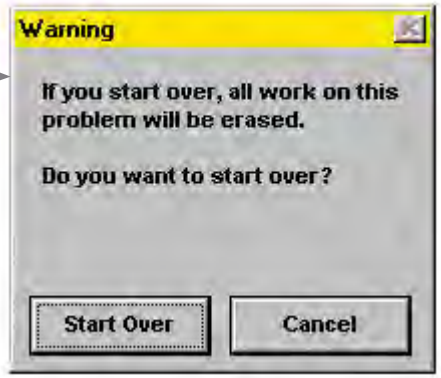
Menus and Windows



Layered Menus
Some items have additional drop-down menus embedded in them. To the right are examples of a sample menu for the "Draw" icon in the Structural Layout vignette. An arrow to the right of menu items means there is a related menu for that item. The "Draw" icon's options will change as necessary for items in each vignette. Again, it is a good idea to become thoroughly familiar with the tools found in the practice software prior to scheduling your examination.

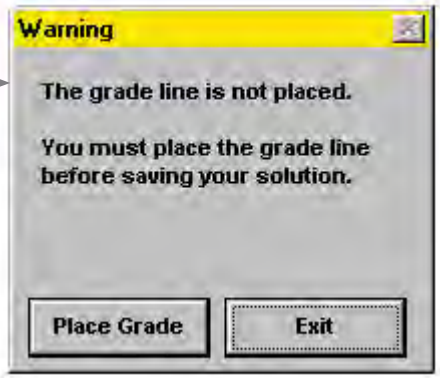
Menus and Windows

If you decide to start over during any vignette and want to return to the original work screen, simply click on the "Start Over" icon in the lower left corner of the computer screen. To prevent accidental erasures, you must confirm your action.



In the Stair vignette, this warning means that you have not designated all of the landing elevations or end-of-stair elevations.

In the Building Section vignette, you must draw the grade line for your section or your solution cannot be scored.



Warning Windows
When you exit a vignette, some vignettes will warn you that you have not completed a crucial element or that spaces overlap. A few examples of possible warning screens are illustrated on this page. If you get a warning screen, simply follow the instructions.

You will also see a warning screen or confirmation screen at other times, such as when you click on the "Start Over" icon or when you prematurely exit a section of vignettes.

5 Minute Warning Reminder
When you have five minutes remaining during a section of vignette(s), a warning reminder box will appear over the vignette you are currently working on. You must click "OK" to clear the message. This will temporarily take you to the vignette selection screen. To return to the work screen for the vignette you were working on, please select the vignette from the vignette selection screen.

PROFESSIONAL QUALIFICATIONS COMMITTEE (PQ) REPORT

1. Update on PQ July 14, 2015 Meeting

2. Discuss and Possible Action on PQ's Recommendation Regarding NCARB Resolution 2015-02 as it Relates to Alternative for Certification of Foreign Architects

UPDATE ON PQ JULY 14, 2015 MEETING

The PQ Committee met on July 14, 2015, in Sacramento and via teleconference from Boston, Massachusetts. Attached is the Notice of Meeting.

PQ Committee Chair, Pasqual Gutierrez, will provide an update on the meeting.

Attachment
July 14, 2015 Notice of Meeting

CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

Edmund G. Brown Jr.
GOVERNOR

NOTICE OF MEETING
PROFESSIONAL QUALIFICATIONS COMMITTEE

July 14, 2015
10:00 a.m. to 2:00 p.m.
Department of Consumer Affairs – 1747 North Market Boulevard
Hearing Room (Room 186)
Sacramento, CA 95834

The California Architects Board will hold a Professional Qualifications (PQ) Committee meeting, as noted above and via telephone conference at the following location:

Glenn Gall
John B. Hynes Veterans Memorial Convention Center
900 Boylston Street - South Lobby
Boston, MA 02115

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 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 PQ Committee are open to the public.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may contact Marccus Reinhardt at (916) 575-7212 or marccus.reinhardt@dca.ca.gov. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: cab.ca.gov. For further information regarding this agenda, please contact Marccus Reinhardt at (916) 575-7212.

AGENDA

A. Call to Order/Roll Call

B. Review and Approve PQ Committee October 30, 2014 Summary Report

C. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Collaborate with California's National Architectural Accrediting Board Accredited Programs at Schools and the National Council of Architectural Registration Boards (NCARB) to Establish and Promote an "Accelerated Path to Architectural Licensure"

2420 Del Paso Road,
Suite 105
Sacramento,
CA 95834

916-574-7220 T
916-575-7283 F

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

(Continued on Reverse)

D. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Conduct a Review of Architect Registration Examination (ARE) and Linkage Study to Meet Requirements of Business and Professions Code Section 139 and Department of Consumer Affairs Policy on Licensure Examination Validation and Identify Areas of California Practice for Which the ARE and California Supplemental Examination (CSE) are Appropriate for Assessing Candidate Competency, Thus Ensuring a Valid and Defensible Examination Process

E. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Reclassify CSE Item Bank Based Upon Results of 2014 Occupational Analysis (OA) in Order to Ensure Item Content Reflects Critical Tasks and Knowledge Related to Newly-Licensed Architects as Identified by the OA and to Maintain Relevance with Contemporary Practice

F. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Conduct Review of ARE Testing Environment in Order to Ensure Security and Efficiency

G. Discuss and Possible Action on 2015–2016 Strategic Plan Objective to Evaluate the Profession in Order to Identify Entry Barriers for Diverse Groups

H. NCARB
   1. Discuss and Possible Action on Resolution 2015-01 Regarding Alternative for Certification of Broadly Experienced Architects
   2. Discuss and Possible Action on Resolution 2015-02 Regarding Alternative for Certification of Foreign Architects
   3. Discuss and Possible Action on NCARB Initiative of a Path for Professionals with Qualified Experience Beyond Five Years

Adjournment

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

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

DISCUSS AND POSSIBLE ACTION ON PQ's RECOMMENDATION REGARDING NCARB RESOLUTION 2015-02 AS IT RELATES TO ALTERNATIVE FOR CERTIFICATION OF FOREIGN ARCHITECTS

At its June 18-20, 2015 Annual Business Meeting, the National Council of Architectural Registration Boards (NCARB) presented Resolution 15-02, which, if passed, would eliminate the current Broadly Experienced Foreign Architect (BEFA) Program in favor of a simplified alternative for receiving an NCARB Certificate. Member Boards approved the resolution by a 49-4 vote in favor of it.

The change, which takes effect on July 1, 2016, will optimize the process for foreign architects who are licensed but do not currently meet the requirements for the NCARB Certificate. This credential facilitates licensure among jurisdictions and signifies that an architect has met national standards for licensure established by registration boards.

NCARB stated that the NCARB Certification provides an important career advantage, opening up future job opportunities throughout the U.S. and providing free online continuing education. It further stated the sole purpose of the resolution was to remove some of the unnecessary financial and administrative impediments for foreign architects by refocusing on the nationally accepted standards for licensure.

The new alternative for foreign licensees will replace the current BEFA Program's requirements, eliminating the committee dossier review and the need to document seven years of credentialed practice in a foreign country. Instead, foreign architects will be required to document completion of the Intern Development Program experience requirements and successfully complete the Architect Registration Examination to obtain NCARB Certification.

NCARB stated that by imposing the same experience and examination criteria on foreign architects as U.S. architect candidates for certification, it addresses knowledge of U.S. codes and proficiency with English as the primary U.S. language. The new alternative will be more automated, increasing objectivity and helping reduce fees associated with the dossier and interview requirements.

This item was presented to the PQ for discussion at its July 14, 2015 meeting where members raised concerns regarding the apparent complexity of the new process (which now requires a foreign architect to complete the Architect Registration Examination and the Intern Development Program to receive NCARB Certification) and the impact upon foreign licensees obtaining projects in the US. The Committee approved a recommendation requesting the Board consider providing a means for review of, and amendment to NCARB Resolution 2015-02, removing the encumbrance of mandatory IDP and allowing for education equivalents and practice knowledge for foreign architects, and suggest the Board request the implementation date to be postponed.

The Board is asked to consider PQ's recommendation and take any action it determines is appropriate.

Attachment:
NCARB Resolution 2015-02

Resolution 2015-2

Supported by the Council Board of Directors (14-0)

Title: Revision of the Requirements for Certification of Foreign Architects

Submitted By: Council Board of Directors

WHEREAS, the Board of Directors of the Council has determined upon careful consideration that it is advisable and in the best interests of the Council to modify the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority as set forth in the *Certification Guidelines*, as well as corresponding provisions in other sections of the *Certification Guidelines*; and

WHEREAS, requirements for Council Certification may only be changed by an absolute majority vote of the Council Member Boards, with such change becoming effective July 1 following the close of the Council Annual Business Meeting, or such later date identified in the change, with such changes applicable to applicants for certification in process and new applicants;

WHEREAS, prior to implementing the changes to the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority and corresponding sections, the Council Board of Directors must adopt a resolution recommending such changes and submit the proposed changes to the Council Member Boards for approval.

NOW, THEREFORE, IT IS HEREBY:

RESOLVED, that the Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority, included in Section 4 of the *Certification Guidelines* be revised as indicated below,

4.2 Education Requirement

~~You must hold a professional degree in architecture from an accredited/validated/officially recognized architecture program. You are required to describe such program or submit information describing the program from the accreditation/validation/recognition authority~~. You must hold a recognized education credential in an architecture program that leads to a license/credential for the unlimited practice of architecture in the foreign country. You are required to have an official transcript of your educational record sent directly to NCARB from the school. Where there is doubt about the nature of the professional degree, an Educational Evaluation Services for Architects (EESA) evaluation may be required.

4.3 Registration Requirement

You must be credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture. You are required to describe the process by which you were credentialed or submit information describing the credentialing process from the credentialing authority that granted the credential, and to arrange for independent verification by the credentialing authority directly to NCARB showing that your credential has been granted and

is currently in good standing. You are also required to describe the process by which and the reasons for which disciplinary actions may be taken against architects and the system in which these actions are recorded, or to submit information provided by the disciplinary authority in this regard. You shall secure a written statement from your credentialing authority stating that you either have no record of a disciplinary action or if such record exists, describing such action and its current status. This statement must be sent directly to NCARB from the credentialing authority.

4.4 Experience Requirement

~~You must have completed a minimum of seven (7) years of comprehensive practice as a credentialed architect over which you exercised responsible control in the foreign country in which you are credentialed.~~

- ~~"Comprehensive practice" means the application of the knowledge and skills of those aspects of the profession assessed by the Architect Registration Examination.~~
- ~~"Responsible control" means that amount of control over and detailed professional knowledge of the content of technical submissions during their preparation as is ordinarily exercised by U.S. registered architects applying the required professional standard of care.~~

You must document completion of the *Intern Development Program (IDP).*

4.5 Examination Requirement

You must pass the Architect Registration Examination® (ARE®)

FURTHER RESOLVED, that the introduction paragraph entitled "Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority be deleted from Section 4 of the *Certification Guidelines:*

~~BROADLY EXPERIENCED FOREIGN ARCHITECT (BEFA) PROGRAM~~
~~Foreign architects may apply for NCARB certification through the Broadly Experienced Foreign Architect (BEFA) Program set forth in this section. All information provided in the eligibility and application forms must be in English. English translations must be provided for all transcripts, credentials, and dossier documents. The interview will be conducted in English, without the assistance of a translator~~.

FURTHER RESOLVED, that "Appendix A: The Broadly Experienced Foreign Architect Process" be deleted in its entirety from the *Certification Guidelines,* including its reference in the Table of Contents.

FURTHER RESOLVED, that Section 1, "Requirements for Certification of an Architect registered in a U.S. Jurisdiction," Subsection 1.3 "Experience Requirement" paragraph four be revised as follows:

The Reporting Requirements identified in the *IDP Guidelines* do not apply to architects registered in the United States or Canada or to ~~foreign~~ architects credentialed by a foreign registration authority pursuing NCARB certification ~~through the Broadly Experienced Foreign Architect (BEFA) Program~~.

FURTHER RESOLVED, except as explicitly modified by these Resolutions, all of the provisions of Requirements for Certification of an Architect Credentialed by a Foreign Registration Authority, and the corresponding sections referenced herein, remain unchanged and in full force and effect; and

FURTHER RESOLVED, that these changes shall be submitted to the Council Member Boards for review and approval; and

FURTHER RESOLVED, that upon the approval of the changes by an absolute majority of the Council Member Boards, such changes will become effective July 1, 2016 and will apply both to applications for certification in process and new applications; if applicants whose applications were in process met all certification requirements that existed prior to the changes referenced herein, they will be eligible for certification.

Sponsors' Statement of Support:

The intent of the current Broadly Experienced Foreign Architect (BEFA) program is to allow a path to licensure for a foreign architect so that he/she may obtain the ability to practice independently in the U.S. while protecting the public health, safety, and welfare.

This resolution to modify the requirements for certification of an architect credentialed by a foreign registration authority maintains two existing requirements of the BEFA program:

- *Education Requirement:* Hold a recognized education credential in an architecture program that leads to licensure/credential in a foreign country
- *Registration Requirement:* Credentialed in a foreign country that has a formal record-keeping mechanism for disciplinary actions in the practice of architecture

This proposal requires a foreign architect to complete the requirements of the *Intern Development Program (IDP)* and to pass the *Architect Registration Examination*® (ARE®). Utilization of the IDP enables the Council to standardize expected levels of competence through experience of the foreign architect. Application of these requirements for foreign architects will ensure equality among expectations of foreign and U.S. architects. Requiring compliance with these two recognized Council programs also provides a better assessment of an applicant's competence in understanding and applying U.S. building codes and laws, accessibility requirements, and U.S. practice requirements.

This proposal:

- ensures that each applicant *documents the pertinent experience necessary for competence to practice in the U.S.* in each of the categories and areas of the *Intern Development Program*;
- ensures that the foreign architect clearly *demonstrates his/her understanding and ability to practice independently in the U.S.*;
- recognizes the importance of *applying similar standards for licensure for all who wish to practice in the U.S.*;
- meets the Council's effort to streamline the requirements for certification for foreign architect through the *elimination of the Broadly Experienced Foreign Architect (BEFA)*

Program requirements to complete seven years of practice in the country where credentialed as an architect, evaluation of their experience through submittal of an experience dossier for review by committee, and formal interview.

NCARB must have a certification model that acknowledges a foreign architect's competence to practice in their country of licensure. Currently, NCARB Member Boards do not allow experience to be substituted for completion of the ARE for any U.S. applicant for initial or reciprocal licensure. However, NCARB and its Member Boards hold a higher value of a candidate's demonstration of competence earned through completion of the IDP and the ARE. Application of these requirements for foreign architects will ensure equality among expectations of foreign architects and U.S. architects. Every Member Board expects competence at the point of initial licensure. Demonstrating acquisition of knowledge and skills through examination to practice in a U.S. jurisdiction is a basic element of our licensure requirements.

Financial Impact:

FY16 – No Financial Impact
FY17 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.
FY18 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.
FY19 – Loss of revenue offset by reduction in Committee expenses and staff time for a small financial surplus.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

1. Update on LATC August 6, 2015 Meeting

2. Review and Approve LATC's Updated *Disciplinary Guidelines* and Proposed Regulations to Amend CCR, Title 16, Section 2680 (Disciplinary Guidelines) as it Relates to Reference of Proposed Revised *Disciplinary Guidelines*

3. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 2620 (Education and Training Credits) as it Relates to Credit for Teaching Experience

4. Update and Possible Action on Department of Water Resources Independent Technical Panel "Workforce Challenges and Opportunities" Item from August 24–25, 2015 Meeting

UPDATE ON LATC AUGUST 6, 2015 MEETING

The Landscape Architects Technical Committee (LATC) met on August 6, 2015 in Sacramento. Attached is the notice of the meeting. LATC Program Manager, Trish Rodriguez, will provide an update on the meeting.

Attachment:
August 6, 2015 Notice of Meeting

NOTICE OF MEETING
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE MEETING

August 6, 2015
10:30 a.m. – 3:00 p.m.
Landscape Architects Technical Committee
2420 Del Paso Road, Sequoia Room
Sacramento, CA 95834

The Landscape Architects Technical Committee (LATC) will hold a meeting as noted above. 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 LATC 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 LATC are open to the public.

The LATC plans to webcast this meeting on its website at www.latc.ca.gov. Webcast availability cannot, however, be guaranteed due to limited resources. The meeting will not be cancelled if webcast is not available. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at the physical location.

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Rodney Garcia at (916) 575-7230, emailing latc@dca.ca.gov, or sending a written request to LATC at the address below. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation.

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

B. Chair's Remarks and LATC Member Comments

C. Review and Approve May 13, 2015, LATC Meeting "Summary Report" Minutes

D. Public Comment for Items Not on Agenda

E. Program Manager's Report

F. Update on BreEZe Enterprise System by Department of Consumer Affairs

G. Election of LATC Officers

(continued on reverse)

H. Enforcement
   1. Annual Enforcement Statistics
   2. Update on Interpretations Used for the Terminology in Business Professions Code Section 5641 (Chapter Exceptions, Exemptions) During Enforcement Case Review
   3. Review and Approve Proposed Regulations to Amend California Code of Regulations (CCR), Title 16, Section 2680 (Disciplinary Guidelines) as it Relates to Reference of Revised Disciplinary Guidelines

I. Review and Consider Request for Re-licensure

J. Council of Landscape Architectural Registration Boards (CLARB)
   1. Review and Ratification of CLARB Committee on Nominations Election Ballot
   2. Review and Possible Action on Recommended Position on CLARB Board of Directors Election

K. Review and Approve Proposed Regulations to Amend CCR, Title 16, Section 2620 (Education and Training Credits)

L. Ratify Comments Previously Submitted to Department of Water Resources Regarding Proposed Regulations to Amend CCR, Title 23, Division 2, Chapter 2.7 Model Water Efficient Landscape Ordinance

M. Review Tentative Schedule and Confirm Future LATC Meeting Dates

N. Adjourn

* Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the LATC prior to the LATC taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the LATC, but the Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the LATC to discuss items not on the agenda; however, the LATC 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)].

Protection of the public shall be the highest priority for the Landscape Architects Technical 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)

REVIEW AND APPROVE LATC'S UPDATED *DISCIPLINARY GUIDELINES* AND PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 2680 (DISCIPLINARY GUIDELINES) AS IT RELATES TO REFERENCE OF PROPOSED REVISED *DISCIPLINARY GUIDELINES*

The Landscape Architects Technical Committee's (LATC) current Strategic Plan tasks the LATC to collaborate with the California Architects Board (Board) to review and update its Disciplinary Guidelines. The LATC's *Disciplinary Guidelines* were last updated in 2000.

The Board's 2013 and 2014 Strategic Plans directed its Regulatory and Enforcement Committee (REC) to review and update the Board's Disciplinary Guidelines. To this end, Board staff consulted with its legal counsel and Deputy Attorney General (DAG) liaison and reviewed the Disciplinary Guidelines for both the Board for Professional Engineers, Land Surveyors, and Geologists and the Contractors State License Board to determine if changes were needed to the Board's Disciplinary Guidelines. As a result, staff and legal counsel recommended revisions which were approved by the Board at its December 10, 2014 meeting.

LATC staff worked in conjunction with the Board on the *Disciplinary Guidelines* and incorporated edits approved by the Board that were applicable to the LATC and additional edits recommended by the DAG liaison. The revised LATC *Disciplinary Guidelines* were approved at the LATC's August 6, 2015 meeting. The attached draft of the LATC's *Disciplinary Guidelines* shows all of the tracked changes approved at that meeting.

A regulatory change to update California Code of Regulations (CCR) section 2680 will also be necessary as this section incorporates by reference the latest edition of the Guidelines. Attached are drafts of the Notice of Proposed Changes in the Regulations, the Initial Statement of Reasons, and the Proposed Regulatory Language for CCR Section 2620.

The Board is asked to review and approve the recommended revisions to the *Disciplinary Guidelines* and the proposed regulations to amend CCR section 2680, and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Attachments:
1. LATC's *Disciplinary Guidelines* with staff's and DAG's recommended revisions
2. Notice of Proposed Changes in the Regulations
3. Initial Statement of Reasons
4. Proposed Regulatory Language CCR Section 2620

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California Architects Board
Landscape Architects Technical Committee

DISCIPLINARY GUIDELINES

I. INTRODUCTION

To establish consistency in disciplinary penalties for similar offenses on a statewide basis, the California Architects Board (Board~~CAB~~), Landscape Architects Technical Committee (LATC) has adopted these uniform disciplinary guidelines for particular violations. This document, designed for use by Administrative Law Judges, attorneys, landscape architects, others involved in the disciplinary process, and ultimately the Board~~CAB~~, shall be revised from time to time and will be distributed to interested parties upon request.

These guidelines include general factors to be considered, probationary terms, and guidelines for specific offenses. The guidelines for specific offenses are referenced to the statutory and regulatory provisions.

For purposes of this document, terms and conditions of probation are divided into two general categories:
(1) Standard Conditions are those conditions of probation which will generally appear in all cases involving probation as a standard term and condition; and
(2) Optional Conditions are those conditions which address the specific circumstances of the case and require discretion to be exercised depending on the nature and circumstances of a particular case.

The Board recognizes that these recommended penalties and conditions of probation are merely guidelines and that mitigating or aggravating circumstances and other factors may necessitate deviations, as discussed herein. If there are deviations from the guidelines, the Board would request that the Administrative Law Judge hearing the matter include an explanation in the Proposed Decision so that the circumstances can be better understood and evaluated by the Board upon review of the Proposed Decision and before final action is taken.

Additional copies of this document may be obtained by contacting the LATC~~Board~~ at its office in Sacramento, California. There may be a charge assessed sufficient to cover the cost of production and distribution of copies.

II. GENERAL CONSIDERATIONS

The Board requests that Proposed Decisions following administrative hearings include the following:

a. Specific code sections violated with their definitions.

b. Clear description of the violation.

c. Respondent's explanation of the violation if he/she is present at the hearing.

d. Findings regarding aggravation, mitigation, and rehabilitation where appropriate.

e. When suspension or probation is ordered, the Board requests that the disciplinary order include terms within the recommended guidelines for that offense unless the reason for departure from the recommended terms is clearly set forth in the findings and supported by the evidence.

Factors to be Considered - In determining whether revocation, suspension or probation is to be imposed in a given case, factors such as the following should be considered:

1. Nature and severity of the act(s), offense(s), or crime(s) under consideration.
2. Total criminal record. ~~Actual or potential harm to any consumer, client or the general public.~~
3. The time that has elapsed since commission of the act(s) of offense(s). ~~Prior disciplinary record.~~
4. The extent to which the respondent ~~Whether the licensee~~ has complied with any terms or parole, probation, restitution or any other sanctions lawfully imposed against the respondent~~licensee.~~~~Number and/or variety of current violations.~~
5. ~~Mitigation evidence.~~ If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.
6. ~~Rehabilitation~~ E~~e~~vidence~~.~~ if any, of rehabilitation submitted by the respondent~~licensee~~.
7. ~~In the case of a criminal conviction, compliance with terms of sentence and/or court-ordered probation.~~
8. ~~Overall criminal record.~~
9. ~~Time passed since the act(s) or offense(s) occurred.~~

7.~~10.~~ Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.

8.~~11.~~ Recognition by respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

III. DEFINITION OF PENALTIES

Revocation: Loss of a license as the result of any one or more violations of the Landscape Architects Practice Act. Revocation of a license is permanent, unless the respondent takes affirmative action to petition the Board for reinstatement of his/her license and demonstrates to the Board's satisfaction that he/she is rehabilitated.

***Suspension*:** Invalidation of a license for a fixed period of time, not to exceed a period of one year.

***Stayed Revocation*:** Revocation of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Stayed Suspension*:** Suspension of a license, held in abeyance pending respondent's compliance with the terms of his/her probation.

***Probation*:** A period during which a respondent's sentence is suspended in return for respondent's agreement to comply with specified conditions relating to improving his/her conduct or preventing the likelihood of a reoccurrence of the violation.

***Public Reproval*:** A condition of probation whereby the respondent is required to appear before the Board to review in public the violation which he/she was determined to have committed and the penalties imposed.

Such other matters as justice may require.

IV. DISCIPLINARY GUIDELINES

The offenses are listed by statute number in the Business and Professions Code. The standard terms of probation as stated herein shall be included for all probations. The optional conditions of probation as stated herein are to be considered and imposed along with any other optional conditions if facts and circumstances warrant. The number(s) in brackets listed after each condition of probation refers to the conditions listed on pages XX - XX.

Business and Professions Code

Section 5640: Unlicensed Person Engaging in Practice - Sanctions

~~Applicant~~ **Maximum**: Denial of application for a license
~~Applicant~~ **Minimum**: ~~Ninety (~~90~~)~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

Section 5642: Partnership, Corporation – Unlicensed Person

Maximum: Revocation and public reproval
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation ~~for 5 years~~ on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12~~11~~]

Section 5666: Practice in Violation of Chapter Provisions

The appropriate penalty depends on the nature of the offense.

Section 5667: Fraud, Misrepresentation - Obtaining License

Maximum/Minimum: Revocation

Section 5668: Impersonating Landscape Architect – Practice Under Assumed Name

~~Licensee~~ **Maximum:** Revocation
~~Licensee~~ **Minimum:** Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5669: Aiding, Abetting - Unlicensed Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:

a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5670: Fraud, Deceit in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5671: Negligence, Willful Misconduct in Practice

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5672: Gross Incompetence in Practice

Maximum: Revocation
Minimum: Stayed revocation,120 ~~90~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c~~b~~. Written examination [#10~~9~~]
d~~c~~. Continuing education courses [#11~~10~~]
e~~d~~. Cost reimbursement [#12~~11~~]
f~~e~~. Restitution [#13~~12~~]

Section 5673: False Use of Signature

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Section 5675: **Felony Conviction - Sanctions**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]
e. Criminal Probation Reports [#14~~13~~]

Section 5675.5: **Disciplinary Action by a Public Agency ~~– Disciplinary Action~~**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9~~10~~]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

Section 5676: **Plea of Nolo Contendere – Criminal Conviction - Sanctions**

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-7]
~~b. Continuing education courses [#10]~~
b~~c~~. Cost reimbursement [#12~~11~~]
~~d. Restitution. [#12]~~
c~~e~~. Criminal Probation Reports [#14~~13~~]

General Provisions of Business and Professions Code

Section 125.6: **Discrimination by Licensee**

Maximum: Revocation
Minimum: Stayed revocation, 60~~90~~ days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Cost reimbursement [#12~~11~~]

Section 480 (a): Denial of Licenses

An applicant's application may be denied for (1) conviction of a crime substantially related to the qualification, functions, or duties in the practice of landscape architecture; (2) any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; (3) any act which if done by a licensee would be grounds for suspension or revocation of license; or (4) knowingly making a false statement of fact required to be revealed in the application for such license.

Maximum/Minimum: Denial of license

Section 490: Conviction of Crime; Suspension, Revocation – Grounds

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11]
c. Cost reimbursement [#12]
d. Restitution [#13]
e. Criminal Probation Reports [#14]

Section 496: Subversion of Licensing Examinations or Administration of Examinations

Maximum/Minimum: Denial or revocation of license

California Code of Regulations
Division 2, Title 16, Chapter 26

Section 2670:
Rules of Professional Conduct

(a) Competence

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and ~~five (~~5~~)~~ years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d~~b~~. Continuing education courses [#11~~10~~]
e~~c~~. Cost reimbursement [#12~~11~~]
f~~d~~. Restitution [#13~~12~~]

(b) Willful Misconduct

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. California Supplemental Examination [#9]
c. Written Examination [#10]
d. Continuing education courses [#11 [#10]
e. Cost reimbursement [#12 [#11]
f. Restitution [#13 [#12]

(c~~b~~) Full Disclosure

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(d~~c~~) Informed Consent

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12 ~~11~~]
d. Restitution [#13~~12~~]

(e~~d~~) Conflict of Interest

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]
b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

(f~~e~~) Copyright Infringement

Maximum: Revocation
Minimum: Stayed revocation, 90 days actual suspension and 5 years probation on the following conditions:
a. All standard conditions of probation [#1-#7]

b. Continuing education courses [#11~~10~~]
c. Cost reimbursement [#12~~11~~]
d. Restitution [#13~~12~~]

Violation of Probation

Maximum Penalty -

Actual suspension; vacate stay order and reimpose penalty that was previously stayed; and/or revoke, separately and severally, for violation of probation and/or for any additional offenses.

Minimum Penalty

Actual suspension and/or extension of probation.

The maximum penalty is appropriate for repeated similar offenses, or for probation violations indicating a cavalier or recalcitrant attitude. If the probation violation is due in part to the commission of additional offense(s), additional penalties shall be imposed according to the nature of the offense; and the probation violation shall be considered as an aggravating factor in imposing a penalty for those offenses.~~offense(s).~~

V~~I~~. ~~STANDARD~~ CONDITIONS OF PROBATION

Standard Conditions
(to be included in all cases of probation)

1. Obey All Laws
Respondent shall obey all federal, state and local laws and regulations ~~governing the practice of landscape architecture in California~~ and comply with all conditions of probation.

2. Submit Quarterly Reports
Respondent, within 10 days of completion of the quarter, shall submit quarterly written reports to the Board on the Board's ~~a~~ Quarterly Report of Compliance form (1/11~~10/98~~) obtained from the Board.

3. Personal Appearances
Upon reasonable notice by the Board, the respondent shall report to and make personal appearances at times and locations as the Board may direct.

4. Cooperate During Probation
Respondent shall cooperate fully with the Board, and with any of its agents or employees in their supervision and investigation of his/her compliance with the terms and conditions of this probation. Upon reasonable notice, the respondent shall provide the Board, its agents or employees, with the opportunity to review all plans, specifications, and instruments of service prepared during the period of probation.

5. Tolling for Out-of-State Practice, Residence or In-State Non-Practice

Respondent shall provide a list of all states, United States territories, and elsewhere in the world where he or she has ever been licensed as a landscape architect or held any landscape architecture related professional license or registration within 30 calendar days of the effective date of this decision. Respondent shall further provide information regarding the status of each license and registration and any changes in the license or registration status within ten calendar days, during the term of probation. Respondent shall inform the Board if he or she applies for or obtains a landscape architectural license or registration outside of California within ten calendar days, during the term of probation.

In the event respondent should leave California to reside or to practice outside the State or for any reason stop practicing landscape architecture in California, respondent shall notify the Board or its designee in writing within ten days of the dates of departure and return, or the dates of non-practice or the resumption of practice within California. Respondent's probation is tolled, if and when he or she ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code. Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period. Respondent shall not be relieved of the obligation to maintain an active and current license with the LATC. It shall be a violation of probation for Respondent's probation to remain tolled pursuant to the provisions of this condition for a period exceeding a total of five years. ~~Non-practice is defined as any period of time exceeding thirty days in which respondent is not engaging in any activities defined in Section 5615 of the Business and Professions Code.~~

All provisions of probation other than the quarterly report requirements, examination requirements, cost reimbursements, restitution, and education requirements, shall be held in abeyance until respondent resumes practice in California. All other provisions of probation shall recommence on the effective date of resumption of practice in California. ~~Periods of temporary or permanent residency or practice outside California or of non-practice within California will not apply to the reduction of this probationary period.~~

6. Violation of Probation

If respondent violates probation in any respect, the Board, after giving respondent notice and opportunity to be heard, may revoke probation and carry out the disciplinary order which was stayed. If an accusation or a petition to revoke probation is filed against respondent during probation or the matter is referred to the Attorney General's office, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

If a respondent has not complied with any term or condition of probation, the Board shall have continuing jurisdiction over respondent, and probation shall automatically be extended, until all terms and conditions have been satisfied or the Board has taken other action as deemed appropriate to treat the failure to comply as a violation of probation, to terminate probation, and to impose the penalty that was stayed.

If respondent violates probation in any respect, the Board, after giving respondent notice and an opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. Notice and opportunity to be heard are not required for those provisions stating that a violation thereof may lead to automatic termination of the stay and/or revocation of the license. If a petition to revoke probation or an accusation is filed against respondent during probation, the Board shall

have continuing jurisdiction and the period of probation shall be automatically extended until the petition to revoke probation or accusation is heard and decided.

7. Completion of Probation

Upon successful completion of probation, respondent's license will be fully restored.

~~VI. OPTIONAL CONDITIONS OF PROBATION~~

Optional Conditions

8. Suspension

Respondent is suspended from the practice of landscape architecture for _____ days beginning on the effective date of the Decision.

9. California Supplemental Examination

Within _____ days of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination designated by the Board.

If respondent fails to pass said examination within six months, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

10~~9~~. Written Examination

Respondent shall take and pass (specified) sections of the Landscape Architect Registration Examination (LARE).

If respondent fails to pass said examination within one year or within two attempts, respondent shall so notify the Board and shall cease practice until respondent takes and successfully passes said examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. Failure to pass the required examination no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for all costs of such examination.

11~~10~~. Continuing Education Courses

Respondent shall successfully complete and pass professional education courses approved in advance by the Board or its designee, directly relevant to the violation as specified by the Board. The professional education courses shall be completed within a period of time designated by the Board, which timeframe shall be incorporated as a condition of this probation.

Failure to satisfactorily complete the required courses as scheduled or failure to complete same no later than one year~~100 days~~ prior to the termination of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of each course required by this condition and for paying all costs of such courses.

12~~11~~. Cost Reimbursement

Respondent shall reimburse the Board $ _____ for its investigative and prosecution costs. The payment shall be made within _____ days/months of the date the Board's decision is final.

Option: The payment shall be made as follows: _____(specify either prior to the resumption of practice or in monthly or quarterly payments, the final payment being due one year before probation is scheduled to terminate).

13~~12~~. Restitution

Within _____ days of the effective date of this Decision, respondent shall make restitution to _____ in the amount of $_____ and shall provide the Board with proof from _____ attesting that the full restitution has been paid. In all cases, restitution shall be completed no later than one year before the termination of probation.

14~~13~~. Criminal Probation Reports

In the event of conviction of any crime, Respondent shall provide the Board with a copy of the standard conditions of the criminal probation, copies of all criminal probation reports and the name of his/her probation officer.

15~~14~~. Relinquish License and Wall Certificate

Respondent shall relinquish and shall forward or deliver the license to practice and the wall certificate to the Board within 10 days of the effective date of this decision and order.

16~~15~~. Notification to Clients/Cessation of Practice

In orders which provide for a cessation or suspension of practice, respondent shall comply with procedures provided by the Board regarding notification to, and management of, clients.

VI~~I~~. REHABILITATION CRITERIA

California Code of Regulations, Title 16, Division 26, Section 2656, Criteria for Rehabilitation states:

(a) When considering the denial of a landscape architect's license under Section 480 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his present eligibility for a license will consider the following criteria:

(1) The nature and severity of the act(s) or crime(s) under consideration as grounds for denial.

(2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.

(3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (2).

(4) The extent to which the applicant has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the applicant.

(5) Evidence, if any, of rehabilitation submitted by the applicant.

(b) When considering the suspension or revocation of the license of a landscape architect on the grounds that the person licensed has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his present eligibility for a license, will consider the following criteria:

(1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

(c) When considering a petition for reinstatement of the license of a landscape architect, the board shall evaluate evidence of rehabilitation submitted by the petitioner, considering those criteria specified in subsection (b).

TITLE 16. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board), Landscape Architects Committee (LATC, is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments relevant to the action proposed at a hearing to be held at the office of the California Architects Board, 2420 Del Paso Road, Sequoia Room, Sacramento, California, at 2:00 p.m. on TBD. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on TBD or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 5622, 5630 and 5662 of the Business and Professions Code (BPC); and section 11425.50(e) of the Government Code (GC), and to implement, interpret or make specific sections 125.3, 125.6, 480(a), 496, 5640, 5642, 5660, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5 and 5676 of the BPC, and sections 11400.20 and 11425.50, 11425.50(e) of the GC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest

Amend Title 16 CCR Section 2680 – Disciplinary Guidelines

Existing law, California GC section 11425.50(e), provides that a penalty may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Landscape Architects Practice Act. BPC section 5660 authorizes the Board to discipline a license.

BPC section 5620 declares that the duties, powers, purposes, responsibilities, and jurisdiction of the California State Board of Landscape Architects that were succeeded to and vested with the Department of Consumer Affairs in accordance with Chapter 908 of the Statutes of 1994, were transferred to the California Architects Board.

Section 5620.1 declares that the LATC's mandate is protection of the public health, safety, and welfare.

The LATC's Disciplinary Guidelines were developed to establish consistency and transparency in disciplinary penalties for similar offenses on a statewide basis, and include general factors to be considered, probationary terms, and recommended penalty guidelines for specific violations of the laws and regulations within its jurisdiction. The Disciplinary Guidelines are used as a guide to impose the most appropriate penalty for violations of the laws and regulations governing the landscape architectural practice in administrative disciplinary actions, and are intended to assist Administrative Law Judges, attorneys, licensees, and others involved in the Board's disciplinary process.

The Board last revised the Disciplinary Guidelines in 2000 and CCR section 2680 was subsequently amended in 2000 to incorporate by reference the 2000 edition of the guidelines.

The Board recently revised the Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language.

Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the Disciplinary Guidelines, as it currently references a previous edition of the Disciplinary Guidelines.

The following describes the basis for the revisions made to the 2000 edition of the Disciplinary Guidelines:

1. Add a Table of Contents.

2. The "CAB" acronym for California Architects Board would be removed from the Introduction and replaced with "Board."

3. Add language advising where to obtain copies of the Disciplinary Guidelines.

4. Under "General Considerations," the Factors to be Considered would be amended to replace Factor 2 "Actual or potential harm to any consumer, client or the general public" with "Total criminal record "; Factor 3 "Prior disciplinary record" with "The time that has elapsed since commission of the act(s) or offense(s)"; Factor 4 "Number and/or variety of current

violations" with "The extent to which the respondent has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the respondent"; Factor 5 "Mitigation evidence" with "If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code"; Factor 6 "Rehabilitation evidence" with "Evidence, if any, of rehabilitation submitted by the respondent"; and Factors 7 (In the case of a criminal conviction, compliance with terms of sentence and/or court ordered probation), Factor 8 (Overall criminal record), and Factor 9 (Time passed since the act(s) or offense(s) occurred) were deleted. Factors 10 and 11 were renumbered 7 and 8 correspondingly.

5. Factors 8, and 9 "Overall criminal conviction" and "Time passed since the act(s) or offense(s) occurred," respectively, were removed from the Factors to be Considered.

6. Heading language would be standardized in recommended penalty guidelines for violation of Business and Professions Code sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

7. "California Supplemental Examination" would be added to the Optional Conditions for probation. This resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all of the violations.

8. Optional Condition "California Supplemental Examination" would be added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence).

9. Optional Condition "Written Examination" would be added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence).

10. The length of suspension recommended in BPC 5672 (Gross Incompetence in Practice) would be changed from "90" days to "120" days.

11. Heading language would be clarified for violation of BPC section 5675.5, from "Public Agency Disciplinary Action" to "Disciplinary Action by a Public Agency."

12. Optional Conditions of probation "b. Continuing education courses" and "d. Restitution" would be deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions).

13. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee) would be changed from "90" days to "60" days.

14. The description of BPC section 480(a) (Denial of Licenses) would be amended to clarify that the denial of an application for licensure based upon the conviction of a crime is restricted to a crime “substantially related to the qualifications, functions, or duties of the practice of landscape architecture.”

15. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) would be added.

16. CCR section 2670(b) (Willful Misconduct) would be added under Rules of Professional Conduct, CCR section 2670.

17. Under “Conditions of Probation,” Standard Condition 1 (Obey All Laws) would be amended to require a probationer to obey all federal, state and local laws and regulations and to comply with all conditions of probation.

18. Standard Condition 2 (Submit Quarterly Reports) would be amended to reference the current version (1/11) of the LATC’s Quarterly Report of Compliance form. Additionally, the Quarterly Report of Compliance form would no longer be included as an attachment in the Disciplinary Guidelines.

19. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-Practice) would be amended to require a probationer to provide information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. The condition would also be amended to expand and clarify the definitions of tolling and non-practice as they relate to the terms and conditions of probation.

20. Standard Condition 6 (Violation of Probation) would be amended to clarify that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General’s office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final.

21. Optional Condition 9 (California Supplemental Examination) added to Optional Conditions.

22. Optional Condition 10 (Written Examination) would be amended to state that failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation.

23. Optional Condition 11 (Continuing Education Courses) would be amended to require a licensee to successfully complete and pass professional

education courses approved in advance by the LATC or its designee, and failure to complete the required coursework no later than one year prior to the termination of probation shall constitute a violation of probation.

24. Optional Condition 13 (Restitution) would be amended to require the payment of restitution no later than one year prior to the termination of probation.

25. Optional Condition 14 (Criminal Probation Reports) would be amended to clarify that a probationer is required to provide the Board with information regarding his or her criminal probation in the event of conviction of any crime.

B. Policy Statement Overview/Anticipated Benefits of Proposal

This proposal is anticipated to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board's jurisdiction. This proposal also is also anticipated to benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants.

C. Consistency and Compatibility with Existing State Regulations

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

DOCUMENT INCORPORATED BY REFERENCE

Disciplinary Guidelines [2015]

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

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

Business Impact:

The Board has made an initial determination that the proposed regulatory action would

have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business.

The following studies/relevant data were relied upon in making the above determination:

The LATC currently regulates over 3,500 landscape architects. The proposed regulatory action only affects a negligible number of licensees and applicants who, through their conduct, subjection themselves to disciplinary action for violations of the laws and regulations within the Board's jurisdiction. Any "adverse economic impact" would only occur as the result of a disciplinary order following a formal administrative proceeding and a finding of fact affirming a violation of the laws and/or regulations within the LATC's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the existing laws and regulations governing the practice of landscape architecture in California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The LATC has determined that the proposed regulation would not have a significant adverse impact on small businesses as it only affects licensees and applicants who are disciplined for violations of the Landscape Architects Practice Act and/or LATC regulations. Businesses operated by licensees and applicants who are in compliance with the law will not incur any fiscal impact.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

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

Benefits of Regulation:

The LATC has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment:

The LATC has determined that updating its Disciplinary Guidelines through this regulatory proposal will benefit the health and welfare of California residents by

enhancing the Board's ability to take appropriate action against licensees and applicants who, through their conduct, expose themselves to disciplinary action by violating the Landscape Architects Practice Act and/or the LATC's regulations.

Additionally, this proposal will benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by ensuring consistency in the interpretation and application of penalties in administrative disciplinary actions.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Landscape Architects Technical Committee at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 or by telephoning the contact person listed below.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

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

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

CONTACT PERSON

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

Name:	Hattie Johnson
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7234
Fax No.:	(916) 575-7285
E-Mail Address:	hattie.johnson@dca.ca.gov

The backup contact person is:

Name:	Trish Rodriguez
Address:	2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	(916) 575-7231
Fax No.:	(916) 575-7285
E-Mail Address:	trish.rodriguez@dca.ca.gov

Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

INITIAL STATEMENT OF REASONS

Hearing Date: TBD

Subject Matter of Proposed Regulations: Disciplinary Guidelines

Section Affected: California Code of Regulations, Title 16, Division 26, Section 2680

Specific Purpose of each adoption, amendment, or repeal:

1. Problem being addressed: Government Code section 11425.50(e) provides that a penalty in an administrative disciplinary action may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

   The Board adopted the LATC's Disciplinary Guidelines in regulation under Title 16, Division 26, California Code of Regulations (CCR) section 2680 on August 11, 1997 using the "incorporation by reference" method. Subsequently, the guidelines were revised and the reference in CCR section 2680 was amended in 2000.

   Subsequently, the Board revised the LATC Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language. Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the LATC's Disciplinary Guidelines.

   Specific Purpose: The specific purpose of this regulatory proposal is to comply with Government Code section 11425.50(e) by amending CCR section 2680 to incorporate by reference the updated edition of the LATC's Disciplinary Guidelines, as proposed by the Board in XXXX.

   Specifically, the Board is proposing the following updates to LATC's Disciplinary Guidelines:

   1. Add a Table of Contents.

   2. The "CAB" acronym for California Architects Board would be removed

from the Introduction and replaced with “Board.”

3. Add language advising where to obtain copies of the Disciplinary Guidelines.

4. Under “General Considerations,” the Factors to be Considered would be amended to replace Factor 2 “Actual or potential harm to any consumer, client or the general public” with “Total criminal record”, Factor 3 “Prior disciplinary record” with “The time that has elapsed since commission of the act(s) or offense(s)”; Factor 4 “Number and/or variety of current violations” with “The extent to which the respondent has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the respondent”; Factor 5 “Mitigation evidence” with “If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code”; Factor 6 “Rehabilitation evidence” with “Evidence, if any, of rehabilitation submitted by the respondent”; and Factors 7 (In the case of a criminal conviction, compliance with terms of sentence and/or court ordered probation), 8 (Overall criminal record), and 9 (Time passed since the act(s) or offense(s) occurred) were deleted. Factors 10 and 11 were renumbered 7 and 8 correspondingly.

5. Factors 8, and 9 “Overall criminal conviction” and “Time passed since the act(s) or offense(s) occurred,” respectively, were removed from the Factors to be Considered.

6. Heading language would be standardized in recommended penalty guidelines for violation of Business and Professions Code sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

7. “California Supplemental Examination” would be added to the Optional Conditions for probation. This resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all of the violations.

8. Optional Condition “California Supplemental Examination” would be added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence).

9. Optional Condition “Written Examination” would be added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence).

10. The length of suspension recommended in BPC 5672 (Gross Incompetence in Practice) would be changed from “90” days to “120”

days.

11. Heading language would be clarified for violation of BPC section 5675.5, from “Public Agency Disciplinary Action” to “Disciplinary Action by a Public Agency.”

12. Optional Conditions of probation “b. Continuing education courses” and “d. Restitution” would be deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions).

13. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee) would be changed from “90” days to “60” days.

14. The description of BPC section 480(a) (Denial of Licenses) would be amended to clarify that the denial of an application for licensure based upon the conviction of a crime is restricted to a crime “substantially related to the qualifications, functions, or duties of the practice of landscape architecture.”

15. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) would be added.

16. CCR section 2670(b) (Willful Misconduct) would be added under Rules of Professional Conduct, CCR section 2670,

17. Under “Conditions of Probation,” Standard Condition 1 (Obey All Laws) would be amended to require a probationer to obey all federal, state and local laws and regulations and to comply with all conditions of probation.

18. Standard Condition 2 (Submit Quarterly Reports) would be amended to reference the current version (1/11) of the LATC’s Quarterly Report of Compliance form. Additionally, the Quarterly Report of Compliance form would no longer be included as an attachment in the Disciplinary Guidelines.

19. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-Practice) would be amended to require a probationer to provide information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. The condition would also be amended to expand and clarify the definitions of tolling and non-practice as they relate to the terms and conditions of probation.

20. Standard Condition 6 (Violation of Probation) would be amended to clarify that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General's office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final.

21. Optional Condition 9 (California Supplemental Examination) added to Optional Conditions.

22. Optional Condition 10 (Written Examination) would be amended to state that failure to pass the required examination no later than one year prior to the termination of probation shall constitute a violation of probation.

23. Optional Condition 11 (Continuing Education Courses) would be amended to require a licensee to successfully complete and pass professional education courses approved in advance by the LATC or its designee, and failure to complete the required coursework no later than one year prior to the termination of probation shall constitute a violation of probation.

24. Optional Condition 13 (Restitution) would be amended to require the payment of restitution no later than one year prior to the termination of probation.

25. Optional Condition 14 (Criminal Probation Reports) would be amended to clarify that a probationer is required to provide the Board with information regarding his or her criminal probation in the event of conviction of any crime.

2. Anticipated benefits from this regulatory action: This proposal is anticipated to protect consumers by providing standards for the consistent application and enforcement of the laws and regulations under the Board's jurisdiction. This proposal is also anticipated to benefit Administrative Law Judges, Deputy Attorneys General, and others involved in the disciplinary process by providing updated guidelines to reference when imposing disciplinary action against licensees and applicants.

Factual Basis/Rationale

The LATC's mandate is to regulate the practice of landscape architecture in the interest and for the protection of the public health, safety, and welfare. The Board has established a fair and uniform enforcement policy to deter and prosecute violations of LATC's laws and regulations within its jurisdiction to provide for the protection of the consumer. The Board has an active enforcement program designed to ensure that the

laws and regulations governing the practice of landscape architecture are enforced in a fair and judicious manner. Staff follows the priorities established by the LATC with the highest priority to protect consumers by employing its authority to investigate and take disciplinary action against licensees and applicants for licensure who endanger the health, safety, and welfare of the consumer.

BPC section 5630 authorizes the Board to adopt, amend, modify, or repeal rules and regulations as are reasonably necessary to carry into effect the provisions of the Landscape Architects Practice Act. Section 5660 authorizes the Board to discipline a license.

Government Code section 11425.50(e) provides that a penalty in an administrative disciplinary action may not be based on a guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule unless it has been adopted as a regulation in accordance with the Administrative Procedure Act.

The Disciplinary Guidelines were developed to establish consistency and transparency in disciplinary penalties for similar offenses on a statewide basis, and include general factors to be considered, probationary terms, and recommended penalty guidelines for specific violations of the laws and regulations within its jurisdiction. The Disciplinary Guidelines are used as a guide to impose the most appropriate penalty for violations of the laws and regulations governing the landscape architectural practice in administrative disciplinary actions, and are intended to assist Administrative Law Judges, attorneys, licensees, and others involved in the Board's disciplinary process.

The Board last revised the Disciplinary Guidelines in 2000, and CCR section 2680 was subsequently amended in 2000 to incorporate by reference the 2000 edition of the guidelines.

The Board recently revised the Disciplinary Guidelines in XXXX by adding recommended penalties for violations of an additional statute and a recently adopted regulation within its jurisdiction, amending the probationary terms and general factors to be considered, and making technical changes to clarify existing language.

Consequently, the reference date in CCR section 2680 needs to be amended to reflect the appropriate edition of the Disciplinary Guidelines, as it currently references a previous edition of the Disciplinary Guidelines.

The following describes the basis for the revisions made to the 2000 edition of the Disciplinary Guidelines:

1. The Table of Contents was added for clarification of the Disciplinary Guidelines.

2. The "CAB" acronym for the California Architects Board was removed and replaced with "Board" where it appears in the Introduction because its inclusion is unnecessary as the term "Board" is used consistently throughout the Disciplinary

Guidelines to represent the California Architects Board.

3. Added language explaining where copies of the Disciplinary Guidelines could be obtained.

4. Under “General Conditions,” the Factors to be Considered were amended to establish consistency with existing language in CCR section 2656 (Criteria for Rehabilitation).

5. Standardized heading language in recommended penalty guidelines for violation of BPC sections 5640 (Unlicensed Person Engaging in Practice – Sanctions) and 5668 (Impersonating Landscape Architect – Practice Under Assumed Name).

6. California Supplemental Examination was added to Optional Conditions for probation to provide more options and specificity in ordering an examination. It also resulted in the renumbering of the subsequent Optional Conditions, as well as the suggested Optional Conditions in all the violations.

7. Optional Condition “California Supplemental Examination” was added to the following BPC sections: 5671 (Negligence, Willful Misconduct in Practice), 5672 (Gross Incompetence in Practice),and 5675.5 (Disciplinary Action by a Public Agency), and CCR section 2670(a) (Competence), to provide more options and specificity in ordering an examination.

8. Optional Condition “Written Examination” was added to BPC sections 5671 (Negligence, Willful Misconduct in Practice) and 5675.5 (Disciplinary Action by a Public Agency) and CCR section 2670(a) (Competence) to provide more options and specificity in ordering an examination.

9. The length of suspension recommended in BPC 5672 (Gross Incompetence in Practice) was changed from “90” days to “120” days.

10. The language in the heading for violations of BPC section 5675.5 (Disciplinary Action by a Public Agency) was amended from “Public Agency – Disciplinary Action” to “Disciplinary Action by a Public Agency,” to clarify disciplinary actions taken by public agencies and not taken by the Board.

11. Optional Conditions of probation “b. Continuing education courses” and “d. Restitution” were deleted from violation of BPC section 5676 (Plea of Nolo Contendere – Criminal Conviction – Sanctions) to standardize language with Board’s Disciplinary Guidelines.

12. The length of suspension recommended in BPC section 125.6 (Discrimination by Licensee), was changed from “90” days to “60” days, because the severity of the violation would not warrant the number of days and to standardize the penalty with the Board’s Disciplinary Guidelines.

13. The description of BPC section 480(a) (Denial of Licenses) was amended for consistency with existing law, subsection 480(a)(3)(B) of the Business and Professions Code, which states that a license may only be denied pursuant to this subdivision if the crime or act is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made.

14. BPC section 490 (Conviction of Crime; Suspension, Revocation – Grounds) was added for licensees who have violated this section.

15. On August 11, 2007, Title 16, CCR section 2670 (Rules of Professional Conduct) was amended to include an additional rule [subsection (b)] prohibiting a licensee from committing willful misconduct. In response to this regulatory amendment to the Rules of Professional Conduct, guidelines for violations of subsection 160(b) (Informed Consent) were added to the Disciplinary Guidelines. The proposed penalties for violating this new subsection are consistent with existing penalties for violations of other subsections of the Rules of Professional Conduct.

16. Under Conditions of Probation, Standard Condition 1 (Obey All Laws) was amended to require a probationer to obey all federal, state, and local laws and regulations and to comply with all conditions of probation.

    In the previous edition of the guidelines, probationers were only required to obey all federal, state, and local laws and regulations governing the practice of landscape architecture in California. All licensees currently have a duty to obey the laws and regulations governing the practice of landscape architecture, and keeping the existing language would place probationers on the same level as undisciplined licensees.

    Probationers have already violated provisions of the laws and regulations governing the practice of landscape architecture warranting disciplinary action against their licenses; therefore, probationers should be held to a higher standard of conduct to effectively protect the health, safety, and welfare of the public. Probation is a period of time for a probationer to prove to the Board that he or she is rehabilitated from a previous violation of law, and a violation any law while on probation, whether related to the practice of landscape architecture or not, may not demonstrate rehabilitation.

17. Standard Condition 2 (Submit Quarterly Reports) was amended to reference the current version (1/11) of the LATC's Quarterly Report of Compliance. Minor, non-substantive revisions were made to the form and it is necessary to update this condition of probation to reference the appropriate version of the form. Additionally, the form has been removed as an attachment to the Disciplinary Guidelines because it is provided to a probationer at the initiation of probation and is also available from the Board upon request.

18. Standard Condition 5 (Tolling for Out-of-State Practice, Residence or In-State Non-

Practice) was amended to require a probationer to provide the information to the Board regarding the existence and status of each license and registration held in all states, United States territories, and elsewhere in the world within 30 calendar days of the effective date of the decision, and to inform the Board, within 10 calendar days, if he or she applies for or obtains a landscape architectural license or registration outside of California during the probationary period. This information will assist the Board in accurately tolling probation for periods of non-practice within the State of California.

This condition was also amended to clarify that probation is tolled if, and when, the probationer ceases practicing in California. Non-practice is defined as any period of time exceeding thirty days in which the probationer is not engaging in any of the activities defined in Business and Professions Code section 5615 (Landscape Architect – Practice of Landscape Architecture).

This condition was further amended to require a probationer to maintain an active and current license with the LATC, and to state that it is a violation of probation to allow probation to remain tolled for a period exceeding a total of five years. This allows the Board to effectively monitor the probationer by limiting the amount of time probation may be tolled to no longer than a total of five years.

19. Standard Condition 6 (Violation of Probation) was amended to state that if an accusation or petition to revoke probation is filed against a probationer, or the matter is referred to the Attorney General's office, prior to the conclusion of the probationary period, the Board shall have continuing jurisdiction and the probationary period shall be extended until the matter is final. This will allow the Board to effectively pursue appropriate action against a probationer who does not comply with the terms or conditions of probation by extending the probationary period until the petition to revoke probation or accusation has been heard and decided.

20. Optional Condition 9 (California Supplemental Examination) was added to Optional Conditions. In addition to a national examination, applicants for licensure in California are required to take a Supplemental Examination to demonstrate knowledge of the diverse ecosystems throughout the state. The option of requiring a probationer to retake the Supplemental Examination will allow the Board to require the probationer demonstrate the required knowledge California has deemed appropriate to ensure the health, safety, and welfare of California consumers.

21. Optional Condition 10 (Written Examination) was amended to require a probationer to pass the required examination no later than one year prior to the termination of probation. The deadline to pass the required examination was updated from 100 days to one year prior to the termination of probation to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

22. Optional Condition 11 (Continuing Education Courses) was amended to clarify that a probationer must successfully complete and pass professional education courses approved in advance by the Board or its designee, and the probationer is responsible for paying all costs associated with the fulfillment of this condition. The language of this condition has been expanded to provide clarity and consistency with the Board's current practices associated with continuing education coursework as a condition of probation.

    In addition, the deadline to successfully complete the continuing education coursework has been updated from 100 days to one year prior to the termination of probation to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

23. Optional Condition 13 (Restitution) was amended to require the payment of restitution no later than one year prior to the termination of probation. The previous edition of the guidelines required the completion of restitution prior to the termination of probation. This condition has been updated to ensure the Board has sufficient time to refer the matter to the Attorney General's office and file a petition to revoke probation prior to the conclusion of the probationary period in the event the probationer fails to comply with this condition of probation.

24. Optional Condition 14 (Criminal Probation Reports) was amended to clarify that a probationer is required to provide the Board with information regarding his or her standard conditions of criminal probation, copies of all criminal probation reports, and the name of his or her probation officer in the event of conviction of any crime. The existing language did not specify the initial action necessary to prompt the submittal of the required information regarding criminal probation.

It would be impractical and inefficient to publish the text of the Disciplinary Guidelines in the California Code of Regulations. The Disciplinary Guidelines are available on the LATC's website and from the LATC upon request.

<u>Underlying Data</u>

Minutes of the February 10, 2015 LATC meeting
Minutes of the August 6, 2015 LATC meeting
Minutes of the XXXX Board meeting
Disciplinary Guidelines [2000]
Landscape Architects Practice Act

<u>Business Impact</u>

The LATC has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulatory action only impacts licensees and applicants who are disciplined by the Board for violations of the laws and regulations within its jurisdiction. The Board does not have the authority to take administrative action against a business.

The following studies/relevant data were relied upon in making the above determination:

The LATC currently regulates over 3,500 landscape architects. The proposed regulatory action only adversely affects a negligible number of licensees and applicants who, through their conduct, subject themselves to disciplinary action for violations of the laws and regulations within the Board's jurisdiction. Any "adverse economic impact" would only occur as the result of a disciplinary order following a formal administrative proceeding and a finding of fact affirming a violation of the laws and/or regulations within the Board's jurisdiction. Any potential "adverse economic impact" may be avoided simply by complying with the laws and regulations governing the practice of landscape architecture in California.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because the proposal imposes specific requirements on a negligible number of licensees and applicants who, through to their conduct, are subject to disciplinary action due to violations of the laws and regulations governing the practice of landscape architecture. The Board does not have the authority to take administrative action against a business, and does not maintain data regarding the number or percentage of licensees and applicants who own businesses. Therefore, the number or percentage of businesses that may be impacted cannot be predicted. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations within the Board's jurisdiction will not incur any fiscal impact. Therefore, the overall economic impact on jobs is insignificant.

- It will not create new business or eliminate existing businesses within the State of California because the proposal only affects a negligible number of licensees and applicants who are disciplined by the Board for violations of the laws or regulations governing the practice of landscape architecture. The Board does not have the authority to take administrative action against a business, and does not maintain data regarding the number or percentage of licensees and applicants who own a business. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations

within the Board's jurisdiction will not be affected by this proposal. Therefore, the overall economic impact on businesses is insignificant.

- It will not affect the expansion of businesses currently doing business within the State of California because the proposal only affects a negligible number of licensees and applicants who are disciplined for violations of the laws or regulations within the Board's jurisdiction. Businesses operated by or employing licensees and applicants who are in compliance with the laws and regulations within the Board's jurisdiction will not incur any fiscal impact, including the ability to expand business in California. Therefore, the overall economic effect on the expansion of business in California is insignificant.

- This regulatory proposal benefits the health, safety, and welfare of California residents because it would provide protection to California residents by enhancing the Board's ability to take appropriate action against licensees and applicants who, through their conduct, expose themselves to administrative disciplinary action for violations of the laws and regulations within the Board's jurisdiction.

- This regulatory proposal does not affect worker safety because it does not relate to worker safety.

- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected: the LATC considered keeping the status quo; however, this alternative was rejected because the revisions made to the Disciplinary Guidelines will provide assistance and clarity to those involved in the disciplinary process to impose appropriate disciplinary action in the interest and for the protection of the health, safety, and welfare of California consumers.

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

PROPOSED REGULATORY LANGUAGE

Article 1. General Provisions

Amend Section 2680 as follows:

Section 2680. Disciplinary Guidelines.

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the Board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines" [Rev. 2015~~2000~~] which are hereby incorporated by reference. Deviation from these guidelines and orders, including the standard terms of probation, is appropriate where the Board in its sole discretion determines that the facts of the particular case warrant such a deviation - for example: the presence of mitigating factors; the age of the case; evidentiary problems.

Note: Authority cited: Sections 5622, 5630 and 5662, Business and Professions Code; and Section 11425.50(e), Government Code. Reference: Sections 125.3, 125.6, 480(a), 496, 5640, 5642, 5660, 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5 and 5676, Business and Professions Code; and Sections 11400.20, ~~11400.21, 11425,~~ 11425.50 and 11425.50(e), Government Code.

REVIEW AND APPROVE PROPOSED REGULATIONS TO AMEND CCR, TITLE 16, SECTION 2620 (EDUCATION AND TRAINING CREDITS)

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "Review the table of equivalents for training and experience and consider expanding eligibility requirements to allow credit for teaching under a licensed landscape architect."

At its February 10, 2015 meeting, LATC discussed the issue and noted that several states grant experience/training credit for teaching in a landscape architectural degree program. Credit ranges from one to six years and most states require that to be eligible for credit, teaching must be under the supervision of a licensed landscape architect in a program accredited by the Landscape Architectural Accreditation Board or approved by the jurisdiction.

LATC also reviewed the California Architects Board's table of equivalents [California Code of Regulations (CCR) section 117(14)(B)] that grants up to one year of experience credit to candidates with teaching and/or research experience. The teaching and/or research must be in a National Architectural Accrediting Board or Canadian Architectural Certification Board accredited architectural curriculum verified by the college or university.

Following discussion, LATC agreed that up to one year of experience/training credit should be granted for teaching under the supervision of a licensed landscape architect in a landscape architect degree program. Staff was directed to draft proposed regulatory language for LATC's review at its next meeting.

At its May 13, 2015 meeting, LATC approved proposed regulatory language to allow up to one year of credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

Attached are drafts of the the Proposed Regulatory Language to amend CCR 2620, Notice of Proposed Changes in the Regulations, and Initial Statement of Reasons. The Board is asked to review and approve the proposed regulations to amend CCR section 2620, and delegate authority to the Executive Officer to adopt the regulation provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.

Attachments:
1. Proposed Regulatory Language CCR Section 2620
2. Notice of Proposed Changes in the Regulations
3. Initial Statement of Reasons

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
PROPOSED REGULATORY LANGUAGE

Proposed language to amend California Code of Regulations section 2620 as follows :

§ 2620 Education and Training Credits

The Board's evaluation of a candidate's training and educational experience is based on the following table:

Experience Description	Education Max. Credit Allowed	Training and/ or Practice Max. Credit Allowed
(a) Experience Equivalent:		
(1) Degree in landscape architecture from an approved school.	4 years	
(2) Degree in landscape architecture from a non-approved school.	3 years	
(3) Extension certificate in landscape architecture from an approved school.	2 years	
(4) Associate degree in landscape architecture from a community college which consists of at least a 2-year curriculum.	1 year	
(5) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a 4-year curriculum.	4 years	
(6) Associate degree from a college specified in subdivision (a)(4) and an extension certificate as specified in subdivision (a)(3) of this section.	3 years	
(7) Partial completion of a degree in landscape architecture from an approved school.	1 year	
(8) Partial completion of an extension certificate in landscape architecture from an approved school where the applicant has a degree from a university or college which consists of a four-year curriculum.	1 year	
(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.	1 year	
(10) Self-employment as, or employment by, a landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		5 years
(11) Self-employment as, or employment by, a licensed architect or registered civil engineer in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.		1 year

(12) Self-employment as a California licensed landscape contractor or a licensed landscape contractor in another jurisdiction where the scope of practice for landscape contracting is equivalent to that allowed in this State pursuant to Business and Professions Code Section 7027.5 and Cal. Code Regs. Title 16, Section 832.27 shall be granted credit on a 100% basis.		4 years
(13) Teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.		1 year

(b) Education credits……

Authority cited: Section 5630, Business and Professions Code. Reference: Section 5650, Business and Professions Code.

STATE OF CALIFORNIA – DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the California Architects Board (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at:

California Architects Board
Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, California 95834
[DATE TBD]
[TIME TBD]

Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office no later than 5:00 p.m. on **[HEARING DATE TBD]** or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: As a result of 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 Board. Pursuant to the authority vested by section 5630 of the Business and Professions Code (BPC) and to implement, interpret, or make specific section 5681 of the BPC, the Board is considering changes to Division 26 of Title 16 of the California Code of Regulations (CCR) as follows:

INFORMATIVE DIGEST

A. Informative Digest

Amend Title 16 CCR Section 2620 – Education and Training Credits

Section 5650 of the BPC requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the licensing examination.

Currently, CCR section 2620(c) requires candidates to have a minimum of two years of training/practice in landscape architecture and CCR section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program.

B. Policy Statement Overview/Anticipated Benefits of Proposal

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for candidates for licensure, which compliments the Department of Consumer Affairs' "Licensing for Job Creation Initiative."

C. Consistency and Compatibility with Existing State Regulations

After conducting a review for any regulations that would relate to or affect this area, the Board has evaluated this regulatory proposal and it is neither inconsistent nor incompatible with existing state regulations.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Cost/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

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

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The following studies/relevant data were relied upon in making the above determination:
N/A

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses as it only affects landscape architect applicants.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS:

Impact on Jobs/Businesses:

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

Benefits of Regulation:

The Board has determined that this regulatory proposal will have the following benefits to health and welfare of California residents, worker safety, and state's environment: N/A

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

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

TEXT OF PROPOSAL

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

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

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

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

CONTACT PERSON

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

Name: Kourtney Nation
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: (916) 575-7237
Fax No.: (916) 575-7285
E-Mail Address: kourtney.nation@dca.ca.gov

The backup contact person is:

Name: Trish Rodriguez
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Website Access: Materials regarding this proposal can be found at www.latc.ca.gov.

CALIFORNIA ARCHITECTS BOARD
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
INITIAL STATEMENT OF REASONS

Hearing Date: **TBD**

Subject Matter of Proposed Regulation: **Education and Training Credits**

Section Affected: California Code of Regulations (CCR), Title 16, Division 26, Section 2620

As a result of 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 (Board). Business and Professions Code (BPC) section 5630 authorizes the Board to adopt, amend, or repeal rules and regulations that are reasonably necessary in order to carry out the provisions under the Landscape Architects Practice Act.

1. PURPOSE

BPC section 5650 requires candidates seeking licensure in landscape architecture to have six years of training and educational experience in landscape architecture to qualify for the licensing examination.

Currently, CCR section 2620(b) requires candidates to have at least one year of education in landscape architecture and identifies the qualifying degree programs. CCR section 2620(c) requires candidates to have a minimum of two years training/practice in landscape architecture and identifies the settings in which training/practice can be earned. CCR section 2620(a) lists the amount of credit given for various degree programs and specific training/practice settings.

This proposal would retain the Board's existing education and training credits and add subsection 2620(a)(13) to allow candidates to gain up to one year of training/practice credit for teaching in a landscape architecture degree program as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect.

FACTUAL BASIS/RATIONALE

The Joint Legislative Sunset Review Committee's (JLSRC) 2004, 2010, and 2014* Recommendations and the LATC's subsequent Strategic Plans direct LATC to review the existing six-year training and education requirements for examination, identify eligibility issues and propose solutions that not only protect the public health, safety and welfare of the consumer, but also ensure that there are no barriers to the landscape architect profession for qualified individuals.

In 2013, LATC began consideration of whether credit should be given for teaching in an accredited or approved landscape architectural degree program, under the supervision of a licensed landscape architect. Several states (New York, Florida, Texas, Arizona, Hawaii,

* The 2014 Sunset Review hearings and recommendations were conducted via a joint effort of the Senate Committee on Business, Professions, and Economic Development and the Assembly Committee on Business and Professions.

Nevada, New Mexico, Oregon, and Washington) with similar landscape architect licensing populations grant such credit. Further, the California Architects Board (CAB) and the California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG), related professions, allow up to one year of training/experience credit for teaching in accredited architectural or professional engineering degree programs.

LATC recognizes that teaching, which typically includes research, addresses the application of new ideas, theories and technologies to actual practice. The applied research creates a collaborative and mentoring situation between academia and the profession and addresses a measure of critical thinking and technical skills related to the practice of landscape architecture. While "teaching" is not the same as "working in the field," its importance in imparting the skills and knowledge tested for in the LARE and required for safe practice, is immeasurable. As such, LATC agreed that up to one-year of training/practice credit should be granted for teaching in a landscape architecture degree program, under the supervision of a licensed landscape architect.

By adding a setting in which training/practice credit can be earned, this proposed regulation expands eligibility opportunities for candidates for licensure which compliments the Department of Consumer Affairs' "Licensing for Job Creation Initiative."

At its meeting on May 13, 2015, the LATC voted to approve an amendment to CCR section 2620(a)(13) to provide up to one year of training/practice credit for teaching under the supervision of a licensed landscape architect in an approved or non-approved landscape architecture degree program or an associate landscape architecture degree program from a community college.

UNDERLYING DATA

1. JLSRC 2010 and 2014 Recommendations
2. LATC Strategic Plans – 2012/13, 2013/14, 2014/15 and 2015/16
3. Professional Engineers Act – BPC Section 6753
4. Summary Report – LATC Meeting, November 7, 2013
5. Summary Report – LATC Meeting, February 10, 2015
6. Summary Report – LATC Meeting, May 13, 2015

BUSINESS IMPACT

This regulation will not have a significant adverse economic impact on directly affecting business, including the ability of California businesses to compete with business in other states, because it affects only candidates for examination and licensure.

ECONOMIC IMPACT ASSESSMENT

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects candidates for examination and licensure.

- It will not create new business or eliminate existing businesses within the State of California because it only affects candidates for examination and licensure.

- It will not affect the expansion of businesses currently doing business within the State of California because it only affects candidates for examination and licensure.

- This regulatory proposal does not affect the health and welfare of California residents because the proposed changes will not be of sufficient magnitude to have such an effect.

- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.

- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

This regulation does not mandate the use of specific technologies or equipment.

CONSIDERATION OF ALTERNATIVES

No reasonable alternative to the regulation would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

UPDATE AND POSSIBLE ACTION ON DEPARTMENT OF WATER RESOURCES INDEPENDENT TECHNICAL PANEL "WORKFORCE CHALLENGS AND OPPORTUNITIES" ITEM FROM AUGUST 24-25, 2015 MEETING

On April 1, 2015, Governor Brown issued Executive Order B-29-15, directing the Department of Water Resources (DWR) to update the State's Model Water Efficient Landscape Ordinance (MWELO) through an expedited regulation.

On June 16, 2015, DWR held a public meeting inviting stakeholders and interested parties to submit public comments for proposed changes to the current MWELO. Landscape Architects Technical Committee (LATC) was made aware of the proposed changes to the MWELO on June 25, 2015. LATC Vice Chair, Andy Bowden, worked with staff to draft the attached comments which were submitted to DWR on June 26, 2015. In addition, Mr. Bowden and Executive Officer Doug McCauley participated in a July 1, 2015, teleconference requested by Julie Saare-Edmonds, Senior Environmental Scientist for DWR, wherein they were able to provide additional feedback on LATC's concerns.

On July 10, 2015, the DWR notified stakeholders and interested parties, including the LATC that a new draft of the revised MWELO was to be presented to the California Water Commission on July 15, 2015. The California Water Commission approved the draft MWELO at the July 15th meeting. Due to the expedited process and the number of comments, DWR plans to establish a Landscape Stakeholder Committee to provide guidance to DWR on future revisions and assist in the evaluation of statewide ordinance implementation and enforcement in early 2016. On August 6, 2015, LATC ratified the comments previously submitted to DWR on June 26, 2015 regarding the proposed changes to amend California Code of Regulations (CCR), Title 23, Division 2, Chapter 2.7 MWELO.

On August 24, 2015, the DWR Independent Technical Panel on Demand Management Measures (ITP) held a meeting. The purpose of the meeting was to develop recommendation on the Landscape Water Use Vision Statement, discuss workforce challenges and opportunities, and develop preliminary suggestions on ITP Final Report format. A discussion regarding recommendations related to codes and standards was postponed for the next meeting anticipated to be in November.

Attachments

1. LATC Comments on Proposed Changes Dated June 26, 2015
2. Proposed Revisions to the Model Water Efficient Landscape Ordinance Based on Public Comments Received on the June 12th Draft
3. Model Water Efficient Landscape Ordinance, July 9, 2015 Draft
4. Appendix B Example for Residential Landscape
5. Appendix B Example for Commercial Landscape
6. August 24, 2015 ITP Meeting Agenda
7. August 27, 2015 LATC letter to DWR Regarding ITP Agenda Item 4 - Workforce Challenges and Opportunities

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

June 26, 2015

Ms. Julie Saare-Edmonds, Senior Environmental Scientist
California Department of Water Resources
Urban Water Use Efficiency Unit
P.O. Box 942836
Sacramento, CA 94236-0001

Dear Ms. Saare-Edmonds:

The Landscape Architects Technical Committee (LATC) is pleased to have the opportunity to comment on the proposed changes to the Model Water Efficient Landscape Ordinance.

LATC is concerned that the regulations as drafted will cause confusion among consumers, contractors, agencies, etc. The Landscape Architect Practice Act clearly defines the professional services that may be provided by landscape architects, as well as the "exempt area of practice" for unlicensed individuals. The proposed regulations require professional services that can be beyond the exempt area of practice. Should unlicensed individuals provide such services, consumers may be put at risk, as unlicensed individuals do not possess appropriate education, experience, and knowledge (as verified via a valid occupational examination developed pursuant to established national psychometric standards) to protect the public health, safety, and welfare. Accordingly, we urge the Department of Water Resources (DWR) to modify the proposed language to be consistent with current statutory provisions commencing with Business and Professions Code section 5615 et seq.

LATC is also aware that industry technical experts have reported that the standards in the regulations are such that compliance may be difficult if not impossible to adhere to. DWR may wish to hold a special workshop or use some other means to collect additional feedback as to the technical standards defined in the regulations.

Thank you, again, for the opportunity to comment. Should you have questions, please feel free to contact Executive Officer Doug McCauley at (916) 575-7230

Sincerely,

ANDY BOWDEN
Vice Chairman

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STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

July 10, 2015

To all Stakeholders and Interested Parties

Subject: Proposed Revisions to the Model Water Efficient Landscape Ordinance based on public comment received on the June 12th draft

Governor Brown's Drought Executive Order B-29-15 of April 1, 2015 (EO B-29-15) directed DWR to update the State's Model Water Efficient Landscape Ordinance (MWELO or Ordinance) through an expedited regulation. The directive specifically lists five items to address in revising the ordinance:

- More efficient irrigation systems
- Greywater usage
- Onsite stormwater capture
- Limiting the percentage of turf planted in landscapes
- Require reporting on the implementation and enforcement of the ordinance by local agencies

The revised ordinance addresses each of required items of the Executive Order. DWR released a public draft of the revised ordinance on June 12th and held public meetings on June 16th and 19th with written comments submitted by June 26th. Comments were submitted by approximately 170 individuals, companies and organizations.

DWR has reviewed all comments and made revisions to the public draft. This letter lists significant changes to the MWELO proposed in the public draft and then describes revisions made to the ordinance in the July 9th public draft in response to public comments. The California Water Commission will consider the draft Ordinance at their July 15 meeting. They may approve the Ordinance at the July or August meeting.

Proposed Revisions to the MWELO

Landscape Size Threshold

June 12th Draft: Proposed reducing the landscape size threshold (the square footage above which landscape projects are subject to the ordinance) from 2500 sq. ft. to 500 sq. ft. for new residential, commercial, industrial and institutional (CII) projects..

July 9th Revisions: DWR is proposing to keep the 500 sq. ft. as a threshold, but is including a prescriptive checklist approach as an option for compliance for landscapes under 2500 sq. ft. (See Appendix D of the Ordinance). The checklist specifies key items that must be installed or completed as part of the landscape project but does not require the submittal of soil tests, irrigation audits and grading plans. The checklist will significantly reduce compliance costs while ensuring the installations of efficient low water-use plants and irrigation systems.

Efficient Irrigation Systems

June 12th Draft: DWR proposed the following requirements to the ordinance:

- Dedicated landscape water meters or submeters for residential landscapes over 5000 sq. ft. and non-residential landscapes over 1000 sq. ft.
- Pressure regulators and master shut-off valves.
- Irrigation systems must be designed so that a precipitation rate of one inch per hour is not exceeded in any portion of the landscape. (This precludes the installation of standard spray heads which are often the cause of water waste and run off.)
- Flow sensors that detect and report high flow conditions due to broken pipes and/or popped sprinkler heads.
- An increase in the minimum width of turf from 8 feet to 10 feet that can be irrigated with overhead irrigation (sprinkler). Areas of turf below this threshold would have to be irrigated with subsurface drip or other technology that produces no over spray or runoff.

July 9th Revisions: DWR decided that further study is needed before requiring lower precipitation rates and removed the one inch per hour limitation from the draft revised Ordinance. In lieu of the one inch precipitation rate and to increase the efficiency of spray nozzles, DWR has proposed that all irrigation emission devices meet the American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 landscape irrigation sprinkler and emitter standard and that sprinklers have a low quarter distribution uniformity over 0.65. These requirements will ensure that only high efficiency sprinklers are installed in California landscapes. Finally, the flow sensor requirement was modified in the draft revised Ordinance to only require flow sensors for landscape areas greater than 5000 sq. ft. except systems with valve-in-head rotors.

In addition to the reduction in water allocation, DWR proposed not allowing turf in median strips or in parkways, unless the parkway is next to a parking strip and a flat surface is required to enter and exit vehicles.

Finally, DWR proposed increasing the irrigation efficiency (IE) from .71 to .85 for residential landscapes and from .71 to .92 for non-residential (Irrigation efficiency is defined as water taken up by the plant(s) divided by the water applied. Irrigation systems with high efficiencies have high values.)

July 9th Revisions: In regards to irrigation efficiency, DWR has made two changes in response to public comment. First DWR lowered the irrigation efficiency from the value proposed in the June 12th draft to levels suggested by public comment, but still higher than the existing MWELO. Secondly, instead of having one default irrigation efficiency value for all landscape sites, DWR revised the ordinance worksheets to allow the irrigation efficiency to be entered for each area of the landscape. This will permit landscapes that have a high proportion of drip to document the higher efficiencies. The irrigation efficiency of drip has been defined as 0.81 and for overhead spray as 0.75.

As noted above, the water allowance for a landscape project in the MWELO is based on a percentage of the reference evapotranspiration. This percentage is the ratio of the plant factor divided by irrigation efficiency, and is known as the evapotranspiration adjustment factor (ETAF). By reducing the required irrigation efficiency from what was proposed initially, the water allowance for residential landscapes increased from 0.50 to 0.55 of reference evapotranspiration and from 0.40 to 0.45 for nonresidential, or CII landscapes. These values still represent significant reductions in water use over the existing MWELO which has a water allowance based on 0.70 of reference evapotranspiration.

Median strips cannot be landscaped with high water use plants, which will preclude the use of cool season turf. The ordinance also requires landscape areas less than ten feet wide to be irrigated with subsurface irrigation, or other means that produces no runoff or overspray.

Reporting

June 12th Draft: Per EO (B-29-15), DWR proposed requirements for local agencies to report to DWR on the implementation and enforcement of the Ordinance by December 31, 2015 and then by January 31st in subsequent years. Section 495 lists 11 specific items that have to be addressed as part of the annual reporting.

Graywater Usage

June 12th Draft: DWR added a proposed Section 492.15 to encourage the installation of graywater systems to provide onsite landscape irrigation water. All graywater systems would be required to conform to the California Plumbing Code (Title 24, Part 5, Chapter 16A) and any applicable local ordinance standards.

July 9th Revisions: To incentivize graywater use, DWR proposes to allow landscapes that are under 2500 sq. ft. and irrigated only with graywater or captured rainwater to not be subject to the entire ordinance but only meet a simple irrigation checklist.

Onsite Stormwater Capture

June 12th Draft: DWR revised the Stormwater Management section (§492.16) to require friable soil in landscape areas to maximize water retention and infiltration and included additional recommended measures for increasing onsite stormwater retention. The draft also required the application and incorporation of four yards of compost per 1000 sq. ft. of area. The addition of organic matter and tillage increases the ability of soil to capture and hold stormwater.

July 9th Revisions: DWR made minor revisions to the stormwater section, but did not revise the stormwater section to require the implementation of best management practices as there is not enough time in the current expedited revision process to write the detailed regulations required for onsite stormwater management and receive adequate public input. Secondly, it may be more appropriate to address detailed stormwater requirements in other California statutory regulations rather than in the landscape ordinance.

Changes to the Maximum Applied Water Allowance

June 12th Draft: To limit landscape water requirements, DWR proposed reducing the maximum applied water allowance from 70% of the reference evapotranspiration (ETo) to 50% for residential landscape projects, and 40% of ETo for CII projects.

A water allowance based on a 50% adjustment factor would reduce the landscape area that can be planted to turf in the residential landscapes from 33% to 25%, while a water allowance based on a 40% adjustment factor for CII landscapes would effectively limit the planting of for specific purposes such as sports fields and recreational areas. The landscape ordinance provides extra water allowances for specific functions (sports, recreational, picnic areas and areas irrigated with recycled water).

July 9th Draft: DWR added language allowing the existing ordinances of agencies developing regional ordinances to remain in effect until February 1, 2016. Local agencies adopting a regional ordinance would still report to DWR by December 31, 2015 and state that they are revising a regional ordinance. Additionally they would be required to report to DWR by March 1, 2016 on the adopted regional ordinance.

Landscape Stakeholder Committee

Given the expedited revision process, there are a number of landscape issues that could not be addressed in the short time period. DWR plans to establish a Landscape Stakeholder Committee to provide guidance to DWR on future revisions and assist the Department in evaluation of statewide ordinance implementation and enforcement. DWR plans to establish the committee in early 2016.

In the fall of 2015, DWR will be providing workshops and guidance on the revised ordinance implementation and enforcement.

For further information, please contact me at (916) 651-7034 or Julie Saare-Edmonds, Senior Environmental Scientist, at (916) 651-9676.

Peter Brostrom, Manager
Water Use Efficiency Section

Attachments: example landscape worksheets for residential and commercial landscapes

Model Water Efficient Landscape Ordinance

~~**September 10, 2009**~~

July 9, 2015 (Draft to California Water Commission)

California Code of Regulations
Title 23. Waters
Division 2. Department of Water Resources
Chapter 2.7. Model Water Efficient Landscape Ordinance

§ 490. Purpose.

(a) The State Legislature has found:

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

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

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

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

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

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

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

(1) promote the values and benefits of landscaping practices that integrate and go beyond the conservation and efficient use of water; ~~landscapes while recognizing the need to invest water and other resources as efficiently as possible;~~

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

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

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

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

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

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

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

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

(2) Minimizing energy use by reducing irrigation water requirements, reducing reliance on petroleum based fertilizers and pesticides, and planting climate appropriate shade trees in urban areas.
(3) Conserving water by capturing and reusing rainwater and graywater wherever possible and selecting climate appropriate plants that need minimal supplemental water after establishment.
(4) Protecting air and water quality by reducing power equipment use and landfill disposal trips, selecting recycled and locally sourced materials, and using compost, mulch and efficient irrigation equipment to prevent erosion.
(5) Protecting existing habitat and creating new habitat by choosing local native plants, climate adapted non-natives and avoiding invasive plants. Utilizing integrated pest management with least toxic methods as the first course of action.
.

Note: Authority cited: Section 65593, Government Code. Reference: Sections 65591, 65593, 65596, Government Code.

§ 490.1 Applicability

(a) After ~~January 1, 2010~~ December 1, 2015, and consistent with Executive Order No. B-29-15, this ordinance shall apply to all of the following landscape projects:

(1) new development projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
(2) rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
~~(1) new construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;~~
~~(2) new construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;~~
~~(3) new construction landscapes which are homeowner-provided and/or homeowner-hired in single-family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review;~~
(3) ~~(4)~~ existing landscapes limited to Sections 493, 493.1 and 493.2; and
(4) ~~(5)~~ cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing cemeteries are limited to Sections 493, 493.1 and 493.2.

(b) For local land use agencies working together to develop a regional water efficient landscape ordinance, the reporting requirements of this ordinance shall become effective December 1, 2015 and the remainder of this ordinance shall be effective no later than February 1, 2016.
(c) Any project with an aggregate landscape area of 2,500 square feet or less may comply with the performance requirements of this ordinance or conform to the prescriptive measures contained in Appendix D.
(d) For projects using treated or untreated graywater or rainwater captured on site, any lot or parcel within the project that has less than 2500 sq. ft of landscape and meets the lot or parcel's landscape water requirement (Estimated Total Water Use) entirely with treated or untreated graywater or through stored rainwater captured on site is subject only to Appendix D section (5).
(~~b~~e) This ordinance does not apply to:

(1) registered local, state or federal historical sites;
(2) ecological restoration projects that do not require a permanent irrigation system;

(3) mined-land reclamation projects that do not require a permanent irrigation system; or
(4) existing plant collections, as part of botanical gardens and arboretums open to the public.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 491. Definitions.
The terms used in this ordinance have the meaning set forth below:
(a) "applied water" means the portion of water supplied by the irrigation system to the landscape.
(b) "automatic irrigation controller" means a~~n automatic~~ timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers are able to self-adjust and schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
(c) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
(d) "Certificate of Completion" means the document required under Section 492.9.
(e) "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
(f) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.
(g) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.
(h) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
(i) "compost" means the safe and stable product of controlled biologic decomposition of organic materials that is beneficial to plant growth.
(~~i~~j) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year.
(k) "distribution uniformity" means the measure of the uniformity of irrigation water over a defined area.
(~~j~~l) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
(~~k~~m) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
(~~l~~n) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.
(~~m~~o) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.
(~~n~~p) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
(~~o~~q) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth. Native habitat mitigation areas and trees may need three to five years for establishment.
(~~p~~r) "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 492.4.

(~~q~~s) “ET adjustment factor” (ETAF) means a factor of ~~0.7~~0.55 for residential areas and 0.45 for non-residential areas, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. ~~A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is (0.7)=(0.5/0.71).~~ The ETAF for ~~a~~ new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0. The ETAF for existing non-rehabilitated landscapes is 0.8.
(~~r~~t) “evapotranspiration rate” means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
(~~s~~u) “flow rate” means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
(v) “flow sensor” means an inline device installed at the supply point of the irrigation system that produces a repeatable signal proportional to flow rate. Flow sensors must be connected to an automatic irrigation controller, or flow monitor capable of receiving flow signals and operating master valves. This combination flow sensor/controller may also function as a landscape water meter or submeter.
(w) “friable” means a soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.
(x) “Fuel Modification Plan Guideline” means guidelines from a local fire authority to assist residents and businesses that are developing land or building structures in a fire hazard severity zone.
(y) "graywater" means untreated wastewater that has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes, but is not limited to, wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers. Health and Safety Code Section 17922.12.
~~(t~~z~~)~~ “hardscapes” means any durable material (pervious and non-pervious).
~~(u) “homeowner-provided landscaping” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.~~
(aa) ~~(v)~~ “hydrozone” means a portion of the landscaped area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.
(bb) ~~(w)~~ “infiltration rate” means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
(cc) ~~(x)~~ “invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. ~~“Noxious weeds” means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list.~~ Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
(dd) ~~(y)~~ “irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule. The audit must be conducted in a manner consistent with the Irrigation Association’s Landscape Irrigation Auditor Certification program or other U.S. Environmental Protection Agency “Watersense” labeled auditing program.
(ee) ~~(z)~~ “irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates

of irrigation system characteristics and management practices. The ~~minimum average~~ irrigation efficiency~~ies~~ for purposes of this ordinance are 0.75 for overhead spray devices and 0.81 for drip systems. ~~is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems~~.

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

(gg) ~~(bb)~~ "irrigation water use analysis" means a review of water use data based on meter readings and billing data.

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

(ii) ~~(dd)~~ "landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

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

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

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

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

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

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

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

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

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

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

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

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

(vv) ~~(nn)~~ "microclimate" means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
(ww) ~~(oo)~~ "mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
(xx) ~~(pp)~~ "mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, ~~and~~ or decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
(yy) ~~(qq)~~ "new construction" means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
(zz~~xx~~)"non-residential landscape" means landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments with designated recreational areas.
(aaa) ~~(rr)~~ "operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
(bbb) ~~(ss)~~ "overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).
(ccc) ~~(tt)~~ "overspray" means the irrigation water which is delivered beyond the target area.
(ddd) ~~(uu)~~ "permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
(eee) ~~(vv)~~ "pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.
(fff) ~~(ww)~~ "plant factor" or "plant water use factor" is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for very low water use plants is 0 to 0.1, the plant factor range for low water use plants is ~~0~~0.1 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the ~~Department of Water Resources 2000~~ publication "Water Use Classification of Landscape Species". Plant factors may also be obtained from horticultural researchers from academic institutions or professional associations as approved by the California Department of Water Resources (DWR).
~~(xx) "precipitation rate" means the rate of application of water measured in inches per hour.~~
(ggg) ~~(yy)~~ "project applicant" means the individual or entity submitting a Landscape Documentation Package required under Section 492.3 to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.
(hhh) ~~(zz)~~ "rain sensor" or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.
(iii) ~~(aaa)~~ "record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.
(jjj) ~~(bbb)~~ "recreational area" means areas, excluding private single family residential areas, ~~dedicated~~ designated ~~to~~ for active play, recreation or public assembly ~~such as~~ in parks, sports fields, picnic grounds, amphitheaters ~~and~~ or golf course~~s~~ tees, fairways, roughs, surrounds and greens.
(kkk) ~~(ccc)~~ "recycled water", "reclaimed water", or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.
(lll) ~~(ddd)~~ "reference evapotranspiration" or "ETo" means a standard measurement of environmental parameters which affect the water use of plants. ETo is expressed in inches per day, month, or year as represented in Appendix A ~~Section 495.1~~, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as

the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.
(mmm) Regional Water Efficient Landscape Ordinance" means a local Ordinance adopted by two or more local agencies, water suppliers and other stakeholders for implementing a consistent set of landscape provisions throughout a geographical region. Regional ordinances are strongly encouraged to provide a consistent framework for the landscape industry and applicants to adhere to.
(nnn) ~~(eee)~~ "rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet~~. is 50% of the total landscape area, and the modifications are completed within one year.~~
(ooo) "residential landscape" means landscapes surrounding single or multifamily homes.
(ppp) ~~(fff)~~ "runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.
(qqq) ~~(ggg)~~ "soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.
(rrr) ~~(hhh)~~ "soil texture" means the classification of soil based on its percentage of sand, silt, and clay.
(sss) ~~(iii)~~ "Special Landscape Area" (SLA) means an area of the landscape dedicated solely to edible plants, recreational areas, areas irrigated with recycled water, or water features using recycled water ~~and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface~~.
(ttt) ~~(jjj)~~ "sprinkler head" means a device which delivers water through a nozzle.
(uuu) ~~(kkk)~~ "static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.
(vvv) ~~(lll)~~ "station" means an area served by one valve or by a set of valves that operate simultaneously.
(www) ~~(mmm)~~ "swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.
(xxx) "submeter" means a metering device to measure water applied to the landscape that is installed after the primary utility water meter.
(yyy) ~~(nnn)~~ "turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.
(zzz) ~~(ooo)~~ "valve" means a device used to control the flow of water in the irrigation system.
(aaaa) ~~(ppp)~~ "water conserving plant species" means a plant species identified as having a very low or low plant factor.
(bbbb) ~~(qqq)~~"water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.
(cccc) ~~(rrr)~~ "watering window" means the time of day irrigation is allowed.
(dddd) ~~(sss)~~ "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension~~,~~ and the Department of Water Resources ~~and the Bureau of Reclamation, 2000~~ 2014.

Note: Authority Cited: Section 65595, Government Code. Reference: Sections 65592, 65596, Government Code.

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.1 Compliance with Landscape Documentation Package.
(a) Prior to construction, the local agency shall:
(1) provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;
(2) review the Landscape Documentation Package submitted by the project applicant;
(3) approve or deny the Landscape Documentation Package;
(4) issue a permit or approve the plan check or design review for the project applicant; and
(5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.
(b) Prior to construction, the project applicant shall:
(1) submit a Landscape Documentation Package to the local agency.
(c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:
(1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;
(2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and
(3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.3 Elements of the Landscape Documentation Package.
(a) The Landscape Documentation Package shall include the following six (6) elements:
(1) project information;
(A) date
(B) project applicant
(C) project address (if available, parcel and/or lot number(s))
(D) total landscape area (square feet)
(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
(G) checklist of all documents in Landscape Documentation Package
(H) project contacts to include contact information for the project applicant and property owner

(I) applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".

(2) Water Efficient Landscape Worksheet;

(A) water budget calculations

1. Maximum Applied Water Allowance (MAWA)
2. Estimated Total Water Use (ETWU)

(3) soil management report;

(4) landscape design plan;

(5) irrigation design plan; and

(6) grading design plan.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.4 Water Efficient Landscape Worksheet.

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

~~(1) a hydrozone information table (see Appendix B, Section A) for the landscape project; and~~

~~(2) a water budget calculation (see Appendix B, Section B) for the landscape project. For the calculation of the~~

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

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

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

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

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

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

~~(c) Maximum Applied Water Allowance~~

~~The Maximum Applied Water Allowance shall be calculated using the equation:~~

~~MAWA = (ETo) (0.62) [(0.70.5 x LA) + (0.3 x SLA)]~~

~~The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are from the Reference Evapotranspiration Table in Appendix A, for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current reference evapotranspiration data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.~~

~~(1) Example MAWA calculation for a residential landscape project: a hypothetical landscape project in Fresno, CA with an irrigated landscape area of 50,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, recreational areas, or use of recycled water). To calculate MAWA, the annual reference evapotranspiration value for Fresno is 51.1 inches as listed in the Reference Evapotranspiration Table in Appendix A.~~
~~MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]~~
~~MAWA = Maximum Applied Water Allowance (gallons per year)~~
~~ETo = Reference Evapotranspiration (inches per year)~~
~~0.62 = Conversion Factor (to gallons)~~
~~0.7 = ET Adjustment Factor (ETAF)~~
~~LA = Landscape Area including SLA (square feet)~~
~~0.3 = Additional Water Allowance for SLA~~
~~SLA = Special Landscape Area (square feet)~~
~~MAWA = (51.1 inches) (0.62) [(0.7 x 50,000 square feet) + (0.3 x 0)]~~
~~= 1,108,870 gallons per year~~
~~To convert from gallons per year to hundred-cubic-feet per year:~~
~~= 1,108,870 /748 = 482 hundred-cubic-feet per year~~
~~(100 cubic feet = 748 gallons)~~

~~(2) In this next hypothetical example, the landscape project in Fresno, CA has the same ETo value of 51.1 inches and a total landscape area of 50,000 square feet. Within the 50,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.~~
~~MAWA = (ETo) (0.62) [(0.7 x LA) + (0.3 x SLA)]~~
~~MAWA = (51.1 inches) (0.62) [(0.7 x 50,000 square feet) + (0.3 x 2,000 square feet)]~~
~~= 31.68 x [35,000 + 600] gallons per year~~
~~= 31.68 x 35,600 gallons per year~~
~~=1,127,808 gallons per year or 508 hundred-cubic-feet per year~~

~~(d) Estimated Total Water Use.~~
~~The Estimated Total Water Use shall be calculated using the equation below. The sum of the Estimated Total Water Use calculated for all hydrozones shall not exceed MAWA.~~

$$\cancel{ETWU = (ETo)(0.62)\left(\frac{PF\ x\ HA}{IE} + SLA\right)}$$

~~Where:~~

~~ETWU = Estimated Total Water Use per year (gallons)~~
~~ETo = Reference Evapotranspiration (inches)~~
~~PF = Plant Factor from WUCOLS (see Section 491)~~
~~HA = Hydrozone Area [high, medium, and low water use areas] (square feet)~~
~~SLA = Special Landscape Area (square feet)~~
~~0.62 = Conversion Factor~~

~~IE = Irrigation Efficiency (minimum 0.71)~~

~~(1) Example ETWU calculation: landscape area is 50,000 square feet; plant water use type, plant factor, and hydrozone area are shown in the table below. The ETo value is 51.1 inches per year. There are no Special Landscape Areas (recreational area, area permanently and solely dedicated to edible plants, and area irrigated with recycled water) in this example.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)*~~	~~Hydrozone Area (HA) (square feet)~~	~~PF x HA (square feet)~~
~~1~~	~~High~~	~~0.8~~	~~7,000~~	~~5,600~~
~~2~~	~~High~~	~~0.7~~	~~10,000~~	~~7,000~~
~~3~~	~~Medium~~	~~0.5~~	~~16,000~~	~~8,000~~
~~4~~	~~Low~~	~~0.3~~	~~7,000~~	~~2,100~~
~~5~~	~~Low~~	~~0.2~~	~~10,000~~	~~2,000~~
			~~Sum~~	~~24,700~~

~~*Plant Factor from WUCOLS~~

$$\cancel{ETWU = (51.1)(0.62)\left(\frac{17{,}500}{0.85} + 0\right)}$$

~~= 1,102,116 gallons per year~~

~~Compare ETWU with MAWA: For this example MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 0)] = 1,108,870 gallons per year. The ETWU (1,102,116 gallons per year) is less than MAWA (1,108,870 gallons per year). In this example, the water budget complies with the MAWA.~~

~~(2) Example ETWU calculation: total landscape area is 50,000 square feet, 2,000 square feet of which is planted with edible plants. The edible plant area is considered a Special Landscape Area (SLA). The reference evapotranspiration value is 51.1 inches per year. The plant type, plant factor, and hydrozone area are shown in the table below.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)*~~	~~Hydrozone Area (HA) (square feet)~~	~~PF x HA (square feet)~~
~~1~~	~~High~~	~~0.8~~	~~7,000~~	~~5,600~~
~~2~~	~~High~~	~~0.7~~	~~9,000~~	~~6,300~~
~~3~~	~~Medium~~	~~0.5~~	~~15,000~~	~~7,500~~
~~4~~	~~Low~~	~~0.3~~	~~7,000~~	~~2,100~~
~~5~~	~~Low~~	~~0.2~~	~~10,000~~	~~2,000~~
			~~Sum~~	~~23,500~~
~~6~~	~~SLA~~	~~1.0~~	~~2,000~~	~~2,000~~

~~*Plant Factor from WUCOLS~~

$$\cancel{ETWU = (51.1)(0.62)\left(\frac{16{,}300}{0.85} + 2{,}000\right)}$$

~~= (31.68) (33,099 + 2,000)~~

~~= 1,111,936 gallons per year~~

~~Compare ETWU with MAWA. For this example:~~

~~MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 2,000)]~~
~~= 31.68 x [35,000 + 600]~~
~~= 31.68 x 35,600~~
~~= 1,127,808gallons per year~~

~~The ETWU (1,111,936 gallons per year) is less than MAWA (1,127,808 gallons per year). For this example, the water budget complies with the MAWA.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.5 Soil Management Report.
(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:
(1) Submit soil samples to a laboratory for analysis and recommendations.
(A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.
(B) The soil analysis ~~may~~ shall include:
1. soil texture;
2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
3. pH;
4. total soluble salts;
5. sodium;
6. percent organic matter; and
7. recommendations

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

(2) The project applicant, or his/her designee, shall comply with one of the following:
(A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or
(B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.
(3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.
(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.6 Landscape Design Plan.
(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.
(1) Plant Material
(A) Any plant may be selected for the landscape providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. ~~To~~

~~encourage the efficient use of water, the following is highly recommended~~ Methods to achieve water efficiency shall include one or more of the following:

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

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

(C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. ~~To encourage the efficient use of water, the following is highly recommended~~ Methods to achieve water efficiency shall include one or more of the following:

1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; allow for adequate soil volume for healthy root growth and
3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.

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

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

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

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

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

(2) Water Features

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

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

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

(D) Pool and spa covers are highly recommended.

(3) Soil Preparation, Mulch and Amendments

(A) Prior to the planting of any materials, compacted soils shall be transformed to a friable condition. On engineered slopes, only amended planting holes need meet this requirement.
(B) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).
(C) For landscape installations, compost at a rate of a minimum of four cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six inches into the soil. Soils with greater than 6% organic matter in the top 6 inches of soil are exempt from adding compost and tilling.
(D) ~~(A)~~ A minimum ~~two~~ three inch (~~2~~3″) layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, up to 5 % of the landscape area may be left without mulch. Designated insect habitat must be included in the landscape design plan as such.
(E) ~~(B)~~ Stabilizing mulching products shall be used on slopes that meet current engineering standards.
(F) ~~(C)~~ The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
(G) Organic mulch materials made from recycled or post-consumer shall take precedence over inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
~~(D) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).~~

(b) The landscape design plan, at a minimum, shall:
(1) delineate and label each hydrozone by number, letter, or other method;
(2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
(3) identify recreational areas;
(4) identify areas permanently and solely dedicated to edible plants;
(5) identify areas irrigated with recycled water;
(6) identify type of mulch and application depth;
(7) identify soil amendments, type, and quantity;
(8) identify type and surface area of water features;
(9) identify hardscapes (pervious and non-pervious);
(10) identify location, installation details, and 24-hour retention or infiltration capacity of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Project applicants shall refer to the local agency or regional Water Quality Control Board for information on any applicable stormwater technical requirements. Stormwater best management practices are encouraged in the landscape design plan and examples ~~include, but are not limited to:~~ are provide in Section 492.16.
~~(A) infiltration beds, swales, and basins that allow water to collect and soak into the ground;~~
~~(B) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and~~
~~(C) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.~~

(11) identify any applicable rain harvesting or catchment technologies ~~(e.g., rain gardens, cisterns, etc.)~~ as discussed in Section 492.16 and their 24-hour retention or infiltration capacity;
(12) identify any applicable graywater discharge piping, system components and area(s) of distribution;
(13) ~~(12)~~ contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
(14) ~~(13)~~ bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code and Section 1351, Civil Code.

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

(1) System

(A) ~~Dedicated~~ Landscape water meters, defined as either a dedicated water service meter or private submeter, ~~are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management~~ shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which *Water Code* 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

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

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

(C) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required ~~The irrigation systems shall be designed~~ to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.
2. Static water pressure, dynamic or operating pressure and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.
(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.
(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.
(G) ~~High~~ F~~f~~low sensors that detect ~~and report~~ high flow conditions created by system damage or malfunction are ~~recommended~~ required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.
(H) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.
(I) ~~(H)~~ The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
(J) ~~(I)~~ Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.
(K) ~~(J)~~ The design of the irrigation system shall conform to the hydrozones of the landscape design plan.
(L) ~~(K)~~ The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.
(M) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(N) ~~(L)~~ It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.
(O) ~~(M)~~ In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
(P) ~~(N)~~ Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.
(Q) ~~(O)~~ Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.
(R) ~~(P)~~ Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.
(S) ~~(Q)~~ Check valves or anti-drain valves are required ~~for all irrigation systems~~ on all sprinkler heads where low point drainage could occur.
(T) ~~(R)~~ ~~Narrow or irregularly shaped areas, including turf,~~ Areas less than ten~~eight~~ (~~8~~10) feet in width in any direction shall be irrigated with subsurface irrigation or ~~low volume irrigation system.~~ other means that produces no runoff or overspray.

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

1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(I~~H~~). Prevention of overspray and runoff must be confirmed during the irrigation audit.

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

(2) Hydrozone

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

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

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

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

1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
2. the plant factor of the higher water using plant is used for calculations.

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

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

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

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

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

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

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

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

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

(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections

5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.8 Grading Design Plan.

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

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

(A) height of graded slopes;
(B) drainage patterns;
(C) pad elevations;
(D) finish grade; and
(E) stormwater retention improvements, if applicable.

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

(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;
(B) avoid disruption of natural drainage patterns and undisturbed soil; and
(C) avoid soil compaction in landscape areas.

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.9 Certificate of Completion.

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

(1) project information sheet that contains:

(A) date;
(B) project name;
(C) project applicant name, telephone, and mailing address;
(D) project address and location; and
(E) property owner name, telephone, and mailing address;

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

(A) where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;
<u>(B) A diagram of the irrigation plan showing hydrozones shall be kept with the irrigation controller for subsequent management purposes.</u>

(3) irrigation scheduling parameters used to set the controller (see Section 492.10);
(4) landscape and irrigation maintenance schedule (see Section 492.11);
(5) irrigation audit report (see Section 492.12); and
(6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).

(b) The project applicant shall:

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

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

(c) The local agency shall:

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

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.10 Irrigation Scheduling.

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

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

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

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

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

(A) the plant establishment period;

(B) the established landscape; and

(C) temporarily irrigated areas.

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

(A) irrigation interval (days between irrigation);

(B) irrigation run times (hours or minutes per irrigation event to avoid runoff);

(C) number of cycle starts required for each irrigation event to avoid runoff;

(D) amount of applied water scheduled to be applied on a monthly basis;

(E) application rate setting;

(F) root depth setting;

(G) plant type setting;

(H) soil type;

(I) slope factor setting;

(J) shade factor setting; and

(K) irrigation uniformity or efficiency setting.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.11 Landscape and Irrigation Maintenance Schedule.

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

(b) A regular maintenance schedule shall include, but not be limited to, routine inspection; auditing, adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; topdressing with compost, replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing ~~and~~ obstructions to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
(c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents or with components with greater efficiency.
(d) A project applicant is encouraged to implement established landscape industry sustainable Best Practices ~~or environmentally-friendly practices~~ for ~~overall~~ all landscape maintenance activities.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.12 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.
(a) All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed the landscape or installed the landscape
(b) In large projects or projects with multiple landscape installations (i.e. production home developments) an auditing rate of 1 in 7 lots or approximately 15% will satisfy this requirement.
~~(b)~~ (c)For new construction and rehabilitated landscape projects installed after ~~January 1, 2010~~December 1, 2015, as described in Section 490.1:

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.13 Irrigation Efficiency.
(a) For the purpose of determining ~~Maximum Applied Water Allowance~~ Estimated Total Water Use, average irrigation efficiency is assumed to be 0.75~~0.71~~ for overhead spray devices and 0.81 for drip system devices. ~~Irrigation systems shall be designed, maintained, and managed to meet or exceed a site-wide~~n ~~average landscape irrigation efficiency of 0.71.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.14 Recycled Water.
(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water~~, unless a written exemption has been granted as described in Section 492.14(b)~~.
~~(b) Irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.~~
~~(c)~~ (b) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.
~~(d)~~ (c) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for new and existing (non-rehabilitated) Special Landscape Areas shall not exceed 1.0.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.15 Graywater Systems.

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

§ 492.16~~5~~ Stormwater Management and Rainwater Retention.

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

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

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

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

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

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

~~(c) Rain gardens, cisterns, and other landscapes features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.~~

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.17~~6~~ Public Education.

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

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

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

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

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.18~~7~~ Environmental Review.

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

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21080, 21082, Public Resources Code.

§ 493. Provisions for Existing Landscapes.

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

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

(a) This section, 493.1, shall apply to all existing landscapes that were installed before ~~January 1, 2010~~ December 1, 2015 and are over one acre in size.

(1) For all landscapes in 493.1(a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: MAWA = (0.8) (ETo)(LA)(0.62).

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

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

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.2 Water Waste Prevention.

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

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

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or
(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

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

§ 494. Effective Precipitation.
(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:
MAWA= (ETo - Eppt) (0.62) [(~~0.7~~0.55 x LA) + (~~0.3~~0.45 x SLA)] for residential areas.
MAWA= (ETo - Eppt) (0.62) [(0.45 x LA) + (0.55 x SLA)] for non-residential areas.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 495. Reporting.
(a) Local agencies shall report on implementation and enforcement by December 31, 2015. Local agencies responsible for administering individual ordinances shall report on their updated ordinance, while those agencies developing a regional ordinance shall report in their existing ordinance. Those agencies crafting a regional ordinances shall also report on their new ordinance by March 1, 2016. Subsequently, reporting for all agencies will be due by January 31st of each year. Reports should be submitted as follows.
(b) Local agencies are to address the following:

(1) State whether you are adopting a single agency ordinance or a regional agency alliance ordinance, and the date of adoption or anticipated date of adoption.
(2) Define the reporting period. The reporting period shall commence on December 1, 2015 and the end on December 28, 2015. For local agencies crafting regional ordinances with other agencies, there shall be an additional reporting period commencing on February 1, 2016 and ending on February 28, 2016. In subsequent years, all local agency reporting will be for the calendar year.
(3) State if using a locally modified Water Efficient Landscape Ordinance (WELO) or the MWELO. If using a locally modified WELO, how is it different than MWELO, is it at least as efficient as MWELO, and are there any exemptions specified?
(4) State the entity responsible for implementing the ordinance.
(5) State number and types of projects subject to the ordinance during the specified reporting period.
(6) State the total area (in square feet or acres) subject to the ordinance over the reporting period, if available.
(7) Provide the number of new housing starts, new commercial projects, and landscape retrofits during the reporting period.
(8) Describe the procedure for review of projects subject to the ordinance.
(9) Describe actions taken to verify compliance. Is a plan check performed; if so, by what entity? Is a site inspection performed; if so, by what entity? Is a post-installation audit required; if so, by whom?
(10) Describe enforcement measures.
(11) Explain challenges to implementing and enforcing the ordinance.
(12) Describe educational and other needs to properly apply the ordinance.

Appendices.

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
~~Benicia~~	~~1.3~~	~~1.4~~	~~2.7~~	~~3.8~~	~~4.9~~	~~5.0~~	~~6.4~~	~~5.5~~	~~4.4~~	~~2.9~~	~~1.2~~	~~0.7~~	~~40.3~~
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopa	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Coulterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9
MERCED													
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5

Appendix A. Reference Evapotranspiration (ETo) Table.

County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	**3.1**	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9
RIVERSIDE													
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Desert	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2

SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0
SAN JOAQUIN													
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6

SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
STANISLAUS													
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7

Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4

* The values in this table were derived from:

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

~~Appendix B – Sample Water Efficient Landscape Worksheet.~~

~~WATER EFFICIENT LANDSCAPE WORKSHEET~~

~~This worksheet is filled out by the project applicant and it is a required element of the Landscape Documentation Package.~~
~~Please complete all sections (A and B) of the worksheet.~~

~~SECTION A. HYDROZONE INFORMATION TABLE~~

~~Please complete the hydrozone table(s) for each hydrozone. Use as many tables as necessary to provide the square footage of landscape area per hydrozone.~~

~~Hydrozone*~~	~~Zone or Valve~~	~~Irrigation Method**~~	~~Area (Sq. Ft.)~~	~~% of Landscape Area~~
	~~Total~~			~~100%~~

~~* Hydrozone~~
~~HW = High Water Use Plants~~
~~MW = Moderate Water Use Plants~~
~~LW = Low Water Use Plants~~

~~**Irrigation Method~~
~~MS = Micro-spray~~
~~S = Spray~~
~~R = Rotor~~
~~B= Bubbler~~
~~D= Drip~~
~~O = Other~~

SECTION B. WATER BUDGET CALCULATIONS

Section B1. Maximum Applied Water Allowance (MAWA)

The project's Maximum Applied Water Allowance shall be calculated using these is equations:

MAWA = (ETo) (0.62) [(0.57 x LA) + (0.3 x SLA)]
where:

MAWA = Maximum Applied Water Allowance (gallons per year)
ETo = Reference Evapotranspiration from Appendix A (inches per year)
0.7 = ET Adjustment Factor (ETAF)
LA = Landscaped Area includes Special Landscape Area (square feet)
0.62 = Conversion factor (to gallons per square foot)
SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
0.3 = the additional ET Adjustment Factors for Special Landscape Area in residential and non-residential areas, respectively (1.0 - 0.7 = 0.3)

Maximum Applied Water Allowance = _____gallons per year

Show calculations.

Effective Precipitation (Eppt)

If considering Effective Precipitation, use 25% of annual precipitation. Use the following equation to calculate Maximum Applied Water Allowance:

MAWA= (ETo – Eppt) (0.62) [(0.70.5 x LA) + (0.3 x SLA)]

Maximum Applied Water Allowance = _____gallons per year

Show calculations.

Section B2. Estimated Total Water Use (ETWU)

~~The project's Estimated Total Water Use is calculated using the following formula:~~

$$\cancel{ETWU = (ETo)(0.62)\left(\frac{PF\ x\ HA}{IE} + SLA\right)}$$

~~where:~~

~~ETWU = Estimated total water use per year (gallons per year)~~
~~ETo = Reference Evapotranspiration (inches per year)~~
~~PF = Plant Factor (see Definitions)~~
~~HA = Hydrozone Area [high, medium, and low water use areas] (square feet)~~
~~SLA = Special Landscape Area (square feet)~~
~~0.62 = Conversion Factor (to gallons per square foot)~~
~~IE = Irrigation Efficiency (minimum 0.71~~

~~Hydrozone Table for Calculating ETWU~~

~~Please complete the hydrozone table(s). Use as many tables as necessary.~~

~~Hydrozone~~	~~Plant Water Use Type(s)~~	~~Plant Factor (PF)~~	~~Area (HA) (square feet)~~	~~PF x HA (square feet)~~
			~~Sum~~	
	~~SLA~~			

~~Estimated Total Water Use~~ – _____ ~~gallons~~

~~Show calculations.~~

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

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

Reference Evapotranspiration (ETo) _____

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

[a]***Hydrozone #/Planting Description***
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]***Irrigation Method***
overhead spray
or drip

[c]***Irrigation Efficiency***
0.75 for spray head
0.81 for drip

[d]***ETWU* (Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e]***MAWA (Annual Gallons Allowed) = (****Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 for residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

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

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

All Landscape Areas

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

Appendix C – Sample Certificate of Completion.

CERTIFICATE OF COMPLETION

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

PART 1. PROJECT INFORMATION SHEET

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

Project Address and Location:

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

Property Owner or his/her designee:

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

Property Owner

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

_____

Property Owner Signature Date

Please answer the questions below:

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

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

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

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

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

PART 3. IRRIGATION SCHEDULING

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

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

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

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT

Attach Landscape Irrigation Audit Report per ordinance Section 492.12.

PART 6. SOIL MANAGEMENT REPORT

Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 492.6~~5~~.

Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 492.6~~5~~.

Appendix D – Sample Water Efficient Landscape Worksheet.

Appendix D – Prescriptive Compliance Option

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

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

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

(A) date

(B) project applicant

(C) project address (if available, parcel and/or lot number(s))

(D) total landscape area (square feet), including a breakdown of turf and plant material

(E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)

(F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well

(G) contact information for the project applicant and property owner

(H) applicant signature and date with statement, "I agree to comply with the requirements of the prescriptive compliance option to the MWELO".

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

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

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

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

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

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

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

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

(5) Irrigation systems shall comply with the following:

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

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

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

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

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

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

EXAMPLE for Residential Landscape

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

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

Reference Evapotranspiration (ETo) 50

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
1. Front lawn	0.8	overhead spray	0.75	1.07	200	214	6615.4
2. Low water use plantings	0.2	drip	0.81	.25	550	137.5	4262.5
3. Medium water use plantings	0.5	drip	0.81	.62	250	155	4805
				Totals	1000	506.5	
Special Landscape Areas							
				1			
				Totals			
						ETWU Total	**15,683**
						Maximum Allowed Water Allowance (MAWA)[e]	**17,050**

[a]Hydrozone #/Planting Description
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b]Irrigation Method
overhead spray
or drip

[c]Irrigation Efficiency
0.75 for spray
0.81 for drip

***[d]ETWU* (Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e]MAWA (Annual Gallons Allowed) = (*Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 or residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	506.5
Total Area	1000
Average ETAF	**0.51**

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

All Landscape Areas

Total ETAF x Area	506.5
Total Area	1000
Sitewide ETAF	**0.51**

EXAMPLE for Commercial Landscape

Appendix B – Sample Water Efficient Landscape Worksheet.

WATER EFFICIENT LANDSCAPE WORKSHEET

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

Reference Evapotranspiration (ETo) 50

Hydrozone # /Planting Description[a]	Plant Factor (PF)	Irrigation Method[b]	Irrigation Efficiency (IE)[c]	ETAF (PF/IE)	Landscape Area (sq, ft,)	ETAF x Area	Estimated Total Water Use (ETWU)[e]
Regular Landscape Areas							
1. Low water use plantings	0.2	drip	0.81	.25	5500	1375	42,625
2. Medium water use plantings	0.5	drip	0.81	.62	4500	2790	86,490
				Totals	10,000	4165	
Special Landscape Areas							
1. Picnic Area				1	5,000	5,000	155,000
				1			
				1			
				Totals	5,000	5,000	
						ETWU Total	**284,115**
						Maximum Allowed Water Allowance (MAWA)[e]	**294,500**

[a] ***Hydrozone #/Planting Description***
E.g
1.) front lawn
2.) low water use plantings
3.) medium water use planting

[b] ***Irrigation Method***
overhead spray
or drip

[c] ***Irrigation Efficiency***
0.75 for spray
0.81 for drip

[d] ***ETWU*** **(Annual Gallons Required) =**
Eto x 0.62 x ETAF x Area
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year.

[e] ***MAWA (Annual Gallons Allowed) = (****Eto) (0.62) [(ETAF x LA) + ((1-ETAF) x SLA)]*
where 0.62 is a conversion factor that acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet,
and ETAF is .55 or residential areas and 0.45 for non-residential areas.

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	4,165
Total Area	10,000
Average ETAF	**0.42**

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

All Landscape Areas

Total ETAF x Area	9,535
Total Area	15,000
Sitewide ETAF	**0.64**

Agenda

Independent Technical Panel on Demand Management Measures (ITP)
California Department of Water Resources (DWR)

Meeting# 22
Monday, August 24
10:00 AM-5:00 PM
and
Tuesday, August 25
8:30 AM- 3:30 PM

San Diego Gas and Electric Energy Innovation Center
4760 Clairemont Mesa Blvd,
San Diego, CA 92117San Diego, CA

Webinar Links:
Day 1: https://attendee.gotowebinar.com/register/4300799474205742850
Day 2: https://attendee.gotowebinar.com/register/7766641544374333954

Conference Line: 866-951-1151 **Participant Code: 8876640#**

NOTE: Public comment periods will be accommodated at the end of each agenda item (excluding item 1). The duration of each comment period will be at the discretion of the meeting facilitator.

Meeting Objectives: The ITP will

- **Develop recommendations on a Landscape Water Use Vision Statement**
- **Receive information from and discuss with, diverse landscape industry representatives about water use efficiency opportunities and challenges regarding codes and standards, and workforce challenges / opportunities.**
- **Conduct focused discussion and prepare final recommendations related to Codes and Standards and Workforce Challenges.**
- **Develop preliminary suggestions on ITP Final Report format for the landscape water use topic.**

Item	Time	Day 1-Item	Presenter
1	10:00	**Welcome and Introductions** • Review Agenda and Meeting Objectives	Dave Ceppos – CCP Vicki Lake – DWR
2	10:10	**ITP Landscape Water Use Vision and Principles** • Draft Vision Statement • ITP Discussion	Ed Osann, Peter Estournes, Jeff Stephenson – ITP All ITP
3	12:30	**Working Lunch**	
4	12:30	**Workforce Challenges and Opportunities – Topic Discussion** • State Standards that Create Barriers for Landscape Professionals.	Pamela Berstler, APLD; Lisa Maddaus, ITP; Greg

		o ASLA Presentation and Perspectives • Guidelines to Encourage State Agencies to Hire Licensed and/or Certified Landscape Professionals • Guidelines to Strengthen Requirements of the C-27 Exam and Associated CEUs.	Weber, CUWCC Marq Truscott, ASLA Briana Seapy, CUWCC Peter Estournes, William Granger ,ITP; Larry Rohlfes - CLCA All ITP
5	4:50	**Wrap-up, prepare for Day 2**	All
6	5:00	**Adjourn**	

Item	Time	Day 2-Item	Presenter
1	8:30	**Welcome and Introductions** • Review Agenda and target outcomes for Day 2	Dave Ceppos – CCP Vicki Lake – DWR
2	8:40	**Codes and Standards – Final Discussion: MWELO** • DWR Plans for Long-Range MWELO Revisions	Vicki Lake – DWR
3	9:15	**ITP Landscape Water Use Vision and Principles (cont.)** • Draft Recommendations • ITP Final Report Discussion	All ITP
4	12:00	**Working Lunch**	
5	12:30	**Workforce Challenges and Opportunities – Proposed ITP Actions** • State Standards Final Discussion o **<u>ACTION – ITP Recommendations on State standards revisions</u>** • Guidelines to Encourage State Agencies Final Discussion o **<u>ACTION – ITP Recommendations on Guidelines</u>** • Guidelines to Strengthen Requirements Final Discussion o **<u>ACTION – ITP Recommendations on Guidelines</u>**	All ITP
6	3:30	**Adjourn**	

Abbreviations:

APLD – Association of Professional Landscape Designers
ASLA – American Society of Landscape Architects
CCP – Center for Collaborative Policy
CEU – Continuing Education Units
CLCA – California Landscape Contractors Association
CUWCC – California Urban Water Conservation Council
DWR – Department of Water Resources
MWELO – Model Water Efficient Landscape Ordinance

DEPARTMENT OF CONSUMER AFFAIRS
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
CALIFORNIA ARCHITECTS BOARD
Public Protection through Examination, Licensure, and Regulation

Governor
Edmund G. Brown Jr.

August 27, 2015

Ms. Julie Saare-Edmonds, Senior Environmental Scientist and ITP Project Manager
Department of Water Resources
1416 9th Street
Sacramento, CA 95814

Dear Ms. Saare-Edmonds:

The Landscape Architects Technical Committee (LATC) is deeply concerned about the Independent Technical Panel's Item 4 - Workforce Challenges and Opportunities. We wish to provide more details regarding some of the problems and concerns that we have noted.

The development and deliberative process for this item was handled in such a way as to appear to limit public comment and provide greater influence to a legislative advocate of a special interest group (Association of Professional Landscape Designers (APLD) consisting of unlicensed individuals. Specific concerns as to process are as follows:

1) LATC did not receive notice of the meeting as required by the Bagley-Keene Act;
2) Background material for the meeting was not made available to provide the public the opportunity to comment;
3) Public comments at the meeting were inequitable and interested parties had minimal opportunities to share their perspectives;
4) It is unclear why the legislative advocate for APLD was tasked with drafting and presenting ITP's proposal to address State standards that create barriers to expanded water conservation practices by landscape professionals;
5) ITP granted significant time for the aforementioned advocate to present her proposal and lobby the ITP to support it;
6) We understand that the APLD hosted a "Networking event at Liberty Station Stone Brewery" the evening of the 24th and that ITP members were invited. We assume no business was discussed in a manner prohibited by the Bagley-Keene Act, but such a scenario does not have the appearance of governmental transparency; and
7) No information was provided to ITP members as to the extensive public record on the "exempt area of practice" in the Landscape Architects Practice Act, which defines the precise area in which unlicensed individuals may provide services. This issue has been extensively discussed in at least 21 separate public meetings of the LATC, California Architects Board, and the Legislature's Sunset Review process.

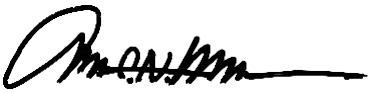
Our significant concerns as to policy include:

1) Licensure is governed by the Business and Professions Code under the direction of the Department of Consumer Affairs and its boards/bureaus;
2) The ITP's research and background material was severely lacking as to facts about licensure requirements, such as Business and Professions Code section 139 and "occupational analyses"; legislative history and policy implications of continuing education programs; and self-certification programs' shortcomings as a measure of competence, etc.
3) Material presented by the legislative advocate for APLD contained numerous misstatements;
4) There was no empirical data to support any of the allegations by the legislative advocate. In addition, key material facts were omitted. For example, there are only 300 members of this association of unlicensed individuals, and only about 60 of them are self-certified, while there are currently approximately 3,600 licensed landscape architects in California.

As our comments reflect, LATC strongly objects to the work done thus far on this issue. Water conservation is clearly the issue of the day, and its lasting impact on the economy, environment, consumers, etc. warrants a more robust, inclusive examination of the issues. Accordingly, LATC will host a public workshop on this issue on September 17th. In order to have a collaborative, objective discussion, we ask that we be provided a list of contacts that ITP used to solicit input for its meetings, as well as transcripts of the proceedings of this past meeting.

We look forward to working with you toward a collaborative and productive determinations on this issue. I would be pleased to provide additional information. Feel free to contact me at (949) 333-6313 should you have any questions for comments.

Sincerely,



Andrew C. N. Bowden, PLA, ASLA
Chairman

cc: David Ceppos, Associate Director, Center for Collaborative Policy, California State University - Sacramento
Awet Kidane, Director - Department of Consumer Affairs

CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 11126(c)(3) THE BOARD WILL CONVENE INTO CLOSED SESSION

During closed session the Board will be asked to:

1. Review and approve June 10, 2015 Closed Session Minutes.

2. Deliberate on Disciplinary Matters

3. Adjourn Closed Session

RECONVENE OPEN SESSION

The Board will reconvene open session following closed session.

REVIEW OF SCHEDULE

September		
7	*Labor Day*	*Office Closed*
10	Board Meeting	San Francisco
17-19	Council of Landscape Architectural Registration Boards Annual Meeting	New Orleans, LA
October		
21	Communications Committee Meeting	Sacramento
November		
5	Regulatory and Enforcement Committee Meeting	Sacramento
11	*Veterans Day*	*Office Closed*
17	Landscape Architects Technical Committee Meeting	Los Angeles
24	Executive Committee Meeting	Sacramento/Teleconference
26-27	*Thanksgiving Holiday*	*Office Closed*
December		
10	Board Meeting	Sacramento
25	*Christmas*	*Office Closed*

ADJOURNMENT

Time: _____