

California Architects Board

Board Meeting

September 7, 2017

Burbank, California





Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## **MEMBERS OF THE BOARD      BOARD MEETING**

Matthew McGuinness, President  
Sylvia Kwan, Vice President  
Tian Feng, Secretary  
Jon A. Baker  
Denise Campos  
Pasqual V. Gutierrez  
Ebony Lewis  
Robert C. Pearman, Jr.  
Nilza Serrano  
Barry Williams

**September 7, 2017**

**Woodbury University  
Ahmanson Main Space  
7500 N. Glenoaks Blvd.  
Burbank, CA 91504  
(818) 252-5121**

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

### **Agenda**

**10:00 a.m. to 3:00 p.m.  
(or until completion of business)**

- A. Call to Order/Roll Call/Establishment of a Quorum
- B. President's Procedural Remarks and Board Member Introductory Comments
- C. Public Comment on Items Not on the Agenda  
*The Board may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).*
- D. Review and Possible Action on June 15, 2017 Board Meeting Minutes
- E. Executive Officer's Report - Update on Board's Administration/Management, Examination, Licensing, and Enforcement Programs
- F. Presentation on Woodbury University's Integrated Path to Architectural Licensure (IPAL) by Ingalill Wahlroos-Ritter, Dean
- G. Regulatory and Enforcement Committee (REC) Report
  1. Update on August 24, 2017 REC Meeting
  2. Discuss and Possible Action on Committee's Recommendation to the Board Regarding Retention Schedule for the Board's Complaint and Citation Records

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 Next Page)*

H. Landscape Architects Technical Committee (LATC) Report

1. Update on July 13, 2017 LATC Meeting
2. Update and Possible Action on LATC's Recommendation to Amend California Code of Regulations (CCR), Title 16, Sections 2620 (Education and Training Credits) and 2615 (Form of Examinations) Regarding Initial and Reciprocal Licensure Eligibility
3. Review and Possible Action on Recommendation Regarding Proposed Amendments to LATC's *Disciplinary Guidelines* and CCR, Title 16, Section 2680 (Disciplinary Guidelines)

I. Review of Future Board Meeting Dates

J. Closed Session

1. Review and Possible Action on June 15, 2017 Closed Session Minutes
2. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters
3. Adjourn Closed Session

K. Reconvene Open Session

L. Adjournment

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

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

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Mel Knox at (916) 575-7221, emailing [mel.knox@dca.ca.gov](mailto:mel.knox@dca.ca.gov), or sending a written request to the Board, 2420 Del Paso Road, Suite 105, Sacramento, CA 95834. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Telecommunications Relay Service: dial 711.

***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

Robert C. Pearman, Jr.

Nilza Serrano

Barry Williams

**PRESIDENT'S PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS**

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

### **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

Members of the public may address the Board regarding items that are not contained in the meeting agenda at this time. However, the Board may not discuss or take action on any item raised during this public comment session, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting [Government Code sections 11125 and 11125.7(a)].

Public comments will also be taken on agenda items at the time the item is heard and prior to the Board taking any action on said items. Total time allocated for public comment may be limited at the discretion of the Board President.

## **Agenda Item D**

### **REVIEW AND POSSIBLE ACTION ON JUNE 15, 2017 BOARD MEETING MINUTES**

The Board is asked to review and take possible action on the minutes of the June 15, 2017, Board meeting.

Attachment:

June 15, 2017 Board Meeting Minutes (Draft)

MINUTES

BOARD MEETING

CALIFORNIA ARCHITECTS BOARD

June 15, 2017

San Francisco

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

Board President, Matthew McGuinness, called the meeting to order at 10:03 a.m. and Board Secretary, Tian Feng, called roll.

Board Members Present

Matthew McGuinness, President  
Tian Feng, Secretary  
Jon Alan Baker  
Denise Campos (departed at 2:00 p.m.)  
Pasqual Gutierrez  
Ebony Lewis  
Robert C. Pearman, Jr.  
Nilza Serrano  
Barry Williams (arrived at 10:30 a.m.)

Board Members Absent

Sylvia Kwan, Vice President

Guests Present

John Austin  
Jason Bismo  
Andrew Bowden, Member, Landscape Architects Technical Committee (LATC)  
Marybeth Harasz, California Council of American Society of Landscape Architects (CCASLA)  
Carol Larosia, CCASLA  
Dustin Maxam  
Shawn Rohrbacker

Staff Present

Doug McCauley, Executive Officer (EO)  
Vickie Mayer, Assistant Executive Officer  
Alicia Hegje, Program Manager Administration/Enforcement  
Brianna Miller, Program Manager, LATC  
Marccus Reinhardt, Program Manager Examination/Licensing  
Mel Knox, Administration Analyst  
Bob Carter, Architect Consultant  
Rebecca Bon, Staff Counsel, Department of Consumer Affairs (DCA)  
Bryce Penney, Television Specialist, DCA

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 PROCEDURAL REMARKS AND BOARD MEMBER INTRODUCTORY COMMENTS

Mr. McGuinness 1) announced that the meeting is being webcast, 2) that LATC member, Andrew Bowden, is in attendance, 3) thanked Sylvia Kwan, in absentia, for assisting with arranging the meeting site, 4) introduced Brianna Miller as the new LATC Program Manager, and 5) reminded members that votes on all motions will be taken by roll-call.

C. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

There were no comments from the public.

D. REVIEW AND POSSIBLE ACTION ON MARCH 2, 2017 BOARD MEETING MINUTES

Mr. McGuinness asked for comments concerning the minutes of the March 2, 2017, Board meeting.

- **Nilza Serrano moved to approve the March 2, 2017, Board meeting minutes.**

**Ebony Lewis seconded the motion.**

**Members Baker, Campos, Feng, Gutierrez, Lewis, Pearman, Serrano, and President McGuinness voted in favor of the motion. Members Kwan and Williams were absent. The motion passed 8-0.**

E. EXECUTIVE OFFICER'S REPORT

Doug McCauley reminded the Board that it is in Release 3 of the enforcement case management and licensing system known as BreEZe. Mr. McCauley explained that the Board voluntarily chose to be in Release 3 with hopes that potential technical issues will be minimized for the Board to have a smooth transition. He reported that Release 3 has not yet been implemented; however, he also reported that staff will soon meet with the DCA Strategic Organization, Leadership and Individual Development (SOLID) and the Office of Information Services to discuss the Board's needs and to begin the process of implementing BreEZe into the Board's business operations. He indicated that the National Council of Architectural Registration Boards (NCARB) is sophisticated with its technologies and is considering developing information technology products that may one day become available for use by state licensing boards.

Mr. McCauley informed the Board that the Governor's fiscal year (FY) 2017/18 budget was recently approved by the Legislature with no program-specific impact on the Board. He noted, however, key areas of the budget that are impacted, including restructuring of the Board of Equalization, administration of the University of California's (UC) President's office, enhancement of the General Fund reserve.

Mr. McCauley reported that he is pleased with the Board's enforcement metrics. Mr. Feng observed the recent (in the last two FYs) spike in written contract violations, to which Mr. McCauley explained that the Board has fewer cases on continuing education, which increases

the percentage of written contract cases. Mr. Feng suspected that practitioners are not as familiar with written contract requirements, to which Bob Carter opined that novice practitioners and new licensees need to be properly educated on written contract requirements. The Board discussed the limitations it has to enforce certain requirements on individuals that the Board does not regulate. Mr. McCauley mentioned his desire for all projects to have a written contract, although it could not happen because the Board cannot regulate those who practice in exempt areas. He expressed disappointment that the Board is seeing so many written contract violations given the Board's efforts to educate practitioners about those requirements. Vickie Mayer noted that simply missing a required element within a contract may trigger a written contract violation. Jon Alan Baker stated that it would be good for the Board to know the percentage of cases that relate to exempt areas of practice. Mr. Baker opined the knowledge would help when crafting targeted messages to educate practitioners about key requirements related to exempt areas of practice.

Messrs. McGuinness and Feng observed a difference in Architect Registration Examination (ARE) 4.0 versus ARE 5.0 examination results. Mr. McCauley commented that the Board can educate candidates about the transition to ARE 5.0, but candidates need to prepare based upon the changes to the exam. He opined that the Board should not be concerned if California's ARE pass rates diverge slightly from national pass rates since California has multiple pathways to licensure, which likely contribute to lower test scores. Pasqual Gutierrez asked if data is available showing the percentage of ARE candidates without college degrees, to which Mr. McCauley and Marcus Reinhart confirmed the data is publicly available on the Board's website. Mr. McCauley agreed to explore exam comparison data of those who took the ARE 5.0 and their education level. Mr. Reinhart observed that ARE 5.0 examination results are stronger when compared to the ARE 4.0 results when it first launched circa 2008. Mr. McCauley suggested it would be valuable consumer information for schools of architecture to publish their ARE pass rates, in the same way that is required of schools of law.

Mr. McCauley updated the Board on the budget. He stated that the budget is in good condition. Mr. McCauley noted that the budget change proposal (BCP) process is an 18-month process. He reported that the Board does not require any formal change in the budget at this time. Mr. McGuinness enquired about the impact of BreZE on the budget, to which Mr. McCauley stated that the Board will have an increase of spending authority via a BCP (initiated by DCA) for any increased costs. He stated that DCA has not identified costs. Mr. McGuinness asked if the Board should set aside money for BreZE, to which Mr. McCauley replied that the Board's fund condition is healthy. Mr. McCauley also explained that the Board currently has 12 months of funding in reserve. He noted that the Board is in a good position and that if a BCP is needed, the Board will have the funds to cover BreZE costs. Denise Campos enquired about the Departmental Pro Rata line item in the Board's budget report, to which Mr. McCauley explained that it funds DCA services like legal affairs, budget, human resources, etc. He offered to provide the Board with a DCA Pro Rata study.

#### F. DISCUSS AND POSSIBLE ACTION ON PROPOSED LEGISLATION

Mr. McCauley reminded the Board of its past discussions surrounding Senate Bill (SB) 547 (Hill), and how the bill extends the sunset date of the California Council of Interior Design Certification (CCIDC) and its certification program until January 1, 2022. He noted that CCIDC's proposed provisions to expand the definition of Certified Interior Designer are not included in the bill, and that no action is required of the Board. Mr. McCauley reported that Assembly Bill (AB) 1005 (Calderon) concerning orders of abatement, as well as American Institute of Architects, California

Council's AB 1489 (Brough) concerning architect liability, will not move forward as currently written.

G. NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB)

Mr. McCauley announced that NCARB will have its Annual Business Meeting on June 22-24, 2017. He noted that no resolutions will be acted upon at this meeting. Mr. McCauley also noted that he will be a panelist at the meeting (with Mr. Baker), which he hopes will succeed in convincing other states to amend their regulations to accommodate Integrated Path to Architectural Licensure programs. He noted that this year's NCARB delegation is composed of members Baker, Feng, Kwan, McGuinness, and himself. Ms. Campos enquired about the candidates for 2017 NCARB officers and directors, and observed a lack of gender and ethnic diversity among candidates competing to serve in these positions. Ms. Serrano requested that the NCARB delegation convey to NCARB at the meeting the need for greater inclusion and diversity amongst its candidates for leadership. Mr. Baker stated that NCARB is engaged in diversity efforts, but has little control over state board appointments. The Board further discussed how to introduce the issue to NCARB in a way that results in greater public member participation.

H. REVIEW AND POSSIBLE ACTION ON 2017/18 INTRA-DEPARTMENTAL CONTRACT WITH OFFICE OF PROFESSIONAL EXAMINATION SERVICES (OPES) FOR CALIFORNIA SUPPLEMENTAL EXAMINATION (CSE) DEVELOPMENT

Mr. Reinhardt informed the Board that its intra-departmental contract with OPES is due to expire on June 30, 2017. He asked the Board to consider a new contract for FY 2017/18 for continued CSE development.

- **Nilza Serrano moved to approve the new \$75,000 Intra-Departmental Contract with OPES for FY 2017/18 CSE development.**

**Robert C. Pearman, Jr. seconded the motion.**

Mr. Baker opined that the contract is in the amount of \$150,000.

- **Nilza Serrano amended the motion to approve the new \$150,000 Intra-Departmental Contract with OPES for FY 2017/18 CSE development.**

**Robert C. Pearman, Jr. seconded the motion.**

Mr. Reinhardt informed the Board that, in fact, the contract amount is precisely \$75,004.

- **Nilza Serrano amended the motion to approve the new \$75,004 Intra-Departmental Contract with OPES for FY 2017/18 CSE development.**

**Robert C. Pearman, Jr. seconded the motion.**

Mr. Baker noted that the 180-day restriction to retake the CSE from the date a candidate fails is still imposed and, therefore, a candidate may only take the CSE twice annually. He asked why the Board cannot shorten the retake timeframe for candidates, to which Mr. McCauley stated he would research the issue.

There were no comments from the public.

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

## I. COMMUNICATIONS COMMITTEE REPORT

Alicia Hegje reported that the Communications Committee met on May 25, 2017, to discuss and consider several potential actions on the following 2017-2018 Strategic Plan objectives:

1. Collect data from candidates related to the licensure process and assess the need of other means (focus groups) to better foster candidate clarity;
2. Work with DCA to collaborate with the Contractors State License Board and the Board for Professional Engineers, Land Surveyors, and Geologists to assess the feasibility of developing a consumer website in order to educate consumers about the design and construction sector and strengthen consumer protection;
3. Promote the Board's revised *Consumer's Guide to Hiring an Architect, Candidate Handbook, and Building Official Information Guide* to keep stakeholders better informed; and
4. Explore the possibility of the Board participating in consumer events as a means of communicating directly with the public.

Ms. Hegje reported that the Communications Committee discussed the concept of attending "home shows" -- events held statewide at a variety of locations that showcase a wide range of products and services for consumers interested in enhancing their homes -- as a means of communicating directly with the public. She also reported that the Committee rejected the concept of utilizing "home shows" as a means of educating consumers because it was deemed an inappropriate use of resources (the vast majority of attendees do not attend for purposes of hiring an architect or designer). Ms. Hegje informed that the Committee made a recommendation for the Board to create a basic newsletter with a link to the Board's website for consumers and send a simple email to every legislator which includes: 1) basic facts about the Board, 2) availability of the consumer publications (i.e., *Consumer's Guide to Hiring an Architect*, design tip card), and 3) a suggestion to forward the publications to their respective building and planning departments in each of their cities. She stated that the Committee also made a recommendation to publish an article in DCA's *California Consumer Connection* magazine.

Ms. Campos commented that the Board has multiple audiences (i.e., consumers, candidates, current architects). Ms. Campos noted that the Committee also discussed and determined there to be a need for a Board Facebook page as a means for communicating directly with the public. Mr. McCauley reported that staff has followed the Committee's recommendation and has created a Facebook page. Mr. Gutierrez also recommended connecting to construction loan institutions to make them aware of the Board's consumer publications. Mr. McCauley endorsed Mr. Gutierrez's recommendation and expressed a need for Board staff to review its list of organizational partners and update its Communications Plan.

- **Denise Campos moved to approve the Communication Committee's recommendation to create a basic newsletter with a link to the Board's website for consumers and send a**

**simple email to every legislator which includes: 1) basic facts about the Board, 2) availability of the consumer publications (i.e., *Consumer's Guide to Hiring an Architect*, design tip card), and 3) a suggestion to forward to their respective building and planning departments in each of their cities, and to publish an article in DCA's *California Consumer Connection* magazine.**

**Tian Feng seconded the motion.**

There were no comments from the public.

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

J. LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT

Brianna Miller updated the Board on the activities of the LATC. Ms. Miller informed the Board that the LATC recently approved a *Consumer's Guide to Hiring a Landscape Architect* publication. She noted that well-attended public forums to discuss the expansion of credit for education experience were recently held to gather feedback on the matter. Ms. Miller reported that the LATC last met on April 18, 2017, when it approved new proposed regulatory language for reciprocity, as well as the draft 2017-2018 Strategic Plan.

Mr. Baker expressed surprise that the LATC does not provide an experience-only pathway to licensure in the same way as the Board. Mr. McCauley explained that LATC was previously a separate body from the Board, and that it has its own standards that are not completely in alignment with the Board. He noted that whenever change in LATC policy is considered, there is an effort to guide that change toward greater alignment with the Board. He reminded the Board that LATC is more flexible than other states, with a major strategic advantage in the existence of two UC extension programs that serve non-traditional students. Mr. Baker stated that the Board argued for years against degree-only pathways to licensure for architects on the national stage, and opined it hypocritical not to extend the non-degree pathway to the Board's landscape architect community. Mr. McCauley shared his view that examination should be the ultimate indicator of whether a candidate possesses sufficient knowledge to practice one's chosen profession.

Mr. Bowden recalled there once was an experience-only pathway to licensure for landscape architects, but an LATC Education Subcommittee determined that education was a necessary component of the "three-legged stool" (education, experience, and examination) for candidates seeking licensure. He reported that the LATC is considering additional pathways to licensure and is assessing other states' licensing requirements. Mr. Bowden also stated that the LATC recognizes it may be time to consider additional degree subject areas that can be accepted as meeting the educational requirement. Mr. Baker echoed his concern that an individual who has practiced under a landscape architect for eight years is deemed not eligible for the examination simply because that individual does not possess a degree. He opined that the Board cannot continue to credibly defend its multiple pathways to licensure position, while simultaneously limiting pathways to licensure for landscape architects by not offering an experience-only pathway. Mr. Bowden shared the Council of Landscape Architectural Review Boards' (CLARB) view that an education component to licensure should be required in all states.

Ms. Miller reported that LATC has been discussing reciprocity issues primarily because the Committee receives requests for reciprocal licensure from individuals licensed in jurisdictions

where a degree in landscape architecture or architecture was not a requirement for initial licensure, as it is in California. She explained that staff researched reciprocity requirements in other states and found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years); and 28 allow initial/reciprocal licensure on the basis of experience alone, with an average of 8 years required. Ms. Miller noted that based on the LATC's request, staff prepared proposed regulatory language to amend California Code of Regulations (CCR) section 2615, which includes provisions that require a candidate for reciprocal licensure to either submit verifiable documentation of education and experience equivalent to that required of California applicants at the time of application or submit verifiable documentation that the candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least 10 of the last 15 years. She reported that, upon approval by the LATC, staff prepared and submitted the required rulemaking package to the Office of Administrative Law. Ms. Miller further explained that, at its April 18, 2017, meeting, the LATC voted to recommend to the Board newly proposed regulatory language to amend CCR § 2615 to allow reciprocity licensure by meeting the practice and experience requirements provided by Business and Professions Code (BPC) section 5651. She asked the Board to review and approve the proposed regulatory language to amend CCR § 2615.

The Board continued discussions about LATC reciprocity requirements for licensure, as well as reciprocity requirements in other states. Mr. Bowden clarified that there are two issues under consideration by the LATC: 1) initial licensure, and 2) reciprocity. He acknowledged there will be some disparity in requirements between candidates who are licensed in other states and new licensees who wish to practice in California. Mr. Bowden stated that there is no pathway for a reciprocity candidate seeking licensure to practice in California who does not meet California's education requirement; however, he said the LATC is attempting to create a pathway that currently does not exist by amending CCR § 2615. Mr. Gutierrez asked if the candidate seeking reciprocity under the proposed changes to CCR § 2615 will be held to a lesser standard than the California licensed landscape architect, to which Mr. Bowden acknowledged that there would indeed be a disparity. Mr. Gutierrez noted that one of the disparities would be that the reciprocity candidate may not be required to have one year of education. Ms. Mayer observed that at least three states (e.g., Georgia, Mississippi, and Utah) allow reciprocity with education only. Ms. Serrano expressed concern about the impact of reciprocity disparities on consumers. Barry Williams suggested that it could be possible for someone to receive licensure if they pass the examination without experience. Mr. Baker shared his view that education and examination both demonstrate what one knows, while experience demonstrates what one is capable of doing.

Marybeth Harasz and Carol Larosia, representing CCASLA, referenced CCASLA's June 8, 2017, letter (contained in the meeting packet), and urged the Board to grant the LATC more time to consider its proposed regulatory language to amend CCR § 2615 before approving any change in licensure reciprocity at this time. Dustin Maxam, Jason Bismo, Shawn Rohrbacker, and John Austin delivered comments in support of LATC's newly proposed regulatory language to amend CCR § 2615 to create a new licensure pathway. They advocated for a more inclusive licensure reciprocity policy.

Mr. Feng asked the CCASLA representatives to clarify its concerns about the LATC proposal to amend CCR § 2615. Ms. Harasz directed the Board's attention to the CCASLA letter dated June 8, 2017, for those specifics, and commented that deeper LATC consideration of the proposal's education requirement and other components is needed. Mr. Feng asked Mr. Bowden how the LATC arrived at its decision to recommend the newly proposed regulatory language, to which Mr. Bowden noted that the decision was based on information presented to the LATC by staff since discussions around the issue of reciprocity began in 2014. Mr. Bowden stated that the

LATC believes conditions have changed since the Education Subcommittee report that specified landscape architecture and architecture as the only acceptable degree subjects to fulfill education requirements. He also cited LATC's desire to bring its policies into greater alignment with the Board. The Board discussed how the licensing requirements in other jurisdictions differ from the LATC's. Mr. Bowden reported that CLARB is currently developing Model Law in an attempt to standardize reciprocity requirements, but it has not yet been adopted.

- **Denise Campos moved to approve the LATC's proposed regulatory language to amend CCR § 2615, and delegate authority to the EO to adopt the proposed changes provided no adverse comments are received during the public comment period and make minor technical or non-substantive changes to the language, if needed.**

**Nilza Serrano seconded the motion.**

Board members discussed their individual support or opposition to the LATC reciprocity proposal. Messrs. Gutierrez, Pearman, Williams, and Baker opined that LATC's proposed policy on reciprocity should be in greater alignment with the Board's policy in order to avoid the appearance of a double-standard. Ms. Mayer noted the Board's structured internship (practical experience) program as a difference between the Board's and LATC's regulations.

Mr. McGuinness opined that approving the proposed regulatory language would be a positive step and would force the LATC into creating multiple pathways. Mr. Baker opined that experience should be a necessary component of licensure requirements, which is not true in all states.

Mr. Maxam echoed his support for LATC's proposal to amend CCR § 2615. Ms. Harasz reiterated CCASLA's view that a vote to approve LATC's proposal would be premature.

**Member Serrano and President McGuinness voted in favor of the motion. Members Baker, Gutierrez, Pearman, and Williams opposed the motion. Members Feng and Lewis abstained. Members Campos and Kwan were absent. The motion failed 2-4-2.**

Mr. Baker offered an alternative motion.

- **Jon Alan Baker moved to return the CCR § 2615 reciprocity item back to the LATC and direct it to provide a revised proposal to the Board at the next meeting (September) that addresses initial licensure and reciprocity requirements that closely align with one another and, where possible, mirror those of the Board (which include an experience-only pathway).**

**Nilza Serrano seconded the motion.**

Mr. Bowden expressed concern that Mr. Baker's motion may conflict with the national approach lead by CLARB.

**Members Baker, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. Members Campos and Kwan were absent. The motion passed 8-0.**

Ms. Miller informed the Board that a draft LATC 2017-2018 Strategic Plan was developed, and was approved by the LATC at its April 18, 2017, meeting. She asked the Board to consider approving the new LATC Strategic Plan.

- **Jon Alan Baker moved to approve the draft 2017-2018 LATC Strategic Plan.**

**Nilza Serrano seconded the motion.**

There were no comments from the public.

**Members Baker, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. Members Campos and Kwan were absent. The motion passed 8-0.**

Ms. Miller reminded the Board of the LATC 2015-2016 Strategic Plan objective to assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements. She also reminded the Board that, to this end, it voted to amend BPC §§ 5680.1 and 5680.2, and to repeal CCR §§ 2624 and 2624.1. Ms. Miller reported that SB 800 (Hill), which contains the provisions to amend BPC §§ 5680.1 and 5680.2, is currently on the Assembly floor. She noted that, should SB 800 become law, the LATC will need to pursue a regulatory change to repeal CCR §§ 2624 and 2624.1. Ms. Mayer noted that the provisions will bring LATC's re-licensure procedures into alignment with those of the Board.

- **Robert C. Pearman, Jr. moved to pursue the repeal of CCR §§ 2624 and 2624.1 should SB 800 (Hill) become law.**

**Ebony Lewis seconded the motion.**

There were no comments from the public.

**Members Baker, Feng, Gutierrez, Lewis, Pearman, Serrano, Williams, and President McGuinness voted in favor of the motion. Members Campos and Kwan were absent. The motion passed 8-0.**

#### K. REVIEW OF FUTURE BOARD MEETING DATES

Mr. McCauley explained the need to identify Board meeting dates that can be held on Wednesdays for the remainder of 2017. The Board agreed to have staff survey member availability for Wednesday meetings in September and December.

#### L. CLOSED SESSION

The Board went into closed session to:

1. Consider action on the March 2, 2017, Closed Session Minutes;
2. Deliberate on disciplinary matters; and
3. Conduct an annual evaluation of its EO.

#### M. RECONVENE OPEN SESSION

The Board reconvened open session.

N. ADJOURNMENT

The meeting adjourned at 2:39 p.m.

DRAFT

**EXECUTIVE OFFICER'S REPORT - UPDATE ON BOARD'S  
ADMINISTRATION/MANAGEMENT, EXAMINATION, LICENSING, AND ENFORCEMENT  
PROGRAMS**

Executive Officer, Doug McCauley, will provide the Board with an update on its administration/management, examination, licensing, and enforcement program activities.

Attachments:

1. August 2017 Monthly Report
2. Enforcement Program Report



Edmund G. Brown Jr.  
GOVERNOR

# CALIFORNIA ARCHITECTS BOARD

PUBLIC PROTECTION THROUGH EXAMINATION, LICENSURE, AND REGULATION

## MEMORANDUM

DATE: August 31, 2017

TO: Board and Landscape Architects Technical Committee 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, 2017.

### ADMINISTRATIVE/MANAGEMENT

Board The next Board meetings are scheduled for September 7, 2017, at Woodbury University in Burbank, and December 7, 2017, in 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; Release 2 was implemented on January 19, 2016; and Release 3 began development in 2016. The Board is currently part of Release 3.

The State Auditor recommended that DCA conduct a cost-benefit analysis for Release 3 boards and bureaus. 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. DCA is developing a plan for the boards and bureaus that have not transitioned to the BreEZe system. On July 11, 2017, staff will meet with DCA Office of Information Services and SOLID's Organizational Change Management (OCM) staff to discuss the status of Release 3. DCA has structured a Business Modernization Plan that creates a

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

roadmap for those programs formerly of Release 3 and in need of modernization and automation. The Plan outlines business activities, including as-is business analysis and documentation, and business requirements. Should IT considerations be necessary, the Plan outlines the required steps through the Project Approval Lifecycle, the four-stage project approval process through the Department of Technology. This process documents business justification (Stage 1), alternatives and cost benefit analysis (Stage 2), solution development framework (Stage 3), and project approval (Stage 4). The final step of the process will be system modification/implementation, possibly following an agile or agile-hybrid development methodology.

On August 17, 2017, staff met with SOLID's OCM staff to discuss the initial inventory of the Board's existing administrative, enforcement, and licensing business processes. This inventory will inform the proposed timeline for the effort, currently under development. The path forward will include business process planning, during which existing processes will be mapped (documented and potentially re-engineered), use cases developed, and solution requirements defined.

Communications Committee The next Communications Committee meeting is scheduled for September 28, 2017, in Sacramento. At this meeting the Committee will continue its work on the assigned objectives from the 2017-2018 Strategic Plan.

Executive Committee The Executive Committee is scheduled to meet via teleconference on November 15, 2017, to commence work on its assigned objectives from the 2017-2018 Strategic Plan.

Legislation Senate Bill (SB) 547 (Hill) extends the sunset date of the California Council of Interior Design Certification (CCIDC) and its certification program until January 1, 2022. At the March 2, 2017, meeting, the Board voted to support the extension of CCIDC's sunset date; subsequent letters of support for SB 547 were sent to the Legislature on May 23 and July 7, 2017. The bill remains with the Assembly Committee on Appropriations.

Liaison Program Board members provided their respective liaison reports at the March 2, 2017, Board meeting.

Newsletter The latest issue of the *California Architects* newsletter was published March 13, 2017. The next issue is scheduled for publication in September 2017.

Outreach Information on disaster recovery aimed at victims of recent wildfires were disseminated to individuals subscribed to the eSubscriber List in August 2017, along with a link to the Board's *Consumer's Guide to Hiring an Architect*. The Board also Tweeted a message of caution when planning the rebuilding of homes and businesses damaged by the fires.

Personnel Katy Blakely in the Examination/Licensing Unit accepted a position with the Department of Health Care Services. Her last day with the Board is September 8, 2017. Recruitment efforts are underway to fill three Examination/Licensing Office Technician positions and one Analyst position in the Enforcement Unit.

Social Media In expanding the Board’s social media presence, a new Instagram account was launched on September 20, 2016; the Board currently has 181 followers (an increase of 8% since last month). The Board currently has 1,110 Twitter followers (up from 962 [or an increase of 15%] since this time one year ago). In addition, the Board launched its new Facebook account on June 6, 2017.

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

- 9/14/17 Basics of Enforcement (Lauren)
- 9/28/17 How to Build a Procedure Manual (Greg)
- 11/7/17 Completed Staff Work (Lauren)
- 11/28/17 Effective Business Writing (Lauren and Coleen)
- 11/30/17 Research, Analysis, and Problem Solving (Lauren)
- 12/11-12/17 Presentation Skills for Analysts (Lauren and Coleen)
- 12/20/17 Managing Time and Workload (Coleen)
- 2/22/18 Interpersonal Skills for Analysts (Lauren)

Website In August, staff posted the *Notice of Meeting* for the August 24, 2017, Regulatory and Enforcement Committee (REC) and September 7, 2017, Board meetings. The Board’s website was also updated to include the approved *Summary Reports* for the REC meeting on November 8, 2016, and Board meeting on June 15, 2017.

### **EXAMINATION AND LICENSING PROGRAMS**

Architect Registration Examination (ARE) The pass rates for ARE divisions taken by California candidates between July 1–31, 2017, are shown in the following tables:

#### **July 2017 ARE 5.0**

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Construction & Evaluation	22	12	55%	10	45%
Practice Management	44	24	55%	20	45%
Programming & Analysis	23	10	43%	13	57%
Project Development & Documentation	41	19	46%	22	54%
Project Management	20	11	55%	9	45%
Project Planning & Design	57	21	37%	36	63%

**July 2017 ARE 4.0**

DIVISION	NUMBER OF DIVISIONS	TOTAL PASSED		TOTAL FAILED	
		No. of Divisions	Passed	No. of Divisions	Failed
Building Design & Construction Systems	30	13	43%	17	57%
Building Systems	46	27	59%	19	41%
Construction Documents & Services	113	43	38%	70	62%
Programming, Planning, & Practice	127	64	50%	63	50%
Schematic Design	32	24	75%	8	25%
Site Planning & Design	65	40	62%	25	38%
Structural Systems	32	22	69%	10	31%

National pass rates for 2016 ARE 5.0 have been released by the National Council of Architectural Registration Boards (NCARB) for divisions taken between November 1, 2016 and June 30, 2017.

**November 1, 2016 through June 30, 2017 ARE 5.0**

DIVISION	CALIFORNIA		NATIONAL	DIFFERENCE
	Total	Passed	Passed	
Construction & Evaluation	105	48%	53%	-5%
Practice Management	215	41%	47%	-6%
Programming & Analysis	103	42%	53%	-11%
Project Development & Documentation	282	43%	56%	-13%
Project Management	137	53%	56%	-3%
Project Planning & Design	374	42%	50%	-8%

California Supplemental Examination (CSE) CSE development is an ongoing process. Development of the CSE based upon the new CSE Test Plan concluded with the launching on March 1, 2017, of the first corresponding examination administrations. The Intra-Agency Contract Agreement (IAC) with the Office of Professional Examination Services (OPES) for examination development for fiscal year (FY) 2017/18 was approved by the Board on June 15, 2017. The IAC expires on June 30, 2018.

Board staff is researching with OPES the feasibility of reducing the mandatory wait-time after a candidate fails the CSE while maintaining examination security and defensibility.

CSE Results: For the period August 1-15, 2017, the computer-delivered CSE was administered to 55 candidates, of which 37 (67%) passed and 18 (33%) failed. The CSE has been administered to 119 candidates during FY 2017/18 (as of August 28, 2017) of which 77 (65%) passed and 42 (35%) failed. During FY 2016/17, the computer-delivered CSE was administered to 1,096 candidates, of which 712 (65%) passed and 384 (35%) failed.

NCARB Integrated Path to Architectural Licensure (IPAL) Launched in 2015, IPAL is an initiative spearheaded by NCARB and designed to provide aspiring architects the opportunity to complete requirements for licensure in a more integrated and streamlined manner while earning their accredited degree. Programs from three California schools were accepted by NCARB for participation: NewSchool of Architecture and Design, University of Southern California, and Woodbury University; to-date there are 26 programs at 21 participating schools.

The Board sponsored legislation (which became operative on January 1, 2017) that authorizes it to grant students enrolled in an IPAL program early eligibility for the ARE. Periodically, the Board invites accepted California schools to its meetings for updates on the progress of their respective program. Woodbury University will update the Board on its IPAL program at the September 7, 2017, Board meeting.

Professional Qualifications Committee (PQC) The next PQC meeting is scheduled for October 18, 2017, in Sacramento. At the meeting, the PQC will commence work on its assigned objectives from the 2017-2018 Strategic Plan.

## **ENFORCEMENT PROGRAM**

Architect Consultants Building Official Contact Program: Architect consultants were available on-call to Building Officials in August (as of August 29, 2017) when they received two telephone, email, and/or personal contacts. These types of contacts generally include discussions regarding the Board's policies and interpretations of the 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 (as of August 29, 2017), there were 24 telephone and/or email contacts requesting information, advice, and/or direction. Licensees accounted for 12 of the contacts and included inquiries regarding written contract requirements, out-of-state licensees seeking to do business in California, scope of practice relative to engineering disciplines, and questions about stamp and signature requirements.

Collection Agency Contract The Board's 2015-2016 Strategic Plan contains an objective assigned to the Regulatory and Enforcement Committee (REC) to pursue methods to obtain multiple collection mechanisms to secure unpaid citation penalties. At its November 5, 2015, meeting, the REC reviewed and discussed this objective, and voted to recommend to the Board that it should encourage staff to continue pursuing all avenues for collecting unpaid administrative fines, and specifically, start utilizing a collection agency for unpaid accounts aged beyond 90 days, or at the discretion of the Executive Officer (EO). The Board approved the REC's recommendation at its December 10, 2015, meeting. Following the meeting, staff identified outstanding accounts that could be referred to a collection agency and obtained quotes for full-service debt collection services, including "skip-tracing," credit reporting, and filing legal actions as appropriate. Staff is currently in the process of securing a contract with a collection agency through the informal solicitation method [Government Code (Gov.) section 14838.5] to allow the Board to refer unpaid accounts aged beyond 90 days to a collection agency. The collection agency contract is planned to be presented to the Board for review and possible action at its December 7, 2017, meeting to allow the Board to refer unpaid accounts to a collection agency beginning January 1, 2018 (or upon approval of the contract).

Disciplinary Action(s) Eddy Zhong Shen (Sunnyvale) Effective July 26, 2017, Shen's architect license number C-12717 was revoked. The action came after a Default Decision was adopted by the Board.

An Accusation was filed against Shen for alleged violations of BPC § 5536(a) (Improper Advertising and Practicing Architecture While License Expired) and 5584 (Willful Misconduct), and California Code of Regulations (CCR), Title 16, sections 134(a) (Improper Use of the Term "Architecture") and 160(b)(2) (Failure to Respond to the Board Within 30 Days). The Accusation alleged that on or about February 24, 2014, Shen entered into a proposal and contract to provide design and construction documents for a client's project in Cupertino, California. Shen was paid \$7,000 for his services, and knew that the client planned to begin construction at the end of 2015. However, Shen never submitted drawings to the city of Cupertino, despite receiving four extensions to meet the deadlines and obtain the proper permits. Shen also failed to respond to the Board's requests for information in regards to an investigation of the Cupertino project.

In addition, on April 5, 2016, after Shen's architect license expired on April 30, 2015, Shen entered into a proposal and contract to provide design and construction documents to a client for a project in Fremont, California, and received a \$4,000 down payment. The letterhead on the proposal and contract stated "LRS Associates Inc. Architecture-Planning-Interiors," and Shen signed the document, which included his architect license number, as "President." On May 10, 2016, Shen provided elevation drawings to the client, and on May 17, 2016, Shen received a request for three modifications of the drawings from the client. Apart from one telephone call on July 29, 2016, in which he promised to give the client an update within a week, Shen had no further communication with the client and did not provide to the client any further drawings or plans on the project. Furthermore, as of May 2016, Shen's company's business name, LRS Associates Architecture and Planning, Inc., included "Architecture" as part of its title, and Shen's LinkedIn profile was listed under the "Architecture & Planning" category and identified him as an "Architect." Shen's company, LRS Associates Architecture Planning & Interiors, Inc., was also listed under the "Architect(s)" category on Facebook, and his company's services were described as "Architect" on the website [angieslist.com](http://angieslist.com).

Enforcement Action(s) Jeffrey Stanton Sulkin (Santa Monica) The Board issued a one-count citation that included a \$2,500 administrative fine to Sulkin, dba Permit My Property Co., LLC, an unlicensed individual, for alleged violations of Business and Professions Code (BPC) sections 5536(a) (Practice Without License or Holding Self Out as Architect) and 5536.1(c) (Unauthorized Practice). The action alleged that on or about April 9, 2016, Sulkin was hired by a client to provide plans for an interior tenant improvement of an existing office space/warehouse located in Inglewood, California. The client was provided with 11 sheets of drawings dated June 27, 2016, which contained a title block stating “Permit My Property.” The drawings also stated “Drawn By: R.Z.” and “Checked By: J.S.” On or about July 27, 2016, the client received a document, totaling five pages, from the City of Inglewood Building Division, which provided a list of reasons why the issuance of a permit was being withheld, and stated that “the architectural and structural plans and calculations must be signed by a civil or structural engineer, or an architect licensed by the State of California.” Sulkin’s drawings of the interior tenant improvement of an existing office space/warehouse, which is not a building exempt from the Architects Practice Act pursuant to BPC § 5537(a), constitutes the practice of architecture as defined in BPC § 5500.1. The citation became final on July 24, 2017.

<u>Enforcement Statistics</u> (as of August 29, 2017)	<u>Current Month</u> August 2017	<u>Prior Month</u> July 2017	<u>FYTD</u> 2017/18	<u>5-FY Avg</u> 2012/13- 2016/17
<b>Complaints</b>				
Received/Opened (Reopened):	19 (0)	24 (0)	43 (0)	314 (3)
Closed:	22	13	35	305
Average Days to Close:	130 days	91 days	116 days	123 days
Pending:	123	126	125*	109
Average Age of Pending:	109 days	99 days	104 days*	151 days
<b>Citations</b>				
Issued:	4	0	4	40
Pending:	9	5	7*	10
Pending AG: †	4	3	4*	4
Final:	0	1	1	37
<b>Disciplinary Actions</b>				
Pending AG:	4	3	4*	4
Pending DA:	0	0	0*	2
Final:	0	1	1	2
<b>Continuing Education (\$5600.05)**</b>				
Received/Opened:	0	0	0	58
Closed:	1	0	1	55
Pending:	11	12	12*	21
<b>Settlement Reports (\$5588)**</b>				
Received/Opened:	2	0	2	30
Closed:	5	0	5	30
Pending:	10	13	12*	8

\* Calculated as a monthly average of pending cases.

\*\* Also included within “Complaints” information.

† Also included within “Pending Citations.”

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

During FY 2017/18 (as of August 29, 2017) one citation with an administrative fine became final with two violations of the provisions of the Act and/or Board regulations. Below are the most common violations that have resulted in enforcement action during the current FY:

- BPC § 5536(a) - Practice Without License or Holding Self Out as Architect [50%]
- BPC § 5536.1(c) - Unauthorized Practice [50%]

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

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

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

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

Regulatory and Enforcement Committee (REC) The REC met on August 24, 2017, in Sacramento. At the meeting, the REC commenced work on its assigned objectives from the 2017-2018 Strategic Plan.

Written Contract (BPC § 5536.22) A proposal was previously submitted by the Board to the Senate Business, Professions and Economic Development Committee (BP&ED) for possible inclusion in an omnibus bill. The amendment to BPC § 5536.22 sought to clarify that the following elements are needed in architects' written contracts with clients for professional services: 1) a description of the project; 2) the project address; and 3) a description of the procedure to accommodate contract changes. BP&ED staff determined that the proposal was substantive and, as such, would need to be included in another bill. At its April 28, 2016, meeting, the REC

accepted staff's recommendation to also include a: 1) statement identifying the ownership and/or reuse of instruments of service prepared by the architect; and 2) notification to the client that the architect is licensed by the Board, in the amendment to BPC § 5536.22. Staff developed proposed language for BPC § 5536.22 to include these two additional elements, and presented it to the REC for consideration at its November 8, 2016, meeting. At the meeting, the REC supported adding the two additional provisions to the written contract requirement, but expressed concerns that the use of the word "complaints" in the proposed language for subsection (a)(9) could result in frivolous complaints to the Board against architects. The REC ultimately voted to recommend to the Board that it approve the proposed language to amend BPC § 5536.22 with the words "concerns about" instead of "complaints concerning" in the proposed subsection (a)(9). The Board considered the REC's recommendation at its December 15, 2016, meeting, and approved the proposed language to amend BPC § 5536.22 with the exception of proposed subsection (a)(9); the Board returned subsection (a)(9) to the REC for further study and consideration of alternative methods of disclosure.

## **LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC)**

### **LATC ADMINISTRATIVE/MANAGEMENT**

Committee The LATC met on July 13, 2017, in Sacramento. The next meeting will be held in San Diego on November 2, 2017. Staff is working to confirm a meeting location.

Personnel Recruitment efforts are underway to fill the Licensing Coordinator position.

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

8/22/17	Leader as Communicator (Brianna)
8/29/17	Labor Relations for Managers and Supervisors (Brianna)
8/30/17	Safety, Wellness, and Accommodation (Brianna)
8/31/17	Strategic Management (Brianna)

Website In August, staff published the 2017-2018 Strategic Plan, Mission Statement, and updated "Licensee Search" lists to the website.

Social Media The LATC maintains a Twitter account that currently has 135 followers. This account largely permits the LATC to have active social media participation with the public and professionals.

### **LATC EXAMINATION PROGRAM**

California Supplemental Examination (CSE) BPC § 139 requires that an Occupational Analysis (OA) be conducted every five to seven years. An OA was completed by OPES for the LATC in 2014. The Test Plan developed from the 2014 OA is being used during content development of the CSE. The CSE development is based on an ongoing analysis of current CSE performance and evaluation of examination development needs. The current Intra-Departmental Contract with

OPES for examination development expires on June 30, 2017. Staff recruits subject matter experts to participate in examination development workshops to focus on item writing and examination construction. Monthly examination development workshops began on August 25, 2016, and concluded on December 2, 2016. The questions developed have been added to the examination item bank and will be incorporated into the CSE beginning in September 2017. The new Intra-Departmental Contract with OPES for examination development for FY 2017/18 was approved by the Committee at the April 18, 2017, meeting.

CSE Results The CSE has been administered to 38 candidates during FY 2017/18 (as of August 30, 2017). Of these candidates, 18 (47%) passed and 20 (53%) failed. During FY 2016/17 the CSE was administered to 153 candidates. Of these candidates, 80 (52%) passed and 73 (48%) failed. During FY 2015/16, the CSE was administered to 132 candidates, of which 94 (71%) passed and 38 (29%) failed.

Landscape Architect Registration Examination (LARE) The next LARE administration will be held from December 4-16, 2017. The candidate application deadline will be October 20, 2017. Examination results are released five-six weeks following the last day of administration.

Legislation SB 800 (Hill) – BPC § 5680.2 authorizes a license that has expired to be renewed within three years after its expiration. Existing law prohibits a license that is expired for more than three years from being renewed, restored, reissued, or reinstated but authorizes the holder of the expired license to apply for and obtain a new license if the applicant for the new license meets certain criteria, pays certain fees, and passes an examination or otherwise establishes to the satisfaction of the Board that the applicant is qualified to practice landscape architecture. This bill would instead authorize a license to be renewed within five years of its expiration. The bill would prohibit a license that is expired for more than five years from being renewed, restored, reissued, or reinstated but would authorize the holder of the expired license to apply for a new license, as specified. Should these amendments take effect, the LATC will pursue repealing CCR §§ 2624 and 2624.1.

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

The LATC received extensive input during the public comment period expressing concern about the proposed length of post-licensure experience (at least 10 years, within the past 15 years) to be required of reciprocity candidates who do not meet California's educational requirements (specifically, a degree in landscape architecture). At its November 4, 2016, meeting, LATC reviewed and discussed the public comments, heard from several members of the audience, and directed staff to provide additional research and possible options for its next meeting in

January 2017. At its January 17, 2017, meeting, the Committee directed staff to draft proposed regulatory language allowing reciprocity licensure to applicants licensed to practice landscape architecture by any US jurisdiction, Canadian province, or Puerto Rico, upon passing the CSE. Staff consulted with legal counsel to draft new, proposed regulatory language in accordance with the Committee's direction. Staff was also advised that it would be more timely to begin a new regulatory proposal for this new language in lieu of continuing with the existing proposal. Pursuant to Government Code section 11346.4, the one-year deadline to finalize the existing regulatory proposal is on August 12, 2017, which is not sufficient time to complete the required review/approval process through the control agencies.

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

At the July 13, 2017, meeting, the LATC reviewed proposed language to amend CCR § 2620 (Education and Training Credits) composed by staff and DCA Legal. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to establish an Education/Experience Subcommittee to determine the execution for these proposed pathways to licensure. Specifically, the Committee directed the Subcommittee to determine the appropriate amount of credit to grant for these new pathways, and define related versus unrelated degrees and the execution of an 'experience-only' pathway. As initial licensing provisions and reciprocity provisions are closely tied, the LATC voted to recommend to the Board that its reciprocity requirements align with the final, amended provisions to CCR § 2620. Accordingly, upon approval of amended language to CCR § 2620, staff will pursue corroborative changes to CCR § 2615.

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

November 17, 2015	Proposed regulatory language approved by the LATC
December 10, 2015	Proposed regulatory language approved by the Board
August 2, 2016	Notice of Proposed Changes in the Regulations submitted to OAL
August 12, 2016	Notice of Proposed Changes in the Regulations published by OAL
September 27, 2016	Public hearing, public comments received during 45-day period
April 18, 2017	LATC voted to withdraw regulatory proposal and approved new proposed regulatory language
June 15, 2017	Board requested LATC prepare an alternate proposal that refines both initial and reciprocal licensure requirements to be more closely related to those of the Board's
July 13, 2017	LATC voted to recommend to the Board that reciprocity requirements align with initial licensure requirements once they are determined by the Education/Experience Subcommittee

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

In 2012, the LATC appointed the University of California Extension Certificate Program Task Force, which was charged with developing procedures for the review of the extension certificate programs, and conducting reviews of the programs utilizing the new procedures. The Task Force held meetings on June 27, 2012, October 8, 2012, and November 2, 2012. As a result of these meetings, the Task Force recommended additional modifications to CCR § 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 § 2620.5, with an additional edit. At the January 24–25, 2013, LATC meeting, LATC reviewed public comments regarding the proposed changes to CCR § 2620.5 and agreed to remove a few proposed modifications to the language to address the public comments. The Board approved adoption of the modified language for CCR § 2620.5 at their March 7, 2013, meeting.

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

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

Proposed regulatory language was presented to the LATC at its February 10–11, 2015, meeting. At this meeting, the Committee approved the appointment of a new working group to assist staff in substantiating recommended standards and procedures in order to obtain OAL approval. Linda

Gates and Christine Anderson, former LATC members and University of California extension program reviewers, were appointed to the working group.

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

On October 8, 2015, LATC received a copy of LAAB's proposed revisions which included several suggested changes to curriculum requirements. LAAB implemented its new Accreditation Standards and Procedures in March 2016, making significant changes to the curriculum requirements beginning in 2017. Staff recommended that LATC review the LAAB Accreditation Standards and Procedures at its January 2017 meeting, and determine how to proceed. Prior to the meeting, Stephanie Landregan, Director of the University of California Los Angeles Extension Certificate program, requested that discussion be postponed until the April 18, 2017, LATC meeting. Her request was granted, and this topic was tabled, accordingly.

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

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

November 22, 2010	Proposed regulatory language approved by LATC
December 15, 2010	Proposed regulatory language approved by Board
June 22, 2012	Notice of Proposed Changes in the Regulations published by OAL (Notice re-published to allow time to notify interested parties)
August 6, 2012	Public hearing, no public comments received
November 30, 2012	40-Day Notice of Availability of Modified Language posted on website
January 9, 2013	Written comment (one) received during 40-day period
January 24, 2013	Modified language to accommodate public comment approved by LATC
February 15, 2013	Final rulemaking file submitted to DCA's Legal Office and Division of Legislative and Policy Review
March 7, 2013	Final approval of modified language by Board
May 31, 2013	Final rulemaking file submitted to OAL for approval
July 17, 2013	Decision of Disapproval of Regulatory Action issued by OAL
August 20, 2013	LATC voted not to pursue a resubmission of rulemaking file to OAL
February 21, 2014	Staff worked with Task Force Chair to draft justifications for proposed changes
December 8, 2014	LAAB reported that accreditation standards are scheduled to be reviewed and updated in 2015

February 10, 2015	LATC approved the appointment of a new working group to assist staff
October 8, 2015	LATC received LAAB's suggested revisions to curriculum requirements
March 2016	LAAB implemented its new Accreditation Standards and Procedures
April 18, 2017	LATC directed the formation of a subcommittee to prepare regulatory changes for LATC's consideration

2015-2016 Strategic Plan Objectives LATC's Strategic Plan for 2015-2016 contained numerous objectives. Below is a summary of progress made toward the objectives:

*Create and Disseminate Consumer's Guide* - to educate the public on the differences between landscape architects, landscape contractors, and landscape designers. At its November 17, 2015, LATC meeting, staff presented to the Committee a draft of the *Consumer's Guide to Hiring a Landscape Architect*, which is based on the Board's *Consumer's Guide to Hiring an Architect*. The Committee reviewed the *Guide* and directed staff to continue revisions by adding information conveyed through the Department of Water Resources' Independent Technical Panel regarding water conservation measures and techniques; and a table illustrating the differences and requirements between landscape architects, designers, and contractors. Following discussion, the Committee agreed to create a subcommittee to complete revisions to the *Guide*. At its February 10, 2016, meeting, the Committee reviewed the *Guide* and recommended additional information regarding drought conditions and the Model Water Efficient Landscape Ordinance to be included in the guide. LATC agreed to review the revised draft at its next meeting in May to allow time for the subcommittee and staff to incorporate the recommended edits.

Staff presented the revised *Guide* to the Committee at its May 24, 2016, meeting. The Committee voted to approve the draft of the *Guide* for publication with minor edits to be made to the professional qualifications chart. Staff completed the edits and worked with DCA's Office of Publications, Design & Editing on the design of the *Guide*. Two LATC members reviewed the proposed graphics and design layout and provided images for replacement in the *Guide*. The LATC reviewed the revised design and layout at its November 4, 2016, meeting. At the meeting, a public comment was made expressing concern that the photographs and plant materials depicted in the *Guide* showed water features, high water use plant pallets and lawn dominated designs that do not support water conservation. The Committee agreed and asked staff to obtain and include graphics of compelling low water landscapes with California plant material for the LATC's consideration. Staff presented the updated *Guide* to the Committee at its April 18, 2017, meeting. At that time, a public comment was made expressing concern over the professional qualifications chart not referencing the multiple postsecondary education pathways to licensure. The Committee reiterated that the purpose of the *Guide* was for the consumer, and that one could consult the Landscape Architects Practice Act for additional information. The Committee approved the *Guide* with the addition of a footnote below the chart referencing CCR § 2620 for other education and experience requirements. Completion of this *Guide* addresses the Strategic Plan objective to "create and disseminate printed document(s) to educate the public on the differences between landscape architects, landscape contractors, and landscape designers." Presently, the *Guide* is being finalized for distribution. Once this is achieved, staff will develop a distribution strategy to address the dissemination of the *Guide*.

*Review Expired License Requirements (CCR §§ 2624 and 2624.1)* - to assess whether any revisions are needed to the regulations, procedures, and instructions for expired license requirements. At the August 6, 2015, LATC meeting, the Committee reviewed the procedures and expired license requirements contained in BPC § 5680.2 (License Renewal – Three Years After Expiration) and CCR §§ 2624 and 2624.1, and directed staff to assess whether the Board’s procedures and requirements should be considered for use by LATC. At the November 17, 2015, LATC meeting, the Committee reviewed re-licensure requirements of various state landscape architect licensing boards and three DCA licensing boards, and directed staff to research re-licensure procedures for additional state boards and agendize this objective at its next meeting. At its meeting on February 10, 2016, the Committee directed staff to draft proposed language to amend the LATC’s relicensure procedures to require an individual whose license has been expired for less than five years to pay any accrued fees, and to require the holder of a license that has expired for more than five years to reapply for licensure and retake the CSE. At its meeting on May 24, 2016, the Committee voted to amend BPC § 5680.2 and repeal CCR §§ 2624 and 2624.1. Prior to the meeting, staff discovered BPC § 5680.1 included language that would also need to be amended. It was noted to the Committee that BPC § 5680.1 would be included when presented to the Board for its consideration. At its June 9, 2016, meeting, the Board voted to amend BPC §§ 5680.1 and 5680.2 and repeal CCR §§ 2624 and 2624.1. Staff worked with DCA Legal Counsel to draft the amendment of BPC §§ 5680.1 and 5680.2 which was introduced in SB 800. Currently, SB 800 is on the Assembly floor. Once this bill is passed by the Legislature and signed by the Governor, staff will prepare the rulemaking file to repeal CCR §§ 2624 and 2624.1.

2017–2018 Strategic Plan At the June 15, 2017, Board meeting, the Board approved the LATC’s 2017–2018 Strategic Plan. Below is a summary of progress made toward the objectives:

*Expand Credit for Education Experience* - to include degrees in related areas of study, i.e., urban planning, environmental science or horticulture, etc., to ensure that equitable requirements for education are maintained. At the November 17, 2015, LATC meeting, the Committee directed staff to agendize this objective at its next meeting. At its meeting on February 10, 2016, the Committee agreed to table the objective until its upcoming Strategic Planning session in January 2017. At its January 17, 2017, meeting, the Committee considered options of granting education credit for related, as well as unrelated, degrees in landscape architecture or architecture. After discussion and receiving public comments, the Committee directed staff to conduct a public forum to receive additional input from the public by the next scheduled meeting, on April 18, 2017. Accordingly, staff scheduled two public forums to take place in northern and southern California, respectively, to enhance accessibility for public participation.

The first public forum was held on March 17, 2017, in Sacramento. Twelve participants attended the forum, which was facilitated by the DCA SOLID office. Participants were advised that the forum was for the sole purpose of gathering public input for consideration by the Committee. Accordingly, the feedback collected ranged from comments of support, opposition, and general feedback toward the expansion of education requirements.

The second public forum was held on April 18, 2017, in Pomona during the LATC meeting. Seventeen participants attended the forum, which was opened with a PowerPoint presentation by Program Manager Brianna Miller. Chair Trauth called on members of the public for comment. Feedback collected during the forum addresses support and opposition to the expansion of

education requirements. LATC staff also collected all submitted written comments and presented them to the Committee for consideration.

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

At the July 13, 2017, LATC meeting, the Committee reviewed proposed language to amend CCR § 2620 (Education and Training Credits) composed by staff and DCA Legal Counsel. This proposed language reflects the Board's licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. The Committee voted to establish an Education/Experience Subcommittee to determine the execution for these proposed pathways to licensure. Specifically, the Committee seeks the Subcommittee to determine the appropriate amount of credit to grant for these new pathways and define related versus unrelated degrees and the execution of an 'experience-only' pathway.

*Advocate for Council of Landscape Architectural Registration Boards (CLARB) to Institute an Internship/Experience-Based Program* - to allow applicants' participation in the licensure process early and provide a more comprehensive experience component. For the LATC (and CLARB), an AXP-like program could balance the need for multiple pathways into the profession while maintaining protection of the public's health, safety and welfare.

At the July 13, 2017, LATC meeting, the Committee discussed advocating for the CLARB to develop a structured internship program similar to NCARB's AXP. The Committee voted to draft a letter to CLARB advising of NCARB's program and for CLARB to seek guidance from NCARB in order to create a similar structured internship program (using the AXP as a model).

## **LATC ENFORCEMENT PROGRAM**

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

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

*Disciplinary Guidelines* and the proposed regulation to amend CCR § 2680, and delegated the authority to the EO to adopt the regulation, provided no adverse comments are received during the public comment period, and to make minor technical or non-substantive changes to the language, if needed. Staff prepared the proposed regulatory package for Legal Counsel’s review and approval on March 15, 2016. On April 8, 2016, Legal Counsel advised staff that further substantive changes were necessary prior to submission to OAL. Board staff developed recommended revisions to the *Guidelines* in response to Legal Counsel’s concerns, and presented those revisions to the REC for review and consideration at its November 8, 2016, meeting. At the meeting, the REC voted to recommend to the Board that it approve the additional revisions to the *Disciplinary Guidelines* and authorize staff to proceed with the regulatory change to amend CCR § 154 in order to incorporate the revised *Guidelines* by reference. The additional revisions to the *Guidelines* and the proposed regulatory language to amend CCR § 154 were approved by the Board at its December 15, 2016, meeting. Staff updated its *Guidelines* to include the approved revisions that are appropriate to the LATC. On July 13, 2017, the Committee approved the revised *Guidelines* and recommended they be presented to the Board for approval at its September 7, 2017, meeting.

Enforcement Action(s)

Baxter Martin (Oceanside) The Committee issued a four-count citation that included a \$16,000 administrative fine to Martin, for an alleged violation of BPC § 5640 (Unlicensed Person Engaging in Practice - Sanctions). The action alleged that Martin entered into contractual agreements to provide landscape architect services with an expired license and updating the expiration date to a current date. The citation became final on April 14, 2017.

<u>Enforcement Statistics</u>	<u>Current Month</u> August*** 2017	<u>Prior Month</u> July 2017	<u>FYTD</u> 2017/18	<u>5-FY Avg</u> 2012/13 - 2016/17
<b>Complaints</b>				
Received/Opened (Reopened):	5 (0)	1 (0)	(0)	26 (0)
Closed:	2	3	5	28
Average Days to Close:	48 days	165 days	118 days	290 days
Pending:	14	11	13*	18
Average Age (Pending):	109 days	112 days	111 days*	266 days
<b>Citations</b>				
Issued:	0	0	0*	3
Pending:	0	0	0*	2
Pending AG: †	0	0	0*	1
Final:	0	0	0	3
<b>Disciplinary Actions</b>				
Pending AG:	1	1	0*	1
Pending DA:	0	0	0*	0
Final:	0	0	0	1
<b>Settlement Reports (§5678)**</b>				
Received/Opened:	0	0	0	2

Closed:	0	0	0	2
Pending:	0	0	0*	2

\* Calculated as a monthly average of pending cases.

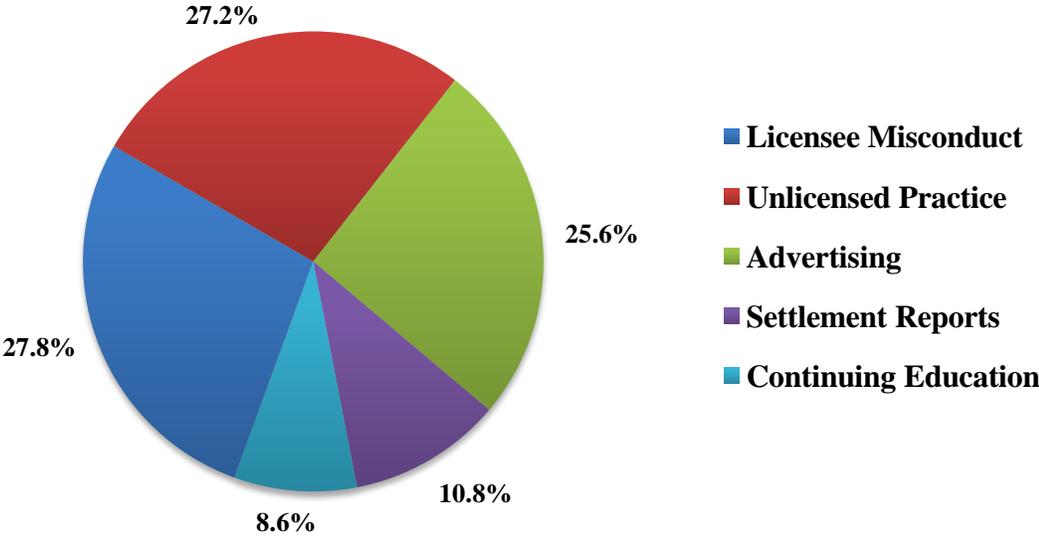
\*\* Also included within "Complaints" information.

\*\*\* As of August 29, 2017

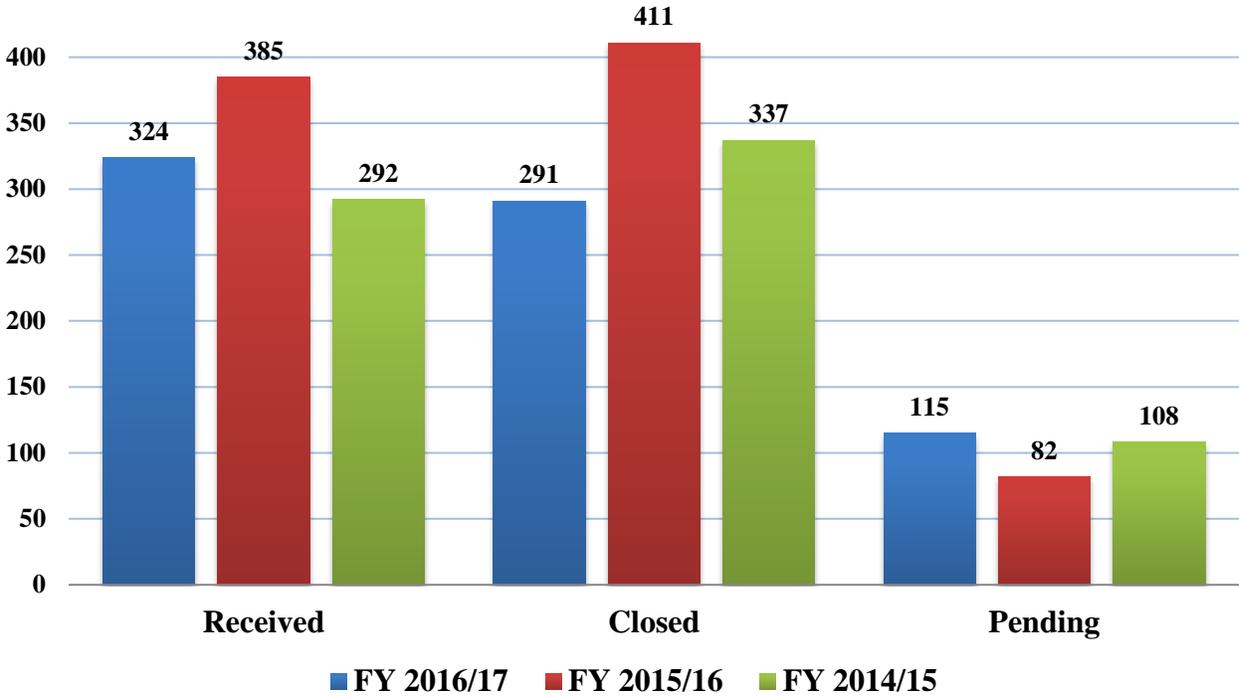
† Also included within "Pending Citations."

# ENFORCEMENT PROGRAM REPORT

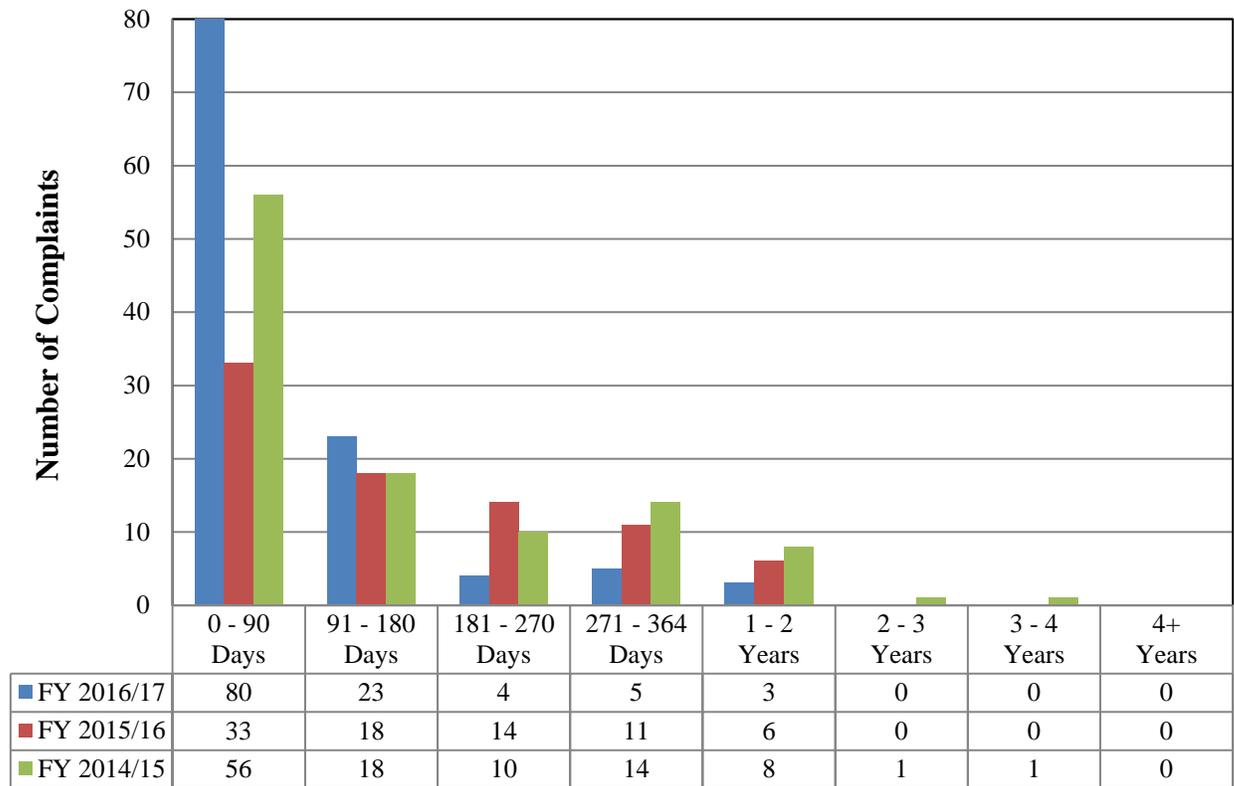
## Types of Complaints Received FY 2016/17



## Complaints Received, Closed, and Pending by FY



## Comparison of Age of Pending Complaints by FY



## Closure of Complaints by FY

Type of Closure	FY 2016/17	FY 2015/16	FY 2014/15
Cease/Desist Compliance	67	56	9
Citation Issued	30	77	62
Complaint Withdrawn	6	6	2
Insufficient Evidence	8	20	13
Letter of Advisement	99	158	185
No Jurisdiction	13	14	11
No Violation	52	62	40
Referred for Disciplinary Action	4	4	6
Other (i.e., Duplicate, Mediated, etc.)	12	14	9

## **Disciplinary and Enforcement Actions by FY**

<b>Action</b>	<b>FY 2016/17</b>	<b>FY 2015/16</b>	<b>FY 2014/15</b>
Disciplinary Cases Initiated	2	4	5
Pending Disciplinary Cases	4	6	6
Final Disciplinary Orders	4	4	1
Final Citations	32	65	47
Administrative Fines Assessed	\$45,750	\$79,750	\$78,000

## **Most Common Violations by FY**

During FY 2016/17, 32 citations with administrative fines became final with 50 violations of the provisions of the Architects Practice Act and/or Board regulations. The most common violations that resulted in enforcement action during the last three fiscal years are listed below.

<b>Business and Professions Code (BPC) Section or California Code of Regulations (CCR) Section</b>	<b>FY 2016/17</b>	<b>FY 2015/16</b>	<b>FY 2014/15</b>
BPC § 5536(a) and/or (b) – Practice Without License or Holding Self Out as Architect	38.0%	24.5%	41.8%
BPC § 5536.1(c) – Unauthorized Practice	0%	4.1%	5.1%
BPC § 5536.22(a) – Written Contract	14.0%	3.1%	5.1%
BPC § 5584 – Negligence or Willful Misconduct	4.0%	5.1%	2.5%
BPC § 5600.05(a)(1) and/or (b) – License Renewal Process; Audit; False or Misleading Information on Coursework on Disability Access Requirements*	16.0%	52.0%	31.6%
CCR § 160(b)(2) – Rules of Professional Conduct	6.0%	7.1%	5.1%

\* Assembly Bill 1746 (Chapter 240, Statutes of 2010) became effective January 1, 2011 and amended the coursework provisions of BPC § 5600.05 by requiring an audit of license renewals beginning with the 2013 renewal cycle and adding a citation and disciplinary action provision for licensees who provide false or misleading information.

## **Agenda Item F**

### **PRESENTATION ON WOODBURY UNIVERSITY'S INTEGRATED PATH TO ARCHITECTURAL LICENSURE (IPAL) BY INGALILL WAHLROOS-RITTER, DEAN**

Dean Ingalill Wahlroos-Ritter will provide the Board with a presentation regarding the Woodbury University's IPAL program.

**REGULATORY AND ENFORCEMENT COMMITTEE (REC) REPORT**

1. Update on August 24, 2017 REC Meeting
2. Discuss and Possible Action on Committee's Recommendation to the Board Regarding Retention Schedule for the Board's Complaint and Citation Records

**UPDATE ON AUGUST 24, 2017 REC MEETING**

The Regulatory and Enforcement Committee (REC) met on August 24, 2017, in Sacramento. Attached is the meeting notice. REC Chair, Barry Williams, will provide an update on the meeting.

Attachment:

August 24, 2017 Notice of Meeting



Edmund G. Brown Jr.  
GOVERNOR

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

NOTICE OF MEETING

REGULATORY AND ENFORCEMENT COMMITTEE

August 24, 2017  
1:00 p.m. to 4:00 p.m.  
(or until completion of business)  
California Architects Board, Sequoia Room  
2420 Del Paso Road, Suite 109  
Sacramento, CA 95834  
(916) 574-7220

The California Architects Board (Board) will hold a Regulatory and Enforcement Committee (REC) meeting, as noted above. The notice and agenda for this meeting and other meetings of the Board can be found on the Board's website: [cab.ca.gov](http://cab.ca.gov). For further information regarding this agenda, please see below or you may contact Kristin Walker at (916) 575-7203.

AGENDA

- A. Call to Order/Roll Call/Establishment of a Quorum
- B. Public Comment on Items Not on Agenda  
*The REC may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Board's next Strategic Planning session and/or place the matter on the agenda of a future meeting. (Government Code sections 11125 and 11125.7(a).)*
- C. Review and Possible Action on November 8, 2016, REC Meeting Summary Report
- D. Update on Board's Enforcement Program and Complaint, Citation, and Disciplinary Action Statistical Data and Information
- E. Discuss and Possible Action on the Following 2017–2018 Strategic Plan Objectives to:
  - 1. Update the *Building Official Information Guide* to Better Educate Local Building Officials on the Architects Practice Act

2420 DEL PASO ROAD,  
SUITE 105  
SACRAMENTO,  
CA 95834

916-574-7220 T  
916-575-7283 F

[cab@dca.ca.gov](mailto:cab@dca.ca.gov)  
[www.cab.ca.gov](http://www.cab.ca.gov)

(Continued on Reverse)

2. Educate Consumers on the Standard of Care so They Understand What to Expect From an Architect When Choosing to Hire One
3. Measure the Effectiveness of the Board's Citation Collection Methods as a Means of Protecting Future Consumers
4. Develop Educational Materials for Newly Licensed Architects to Provide More Information About the Requirements in Order to Avoid Future Violations

F. Review and Possible Action on Retention Schedule for Board's Complaint and Citation Records

G. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the REC 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 REC are open to the public.

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

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Kristin Walker at (916) 575-7203, emailing [kristin.walker@dca.ca.gov](mailto:kristin.walker@dca.ca.gov), or sending a written request to the California Architects Board, 2420 Del Paso Road, Suite 105, Sacramento, CA 95834-9673. Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation. Telecommunications Relay Service: dial 711.

***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 COMMITTEE'S RECOMMENDATION TO THE BOARD REGARDING RETENTION SCHEDULE FOR THE BOARD'S COMPLAINT AND CITATION RECORDS**

Each board and bureau is required to manage its records in accordance with the procedures established by the Department of Consumer Affairs and the policies, procedures, and standards set forth by the Department of General Services, Office of State Publishing, California Records and Information Management Program (CalRIM). The preservation and disposal of State records is managed and accounted for by maintaining a current Records Retention Schedule, which are written procedures outlining the treatment of records.

The California Architects Board's current Records Retention Schedule was filed with CalRIM on December 4, 2013, and will expire on December 5, 2018. The schedule requires complaint and citation records to be retained in the Board's office for five years after they are closed, and then be confidentially destroyed.

In the past, citations were retained in the Board's office and disclosed to the public for 100 years. In 2002, the Regulatory and Enforcement Committee (REC) and the Board considered changes to the Board's complaint disclosure policy, including the disclosure period for citations, which was amended from 100 to 20 years. The Board subsequently reduced the disclosure period for citations from 20 to 5 years in 2005, based upon the REC's recommendation. The Board's records retention schedules were updated accordingly, based upon these changes to the citation disclosure period.

In an effort to increase consumer protection, staff is requesting the REC consider proposed changes to the Board's Records Retention Schedule to increase the retention period for the citation records and related complaint files, and the public disclosure period for citations from 5 years to 10 years (Attachment).

Staff has found that the current five-year retention period often prevents staff from being able to disclose citation information to consumers, and from establishing a pattern of past citations to be used in future disciplinary and enforcement actions. The proposed changes would also allow for additional time to collect outstanding fines from unlicensed individuals through a collection agency and the Franchise Tax Board "Intercept Program." It should also be noted that based upon the Board's current retention schedule, records of complaints that are closed with no action (i.e., insufficient evidence, no jurisdiction, no violation, etc.) are retained for the same period of time as cases that resulted in citations with administrative fines.

At its August 24, 2017, meeting, the REC reviewed and discussed the proposed changes to the Board's Records Retention Schedule for complaint and citation records, and the public disclosure period for citations, and voted to recommend to the Board that it approve the proposed changes.

At this meeting, the Board is asked to consider the REC's recommendation and take possible action.

Attachment:

Proposed Changes to the Board's Retention Schedule for Complaint and Citation Records

**PROPOSED CHANGES TO THE BOARD’S RETENTION SCHEDULE FOR COMPLAINT AND CITATION RECORDS**

Type of Record:	Current Retention Period:			Proposed Retention Period:		
	Office	SRC*	Total	Office	SRC*	Total
Pending Complaints** - include, but are not limited to: Correspondence Civil Action Judgments (if applicable) Settlements (if applicable) Arbitration Awards (if applicable) Evidence	Active		Active	<i>No Proposed Changes</i>		
Closed Complaints** - include, but are not limited to: Correspondence Civil Action Judgments (if applicable) Settlements (if applicable) Arbitration Awards (if applicable) Evidence	5 Years		5 Years	<i>No Proposed Changes</i>		
Closed Citations - include, but are not limited to: Complaints Correspondence Citations Informal Conference Decisions (if applicable) Proposed Decisions (if applicable) Evidence	5 Years		5 Years	10 Years		10 Years
Closed Formal Disciplinary Cases - include, but are not limited to: Complaints Correspondence Accusations/Statements of Issues Proposed Decisions (if applicable) Stipulations (if applicable) Evidence	10 Years	90 Years	100 Years	<i>No Proposed Changes</i>		

\* The Department of General Services, State Records Center (SRC) provides storage services for 144 State agencies, including the Board.

\*\* Exempt from disclosure pursuant to Government Code section 6254(f), unless the Executive Officer has determined the specified conditions for disclosure outlined in Title 16, California Code of Regulations section 137 have been met.

**LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE (LATC) REPORT**

1. Update on LATC July 13, 2017 Meeting
2. Update and Possible Action on LATC's Recommendation to Amend California Code of Regulations (CCR), Title 16, Sections 2620 (Education and Training Credits) and 2615 (Form of Examinations) Regarding Initial and Reciprocal Licensure Eligibility
3. Review and Possible Action on Recommendation Regarding Proposed Amendments to LATC's *Disciplinary Guidelines* and CCR, Title 16, Section 2680 (Disciplinary Guidelines)

**UPDATE ON LATC JULY 13, 2017 MEETING**

The LATC met on July 13, 2017, in Sacramento. Attached is the meeting notice. LATC Program Manager, Brianna Miller, will provide an update on the meeting.

Attachment:

July 13, 2017 Notice of Meeting

## NOTICE OF MEETING

**July 13, 2017**

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

The Landscape Architects Technical Committee (LATC) will hold a meeting, as noted above. The notice and agenda for this meeting and other meetings of the LATC can be found on the LATC's website: [latc.ca.gov](http://latc.ca.gov). For further information regarding this agenda, please see below, or you may contact Tremaine Palmer at (916) 575-7230.

The LATC plans to webcast this meeting on its website at [latc.ca.gov](http://latc.ca.gov). Webcast availability cannot, however, be guaranteed due to technical difficulties. The meeting will not be canceled 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. For meeting verification, call (916) 575-7230 or access the LATC website at [latc.ca.gov](http://latc.ca.gov).

### **Agenda**

**10:00 a.m. – 4:00 p.m.**

**(or until completion of business)**

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and LATC Member Introductory Comments
- C. Public Comment on Items Not on the Agenda  
*The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting. (Government Code sections 11125 and 11125.7(a).)*
- D. Review and Possible Action on April 18, 2017 LATC Meeting Minutes
- E. Update on the Department of Consumer Affairs – Dean R. Grafilo, Director
- F. Program Manager's Report on Administrative/Management, Examination, Licensing, and Enforcement Programs

*(Continued)*

- G. Discuss and Possible Action on Strategic Plan Objective to Review Title 16, California Code of Regulations (CCR) Section 2620 (Education and Training Credits) Regarding Initial Licensure Eligibility for Individuals who have Related Degrees and/or Experience-Only to Expand Pathways to Licensure
- H. Discuss and Possible Action on Proposed Amendments to CCR Section 2615 (Form of Examinations) Regarding Reciprocity Requirements
- I. Council of Landscape Architectural Registration Boards (CLARB)
  - 1. Update and Possible Action on Landscape Architect Registration Examination (LARE) Administration and Pass Rates
  - 2. Review and Approve Contract with CLARB for LARE
  - 3. Review of CLARB September 14-16, 2017 Annual Meeting Agenda
  - 4. Review and Possible Action on 2017 CLARB Board of Directors and Committee on Nominations Elections Ballot and Region 5 Director
  - 5. Review and Possible Action on CLARB Resolution to Approve Draft Model Law and Regulations
  - 6. Discuss and Possible Action on Strategic Plan Objective to Consider Advocating for CLARB to Institute an Internship/Experience-Based Program to Allow Applicants' Participation in the Licensure Process Early and Provide a More Comprehensive Experience Component
- J. Enforcement Program
  - 1. Review of Annual Enforcement Statistics
  - 2. Discuss and Possible Action to Recommend to the Board to Amend LATC's *Disciplinary Guidelines* and Title 16, CCR Section 2680 (Disciplinary Guidelines)
- K. Review and Confirm Future LATC Meeting Dates
- L. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the 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.

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

The meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting may make a request by contacting Tremaine Palmer at (916) 575-7230, emailing [tremaine.palmer@dca.ca.gov](mailto:tremaine.palmer@dca.ca.gov), or sending a written request to the LATC, 2420 Del Paso Road, Suite 105, Sacramento, CA 95834. Providing your request at least five business days before the meeting will help to ensure availability of the requested accommodation. Telecommunications Relay Service: dial 711.

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

## Agenda Item H.2

### **UPDATE AND POSSIBLE ACTION ON LATC'S RECOMMENDATION TO AMEND CALIFORNIA CODE OF REGULATIONS (CCR), TITLE 16, SECTIONS 2620 (EDUCATION AND TRAINING CREDITS) AND 2615 (FORM OF EXAMINATIONS) REGARDING INITIAL AND RECIPROCAL LICENSURE ELIGIBILITY**

The Landscape Architects Technical Committee's (LATC) 2017-2018 Strategic Plan contains objectives to expand pathways to both initial and reciprocal licensure by exploring requirements for applicants who have degrees related to the field of landscape architecture or experience only. Currently, applicants for both initial and reciprocal licensure must verify a minimum of six years of combined education and training credit. Education credit may be granted for either a degree or approved extension certificate in landscape architecture, or a degree in architecture accredited by the National Architectural Accreditation Board.

LATC recently discussed these matters on July 13, 2017, and attached for reference is a letter from Chair, Patricia Trauth, clarifying the Committee's action (Attachment 1). Attachment 2 details historical information on the development of current training and educational credit outlined in CCR 2620 and a summary of the LATC's prior evaluation of alternative degrees. Attachment 3 summarizes the LATC's recent historical information on the reciprocity requirements outlined in CCR 2615.

#### **Recent Background Information Regarding CCR 2620 (Education and Training Credits)**

At the January 17, 2017, LATC meeting, the Committee discussed the LATC's Strategic Plan objective to expand credit for education experience to include degrees related to the field of landscape architecture. Following discussion, the Committee directed staff to hold a public forum to receive input on changes to CCR 2620 in terms of related degrees. In an effort to increase accessibility to the public, staff held two forums: one in Northern California (Sacramento) on March 17, 2017, and another during the April 18, 2017, LATC meeting in Southern California (Pomona). Twelve individuals attended the March forum and 17 attended in April. In total, 56 comments were collected by way of the public forums and the written comments.

During the forums, participants and the Committee were provided with information related to degrees accepted by other states. Of the Council of Landscape Architects Registration Board's (CLARB) 52 member board jurisdictions, 31 grant educational credit for accredited engineering degrees and 28 grant educational credit for any bachelor's degree. These jurisdictions require candidates to have additional experience credit in combination with their alternative degree to be eligible for licensure (some of which give education credit to the candidates at the discretion of the board). Also provided at the forums and included in today's packet, is a list of degrees that are considered by other licensing jurisdictions as related to landscape architecture (Attachment 4).

At its June 15, 2017, meeting, the Board considered LATC's proposal to amend the reciprocal licensure requirements. In doing so, the Board conveyed that the LATC's initial and reciprocal licensure requirements should closely align with one another and, where possible, mirror those of the Board (which include an experience-only pathway). The Board directed the LATC to develop such a proposal at its July 13, 2017, meeting for the Board's consideration.

In response to the Board’s request, staff prepared a draft Table of Equivalents to amend CCR 2620 (Education and Training Credits) to align with the Board’s (Attachment 5). Staff’s proposed amended language grants credit for related and non-related degrees, while also adding an experience-only pathway for individuals with six years of training experience under a licensed landscape architect. For additional reference, Attachment 6 outlines the Board’s Table of Equivalents (CCR 117), which is used to evaluate architect candidates’ training and educational experience.

Staff presented the draft Table of Equivalents (Attachment 5) to the LATC at its July 13, 2017, meeting. Following discussion, the Committee approved the pathways noted on the draft Table of Equivalents, including “experience only,” and established a subcommittee to determine the amount of experience credit appropriate for the proposed new pathways, and to determine what types of degrees related to landscape architecture should be considered.

The subcommittee will consist of one LATC member, one California licensed landscape architect, one educator who is a California licensed landscape architect, one California licensed landscape contractor, and one public member. The subcommittee meeting is tentatively scheduled for October 3, 2017, and its recommendation will be considered by the LATC at its November meeting. The LATC expects to provide a comprehensive proposal to amend CCR 2620 and 2615 to the Board at its December 7, 2017, meeting.

Below are the proposed licensure pathways (as amended language to CCR 2620) detailing those which were accepted and those which were accepted and referred to the subcommittee:

Proposed Experience Description	Committee Motion
(1) Degree in landscape architecture, where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).	Accepted
(2) Degree in landscape architecture, where the degree program has not been accredited by LAAB and where the degree program consists of at least a four-year curriculum.	Accepted
(3) Degree in architecture, where the degree program has been accredited by the National Architectural Accrediting Board (NAAB).	Accepted
(4) Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.	Accepted and referred to subcommittee
(5) Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.	Accepted and referred to subcommittee
(6) Degree in landscape architecture where the degree program consists of at least a two-year curriculum.	Accepted
(7) Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.	Accepted and referred to subcommittee
(8) Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.	Accepted and referred to subcommittee
(9) Extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5.	Accepted

(10) Partial completion of a degree in landscape architecture where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).	Accepted
(11) Partial completion of an extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5 along with a degree from a university or college where the degree program consists of at least a four-year curriculum.	Accepted
(12) Experience as, or experience obtained under the direct supervision of, a licensed landscape architect.	Accepted and referred to subcommittee
(13) Experience as, or experience obtained under the direct supervision of, a licensed architect or registered civil engineer.	Accepted
(14) Experience 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 pursuant to Business and Professions Code section 7027.5 and Cal. Code Regs. Title 16, section 832.27.	Accepted
(15) Teaching in a landscape architecture degree program under the supervision of a licensed landscape architect and where the degree program consists of at least a two-year curriculum.	Accepted

### **Recent Background Information Regarding CCR 2615 (Form of Examinations)**

The LATC began discussing reciprocity at its May 2013 meeting and included objectives to review this matter in subsequent Strategic Plans. A summary of the LATC's discussions on reciprocity is included as Attachment 3.

At its April 18, 2017, meeting, the LATC voted to recommend to the Board approval of proposed amendments to CCR 2615, which stipulated that upon verification of a current landscape architect license from another jurisdiction and passage of the CSE an applicant would be eligible for reciprocal licensure.

At its June 15, 2017, meeting, the Board voted to reject the reciprocity proposal and directed the LATC to develop a recommendation that align its initial and reciprocal licensure requirements and, in doing so, mirror those of the Board (which include related degrees and experience-only pathways).

During its July 13, 2017, meeting, the LATC voted to recommend to the Board that LATC reciprocity requirements align with the initial licensure requirements once the amendments to CCR 2620 are agreed upon.

As noted above, the recommendation made by the subcommittee will be considered by the LATC at its November 2, 2017, meeting. The LATC's recommended proposal to the Board is to be presented at the December 7, 2017, Board meeting. At today's meeting, the Board is asked to review the information provided and take possible action.

Attachments:

1. Letter from LATC Chair to Board President Dated August 25, 2017
2. Historical Information: Development of Current CCR 2620
3. Historical Information: Discussions on Reciprocity Requirements (CCR 2615)
4. Requirements for Initial Licensure With Related Degrees Accepted by CLARB Jurisdictions
5. Draft Proposed Regulatory Language to Amend CCR Section 2620 (Education and Training Credits)
6. CCR Section 117 (Experience Evaluation) Architects Practice Act



August 25, 2017

Mr. Matt McGuinness, President  
California Architects Board  
2420 Del Paso Road, Suite 105  
Sacramento, CA 95834

RE: Initial and Reciprocal Licensure Requirements

Dear Mr. McGuinness:

I am writing concerning the Landscape Architects Technical Committee's (LATC) initial and reciprocal licensure requirements. During the California Architects Board's (Board) June 15, 2017 meeting, the Board issued a directive to the LATC to develop a proposal to amend its initial and reciprocal licensure requirements in such a way that they better align with one another. Further, the Board directed that, where possible, these requirements should mirror those of the Board (which provide pathways for related degrees and "experience-only"). In response to the Board's action, LATC staff prepared a draft Table of Equivalents that would amend California Code of Regulations (CCR) section 2620 (Education and Training Credits). This draft was reflective of the Board's Table of Equivalents in its suggested amendments and would expand the LATC's initial licensure pathways.

At the July 13, 2017 LATC meeting, the Committee discussed staff's proposed changes to CCR § 2620 and voted to approve all the currently accepted experience descriptions. For the newly proposed pathways to licensure (including "experience only"), the LATC voted to accept them as written and establish an Education/Experience Subcommittee consisting of a diverse group of professionals to determine the amount of experience credit appropriate for the proposed new pathways, as well as identify degrees that may be accepted as "related" to landscape architecture. The Committee further determined that its reciprocity requirements will closely align with these forthcoming initial licensure requirements to maintain consistency in the LATC's licensure provisions.

The LATC agrees with the Board regarding the importance of developing a comprehensive licensure proposal that supports diverse pathways into the profession. The Subcommittee will help facilitate the deep analysis and synthesis of data required to develop sound determinations in support of the Board's action. We have secured a facilitator from the Department of Consumer Affairs (DCA) to assist with the session, and are also receiving input from DCA psychometricians. The Subcommittee will meet in October, before the LATC's upcoming meeting in November 2017.

We look forward to finalizing our recommendations and presenting them to the Board at an upcoming meeting.

Sincerely,

A handwritten signature in black ink, reading "Patricia Trauth". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

PATRICIA TRAUTH  
Chair

**Historical Information: Development of Current CCR 2620**

Prior to January 1, 1997, CCR 2620 included a provision to grant credit for any bachelors or associate degree towards the required six years of training and educational experience, allowed eligibility to applicants with six years of training experience under the direct supervision of a licensed landscape architect in lieu of requiring education, and also granted up to one year of training credit for experience as, or under the supervision of, a licensed architect, registered civil engineer, licensed landscape contractor or certified nursery person. In March 1994, the California Board of Landscape Architects (BLA) began discussing the possibility of increasing the maximum amount of credit allowed for experience as a licensed landscape contractor. The BLA reviewed CCR 2620 and determined that, in order to grant additional credit for landscape contractor experience, the education requirement should be changed. In November 1994, the BLA finalized revisions to CCR 2620 that would allow up to four years of training credit for landscape contractor experience and require all applicants to hold either a degree or approved extension certificate in landscape architecture in order to qualify for the licensing exams, and ultimately licensure. These regulatory changes took effect on January 1, 1997.

In August 2004, LATC formed an Education Subcommittee charged with evaluating California's eligibility requirements for the national Landscape Architect Registration Examination (LARE) to ensure that applicants have appropriate educational and training/work experience before the examination is taken. Specifically, the Subcommittee was to determine appropriate levels of experience as they relate to: 1) public health, safety, and welfare; and 2) successfully preparing applicants for the examination. The Subcommittee met between October 8, 2005 and February 27, 2007.

The Subcommittee discussed the acceptance of various "related" degrees that are either recognized by other states or were identified by Subcommittee members and/or LATC staff. Consideration of accepting degrees related to landscape architecture was a result of the following: 1) the Joint Legislative Sunset Review Committee previously raised concerns regarding the fact that, prior to 1997, California applicants could receive educational credit for holding any type of bachelor's degree with a four-year curriculum; 2) Board grants educational credit for designated degrees related to architecture and unrelated degrees; 3) review of the neighboring and larger landscape architectural licensing jurisdictions (New York, Florida, Texas, Arizona, Hawaii, Nevada, New Mexico, Oregon, and Washington) revealed that at least six out of those nine jurisdictions recognize degrees related to landscape architecture; and 4) at the time, Council of Landscape Architectural Registration Boards (CLARB) allowed applicants to sit for the licensing examination with any type of bachelor's degree, plus three years of diversified experience under the direct supervision of a licensed landscape architect.

After extensive review of the research material and discussion at the June 17, 2005 meeting, the Subcommittee recommended that LATC accept accredited bachelor's degrees in architecture and civil engineering to satisfy the education requirement for examination eligibility with a caveat of conducting further research on other related degree programs. At the December 2, 2005 meeting, the Subcommittee discussed the additional research and agreed to recommend

acceptance of accredited professional degrees in architecture and civil engineering (undergraduate and graduate degrees), as those degrees emphasize the acquisition of critical thinking and technical skills that are necessary to address health, safety, and welfare issues and are essential to the practice of landscape architecture. Also at this meeting, the Subcommittee agreed to recommend one-year of educational credit be granted for completion of these degree programs. One year of educational credit was agreed upon because the Subcommittee determined the curricula examined for such degree programs did not include sufficient specific exposure to landscape architecture related topics, but did address a certain measure of critical thinking and technical skills that are necessary to address health, safety, and welfare issues.

The Subcommittee determined that there was not clear and/or comparable rationale for granting similar credit for other related degree programs based on their insufficient curriculum and/or lack of accreditation standards. For example, urban design and horticulture degrees were considered and not included in this recommendation because they are either non-accredited or the coursework is not specifically related to the practice of landscape architecture.

The Education Subcommittee’s findings and recommendations were approved by the LATC on May 9, 2006 and presented to the California Architects Board (Board) at its meeting on June 7, 2006. At this meeting, the Board questioned education credit parity between architects and landscape architects. As a result of the Board’s parity question, the Education Subcommittee reconvened on November 8, 2006 and agreed to research the parity issue as it pertained to education curriculum for architects and civil engineers. At its February 27, 2007 meeting, the Subcommittee discussed the education curriculum research and decided to revise their earlier recommendation and recommend acceptance of accredited professional degrees in architecture, but not in civil engineering. Along with its earlier determination as to critical thinking and technical skills, the Subcommittee also noted that there were similar curriculum elements in the architectural degree programs in comparison to the landscape architecture programs and that it would warrant educational credit. The Education Subcommittee’s final recommendations were approved by the LATC on May 4, 2007 and the Board on June 15, 2007. As a result, CCR 2620 was amended to allow credit for an accredited degree in architecture.

As part of staff’s research on the Strategic Plan objective, in July 2016, Department of Consumer Affairs legal counsel reviewed Business and Professions Code section 5650 (Examinations - Qualifications, Application, Fee) and determined that it does not impose a degree requirement. Instead, what it does impose is an experience requirement and allows a “degree from a school of landscape architecture approved by the board” to count as four years toward California’s six-year experience requirement. Therefore, the LATC is not bound by statute to keep the current education requirement in place.

The history of changes in qualifying educational credit is as follows:

<u>Education Allowed</u>	<u>Maximum Credit Allowed</u>	<u>Time Period Accepted</u>
Approved degree in Landscape Architecture	4 years	Always

Non-approved degree in Landscape Architecture	3 years	Always
Associate degree in Landscape Architecture	1 year	Always
Approved extension certificate in Landscape Architecture	2 years	Always
Any bachelor's degree	2 years	Prior to January 1, 1997
Any associate degree	1 year	Prior to January 1, 1997
Accredited degree in architecture	1 year	After March 7, 2012
Partial completion of approved degree	1 year	After March 7, 2012
Partial completion of extension certificate	1 year	After March 7, 2012

**Historical Information: Discussions on Reciprocity Requirements (CCR 2615)**

The Landscape Architects Technical Committee (LATC) first began discussing the issue of reciprocity with other jurisdictions at its May 2013 meeting and included objectives to review this matter in subsequent Strategic Plans.

The primary issue with reciprocity is that the Committee has received requests for reciprocal licensure from individuals licensed in jurisdictions where a degree in landscape architecture or architecture was not a requirement for initial licensure, as it is in California. At the March 20, 2014, LATC meeting, Department of Consumer Affairs' legal counsel advised the Committee that a regulatory amendment would be necessary to allow reciprocity for applicants who have not met California's current education requirements.

Staff researched reciprocity requirements in other states and found that 26 states accept any baccalaureate degree when combined with experience (ranging from 3 to 7 years); and 28 allow initial/reciprocal licensure on the basis of experience alone, with an average of 8 years required.

At the February 10, 2015, LATC meeting, the Committee discussed the data presented and the LATC's current six-year education and training/experience requirements that candidates must complete for licensure. The Committee also noted that candidates can qualify for the examination with an associate degree in landscape architecture (one year of educational credit) and five years training/experience. Once a candidate has successfully passed the examinations (national and California Supplemental Examination [CSE]), he/she is deemed to be competent to practice. During the discussion, LATC noted that licensed professionals continue to learn and gain expertise with each year of practice. Its determination was that a substantial number of years of post-licensure experience in another state would demonstrate an individual's competence to practice safely, even though they may not have met California's educational experience requirements. The Committee suggested a regulatory amendment to allow reciprocity for individuals who may not meet California's education requirement but are licensed in another jurisdiction, have 10 years of practice experience, and have passed the CSE. LATC directed staff to review the reciprocity requirements of Arizona and New York and draft proposed regulatory language for the Committee's consideration.

Based on the LATC's request, staff prepared proposed regulatory language to amend CCR 2615. The proposed amendment included provisions that require a candidate for reciprocal licensure to either submit verifiable documentation of education and experience equivalent to that required of California applicants at the time of application or submit verifiable documentation that the candidate has been actively engaged as a licensed landscape architect in another jurisdiction for at least 10 of the last 15 years.

At the November 17, 2015, LATC meeting, the Committee approved the proposed regulatory language for CCR 2615. Staff prepared and submitted the required rulemaking package to the Office of Administrative Law (OAL) and the Notice of Proposed Changes in the Regulations was published by OAL on August 12, 2016, thereby beginning the 45-day public comment

period. On September 27, 2016, a public hearing was held and the public comment period officially ended.

During the public comment period, 296 comments were received; of which, 291 were substantially similar, expressing concern that relying upon precedent from Arizona and New York is inconsistent because these states have a multitude of paths to licensure not available in California, including varying degrees and combinations of experience. Specifically, the commenters contended that requiring reciprocity applicants to verify 10 years of post-licensure experience was excessive. They offered proposed language that would allow reciprocity if the “candidate possesses education and experience equivalent to that required of California applicants at the time of application; or, candidate holds a valid license or registration in good standing, possesses a bachelor’s degree from a recognized accredited institution, and has been practicing or offering professional services for at least 2 or the last 5 years; or, candidate holds a valid license or registration in good standing, and has been practicing or offering professional services for at least 6 of the last 10 years.” These comments were discussed and considered by the LATC at its November 4, 2016 meeting. As part of the formal rulemaking process under the Administrative Procedure Act, agencies are required to respond to any comments received during the public comment period as part of the rulemaking file.

Also during their November 4, 2016 meeting the LATC heard from several members of the public in attendance who expressed opposition to the amount (10 years) of post-licensure experience being proposed. After discussion, the LATC agreed to agendaize this topic for its next meeting with the intent of allowing additional time to consider the submitted comments, and determine whether changes to the proposed regulatory language are warranted.

After the November 4, 2016, LATC meeting, staff verified that both Arizona and New York accept any baccalaureate degree combined with additional years of experience for initial license and reciprocity candidates and also accept 10 years of licensed experience in lieu of meeting their examination requirements.

At its January 17, 2017, meeting, the LATC again discussed the public comments received on the originally proposed regulatory language to amend CCR 2615 and voted to amend the proposed language to allow licensees from any United States jurisdiction, Canadian Province, or Puerto Rico who have passed a written examination substantially equivalent in scope and subject matter required in California as determined by the Board to be eligible for licensure upon passing the CSE. Based on the Committee’s request, staff prepared proposed regulatory language to amend CCR 2615 (attachment H.4) to allow reciprocity licensure by meeting the practice and experience requirements provided by Business and Professions Code section (BPC) 5651.

While consulting with legal counsel, staff confirmed that pursuant to Government Code section 11346.4, the one-year deadline to finalize the pending regulatory proposal is August 12, 2017, which is not sufficient time to complete the required review/approval process through the control agencies. If the adoption, amendment, or repeal of the regulation is not completed within one year of publication of the notice, a new notice of the proposed action must be issued. Legal counsel recommended initiation of a new rulemaking file once the LATC and Board have approved the proposed regulatory language.

## Requirements for Initial Licensure

Education	Years of Training	States
LAAB-accredited degree	N/A (degree only)	ID, MS, UT
	1	AL, FL, LA, WV (MLA)
	2	AL, AR, CA, CO, CT, DE, GA (18 MO), HI (MLA), IL, KY, ME, MD, MA, MT, NV, NM, PA, RI, SC, SD, TX, WV (BLA), WI
	3	HI (BLA), IN, IA, KS (MLA), MN (MLA), MO, NH, OH, OK, OR, TN, VT, VA, WA, WY
	4	KS (BLA), MN (BLA), NJ, NY, NC
Non-accredited B.L.A. or M.L.A.	1	NE
	2	HI (MLA), LA, RI
	3	CA, CO, FL, HI (BLA), ME, MT
	4	AR, IA, MD, NM, OR, VA
	5	AZ, MS, NH, SC
	6	DE, NY
	9	AL
	board determined	CT, GA, ID, IL, NV, NJ, OK, PA, UT, WA
Related 4-year degree <i>*see reverse for related fields</i>	2	RI
	3	CO, FL, NE, NV
	4	AR, MD, MT, OR
	5	CA (NAAB), HI, ME, MS, NH, NM, SC
	6	DE, VA
	7	NY, WA
	board determined	AZ, CT, GA, ID, IA, OK, PA, UT
Any 4-year degree	3	NE
	4	LA, MT
	5	CO, FL, HI, ME, MS
	6	MD, OR, VA
	7	SC, WA
	board determined	AZ, AR, CT, GA, ID, IA, NV, NH, NM, NY, OK, PA, UT
Extension certificate in landscape architecture	4	CA
AA/AS in LA	4	NV
	5	CA
Any AA/AS	6	MT
N/A (training only)	Average = 8 years	AL, AZ, AR, CO, CT, FL, HI, ID, IA, LA, ME, MD, MA, MI, MS, MT, NV, NM, NY, OK, OR, PA, RI, UT, VY, VA, WA, WV

## Requirements for CLARB Certification

Education	Years of Training
LAAB-accredited degree	3
Non-accredited B.L.A. or M.L.A.	4
NAAB-accredited B.Arch. or M. Arch.	4
ABET-accredited degree in Civil Engineering	4
Any Bachelor's degree	6

## Related Degrees Accepted by CLARB Jurisdictions

<b>Related Degree Field</b>	<b>States</b>
Architecture (non-accredited)	AZ, NV, SC
Engineering (non-accredited)	NV, SC
Horticulture	NV
Horticultural Science	SC
Landscape Architectural Technology	WA
Landscape Design	AZ
Urban Planning	SC
Any design related degree	MD
NAAB accredited B. Arch. or M. Arch.	AZ, AR, CA, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA
ABET accredited engineering degree	AZ, AR, CO, CT, DE, FL, GA, ID, IA, ME, MD, MS, MT, NE, NV, NH, NM, NY, OK, OR, PA, RI, SC, UT, VA, WA

### **Synopsis of proposed changes to CCR 2620 (Education and Training Credits)**

Landscape Architects Technical Committee (LATC) staff, in collaboration with Department of Consumer Affairs' Office of Legal Affairs, has made suggested amendments to California Code of Regulations section (CCR) 2620 to more closely align the allotted pathways to licensure with those of the California Architects Board (Board).

Attached are two iterations of the proposed changes to the CCR 2620: 1) showing track changes of all alterations made to the document and 2) a "clean copy" with all changes incorporated for more ease in readability.

Please note that the amended Table of Equivalentents also features a column that delineates the Board's licensure requirements. This is simply for a comparative purpose and is not a proposed change to the regulations.

The following is a general list of proposed changes to CCR 2620.

- Rearrangement and rewording of experience descriptions in subsection (a) to clarify and align with Board's Table of Equivalentents
- (a)(4) allows credit for four-year degrees related to landscape architecture
- (a)(5) allows credit for four-year degrees unrelated to landscape architecture
- (a)(7) allows credit for two-year degrees related to landscape architecture
- (a)(8) allows credit for two-year degrees unrelated to landscape architecture
- (a)(12) creates an experience-only pathway by increasing the maximum allowed credit for experience under a landscape architect from five to six years
- (b)(4) allows candidates to accumulate credit for both a degree and an extension certificate
- (b)(6) will define "field related to landscape architecture" for purposes of subdivision (a)
- (c)(1)(A) no longer requires candidates to gain one year of training/practice credit after completion of a qualifying degree program

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED LANGUAGE**

Proposed language to amend California Code of Regulations section 2620 as follows (shown in [single underline for new text and single strikeout for deleted text](#)):

**§ 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	<u>Board’s Max. Credit for Similar Experience (out of 8 years)</u>
(a) Experience Equivalent:			
(1) Degree in landscape architecture, <del>from an approved school</del> <u>where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).</u>	4 years		<u>5 years</u>
(2) Degree in landscape architecture, <del>from a non-approved school</del> <u>where the degree program has not been accredited by LAAB and where the degree program consists of at least a four-year curriculum.</u>	3 years		<u>4 years</u>
<del>(3) Extension certificate in landscape architecture from an approved school.</del>	<del>2 years</del>		<del>N/A</del>
(3) <u>Degree in architecture, where the degree program has been accredited by the National Architectural Accrediting Board (NAAB).</u>	<u>1 year</u>		<u>2 years</u>
(4) <u>Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.</u>			<u>2 years</u>
(5) <u>Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.</u>			<u>1 year</u>
(46) <del>Associate degree</del> <u>Degree</u> in landscape architecture <del>from a community college</del> <u>which where the degree program</u> consists of at least a <del>2</del> <u>two</u> -year curriculum.	1 year		<u>1 year</u>

<u>(7) Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.</u>			<u>1 year</u>
<u>(8) Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.</u>			6 months
<u>(9) Extension certificate in landscape architecture from an <del>approved school</del>. Extension Certificate Program that meets the requirements of section 2620.5.</u>	<u>2 years</u>		<u>N/A</u>
<del>(59) Extension certificate as specified in subdivision (a)(3) and a degree from a university or college which consists of a <u>4</u>four-year curriculum.</del>	<del>4 years</del>		<del>N/A</del>
<del>(610) Associate degree from a college specified in subdivision (a)(46) and an extension certificate as specified in subdivision (a)(3) of this section.</del>	<del>3 years</del>		<del>N/A</del>
<u>(710) Partial completion of a degree in landscape architecture where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).</u> <del>from an approved school.</del>	1 year		<u>N/A</u>
<u>(811) Partial completion of an extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5</u> <del>approved school along with where the applicant has a degree from a university or college where the degree program consists of at least a four-year curriculum which consists of a four-year curriculum.</del>	1 year		<u>N/A</u>
<del>(9) A degree in architecture which consists of at least a four-year curriculum that has been accredited by the National Architectural Accrediting Board.</del>	<del>1-year</del>		<del>2 years</del>
<del>(1012) Self-employment</del> <u>Experience as, or employment by experience obtained under the direct supervision of, a licensed landscape architect licensed in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.</u>		<del>5</del> -1-6 years	<u>5 years</u>

<p><del>(113)</del> <u>Self-employment Experience</u> as, or <u>employment by experience obtained under the direct supervision of</u>, a licensed architect or registered civil engineer <del>in the jurisdiction where the experience occurred shall be granted credit on a 100% basis.</del></p>		1 year	<u>2 years</u>
<p><del>(1214)</del> <u>Self-employment Experience</u> 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 <del>in this State pursuant to Business and Professions Code Section-section 7027.5 and Cal. Code Regs. Title 16, Section section 832.27 shall be granted credit on a 100% basis.</del></p>		<u>1-4 years</u>	<u>N/A</u>
<p><del>(1315)</del> Teaching in a landscape architecture degree program <u>under the supervision of a licensed landscape architect as specified in subdivisions (a)(1),(2), and (4) of this section, under the supervision of a licensed landscape architect and where the degree program consists of at least a two-year curriculum.</u></p>		1 year	<u>1 year</u>

(b) Education Credits

- ~~— (1) Candidates shall possess at least one year of educational credit to be eligible for the examination.~~
- ~~— (2) A degree from a school with a landscape architecture program shall be defined as one of the following:~~
  - ~~— (A) Bachelor of Landscape Architecture.~~
  - ~~— (B) Bachelor of Science in landscape architecture.~~
  - ~~— (C) Bachelor of Arts in landscape architecture.~~
  - ~~— (D) Masters degree in landscape architecture.~~
- ~~— (3) The maximum credit which may be granted for a degree or combination of degrees from an approved school shall be four years of educational credit.~~
- ~~— (4) A degree from a school with a landscape architecture program shall be deemed to be approved by the Board if the landscape architectural curriculum has been approved by the Landscape Architectural Accreditation Board (LAAB) as specified in its publication: "Accreditation Standards And Procedures" dated February 6, 2010 or the Board determines that the program has a curriculum equivalent to a curriculum having LAAB accreditation.~~

~~(51)~~ For purposes of subdivisions (a)(~~710~~) and (~~811~~), "partial completion" shall mean that the candidate completed at least 80 percent of the total units required for completion of the ~~4-year~~ degree or extension certificate program.

~~(62)~~ Except as provided in subdivisions (a)(~~710~~) and (~~811~~), no credit shall be granted for academic units obtained without earning a degree or extension certificate ~~under categories of subdivisions (a)(1), (2), (3) or (4) of this section.~~

~~(73)~~ ~~A candidate enrolled in a~~ Candidates degree program where earning credit earned is based on ~~for~~ work experience courses (e.g., internship or co-op program) in a degree program shall not receive more than the maximum credit otherwise granted ~~allowed~~ for degrees under ~~subdivisions (a)(1), (2) or (3) of this section.~~

~~(84)~~ ~~Except as specified in subdivision (a)(5) and (6) of this section~~ Candidates may accumulate credit for both a degree and an extension certificate, candidates with ~~but a candidate may not accumulate credit for~~ multiple degrees ~~shall not be able to accumulate credit for more than one degree.~~

~~(95)~~ The Board shall not grant more than four years of credit for qualifying educational experience, whether for any degree, ~~or~~ certificate, or any combination thereof ~~for qualifying educational experience.~~

(6) For purposes of subdivision (a), “field related to landscape architecture” shall mean [define components of education in field related to landscape architecture] OR [list actual fields related to landscape architecture].

(c) Training Credits

(1)~~(A)~~ Candidates shall possess at least two years of training/practice credit to be eligible for the examination.

~~(AB)~~ At least one of the two years of training/practice credit shall be under the direct supervision of a landscape architect licensed in a United States jurisdiction, ~~and shall be gained in one of the following forms:~~

~~—1. After graduation from an educational institution specified in subdivisions (a)(1), (2), (3) or (4) of this section.~~

~~—2. After completion of education experience specified in subdivisions (a)(7) and (8) of this section.~~

~~(BC)~~ ~~A~~ Candidates shall be deemed to have met the provisions of subdivision (c)(1)~~(BA)~~ if the candidate ~~he or she~~ possesses either:

i. a degree from a school specified in subdivision (a)(1) and has at least two years of training/practice credit as a licensed landscape contractor, or

ii. possesses an extension certificate from a school as specified in subdivision (a)~~(39)~~ and has at least four years of training/practice credit as a licensed landscape contractor.

(2) Candidates shall be at least 18 years of age or a high school graduate before they ~~shall be~~ eligible to receive training/practice credit ~~credit for work experience.~~

(3) Candidates may receive one ~~A~~ year of training/practice ~~experience credit shall consist of for~~ 1500 hours of qualifying employment. ~~Training/practice experience Candidates~~ may be accrued training/practice credit on the basis of part-time employment. Candidates will not receive training/practice credit for ~~E~~ employment in excess of 40 hours per week ~~shall not be considered.~~

~~—(d) Miscellaneous Information~~

~~(14)~~ Candidates will not receive training/practice credit for ~~I~~ independent, non-licensed practice or experience, regardless of claimed coordination, liaison, or supervision of licensed professionals ~~shall not be considered.~~

~~(2d)~~ The Board may purge application records after five (5) years of lack of communication or inactivity from candidates. ~~shall retain inactive applications for a five (5) year period. Thereafter, the Board shall purge these records unless otherwise notified by the candidate. A~~ ~~Candidates,~~ who wishes to reapply to the Board, shall ~~be required to re-obtain~~ submit the required documents to allow the Board to determine their current eligibility.

**CALIFORNIA ARCHITECTS BOARD  
LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE  
PROPOSED LANGUAGE**

Proposed language to amend California Code of Regulations section 2620 as follows (shown in single underline for new text and single strikethrough for deleted text):

**§ 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	Board’s Max. Credit for Similar Experience (out of 8 years)
(a) Experience Equivalent:			
(1) Degree in landscape architecture, where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).	4 years		5 years
(2) Degree in landscape architecture, where the degree program has not been accredited by LAAB and where the degree program consists of at least a four-year curriculum.	3 years		4 years
(3) Degree in architecture, where the degree program has been accredited by the National Architectural Accrediting Board (NAAB).	1 year		2 years
(4) Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.			2 years
(5) Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a four-year curriculum.			1 year
(6) Degree in landscape architecture where the degree program consists of at least a two-year curriculum.	1 year		1 year
(7) Degree in a field related to landscape architecture as defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.			1 year
(8) Degree in a field unrelated to landscape architecture as would be defined in subsection (b)(6) and where the degree program consists of at least a two-year curriculum.			6 months
(9) Extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5.	2 years		N/A

(10) Partial completion of a degree in landscape architecture where the degree program has been accredited by the Landscape Architectural Accreditation Board (LAAB).	1 year		N/A
(11) Partial completion of an extension certificate in landscape architecture from an Extension Certificate Program that meets the requirements of section 2620.5 along with a degree from a university or college where the degree program consists of at least a four-year curriculum.	1 year		N/A
(12) Experience as, or experience obtained under the direct supervision of, a licensed landscape architect.		1-6 years	5 years
(13) Experience as, or experience obtained under the direct supervision of, a licensed architect or registered civil engineer.		1 year	2 years
(14) Experience 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 pursuant to Business and Professions Code section 7027.5 and Cal. Code Regs. Title 16, section 832.27.		1-4 years	N/A
(15) Teaching in a landscape architecture degree program under the supervision of a licensed landscape architect and where the degree program consists of at least a two-year curriculum.		1 year	1 year

(b) Education Credits

(1) For purposes of subdivisions (a)(10) and (11), “partial completion” shall mean that the candidate completed at least 80 percent of the total units required for completion of the degree or extension certificate program.

(2) Except as provided in subdivisions (a)(10) and (11), no credit shall be granted for academic units obtained without earning a degree or extension certificate.

(3) Candidates earning credit for work experience courses (e.g., internship or co-op program) in a degree program shall not receive more than the maximum credit otherwise granted for degrees under this section.

(4) Candidates may accumulate credit for both a degree and an extension certificate, but a candidate may not accumulate credit for multiple degrees.

(5) The Board shall not grant more than four years of credit for qualifying educational experience, whether for any degree, certificate, or any combination thereof.

(6) For purposes of subdivision (a), “field related to landscape architecture” shall mean [define components of education in field related to landscape architecture] OR [list actual fields related to landscape architecture].

(c) Training Credits

(1) Candidates shall possess at least two years of training/practice credit to be eligible for the examination.

(A) At least one of the two years of training/practice credit shall be under the direct supervision of a landscape architect licensed in a United States jurisdiction.

(B) Candidates shall be deemed to have met the provisions of subdivision (c)(1)(A) if the candidate possesses either:

- i. a degree from a school specified in subdivision (a)(1) and at least two years of training/practice credit as a licensed landscape contractor, or
- ii. an extension certificate as specified in subdivision (a)(9) and at least four years of training/practice credit as a licensed landscape contractor.

(2) Candidates shall be at least 18 years of age or a high school graduate before they are eligible to receive training/practice credit.

(3) Candidates may receive one year of training/practice credit for 1500 hours of qualifying employment. Candidates may accrue training/practice credit on the basis of part-time employment. Candidates will not receive training/practice credit for employment in excess of 40 hours per week.

(4) Candidates will not receive training/practice credit for independent, non-licensed practice or experience, regardless of claimed coordination, liaison, or supervision of licensed professionals.

(d) The Board may purge application records after five (5) years of lack of communication or inactivity from candidates. Candidates who wish to reapply to the Board shall re-submit the required documents to allow the Board to determine their current eligibility.

## § 117 Experience Evaluation

The Board's evaluation of candidates' training and educational experience is based on the Board's *Table of Equivalents* as listed below.

The Table is comprised of four columns. Column A lists the types of experience for which credit may be granted. Columns B and C specify the maximum credit that may be granted to a candidate who was determined by the Board to be eligible for the Architect Registration Examination (ARE), the California Supplemental Examination, or licensure prior to January 1, 2005 and who is active in the examination process or to a candidate who is otherwise exempt from the IDP/IAP requirement specified in [Section 116\(b\)](#). Column D specifies the maximum credit that may be granted to a new or inactive candidate who was determined by the Board to be eligible for the ARE on or after January 1, 2005 and who is subject to the IDP/IAP requirement.

(a) Experience Equivalents:

<b>Table of Equivalents</b>			
<i>Column A</i>	<i>Column B</i>	<i>Column C</i>	<i>Column D</i>
Experience Description	Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement	Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement	Candidates Eligible January 1, 2005 or After and Subject to IDP/IAP Requirement
	Education Equivalents Max. Credit Allowed	Training and/or Practice Equivalents Max. Credit Allowed	Max. Credit Allowed
(1) A professional degree in architecture, where the degree program has been accredited by the National Architectural Accrediting Board (NAAB) or the Canadian Architectural Certification Board (CACB), or units toward such a degree.	5 years		5 years
(2) A professional degree in architecture, where the degree program has not been accredited by NAAB or CACB and the program consists of at least a five-year curriculum, or units toward such a degree.	4 years		4 years
(3) A four-year degree in architecture Baccalaureus Atrium (BA), Atrium Baccalaureus (AB), Bachelor of Science (BS), or units toward such a degree.	3 ½ years		3 1/2 years
(4) A degree from a school/college which has an NAAB-accredited or CACB-accredited professional degree program in architecture, where the degree could be accepted for entry into a two-year NAAB-accredited or CACB-accredited Master of Architecture program, or units toward such a degree.	3 ½ years		3 1/2 years
(5) A degree which consists of at least a four-year curriculum in a field related to architecture as defined in subsection (b)(6), or units toward such a degree.	2 years		2 years
(6) Any other university or college degree which consists of at least a four-year curriculum.	1 year		1 year
(7) (A) Any other city/community college degree which consists of at least a two-year curriculum.	6 months		6 months
(B) Any other city/community college degree or technical school certificate in a field related to architecture.	1 year		1 year
(8) Experience under the direct supervision of an architect(s) licensed in a United States jurisdiction shall be granted 100% credit.	5 years	3 years	5 years
(9) Certification by the National Council of Architectural Registration Boards (NCARB) shall be granted a maximum of eight years credit upon receipt in the Board office of the candidate's current and valid NCARB blue cover file, transmitted by NCARB.	5 years	3 years	8 years
(10) While a candidate is enrolled in a college or university, credit shall be granted:			
(A) 100% for experience obtained under the direct supervision of architect(s) licensed in the U.S.	1 year	or 1 year	1 year
(B) 50% for experience as, or experience obtained under the direct supervision of, a registered civil or structural engineer and/or a licensed landscape architect licensed in a United States jurisdiction.		1 year	1 year
(C) 50% for experience as, or experience obtained under the direct supervision of, a California licensed general building contractor.		1 year	1 year
(D) 50% for experience as, or experience obtained under the direct supervision of, a California certified building official as defined in subsection (c)(7).		1 year	1 year

Column A	Column B	Column C	Column D
Experience Description	Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement	Candidates Eligible Prior to January 1, 2005 or Otherwise Exempt from IDP/IAP Requirement	Candidates Eligible January 1, 2005 or After and Subject to IDP/IAP Requirement
	Education Equivalents Max. Credit Allowed	Training and/or Practice Equivalents Max. Credit Allowed	Max. Credit Allowed
(E) 50% for experience as, or experience obtained under the direct supervision of, a foreign licensed architect licensed in the qualifying foreign country where the experience occurred.		1 year	1 year
(11) Completion of the Intern Development Program (IDP) of the National Council of Architectural Registration Boards or the Intern Architect Program of Canada shall be granted a minimum of three years credit, upon receipt in the Board office of the candidate's current and valid NCARB IDP file transmitted by NCARB or documentation transmitted by a Canadian provincial architectural association, respectively.	2 years	3 years	5 years
(12) (A) Experience as, or experience obtained under the direct supervision of, a registered civil or structural engineer, and/or a licensed landscape architect licensed in a United States jurisdiction shall be granted 50% credit.		2 years	2 years
(B) Experience as, or experience obtained under the direct supervision of, a California licensed general building contractor shall be granted 50% credit.		1 year	1 year
(C) Experience as, or experience obtained under the direct supervision of, a California certified building official as defined in subsection (c)(7) shall be granted 50% credit.		1 year	1 year
(13) Experience as a licensed architect practicing in another U.S. jurisdiction with a verified record of substantial architectural practice shall be granted 100% credit.		8 years	8 years
(14) (A) A post professional degree in architecture or with an emphasis on architecture consisting of a Master, Master of Science, or Ph.D. degree, or units toward such a degree, or		1 year	1 year
(B) Teaching and/or research in NAAB-accredited or CACB-accredited architectural curriculums shall be granted 100% credit only for those hours worked if verified by the college or university.		1 year	1 year
(15) (A) Experience under the direct supervision of an architect licensed in the qualifying foreign country where the experience occurred shall be granted 50% credit.	5 years	2 years	5 years
(B) Experience as a foreign licensed architect licensed in the qualifying foreign country with a verified record of substantial architectural practice shall be granted 50% credit.	5 years	2 years	5 years

(b) Education Equivalents:

"Education equivalents" shall mean Table categories (a)(1) through (a)(9), (a)(10)(A), (a)(11), (a)(13), and (a)(15)(A) and (B).

- (1) For the purposes of this section, NAAB shall refer to the National Architectural Accrediting Board, and CACB shall refer to the Canadian Architectural Certification Board.
- (2) A "professional degree program" shall be defined as one of the following types of programs: 1. Bachelor of Architecture, five-year program; 2. Bachelor of Architecture for individuals with a prior degree; 3. Master of Architecture, four-year undergraduate program in architecture plus a two-year graduate program in architecture; 4. Master of Architecture, four-year undergraduate program in another discipline plus a three-year graduate program in architecture.
- (3) Where a candidate is seeking education equivalents for having obtained a professional degree or units towards such a degree from an NAAB-accredited or CACB-accredited program, he or she shall be eligible for such credit if such program is or was accredited by NAAB or CACB either at the time of graduation or within two years after the date of graduation or termination of enrollment.
- (4) Credit allowed for units obtained without a degree shall only be computed within the categories of subsections (a)(1) through (5) or (a)(14)(A) of this section. No credit for units obtained under subsections (a)(6) or (7) shall be recognized unless such units have been transferred to and accepted by a school within subsections (a)(1) through (5) of this section.
- (5) Academic units based on the categories specified in subsections (a)(1) through (5) or (a)(14)(A) of this section shall be evaluated up to the maximum allowed for that subsection. Where a candidate has not obtained a degree, the maximum credit allowed for the categories contained in subsections (a)(1) through (5) or (a)(14)(A) shall be six months less than the maximum credit that would have been granted if the candidate had obtained a degree in that category. Fractions greater than one-half of an academic year shall be counted as one-half of a year and smaller fractions will not be counted. 30 semester units or 45 quarter units is considered to be one academic year.
- (6) Degrees in a field related to architecture shall be evaluated under subsection (a)(5) and defined as the following: Architectural Design; Architectural Engineering; Architectural Studies; Architectural Technology; Building Science; City and Regional Planning; Civil, Mechanical, Structural, or Electrical Engineering; Construction Engineering; Construction Management; Environmental Design; Interior Architecture; Landscape Architecture; and Urban and Regional Design.
- (7) (A) Experience obtained as, or experience obtained under the direct supervision of, a licensed professional as defined in subsections (a)(8), (a)(12), and (a)(15)(A) or (B) while a candidate is enrolled in a college or university shall be allowed maximum credit for

- educational/training equivalents of 1 year as defined in subsections (a)(10)(A) through (E). A candidate who obtains experience under the direct supervision of a licensed professional as defined in subsections (a)(8), (a)(12), and (a)(15)(A) or (B) while enrolled in a college or university shall have his/her education and/or experience evaluated according to the method which provides the candidate the most credit.
- (B) A candidate enrolled in a degree program where credit earned is based on work experience courses (i.e., internship or co-op programs) shall not receive more than the maximum credit allowed for degrees earned under subsections (a)(1) through (7).
- (C) A candidate who is certified as having completed the requirements of IDP, as referenced in [section 109\(b\)\(2\)](#), based upon receipt in the Board office of the candidate's current and valid NCARB IDP file transmitted by NCARB, is exempt from the provisions of subsection (b)(7)(B) relating to maximum credit allowed for degrees where credit is earned based on work experience courses.
- (8) A candidate who possesses a degree and possesses units from more than one college or university shall have the degree evaluated first prior to evaluating additional education credits.
- (9) A candidate with multiple degrees shall not be able to accumulate credit for more than one degree unless he or she has received one professional degree in architecture and one post professional degree in architecture or with an emphasis on architecture as specified in subsection (a)(14)(A). Otherwise, the degree that receives the most credit as determined by subsection (a) shall take priority over any other degree.
- (10) A candidate who possesses a professional degree and also possesses a post professional degree in architecture or with an emphasis on architecture as specified in subsection (a)(14)(A) shall be granted one additional year credit for the post professional degree.
- (11) Degrees from a foreign college or university shall be granted credit, as determined by the applicable category contained in subsections (a)(1) through (7). A transcript(s) certified by the college or university must be evaluated by NAAB or an educational evaluation service, approved by the National Association of Credential Evaluation Services, Inc. (NACES) equating the degree toward a comparable U.S. degree. Any cost of evaluation shall be the responsibility of the candidate. Professional degrees accredited by CACB shall be accepted by the Board and shall not be required to be evaluated by NAAB or an NACES education evaluation service equating the degree toward a comparable U.S. degree.
- (12) Units from a foreign college or university shall be granted credit, as provided for in the applicable category contained in subsections (a)(1) through (5) upon submission of a transcript(s) certified by the college or university. These certified documents must be evaluated by NAAB or an NACES educational evaluation service equating the units toward a comparable U.S. degree. Any cost of evaluation shall be the responsibility of the candidate. Professional degrees accredited by CACB shall be accepted by the Board and shall not be required to be evaluated by NAAB or an NACES education evaluation service equating the degree toward a comparable U.S. degree.
- (c) Training Equivalents:  
 "Training equivalents" shall mean Table categories (a)(8) through (a)(15).
- (1) Candidates shall be at least 18 years of age or a high school graduate before they shall be eligible to receive training credit for work experience.
- (2) Except as provided below, work experience shall be granted training credit only when:
- (A) The supervising professional is licensed in a United States jurisdiction or a Canadian province and the work experience is obtained or the project is located in a United States jurisdiction or Canadian province, or
- (B) The supervising professional is licensed in a qualifying foreign country where the work experience is obtained or project is located.
- Training credit shall be granted for work experience obtained under the authority of or on the property of the United States Federal Government when the work experience is obtained as or under the direct supervision of a licensed professional as defined in subsections (a)(8), (a)(12)(A), and (a)(13).
- The term "qualifying foreign country" shall mean a foreign country whose standards and qualifications for issuing a license to practice architecture are equivalent to those required in this state.
- (3) Employment shall be considered on the basis of a calendar month of 40-hour work weeks. Credit may be given for overtime.
- (4) Every candidate shall earn at least one year of training credit for experience as or under the direct supervision of an architect(s) licensed in a United States jurisdiction granted at 100% credit or at least two years of experience under the direct supervision of an architect(s) registered in a Canadian province granted at 50% credit.
- (5) Any combination of credit received under subsections (a)(10)(B) and (a)(12)(A) shall not exceed the two years maximum credit allowed for experience as, or experience obtained under the direct supervision of, a registered civil or structural engineer and/or a licensed landscape architect licensed in a United States jurisdiction. Any combination of credit received under subsections (a)(10)(C) and (a)(12)(B) shall not exceed the one year maximum credit allowed for experience as, or experience obtained under the direct supervision of, a California licensed general building contractor. Any combination of credit received under subsections (a)(10)(D) and (a)(12)(C) shall not exceed the one year maximum credit allowed for experience as, or experience obtained under the direct supervision of, a California certified building official. Any combination of credit received under subsections (a)(10)(E) and (a)(15)(A) or (B) shall not exceed the maximum credit allowed for experience as, or experience obtained under the direct supervision of, a foreign licensed architect licensed in the qualifying foreign country where the experience occurred. A candidate cannot exceed two years maximum credit in any combination under subsections (a)(10)(B) through (D) and (a)(12)(A) through (C).
- (6) Experience under the supervision of a "responsible managing officer" operating under a corporate contractor license shall qualify as experience under subsection (a)(12)(B) and shall be verified by the responsible managing officer of that corporation.
- (7) For the purpose of this section, a California certified building official shall be as defined by Section 18949.27 of the Health and Safety Code as an individual who is certified in accordance with or otherwise exempt from Chapter 7, Part 2.5 of Division 13 (commencing with Health and Safety Code Section 18949.25).
- (8) The entry point for IDP shall be as defined in NCARB's *Intern Development Program Guidelines*, as referenced in [section 109\(b\)\(2\)](#).
- (d) Practice Equivalents:  
 "Practice equivalents" shall mean Table categories (a)(8) through (a)(15).
- (1) Practice credits for experience as a licensed architect, registered civil and/or structural engineer, California licensed general building contractor, licensed landscape architect, or certified California building official may be accumulated only after initial registration, licensure or certification by a licensing authority of a political jurisdiction.
- (2) A candidate verifying his or her experience as a licensed architect, registered civil and/or structural engineer, California licensed general building contractor, licensed landscape architect, or certified California building official shall complete an Employment Verification Form (19C-12)(3/2006) available from the Board on his or her own behalf, submit proof of licensure, registration, or certification, and attach a list of projects for the time period covered. The list shall include the names and addresses of the clients, type of projects, construction costs, date project was started, date of completion, and all services provided by the candidate.
- (e) Miscellaneous Information:
- (1) Independent, non-licensed practice or experience, regardless of claimed coordination or liaison with licensed professionals, shall not be granted credit.
- (2) Training experience under subsections (a)(10)(B) through (D), (a)(12), or (a)(14) can only be accumulated after the candidate has obtained credit for at least the five years of educational equivalents as evaluated by the Board. Candidates who are certified as having completed the requirements of IDP as referenced in [section 109\(b\)\(2\)](#), based upon receipt in the Board office of the candidate's current and valid NCARB IDP file transmitted by NCARB, or IAP, as referenced in [section 109\(b\)\(2\)](#), based upon receipt in the Board

office of documentation transmitted by a Canadian provincial architectural association, are exempt from this requirement for their IDP/IAP training units.

[Accessibility](#)

[Conditions of Use](#)

[Privacy Policy](#)

[Disclaimer](#)

[Customer Satisfaction Survey](#)

[Contact Us](#)

Copyright © 2015 State of California

### **REVIEW AND POSSIBLE ACTION ON RECOMMENDATION REGARDING PROPOSED AMENDMENTS TO LATC'S *DISCIPLINARY GUIDELINES* AND CCR, TITLE 16, SECTION 2680 (DISCIPLINARY GUIDELINES)**

The Landscape Architects Technical Committee's (LATC) Strategic Plan contains an objective to "amend regulations to incorporate the updated *Disciplinary Guidelines* to maintain consistent decisions in disciplinary cases." The LATC's *Disciplinary Guidelines* were last updated in 2000. The California Architects Board's (Board) Strategic Plan also contains an objective to update its *Disciplinary Guidelines*. The Board and LATC have been collaborating their efforts to complete the objectives to increase efficiencies.

Board staff consulted with Department of Consumer Affairs (DCA) legal counsel and a 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 potential changes needed to the *Guidelines*. The proposed changes were reviewed by the Board's Regulatory and Enforcement Committee in 2013 and 2014, and by the Board on December 10, 2014, and June 10, 2015.

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. Revised versions of the LATC's *Disciplinary Guidelines* (based on the Board's changes) were approved by the LATC on February 10, 2015, and August 6, 2015.

Following the August 2015 approval, DCA legal counsel advised staff that additional research may be necessary regarding Optional Conditions of probation relating to the California Supplemental Examination and written examination in the *Guidelines*. LATC staff subsequently discussed the matter with legal counsel on September 30, 2015. Board staff reviewed legal counsel's comments as they relate to the Board's *Disciplinary Guidelines* and determined the Board's *Guidelines* would also need to be amended.

On October 21, 2015, Board and LATC staff sent proposed edits to these conditions to legal counsel for review. Legal counsel notified Board and LATC staff on November 12, 2015, that the proposed edits were acceptable, but substantive, and would require re-approval by the Board. At its December 15, 2016, meeting, the Board voted to approve the Board's *Disciplinary Guidelines*.

With the Board's recent approval of its *Disciplinary Guidelines*, LATC staff reviewed and revised its own *Disciplinary Guidelines* to mirror the Board's wherever possible. The attached draft of the LATC's *Disciplinary Guidelines* show all of the tracked changes that were reviewed at the August 6, 2015, meeting, with the newly added recommended revisions highlighted in yellow. In accordance with the Board's approved *Guidelines*, the following revisions were also made to the LATC's *Disciplinary Guidelines*:

- Expanding the content of the "General Considerations" section to better assist Administrative Law Judges in preparing proposed decisions and DAGs in negotiating stipulated settlements.
- Adding recommended maximum and minimum penalties for additional violations of the following sections of Business and Professions Code (BPC):

§ 5616 (Landscape Architecture Contract – Contents, Notice Requirements)  
§ 5659 (Inclusion of License Number – Requirement)  
§ 5678 (Report of Settlement or Arbitration Award – Licensee)  
§ 140 (Failure to Record and Preserve Cash Transactions Involving Wages)  
§ 141 (Effect of Disciplinary Action Taken by Another State or the Federal Government)  
§ 143.5 (Provision Prohibited in Settlement Agreements)  
§ 499 (False Statement in Support of Another Person’s Application)

- Amending the recommended minimum penalties for violations of the Act, general provisions of the BPC, and regulations based upon changes made to the standard and optional conditions of probation.
- Adding model language for disciplinary orders involving license revocation, probation, public reproof, the surrender of a license, a petition for reinstatement, a petition to revoke probation, and the denial of a license application.
- Adding a severability clause, a license surrender option, and requirements for a probationer to maintain an active and current license and notify the Board of any changes to his or her address and telephone number to the standard conditions of probation.
- Adding an ethics course and the procedures for the notification to clients to the optional conditions of probation.
- Amending the language of Optional Conditions 12 (California Supplemental Examination) and 13 (Written Examination) to revise the timelines within the “condition subsequent” option as they relate to the tolling provisions, and provide a “condition precedent” option that would require a probationer to take and pass the examination(s) prior to resuming or continuing practice.
- Adding a Quarterly Probation Report form as an attachment to the Guidelines.
- Making minor, technical, or non-substantive changes, such as renumbering the conditions of probation.

At its July 13, 2017, meeting, the Committee reviewed and discussed the recommended highlighted revisions to its *Disciplinary Guidelines*. The Committee voted to recommend to the Board that it approve the recommended revisions to the LATC’s *Disciplinary Guidelines* and authorize staff to proceed with the required regulatory change to amend California Code of Regulations (CCR) section 2680 in order to incorporate the revised *Disciplinary Guidelines* by reference.

The Board is asked to consider the LATC’s recommendation and take possible action.

Attachments:

1. LATC’s *Disciplinary Guidelines* with recommended revisions
2. Proposed Regulatory Language, Title 16, CCR § 2680

**TABLE OF CONTENTS**

**I. INTRODUCTION.....**

**II. GENERAL CONSIDERATIONS.....**

**A. Proposed Decisions .....**

**B. Stipulated Settlements .....**

**C. Cost Reimbursement .....**

**D. Factors to be Considered.....**

**E. Substantial Relationship Criteria.....**

**F. Criteria for Rehabilitation .....**

**III. DEFINITION OF PENALTIES.....**

**IV. DISCIPLINARY GUIDELINES.....**

**A. Business and Professions Code.....**

**B. General Provisions of Business and Professions Code .....**

**C. Title 16, California Code of Regulations .....**

**D. Violation of Probation.....**

**V. MODEL DISCIPLINARY ORDERS .....**

**A. Licensee.....**

**B. Petition for Reinstatement .....**

**C. Petition to Revoke Probation.....**

**D. Applicant.....**

**VI. CONDITIONS OF PROBATION .....**

**A. Standard Conditions .....**

**B. Optional Conditions.....**

**~~VI. REHABILITATION CRITERIA .....~~**

**ATTACHMENT: QUARTERLY PROBATION  
REPORT .....**

# ***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~~may 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 reference the statutory and regulatory provisions 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~~or 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**

### **A. Proposed Decisions**

The Board requests ~~that~~ proposed decisions following administrative hearings include the following:

- a. Specific code sections violated, along with their definitions, descriptions.
- b. Clear description of the underlying facts demonstrating the violation committed.
- c. Respondent's explanation of the violation if he ~~or~~/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.

## **B. Stipulated Settlements**

The Board will consider agreeing to stipulated settlements to promote cost-effective consumer protection and to expedite disciplinary decisions. The respondent should be informed that in order to stipulate to a settlement with the Board, he or she may be required to admit to the violation set forth in the accusation or statement of issues. All proposed stipulated settlements must be accompanied by a memorandum from the Deputy Attorney General addressed to Board members explaining the background of the case and defining the allegations, mitigating circumstances, admissions, and proposed penalty, along with a recommendation for the Board to adopt the stipulated settlement.

## **C. Cost Reimbursement/Recovery**

The Board seeks reimbursement of its investigative and prosecution costs in all disciplinary cases. The costs include all charges incurred from the Office of the Attorney General, the Division of Investigation, and Board services, including, but not limited to, expert consultant opinions and services. The Board seeks reimbursement of these costs because the burden for payment of the costs of investigation and prosecution of disciplinary cases should fall upon those whose proven conduct required investigation and prosecution, not upon the profession as a whole.

## **D. 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.~~ Aggravating evidence.
6. Mitigating evidence.
67. ~~Rehabilitation E~~ evidence, 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.~~
98. Time passed since the act(s) or offense(s) occurred.
9. Whether the respondent's conduct was intentional or negligent, demonstrated incompetence, or, if the respondent is being held to account for conduct committed by another, the respondent had knowledge of or knowingly participated in such conduct.
10. Any financial benefit to the respondent from his or her misconduct.

- 7.11. Whether or not the respondent cooperated with the Board's investigation, other law enforcement or regulatory agencies, and/or the injured parties.
- 8.12. Recognition by the respondent of his or her wrongdoing and demonstration of corrective action to prevent recurrence.

### E. Substantial Relationship Criteria

Title 16, California Code of Regulations section 2655 states:

For the purpose of denial, suspension, or revocation of the license of a landscape architect pursuant to Division 1.5 (commencing with Section 475) of the Business and Professions Code, a crime or act shall be considered substantially related to the qualifications, functions, and duties of a landscape architect if to a substantial degree it evidences present or potential unfitness of a landscape architect to perform the functions authorized by his or her license in a manner consistent with the public health, safety, or welfare. Such crimes or acts shall include, but not be limited to, the following:

- (a) Any violation of the provisions of Chapter 3.5 of Division 3 of the Business and Professions Code.

### F. REHABILITATION CRITERIA Criteria for Rehabilitation

(For cases involving an applicant, the conviction of a crime, the reinstatement of licensure, or the reduction of penalty)

Title 16, California Code of Regulations, ~~Division 26,~~ section 2656, Criteria for Rehabilitation states: requires the Board, when considering the denial of a landscape architect's license under Section 480 of the Business and Professions Code; the suspension or revocation of a license based on the conviction of a crime; a petition for reinstatement of a license; or a petition for reduction of penalty, to consider the following criteria:

- (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 or her 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).

### **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 or /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 or /her probation.

**Stayed Suspension:** Suspension of a license, held in abeyance pending respondent's compliance with the terms of his or /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 or /her conduct or preventing the likelihood of a reoccurrence of the violation.

**Public Repeval:** A condition of probation whereby the respondent is required to appear before the Board to review in public the violation which he or /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 or California Code of Regulations. 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 specific standard or optional conditions of probation listed on pages XX-XX.

##### A. Business and Professions Code Sections

###### Section 5616: Landscape Architecture Contract – Contents, Notice Requirements

Maximum: Revocation

Minimum: Stayed revocation and 3 years' probation on all standard conditions [#1-10] and the following optional conditions:

a. Cost reimbursement [#16]

b. Restitution [#17] (if applicable)

###### Section 5640: Unlicensed Person Engaging in Practice - Sanctions

~~Applicant~~ Maximum: ~~Revocation or Denial of application for a license application~~

~~Applicant~~ Minimum: ~~Ninety (90) days actual suspension~~ Issue initial license (if applicable), stayed revocation, and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

a. ~~All standard conditions of probation [#1-#7]~~ Ethics course [#14]

b. Cost reimbursement [#16]

c. Restitution [#17] (if applicable)

###### Section 5642: Partnership, Corporation – Unlicensed Person

Maximum: Revocation and public reproof

Minimum: Stayed revocation, 90 days actual suspension, and 5 years' probation ~~for 5 years~~ on all standard conditions [#1-10] and the following optional conditions:

a. ~~All standard conditions of probation [#1-#7]~~

ba. Cost reimbursement [#1216]

**Section 5659: Inclusion of License Number – Requirement**

**Maximum:** Revocation

**Minimum:** Stayed revocation and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Ethics course [#14]
- b. Cost reimbursement [#16]
- c. Restitution [#17] (if applicable)

**Section 5666: Practice in Violation of Chapter Provisions**

The appropriate penalty depends on the nature of the offense.

**Maximum:** Revocation

**Minimum:** Stayed revocation and 3 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Cost reimbursement [#16]
- b. Restitution [#17] (if applicable)

**Section 5667: Fraud, Misrepresentation - Obtaining License**

**Maximum/Minimum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Ethics course [#14]
- b. Cost reimbursement [#16]

**Section 5668: Impersonating Landscape Architect – Practice Under Assumed Name**

~~Licensee~~ **Maximum:** Revocation

~~Licensee~~ **Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

- ~~a. All standard conditions of probation [#1-#7]~~
- ~~ba. Continuing education courses~~ Ethics course [#14] ~~14]~~
- ~~eb.~~ Cost reimbursement [#12] ~~16]~~
- ~~dc.~~ Restitution [#13] ~~17]~~ (if applicable)

**Section 5669: Aiding, Abetting - Unlicensed Practice**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation~~ [#1-#7]

~~ba. Continuing education courses~~ Ethics course [#11-14]

~~eb.~~ Cost reimbursement [#12-16]

~~dc.~~ Restitution [#13-17] (if applicable)

**Section 5670: Fraud, Deceit in Practice**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

a. ~~All standard conditions of probation~~ [#1-#7] Ethics Course [#14]

b. Continuing education courses [#11-15]

c. Cost reimbursement [#12-16]

d. Restitution [#13-17] (if applicable)

**Section 5671: Negligence, ~~Willful Misconduct in Practice~~**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation~~ [#1-#7]

~~b. California Supplemental Examination~~ [#9]

~~c. Written Examination~~ [#10]

~~da.~~ Continuing education courses [#11-15]

~~eb.~~ Cost reimbursement [#12-16]

~~fc.~~ Restitution [#13-17] (if applicable)

**Section 5671: Willful Misconduct in Practice**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Ethics course [#14]
- b. Continuing education course [#15]
- c. Cost reimbursement [#16]
- d. Restitution [#17] (if applicable)

**Section 5672: Gross Incompetence in Practice**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 2090 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- ~~a. All standard conditions of probation [#1-#7]~~
- ba. California Supplemental Examination [#912]
- ~~e. Written examination [#109]~~
- db. Continuing education courses [#1115]
- ec. Cost reimbursement [#1216]
- fd. Restitution [#1317] (if applicable)

**Section 5673: False Use of Signature**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- ~~a. All standard conditions of probation [#1-#7]~~
- ba. Continuing education courses Ethics course [#1114]
- eb. Cost reimbursement [#1216]
- dc. Restitution [#1317] (if applicable)

**Section 5675: Felony Conviction - Sanctions**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation~~ [#1-7]

~~b. Continuing education courses~~ [#1110]

~~ea.~~ Cost reimbursement [#1216]

~~d. Restitution~~ [#1312]

~~eb.~~ Criminal Probation Reports [#1418]

**Section 5675.5: Disciplinary Action by a Public Agency – ~~Disciplinary Action~~**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation~~ [#1-7]

~~b. California Supplemental Examination~~ [#910]

~~c. Written Examination~~ [#10]

~~da.~~ Continuing education courses [#115]

~~eb.~~ Cost reimbursement [#1216]

~~fc.~~ Restitution [#1317] (if applicable)

**Section 5676: Plea of Nolo Contendere – Criminal Conviction - Sanctions**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation~~ [#1-7]

~~b. Continuing education courses~~ [#10]

~~ba.~~ Cost reimbursement [#1216]

~~d. Restitution [#12]~~

~~e. Criminal Probation Reports [#1418]~~

**Section 5678: Report of Settlement or Arbitration Award – Licensee**

**Maximum:** Revocation

**Minimum:** Stayed revocation and 3 years' probation on all standard conditions [#1-10] and the following optional condition:

~~a. Cost reimbursement [#16]~~

**B. General Provisions of Business and Professions Code**

**Section 125.6: Discrimination by Licensee**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 60~~90~~ days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation [#1-#7]~~

~~b. Cost reimbursement [#1216]~~

**Section 140: Failure to Record and Preserve Cash Transactions Involving Wages**

**Maximum:** Revocation

**Minimum:** Stayed revocation and 3 years' probation on all standard conditions [#1-10] and the following optional condition:

~~a. Cost reimbursement [#16]~~

**Section 141: Effect of Disciplinary Action Taken by Another State or the Federal Government**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

~~a. Continuing education courses [#15]~~

~~b. Cost reimbursement [#16]~~

~~c. Restitution [#17] (if applicable)~~

**Section 143.5 Provision Prohibited in Settlement Agreements**

**Maximum:** Revocation

**Minimum:** Stayed revocation and 3 years' probation on all standard conditions [#1-10] and the following optional conditions:

a. Ethics course [#14]

b. Cost reimbursement [#16]

**Section 480 (a): Denial of Licenses**

An applicant's application may be denied for (1) conviction of a crime substantially related to the qualifications, functions, or duties in of 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~~that 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 application

**Minimum:** Issue initial license, stayed revocation, and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

a. Ethics course [#14]

b. Continuing education course [#15]

c. Cost reimbursement [#16]

d. Restitution [#17] (if applicable)

**Section 490: Conviction of Crime; Suspension, Revocation – Grounds**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation [#1-#7]~~

~~b. Continuing education courses [#11]~~

~~ea. Cost reimbursement [#1216]~~

~~d. Restitution [#13]~~

~~eb. Criminal Probation Reports [#1418]~~

**Section 496: Subversion of Licensing Examinations or Administration of Examinations**

**Maximum/Minimum:** ~~Denial or~~ Revocation ~~or denial~~ of license application  
**Minimum:** Issue initial license (if applicable), stayed revocation, and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Ethics course [#14]
- b. Continuing education course [#15]
- c. Cost reimbursement [#16]
- d. Restitution [#17] (if applicable)

**Section 499: False Statement in Support of Another Person's Application**

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] and the following optional conditions:

- a. Ethics course [#14]
- b. Cost reimbursement [#16]

**C. Title 16, California Code of Regulations**  
**Division 2, Title 16, Chapter 26 Article 1. General Provisions**

**Section 2670:**  
**Rules of Professional Conduct**

(a) Competence

**Maximum:** Revocation  
**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

- ~~a. All standard conditions of probation [#1-#7]~~
- ~~ba.~~ California Supplemental Examination [#912]
- ~~c. Written Examination [#10]~~
- ~~db.~~ Continuing education courses [#115]
- ~~ec.~~ Cost reimbursement [#1216]
- ~~fd.~~ Restitution [#1317] (if applicable)

**(b) Willful Misconduct**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation [#1-#7]~~

~~b. California Supplemental Examination [#9]~~

~~c. Written Examination [#10]~~

a. Ethics course [#14]

~~db.~~ Continuing education courses [#115]

~~ec.~~ Cost reimbursement [#1216]

~~fd.~~ Restitution [#1317] (if applicable)

**(bc) Full Disclosure**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

a. ~~All standard conditions of probation [#1-#7]~~ Ethics course [#14]

~~b. Continuing education courses [#11]~~

~~eb.~~ Cost reimbursement [#1216]

~~dc.~~ Restitution [#1317] (if applicable)

**(ed) Informed Consent**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

~~a. All standard conditions of probation [#1-#7]~~

~~ba.~~ Continuing education courses [#115]

**eb.** Cost reimbursement [#1216]

**ec.** Restitution [#1317] (if applicable)

**(de) Conflict of Interest**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

a. All standard conditions of probation [#1-#7] Ethics course [#14]

~~b. Continuing education courses [#11]~~

**eb.** Cost reimbursement [#1216]

**ec.** Restitution [#1317] (if applicable)

**(ef) Copyright Infringement**

**Maximum:** Revocation

**Minimum:** Stayed revocation, 90 days actual suspension [#11], and 5 years' probation on all standard conditions [#1-10] ~~on~~ and the following optional conditions:

a. All standard conditions of probation [#1-#7] Ethics course [#14]

b. Continuing education courses [#115]

c. Cost reimbursement [#1216]

d. Restitution [#1317] (if applicable)

**D. 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 offense(s).

## **V. MODEL DISCIPLINARY ORDERS**

### **A. Licensee**

#### **Revocation of License**

Landscape Architect License No. \_\_\_\_\_, issued to respondent \_\_\_\_\_, is revoked.

Respondent shall relinquish and shall forward or deliver his or her license to practice landscape architecture and wall certificate to the Board within ten (10) days of the effective date of this Decision. Respondent may not reapply or petition the Board for reinstatement of his or her revoked license for three (3) years from the effective date of this Decision.

Respondent shall pay to the Board its costs of investigation and prosecution in the amount of \$ \_\_\_\_\_ within thirty (30) days of the effective date of this Decision.

**Option:** As a condition precedent to reinstatement of his or her revoked license, respondent shall reimburse the Board for its costs of investigation and prosecution in the amount of \$ \_\_\_\_\_. Said amount shall be paid in full prior to the reinstatement of his or her license unless otherwise ordered by the Board.

#### **Revocation Stayed and License Placed on Probation**

Landscape Architect License No. \_\_\_\_\_, issued to respondent \_\_\_\_\_, is revoked; however, the revocation is stayed and respondent is placed on probation for \_\_\_\_\_ years on the following terms and conditions:

#### **Public Reproval**

Landscape Architect License No. \_\_\_\_\_, issued to respondent \_\_\_\_\_, is publicly reproved. This reproval constitutes disciplinary action by the Board and shall become a part of respondent's license history with the Board.

#### **Surrender License**

Respondent \_\_\_\_\_ surrenders Landscape Architect License No. \_\_\_\_\_ as of the effective date of this Decision. Respondent shall relinquish and shall forward or deliver his or her license to practice landscape architecture and wall certificate to the Board within ten (10) days of the effective date of this Decision.

The surrender of respondent's license and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against respondent. This Decision constitutes disciplinary action by the Board and shall become a part of respondent's license history with the Board.

## **B. Petition for Reinstatement**

### **Grant Petition with No Restrictions on License**

The petition for reinstatement filed by petitioner \_\_\_\_\_ is hereby granted and petitioner's landscape architect license shall be fully restored.

### **Grant Petition and Place License on Probation**

The petition for reinstatement filed by petitioner \_\_\_\_\_ is hereby granted, and petitioner's landscape architect license shall be reinstated and immediately revoked; however, the revocation shall be stayed and the petitioner shall be placed on probation for a period of \_\_\_\_\_ years on the following terms and conditions:

### **Grant Petition and Place License on Probation After Completion of Conditions Precedent**

The petition for reinstatement filed by petitioner \_\_\_\_\_ is hereby granted and petitioner's landscape architect license shall be fully reinstated upon the following conditions precedent:

Upon completion of the conditions precedent above, petitioner's landscape architect license shall be reinstated and immediately revoked; however, the revocation shall be stayed and petitioner shall be placed on probation for a period of \_\_\_\_\_ years on the following terms and conditions:

### **Deny Petition**

The petition for reinstatement filed by petitioner \_\_\_\_\_ is hereby denied.

## **C. Petition to Revoke Probation**

### **Revocation of Probation**

Landscape Architect License No. \_\_\_\_\_, issued to respondent \_\_\_\_\_, is revoked.

### **Extension of Probation**

Landscape Architect License No. \_\_\_\_\_, issued to respondent \_\_\_\_\_, is revoked; however, the revocation is stayed and respondent is placed on probation for an additional \_\_\_\_\_ year(s) on the following terms and conditions:

## **D. Applicant**

(in cases where a Statement of Issues has been filed)

### **Grant Application with No Restrictions on License**

The application filed by respondent \_\_\_\_\_ for initial licensure is hereby granted and a landscape architect license shall be issued to respondent upon successful completion of all licensing requirements including payment of all fees.

### **Grant Application and Place License on Probation**

The application filed by respondent \_\_\_\_\_ for initial licensure is hereby granted and a landscape architect license shall be issued to respondent upon successful completion of all licensing requirements including payment of all fees. However, the license shall be immediately revoked, the revocation shall be stayed, and respondent shall be placed on probation for \_\_\_\_\_ years on the following terms and conditions:

### **Grant Application and Place License on Probation After Completion of Conditions Precedent**

The application filed by respondent \_\_\_\_\_ for initial licensure is hereby granted and a landscape architect license shall be issued to respondent upon the following conditions precedent:

Upon completion of the conditions precedent above and successful completion of all licensing requirements including payment of all fees, respondent shall be issued a landscape architect license. However, the license shall be immediately revoked, the revocation shall be stayed, and respondent shall be placed on probation for \_\_\_\_\_ years on the following terms and conditions:

### **Deny Application**

The application filed by respondent \_\_\_\_\_ for initial licensure is hereby denied.

## **VI.—~~STANDARD~~ CONDITIONS OF PROBATION**

### **A. Standard Conditions**

(To be included in all Cases of Probation)

#### **Severability Clause**

Each condition of probation is a separate and distinct condition. If any condition of this Decision and Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Decision and Order, and all other applications thereof, shall not be affected. Each condition of this Decision and Order shall separately be valid and enforceable to the fullest extent permitted by law.

#### **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 using the Board's a~~ Quarterly Probation Report ~~of Compliance~~ form (~~1/11/09~~Rev. 9/2016) obtained from the Board (Attachment).

### 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. Maintain Active and Current License

Respondent shall maintain an active and current license to practice landscape architecture in California for the length of the probation period. Failure to pay all fees prior to respondent's license expiration date shall constitute a violation of probation.

### 6. Notification of Changes to Address and/or Telephone Number

Respondent shall notify the Board in writing of any and all changes to his or her address of record and telephone number within 10 calendar days of such change.

### 57. 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 10 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 10 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 10 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 30 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.~~

## **68. 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. 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 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 automatically 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.~~

## **9. License Surrender While on Probation**

During respondent's term of probation, if he or she ceases practice due to retirement or health reasons, or is otherwise unable to satisfy any condition of probation, respondent may surrender his or her license to the Board. The Board reserves the right to evaluate respondent's request and exercise its discretion in determining whether to grant the request, or take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, respondent will no longer be subject to the conditions of probation. All costs incurred (i.e., cost reimbursement) are due upon reinstatement or relicensure.

Surrender of respondent's license shall be considered a disciplinary action and shall become a part of respondent's license history with the Board.

## **710. Completion of Probation**

Upon successful completion of probation, respondent's license will be fully restored.

## ~~VI.—OPTIONAL CONDITIONS OF PROBATION~~

### **B. Optional Conditions**

#### **811. Suspension**

Respondent is suspended from the practice of landscape architecture for \_\_\_\_\_ days beginning on the effective date of ~~the~~this Decision.

#### **912. California Supplemental Examination**

##### Option 1 (Condition Subsequent)

Within \_\_\_\_\_ days/six months of the effective date of this Decision, respondent shall take and pass the California Supplemental Examination (CSE) 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 or /she may resume practice. Tolling provisions apply during any period of non-practice due to respondent's failure to take and pass said examination. It shall be a violation of probation for respondent's probation to remain tolled pursuant to this condition for a period exceeding a total of three years. 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 paying all costs of such examination.

##### Option 2 (Condition Precedent)

Prior to resuming or continuing practice, respondent shall take and pass the California Supplemental Examination (CSE) designated by the Board within two years of the effective date of this Decision.

This probationary period shall not commence 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 or she may resume practice. Respondent is responsible for paying all costs of such examination.

#### **1013. Written Examination**

##### Option 1 (Condition Subsequent)

Within one year of the effective date of this Decision, 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 or /she may resume practice. Tolling provisions apply during any period of non-practice due to respondent's failure to take and pass said examination. It shall be a violation of probation for respondent's probation to remain tolled pursuant to this condition for a period exceeding a total of three years. 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 paying all costs of such examination.

#### Option 2 (Condition Precedent)

Prior to resuming or continuing practice, respondent shall take and pass (specified) sections of the Landscape Architect Registration Examination (LARE) within two years of the effective date of this Decision.

This probationary period shall not commence 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 or she may resume practice. Respondent is responsible for paying all costs of such examination.

#### 14. Ethics Course

Within 30 days of the effective date of this Decision, respondent shall submit for prior Board approval a course in ethics that will be completed within the first year of probation.

Failure to satisfactorily complete the required course as scheduled or failure to complete same within the first year of probation shall constitute a violation of probation. Respondent is responsible for submitting to the Board for its approval the specifics of the course required by this condition, and for paying all costs of said course.

#### 15. 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.

#### 16. Cost ~~Reimbursement~~ Recovery

Respondent shall reimburse the Board \$ \_\_\_\_\_ for its investigative and prosecution costs. The payment shall be made within \_\_\_\_\_ days/months of the effective date ~~the Board's of this~~ 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).

#### 17. 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.

Note: Business and Professions Code section 143.5 prohibits the Board from requiring restitution in disciplinary cases when the Board's case is based on a complaint or report that has also been the subject of a civil action and that has been settled for monetary damages providing for full and final satisfaction of the parties in the civil action.

#### **1418. Criminal Probation Reports**

In the event of conviction If respondent is convicted 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 or her probation officer.

#### **1514. 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.

#### **1619. Notification to Clients/Cessation of Practice**

In orders which provide for a cessation or suspension of practice, within 30 days of the effective date of this Decision, respondent shall comply with procedures provided by the Board regarding notification to, and management of, provide all clients with whom he or she has a current contractual relationship in the practice of landscape architecture with a copy of the Decision and Order of the Board and provide the Board with evidence of such notification, including the name and address of each person or entity required to be notified.

### **VII. 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).



## QUARTERLY PROBATION REPORT

1. NAME: \_\_\_\_\_ TELEPHONE #: ( ) \_\_\_\_\_

ADDRESS OF RECORD: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

2. NAME OF FIRM: \_\_\_\_\_ YOUR TITLE: \_\_\_\_\_

FIRM ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

TELEPHONE #: ( ) \_\_\_\_\_

3. On the second page of this form, detail your landscape architectural activities for the probation period beginning:

and ending  
 \_\_\_\_\_  
 Mo. Day Year                      Mo. Day Year

4. List any other activities related to the practice of landscape architecture:

<u>ACTIVITY</u>	<u>DATE</u>

5. I declare under penalty of perjury under the laws of the State of California that the information contained in this quarterly report regarding my professional practice is true and correct.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DATE: \_\_\_\_\_

QUARTER: \_\_\_\_\_ YEAR: \_\_\_\_\_

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

<u>PROJECT TITLE/ADDRESS</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE START-COMPLETE</u>	<u>YOUR INVOLVEMENT</u>

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

<u>PROJECT TITLE/ADDRESS</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE START-COMPLETE</u>	<u>YOUR INVOLVEMENT</u>

CLIENT NAME: \_\_\_\_\_ TELEPHONE #: ( ) \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

<u>PROJECT TITLE/ADDRESS</u>	<u>PROJECT DESCRIPTION</u>	<u>DATE START-COMPLETE</u>	<u>YOUR INVOLVEMENT</u>

**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. ~~7/2017~~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, 140, 141, 143.5, 480(a), 490, 496, 499, 5616, 5640, 5642, 5659, 5660, 5662, ~~and 5666, 5667, 5668, 5669, 5670, 5671, 5672, 5673, 5675, 5675.5, and 5676, and 5678,~~ Business and Professions Code; and sections ~~11400.20, 11400.21, 11425 and~~ 11425.50(e), Government Code.**

## Agenda Item I

### REVIEW OF FUTURE BOARD MEETING DATES

#### September

4	<i>Labor Day</i>	<i>Office Closed</i>
7	Board Meeting	Burbank
13-16	Council of Landscape Architectural Registration Boards Annual Meeting	Boise, ID
28	Communications Committee Meeting	Sacramento

#### October

18	Professional Qualifications Committee Meeting	Sacramento
20-23	American Society of Landscape Architects Annual Meeting	Los Angeles

#### November

2	Landscape Architects Technical Committee Meeting	San Diego
10	<i>Veterans Day Observed</i>	<i>Office Closed</i>
15	Executive Committee Meeting	Teleconference
23-24	<i>Thanksgiving Holiday</i>	<i>Office Closed</i>

#### December

7	Board Meeting	Sacramento
25	<i>Christmas Day</i>	<i>Office Closed</i>

**CLOSED SESSION**

1. Review and Possible Action on June 15, 2017 Closed Session Minutes
2. Pursuant to Government Code Section 11126(c)(3), the Board will Meet in Closed Session to Deliberate on Disciplinary Matters
3. Adjourn Closed Session

**RECONVENE OPEN SESSION**

The Board will reconvene open session following closed session.

**ADJOURNMENT**

Time: \_\_\_\_\_