



Office of the State Board for Landscape Architecture
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State Board for Landscape Architecture Meeting
1411 Broadway (between 39th and 40th Streets) – 10th Floor – Regent's Room-Manhattan

Wednesday, April 20, 2022
10:00 am (start time for Executive Session)

Executive Session (10:00-11:30 AM)

1. Practical Examination
2. Disciplinary Cases

Public Session (11:30-end)

3. Approval of Minutes
4. Board Chair Report
5. Board Office Report
6. Old Business
 - CLARB Uniform Experience Standard
 - California Comments on Uniform Standard
 - Resolution Vote April 20, 2022
 - Review of Continuing Education Requirements
7. New Business
 - CLARB Regional Meeting Summary
 - CLARB March 2022 BoD Summary
 - CLARB 2022 Annual Meeting – September 21-23 -Delegate
 - CLARB Mid-Year Update – April 20, 2022 – 3:00 pm
8. Adjournment

Next Meeting
August 17, 2022 – New York, NY

Minutes of the Meeting
State Board for Landscape Architecture
Via WebEx

Present: Stacy Paetzel, Vice Chair
Valerie Aymer
Christine Colley
Nate Harris
Mark Johns
Kim Lorenz
Adrienne Weremchuk

Absent: Andrew Lavallee, Chair

Staff: Robert Lopez, Executive Secretary
Marci McKenna, Assistant in Professional
Education

December 1, 2021

OPEN SESSION

1. **Motion:** Paetzel/Aymer: That the Board enter Executive Session. PASSED UNANIMOUSLY.
2. **Motion:** Colley/Harris: That the minutes of the August 17, 2021 State Board meeting be approved as written. PASSED UNANIMOUSLY.
3. **Board Chair Report:** Chair Lavallee was not able to attend the meeting; no report was given.
4. **Board Office Report:** The Executive Secretary gave the Board office report.
5. **Old Business:**
CLARB Uniform Experience Standard: CLARB analyzed jurisdictional experience requirements and enlisted consultant assistance to review its jurisdictions' varied experience requirements. CLARB must decide how to codify its uniform standard recommendation and hopes that CLARB jurisdictions adopt this uniform standard either by changing laws or regulations. After discussion, the Board's recommendation to the Department was that it was not in favor of decreasing the amount of required experience per CLARB's uniform standard.

CLARB Annual Meeting 2021 Summary: The Executive Secretary along with Member Weremchuk provided a recap of this meeting in the Board package.

Review of Continuing Education Requirements: The Executive Secretary and Chair Lavallee met with NYSCLA leadership to discuss the potential changes to the CE requirement, which requires statutory change. Pursuant to earlier discussions on this topic, the Board reviewed a draft of proposed revisions to the existing list of HSW subject areas and other CE modernization goals. After discussion, the Board supported the proposed changes to New York's HSW subject areas and New York's unacceptable subject areas to be included on its website, provided statutory changes can be made. The Board also discussed whether to allow consideration of nano learning programs, programs 15 to 45 minutes in length, toward the CE requirement. Members Weremchuk and Colley volunteered to take one if possible, to garner some understanding of the experience.

6. **New Business:**
NJASLA Annual Meeting Course Review: The Board discussed the CE to be offered at this year's

DRAFT

NJASLA Annual Meeting. The Board agreed with the NJASLA's findings except for the following recommendations:

- 5KN - acceptable but not HSW
- 8A – acceptable for HSW
- 9KN – no credit for NY licensees
- 13KN – acceptable but now HSW

Election of Chair and Vice Chair:

Motion: Paetzel/Weremchuk: That Member Lavallee be reelected as Board Chair. PASSED UNANIMOUSLY.

Motion: Colley/Johns: That Member Paetzel be reelected as Vice Chair. PASSED UNANIMOUSLY.

7. **Motion:** Paetzel/Weremchuk moved to adjourn. PASSED UNANIMOUSLY.

Next meeting Tuesday, April 20, 2022, tentatively scheduled for NYC

Respectfully submitted,

Robert Lopez, RA
Executive Secretary

Minutes of the Meeting
State Board for Landscape Architecture
Via WebEx

Present: Stacy Paetzel, Vice Chair
Valerie Aymer
Christine Colley
Nate Harris
Mark Johns
Kim Lorenz
Adrienne Weremchuk

Absent: Andrew Lavalley, Chair

Staff: Robert Lopez, Executive Secretary
Marci McKenna, Assistant in Professional
Education

December 1, 2021

EXECUTIVE SESSION

1. Two candidates who had requested a waiver of the requirement that at least 2 years of experience be obtained under the direct supervision of a lawfully practicing registered landscape architect in a diversified setting presented to the Board. After discussion, the Board agreed that a waiver should be granted to each candidate.
2. A disciplinary case was reviewed.
3. Motion: Colley/Harris: That the minutes of the August 17, 2021 State Board meeting be approved as written. PASSED UNANIMOUSLY.
4. Motion: Paetzel/Weremchuk: That the Board resume the Open Session.

Respectfully submitted,

Robert Lopez, RA
Executive Secretary

**NEW YORK STATE BOARD
FOR
LANDSCAPE ARCHITECTURE**

BOARD REPORT

Registrants

Current Resident Registrants:	899
Current Non-Resident Registrants:	<u>565</u>
Total Number of Registrants as of January 25, 2022	1,464

Licenses Issued

2022 – 16 (thru 3/31/22) 2021 – 76; 2020 – 61; 2019 – 86; 2018 – 82; 2017 – 72; 2016 – 75

Licenses Issued between November 16, 2021 – April 1, 2022:

<u>CLARB</u>	<u>ENDORSEMENT</u>	<u>via Education, Experience, Exam</u>
-	2	26

NYSED/OP/Staff Activities

Two key leadership positions have been added to the Deputy Commissioner’s office within OP. David Hamilton is now the Assistant Commissioner of Professional Licensing and Practice and Owen Donovan is now the Professional Practice Coordinator.

Board office staff are permitted to work from home three out of ten days each two-week pay period indefinitely.

The Executive Secretary is now the Acting Executive Secretary for the State Board for Engineering, Land Surveying and Geology. The Department is currently receiving resumes and letters of interest from interested candidates for the position, which requires a PE, LS, or PG license and registration.

Legislative / Regulatory Activity

The NYS Legislature is in a new two-year session that will run from January 2021 through the end of 2022. Legislation of interest follows, with changes since the last Board meeting **highlighted in yellow**:

A7604/S6783 – Relates to mandatory continuing education for architects

Relates to mandatory continuing education for architects; removes exemption from mandatory continuing education requirements for the triennial registration period when an architect is first

licensed; allows no more than six continuing education ours taken during one triennium may be transferred to a subsequent triennium; makes related provisions.

Bill was signed Chapter 578 of the Laws of 2021

S3541/A6809 – Relates to the requirements for a license as a professional engineer

Relates to the requirements for a license as a professional engineer

Bill was signed as Chapter 465 of the Laws of 2021.

S1003-A / A7947 – Relates to building permits

Authorizes a city, town or village with a population of one million or more (i.e. Nassau and Suffolk Counties) to establish a program whereby a building permit may be issued based upon certification by a registered architect or professional engineer.

Bill is printed in the Senate; referred to Local Government in the Assembly.

S1004 / A6242– Establishes a program where a municipal department of buildings may accept certain construction documents for code compliance

Establishes a program where a municipal department of buildings may accept construction documents required to be filed in relation to code compliance prior to issuance of a certificate of occupancy with less than a full examination by such municipal department of buildings based on a professional certification of an applicant who is an architect or professional engineer; makes related provisions.

Bill is referred to Housing, Construction and Community Development in the Senate; referred to Governmental Operations in the Assembly.

A1891-B / S5261-A – Expanded ownership in design professional corporations by employee stock ownership plans and non-licensed employees

Provides for expanded ownership in design professional corporations by employee stock ownership plans and non-licensed employees

Bill is printed in the Assembly; passed in the Senate

S544 / A1939 – Requires certain engineering plans that could pose a material risk to public safety to bear a stamp of approval of a professional engineer

Requires certain engineering plans or specifications for engineering work or services that could pose a material risk to public safety to bear a stamp of approval of a professional engineer and authorizes the public service commission to promulgate rules and regulations relating to such requirement.

Bill is referred to Energy and Telecommunications in the Senate and is referred to Higher Education in the Assembly

A3272-A / S4008-A – Relates to the establishment of the water-based fire protection licensure act

Establishes water-based fire protection licensure act, setting forth licensure requirements for contractors engaged in the business of the layout, installing, repairing, inspecting, testing, or maintaining of water-based fire protection systems and components.

Bill is referred to Economic Development in the Assembly and is referred to Consumer Protection in the Senate.

A1462 / No Same As – Interior Design/State Contracting

Adds interior design services as a type of contract that can be entered into and negotiated by the state

Bill is referred to Governmental Operations in the Assembly; no "same as" bill in the Senate.

A2522 / No Same As - Licensing consequences for serious abuse of self-certification privileges

Relates to licensing consequences for architects or engineers who seriously abuse their self-certification privileges

Bill is referred to Higher Education in the Assembly; no "same as" bill in the Senate

A5769 / S6377 – New York Emergency Responder Act

Enacts the New York emergency responder act limiting the liability of certain emergency responders.

Bill is referred to Governmental Operations in the Assembly and is referred to Veterans, Homeland Security and Military Affairs in the Senate

A6785 / S5687 – NYC DoB False Documents

Relates to false statements in documents submitted to the department of buildings of the city of New York

Bill is referred to Cities in the Assembly and is referred to Cities in the Senate

A5282 / No Same As – Increases to \$50,000 for cost of construction threshold

Increases to \$50,000 the cost of the construction of a building, structure or public work, above which an engineer, land surveyor or architect must be utilized

Bill is referred to Higher Education in the Assembly; no "same as" bill in the Senate

S5713 / No Same As - Requires Public Authorities to negotiate with QBS

Requires public authorities to negotiate with most qualified architectural and engineering professional firms before negotiating with other firms

Bill is referred to Corporations, Authorities and Commissions in the Senate; no "same as" bill in the Assembly

A6160 / No Same As – Relates to Building Permits

Authorizes a city, town or village to establish a program whereby a building permit may be issued based upon certification by a registered architect or professional engineer

Bill is referred to Local Governments in the Assembly; no "same as" bill in the Senate

Former Legislation of Interest

No bill number yet – Ag / Markets Defining Farm Conservation

Directs the department of agriculture and markets and the state soil and water conservation committee to review and define farm conservation practices which are within the professions of engineering, land surveying and architecture

No bill number yet – Mandating continuing education for certified interior designers
Relates to mandating continuing education for certified interior designers

No bill number yet - Good Samaritan Act
Enacts the engineers', architects', landscape architects' and land surveyors' good samaritan act

No bill number yet – Land Surveyor Designing Approved Sewage Disposal Systems
Provides that where a nitrogen-reducing sewage disposal system approved by the county department of health is designed by a land surveyor for an individual residential lot or is designed by a person who holds a valid license from the county to design sewage disposal systems for replacement or retrofit on an individual lot, such persons are exempt from the provisions of section 7208 of the education law; relates to qualifications for the design of a nitrogen-reducing sewage disposal system in a county of one million or more which draws its primary source of drinking water for a majority of county residents from a designated sole source aquifer.

No bill number yet – Relates to the Liability of Design Professionals
Relates to the liability of design professionals; prohibits broad indemnification of a state or local agency or political subdivision involving public work for contracts executed on or after January 1, 2020.

No bill number yet - Malpractice Insurance
Requires engineers and architects to maintain malpractice insurance in the amount of \$1,000,000

No bill number yet – Licensure Standards
An act to amend the education law, in relation to the review of licensure standards for architecture and landscape architecture.

No bill number yet – Land Surveying Definition
Relates to the definition of the practice of land surveying.

No bill number yet – Relates to the practice of certified interior design; repealer
Regulates the practice of certified interior design including the use of proper seals and construction documents; adds CE requirement for CID's

No bill number yet - Repeals mandatory continuing education for architects
Repeals a provision of the education law requiring mandatory continuing education for architects.

No bill number yet – Self-Certification
Grants cities authority to review plans for the construction of structures proposed to be made within its boundaries

Office of Professional Discipline

N/A

THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

To: Landscape Architecture Board Members

Date: April 1, 2022

From: Robert Lopez **R.L.**

Subject: CLARB Uniform Experience Standard

In reply to:

Included within the Board package is information regarding the CLARB Uniform Standard to be voted upon by all licensing Boards on April 20, 2022

- Executive Summary – Uniform Standard
- The three Resolutions
- The proposed Uniform Licensure Standard
- Executive Summary - Model Law and Regs
- Red-lined changes to Model Law and Regs
- Special Meeting Rules for the April 20, 2022 meeting

The Board has had a few conversations about the proposed Uniform Standard in prior Board meetings and was in support of multiple pathways to licensure, however, it was opposed to the concept of a reduction in the amount of experience required to become a landscape architect in New York.

CLARB

Uniform Standard Executive Summary

Why the Need for Change?

Over the past decade, we have seen exponential change. The bipartisan push for licensure reform continues to drive legislatures to look for new ways to reduce regulation and create more economic opportunity. Stakeholder wants, needs, and preferences are changing, and we must adapt to better serve current and future licensees. Advancements in technology are impacting every aspect of business and shifting expectations for the speed in which things get done. The shifting demographic in our country demands for increased equity and access to licensed professions.

As leaders in the regulatory community, we have responded to these changes by looking critically at our policies and recommending changes that promote and support defensible, consistent, and equitable requirements for landscape architectural licensure through the development of a uniform standard by which all candidates, in every jurisdiction, can be evaluated against.

The proposed CLARB Uniform Licensure Standard for Landscape Architecture, that is being presented for consideration by the membership, represents the culmination of more than five years of discussion, research, analysis, and feedback to create the best approach for achieving defensible, consistent, and equitable licensure requirements across the membership. We believe that by adopting the proposed uniform standard, we will greatly improve the landscape architecture mobility model, provide for increased equity in and access to licensure, improve the defensibility of landscape architecture licensure requirements, and ensure the continued protection of the health, safety, and welfare of the public and the environment.

What is in the Uniform Standard?

Within the Uniform Standard policy, you will find four sections:

1. *Qualifications for Licensure*: outlines the requirements for licensure
2. *Alternative Education*: outlines alternative pathways to section 1's licensure requirements
3. *Experience in the Regulated Practice of Landscape Architecture*: outlines guidelines for the experience competent of the licensure requirements
4. *Amendments*: outlines how the Uniform Standard policy can be updated in the future

Documents for Your Board's Review and Consideration

1. [Resolutions](#)
2. [Uniform Standard Policy](#)
3. Model Law and Regulations
 - a. [Executive summary](#)
 - b. [Clean](#)
 - c. [Redlined with color-coded changes](#)
4. [FAQs](#)
5. [Letter of Credential](#)



Resolution #1 Adoption of the CLARB Uniform Licensure Standard for Landscape Architecture

Submitted to: The CLARB Membership

WHEREAS, the Board of Directors developed a strategy in 2017 to rethink landscape architecture licensure and regulation to reduce or eliminate unnecessary friction (friction that does not achieve a public protection outcome) in the licensure process;

WHEREAS, the Board of Directors approved a long-term workplan starting in 2018 to conduct research and to complete a deep evaluation of the policies, procedures, systems and processes currently in place that facilitate landscape architecture licensure and regulation;

WHEREAS, several work groups have convened, made up of member board executives, member board members, representatives from the landscape architecture profession and the broader regulatory community to ensure broad perspectives and expertise were considered;

WHEREAS, the Board of Directors directed a task force in 2021 to review the results of the research, analysis and work group inputs to develop a recommendation for a uniform licensure standard for landscape architecture to achieve consistency in requirements across the membership;

WHEREAS the Board of Directors has considered the task force's recommendation and agrees with its approach;

WHEREAS, the recommendation has been shared with the membership and opportunities for input and engagement have been provided;

WHEREAS the Board of Directors approved the Draft CLARB Uniform Licensure Standard for Landscape Architecture and approved the submission of the draft to the membership for consideration and adoption;

NOW, HEREOF, BE IT RESOLVED that the draft CLARB Uniform Licensure Standard for Landscape Architecture be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the Bylaws.

Approved by the CLARB Board of Directors, December 3, 2021

CLARB

Resolution #2 Revisions to the CLARB Model Law and Regulations to align with the Draft Uniform Licensure Standard for Landscape Architecture

Submitted to: The CLARB Membership

WHEREAS, the Board of Directors has approved the submission of the Draft Uniform Licensure Standard for Landscape Architecture to the membership for consideration and adoption;

WHEREAS, the Board of Directors recognizes that the CLARB Model Law and Model Regulations are important resources that may be used to support the implementation of the CLARB Draft Uniform Licensure Standard for Landscape Architecture in some member jurisdictions;

WHEREAS the Board of Directors approved revisions to the CLARB Model Law and Model Regulations to align with the proposed Draft Uniform Licensure Standard for Landscape Architecture;

NOW, HEREOF, BE IT RESOLVED that the draft CLARB Uniform Licensure Standard for Landscape Architecture be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the Bylaws.

Approved by the CLARB Board of Directors, December 3, 2021



CLARB Board of Directors Supporting Statement for Resolutions #1 and #2

The Draft CLARB Uniform Licensure Standard for Landscape Architecture and proposed changes to the Model Law and Regulations in Resolutions #1 and #2 (above) represent the culmination of more than five years of discussion, research, analysis, and feedback to create the best approach for achieving consistency in the licensure requirements across the membership.

We believe, that by adopting a uniform standard for licensure by which all applicants can be evaluated against, we will improve the landscape architecture mobility model, provide for increased equity in and access to licensure, increase the defensibility of landscape architecture licensure requirements and ensure the continued protection of the health, safety, and welfare of the public and the environment.

In accordance with our legal duty of care as Board members, our desire to be good and faithful stewards for the organization and our commitment to foresight, we engaged member board executives, member board members, the landscape architecture profession, and the broader regulatory community to fully understand the challenges and opportunities that exist for addressing a key friction point – varying requirements for licensure – through the development of a uniform standard.

We also considered the evolving legal, social, political, technological, and economic environment. At the end of this lengthy, thorough process, we concluded that our licensure policies must evolve, and the changes presented represent a reasoned, practical, and sound approach.

While all the work that has been done to create a uniform standard are based in data and address key trends in the licensure reform movement, perhaps the most critical concepts embodied in the proposed uniform standard are the streamlining of alternative paths to licensure:

- Nearly 80% of members specify an alternative path to licensure, however there is broad variation among these.
- All but two member boards have the legal authority to consider alternative paths
- The profession supports the inclusion of alternative paths to licensure as demonstrated in the formal recommendation presented by the ASLA Licensure Committee
- There are early indicators that a growing number of applicants are coming through an alternative path - 7% of all Council Record holders achieved licensure through alternative paths vs. 8% of exam candidates over the past five years.
- Alternative paths exist for related design disciplines - architecture and engineering – and these professions are beginning to explore opportunities for increasing access to licensure.
- Alternative paths create more opportunity for underrepresented groups to enter the profession which aligns with our organizational principles on diversity, equity, and inclusion.

We strongly believe that adoption and implementation of the CLARB Uniform Licensure Standard for Landscape Architecture will improve the process for candidates and licensees, reduce vulnerabilities as legislatures across the country seek to reduce regulation and create a more diverse profession that will be better able to serve the public and the environment.

CLARB

Resolution #3

Revisions to the CLARB Model Law and Regulations to promote diversity, equity, and inclusion in licensure standards and to align with CLARB's DEI principles.

Submitted to:

The CLARB Membership

WHEREAS, the Board of Directors has approved and adopted organizational principles around diversity, equity and inclusion;

WHEREAS, CLARB's DEI principles specifically state that "We acknowledge that inequity exists within and outside of the landscape architecture community. We are dedicated to creating and acknowledging the multiple pathways to the landscape architecture profession while mitigating barriers to access. CLARB is committed to working actively to address the power imbalances and remove any bias in our systems and processes.";

WHEREAS, we believe as an International association of regulatory boards that removing the requirement for Boards to make judgements on an individuals "good moral character" is out of alignment with our DEI principles and interjects subjectivity into the process for evaluating an applicant's qualifications and suitability for licensure;

WHEREAS, at least 30 pieces of legislation have been introduced in legislatures around the United States to remove this type of language from the licensing statutes of all professionals within a jurisdiction;

WHEREAS the Board of Directors approved revisions to the CLARB Model Law and Model Regulations to remove all reference to "good moral character" as a condition of licensure;

NOW, HEREOF, BE IT RESOLVED that the draft revisions to the CLARB Model Law and Regulations be published and submitted to the members for their approval, in accordance with Article VI, Section 5 of the Bylaws.

Approved by the CLARB Board of Directors, December 3, 2021



CLARB Board of Directors Supporting Statement for Resolutions #3

CLARB has been on an intentional journey, since 2014, to learn and create opportunities across the organization to be more inclusive, equitable and accessible, and to better understand our impact on increasing diversity within landscape architecture.

As part of that journey, the CLARB Board of Directors developed and adopted organizational principles on diversity, equity, and inclusion. Looking at the future we want to create, CLARB affirms our commitment, and our dedication provides an opportunity to thrive and promote the advancement of these key principles.

Diversity: We believe diversity is an integrated experience in our programs and services that values differing thoughts, experiences, perspectives, career paths, and expertise. This is expressed in many forms, including, and not limited to, culture, career, race and ethnicity, gender and gender identify, sexual orientation, socioeconomic status, language, national origin, religion, age, disability, political perspective, veteran status, etc. Our transparency demonstrates an ongoing process of genuineness and self-awareness that is intentional in principle and practice.

Equity: We acknowledge that inequity exists within and outside of the landscape architecture community. We are dedicated to creating and acknowledging the multiple pathways to the landscape architecture profession while mitigating barriers to access. CLARB is committed to working actively to address the power imbalances and remove any bias in our systems and processes.

Inclusion: We are dedicated to honoring the shared experiences of our stakeholders (e.g. community, candidates, licensees, staff, volunteers, vendors, partners, etc.) and strive to create an environment where people feel included and valued for bringing one's whole self. Learning together through reflection and welcoming non-traditional approaches and voices allows for connection that represents our community both individually and across our community

Additionally, over the past two years, we have seen an increasing amount of proposed legislation across the United States to eliminate reference to "good moral character" or the assessment of an applicant's "moral turpitude." We believe removing this from our policies is good practice and the right thing to do to reduce subjectivity in evaluating an applicant's qualifications and suitability for licensure.

To this end, the CLARB Board fully supports the proposed revisions to the Model Law and Regulation to reduce bias and create more equitable and accessible licensure policies.

CLARB

Model Law and Regulations Changes Executive Summary

What are CLARB's Model Law and Regulations?

CLARB Model Law and Regulations are a resource for licensing boards and legislatures addressing issues related to the public-protection mission of regulation. These models promote uniformity in licensing laws (affording predictability, commercial efficiency, and enhanced trust in the profession), establishes minimal standards of competence for those practicing landscape architecture, and facilitates professional mobility and portability through a licensure transfer process. The model documents are intended to be fluid, subject to regular review and periodic changes, when necessary.

Why the Need for Change?

The CLARB Board of Directors is proposing revisions to the Model Law and Regulations to align the qualifications for licensure with the Uniform Licensure Standard for Landscape Architecture. By having the Uniform Standard reflected in the Model Law and Regulations, it will help members adopt and implement the new standard as well as continue to increase uniformity and improve mobility within the profession.

In addition, the proposed changes will also be a step forward in advancing CLARB's diversity, equity, and inclusion initiatives as the document was evaluated for language that can add bias into evaluating candidates for licensure. By removing the subjectivity of character from the licensing process, licensure boards can help the profession to be more inclusive and place the application evaluation focus on protecting the public's health, safety, and welfare.

Model Law Changes

Section 302. Qualifications for Licensure was heavily revised to reflect the Uniform Standard. The changes in Model Law center around the education and experience requirements. The education requirement is now LAAB, LAAC, or international equivalent **or** satisfy the alternative education requirements as determined by the Board.

The experience requirement is completed 2 years of experience under the direct supervision of a licensed landscape architect or a licensed professional in a related field as determined by the Board.

The reciprocity requirement is amended to require evidence acceptable to the Board that the Applicant is licensed and in Good Standing to practice under the laws of another jurisdiction.

The language, "Possession of good moral character" has been removed. Removing good moral character language is an important step to remove bias and subjectivity from the licensing process.

Model Regulations Changes

Section 302.10 Qualifications for Licensure was also heavily revised to reflect the Uniform Standard. The previous Approved Education Programs has been stricken and replaced with the accredited degree path **or** an Applicant shall meet the "Alternative Education" standards for licensure set forth in the CLARB Uniform Licensure Standard.

Similarly, the previous Experience Supervision Requirements section has been stricken and replaced with updated experience guidelines. The requirements now reflect the criteria in the CLARB Uniform Licensure Standard for Landscape Architecture.

CLARB

Documents for Your Board's Review and Consideration

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THE UNIVERSITY OF THE STATE OF NEW YORK
THE STATE EDUCATION DEPARTMENT

To: Landscape Architecture Board Members

Date: April 1, 2022

From: Robert Lopez **R.L.**

Subject: CLARB Regional Meeting Summary

In reply to:

I attended the CLARB Regional Meeting on February 16, 2022, along with 84 participants.

Immediately following this memo is a summary of the regional breakout discussions and the Board reports that were submitted. A summary of the meeting follows below:

- a) Agenda
 - i) Annual Meeting Update
 - ii) Collateral organizations update
 - iii) End of year financials
 - iv) Exam and Job Task Analysis (JTA) update
 - v) CLARB System Updates
 - vi) Uniform Standard
 - vii) Regional Breakouts

- b) Annual Meeting Update
 - i) CLARB Annual Meeting will be in Omaha, Nebraska in 2022; Atlanta didn't work out.
 - ii) Will be in person with a virtual option
 - iii) Registration opens in early June

- c) Collateral Organization update – Chuck Smith
 - i) ICOR
 - (1) Joint incidental practice task force – taking on overlap of practice amongst design professions
 - (2) Joint CEO Updates
 - (3) Joint virtual orientation
 - (4) Strategic discussion on competency models

 - ii) ASLA Women of Color Licensure Advancement Program
 - (1) Mentoring tools and resources to applicants
 - (2) Financial assistance for applicants
 - (3) Prep course and materials
 - (4) Mentoring

 - iii) National Association of Minority Landscape Architects
 - (1) CLARB is a member of this entity

- d) End of Year financials – Joel Kurokawa
 - i) Healthy financial position for CLARB
 - ii) Net assets are at \$4.4 million
 - iii) Total assets are at \$5.6M
 - iv) Liabilities a little over \$1M

- v) 7% decrease in annual meeting revenue
 - vi) Expenses are down substantially – reduction in travel, annual meeting savings, virtual meetings, delay of JTA
 - vii) Revenue total is at 105%; operating expenses are at 81% of budget
- e) LARE/JTA Updates/System Upgrades – Rebecca Moden
- i) LARE News
 - (1) April 2022 registration underway
 - (2) Registration numbers are strong
 - (3) No test center capacity issues
 - (4) Development of demo exam underway
 - ii) Job Task Analysis update
 - (1) Currently underway – launched in February
 - (2) Had 1000 responses in 1st week
 - (3) JTA will be open for 6 weeks
 - (4) On schedule for new blueprint by Summer 2022
 - iii) System Upgrades
 - (1) Moving from CRM database to a new system – online Microsoft cloud system – launching in April; website access will be closed from April 1-10
- f) Uniform Standard Vote Reminder – Chuck Smith and Veronica Meadows
- i) Board must complete and return credentials form by April 19
 - ii) Board must attend and vote at the mid-year membership meeting on April 20
 - iii) CLARB provided resources to Boards to use when discussion the Uniform Standard
 - iv) Resolution 1 – Adoption of the CLARB uniform licensure standard
 - v) Resolution 2 - approval of proposed changes to the Model Law and Regs to incorporate the uniform licensure standard
 - vi) Resolution 3 - approval of proposed changes to the Model Law and Regs to promote DEI
 - vii) Veronica went over uniform standard requirements and gave examples
- g) Regional Meetings – 30 minutes in breakout space
- i) The Executive Secretary mentioned the modernization of continuing education as an ongoing effort in NY.
- h) Upcoming Meetings
- i) March 10th – CLARB/ASLA Web Licensure Summit
 - ii) March 23rd – Exploring DEI in Regulation and Practice of Landscape Architecture

BOARD REPORTS

**MBE= Member Board Executive; MBM= Member Board Member; Staff= Member Board Staff*

<u>Jurisdiction</u>	<u>Report</u>
Connecticut	
Delaware	
District of Columbia	The Board transitioned to a new application interface last year. This system is still being developed. Mr. Robert Alter has been approved to join the Board. He will be officially sworn in at the March 11, 2022 Board Meeting.
Maine	No updates currently.
Maryland	
Massachusetts	
New Hampshire	No updates currently.
New Jersey	Board Member Richard Picatagi resigned from the Board in December 2021 after 12 years of service on the NJ State Board of Architects and an additional 6 years prior serving on the Landscape Architect Examination and Evaluation Committee.
New York	
Ontario	OALA will implement a new Registry program for members in 2022 that will permit one database for all information on each member.
Pennsylvania	
Rhode Island	The Board is performing well with timely response(s) with continued bi-monthly open and executive session meetings. We are still in need of a public member. Navigating well despite covid effects of communication to other departments and municipalities. Staying engaged with CLARB'S current initiatives and currently working with CLARB on the proposed Uniform Standard for Licensure.
Virginia	Governor Youngkin's inauguration was January 15, 2022. Our new agency director, Demetrious Melis started on January 18, 2022. Our new regulations that were in process for four years were promulgated September 2 nd . There was an exempt change to regulations regarding not disclosing marijuana misdemeanors effective December 1 st .

BOARD REPORTS

**MBE= Member Board Executive; MBM= Member Board Member; Staff= Member Board Staff*

<u>Jurisdiction</u>	<u>Report</u>
Illinois	
Indiana	
Iowa	No updates currently.
Kentucky	No updates currently.
Manitoba	The MALA just recently joined CLARB as a member licensure board (2022) and is looking forward to participating as appropriate at CLARB meetings and events, to hear from others, and to share the MALA voice.
Michigan	We have a new Licensing database where applicants may apply online at www.michigan.gov/MiPLUS . Licensee's will now have staggered expiration dates opposed to fixed dates for everyone in the profession.
Minnesota	
Missouri	<p>I. Missouri Board Overview - The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects (APEPLSPLA) had four meetings in 2021. By state statute, the full APEPLSPLA Board has a total of 15 members. The Landscape Architectural Division has three (3) members. The current Chair of the Landscape Architectural Division is Robert S. "Bob" Shotts, Noel Fehr serves as the Vice-Chair, and Eric Davis is the Audit Chair. The Executive Director of the Board is Judy Kempker and the Board Chair is Robert N. "Bob" Harnett; a Professional Landscape Architect (PLA).</p> <p>II. The impact of COVID-19 - We returned to our normal in person meeting when we met in St. Louis in April of 2021. We practiced social distancing and took other proactive measures to make sure that our Board, the Board's staff, and the people in our hearings were safe. It seemed to work because no one attending the meetings contracted COVID.</p> <p>III. 2021 L.A.R.E. Exam Results - 9 Landscape Architects were licensed by examination in 2021.</p> <p>IV. 2021 Summary of Licensure</p>

	<ul style="list-style-type: none"> • 16 Landscape Architectural licenses were granted by comity. • 7 Corporate Certificates of Authority for Landscape Architecture were issued. • 384 Architects are licensed with an active status and 40 are licensed with an inactive status. • 114 Landscape Architectural corporations are licensed. <p>V. Other Pertinent Information</p> <p>A. Fees: Our biennial renewal fees remain about the lowest in the country - \$35 for an individual Landscape Architect and \$50 for a Landscape Architectural Corporate Certificate of Authority.</p> <p>A. Finally, after more than 7 years of failed attempts, legislation was passed (via HB 273 and HB 476) to update Chapter 327, RSMo, the Missouri statute that defines the practice of landscape architecture as well as that of the other three professions that make up our Board. Missouri's five professional organizations participated in the development of revisions and used their lobbyists to push the changes forward in Missouri's House and Senate. These bills were signed by the Governor and became effective on August 28, 2021.</p>
Ohio	Ohio is still monitoring a uniform licensing bill that has some support. If passed, Ohio would grant reciprocal licenses to any person licensed in another state regardless of background or qualifications, and without requiring a CLARB record.
West Virginia	
Wisconsin	

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Alabama	We have some proposed changes to our Rules.
Arkansas	We have recently finished rule promulgation. The new Rules became effective on February 7, 2022. New change to rules allows for direct registration for LARE exam candidates. All other changes were legislatively mandated.
Florida	
Georgia	No updates currently.
Louisiana	No updates currently.
Mississippi	<p>The Landscape Architecture Advisory Committee (LAAC) and the State Board of Architecture continue to discuss joint firm ownership between architects and landscape architects, which is currently prohibited by statute. A task force composed of members of the Board of Architecture and the LAAC has developed potential legislation to address this issue.</p> <p>Rule changes are pending to allow landscape architects to apply manual, electronic, or digital signatures to documents, to amend the rules to comply with the “Universal Recognition of Occupational Licenses Act” that passed last year, and to make several “housekeeping” changes.</p> <p>Three new members were recently appointed to the LAAC: Warren (Cory) Gallo (replacing Jim Jackson), Martha Hill (replacing Gary Haygood), and Brantley Snipes (filling the seat vacated by Chris Hoffman).</p>
North Carolina	<p>Pilot program for NC A&T and NC State Universities for sponsorship of a prep course for final year students to take section 2 of the L.A.R.E. The NCBLA will require a 30-student max for the course, allowing a Board member to monitor the course and the requirement of a faculty member to monitor the course. The Board will track the success of the program in conjunction with CLARB. The expectation is that the program will encourage minority and non-white individuals to enter the profession of landscape architecture.</p>

Puerto Rico	
South Carolina	<p>The Board is preparing to do a regulatory review. Potential changes/updates to our regulations will be discussed at the upcoming Board meetings and presented to for legislative review in the 2023 session. One item for discussion is a potential age/experience exemption for continuing education. The Board has partnered with CE Broker for tracking continuing education. We are working with them to fine tune the system to meet our needs for the 2023-2025 license renewal cycle.</p> <p>The Board has two vacancies, and four of the current Board members are awaiting reappointment. Reappointments are happening slowly throughout the agency.</p>
Tennessee	<p>The board is currently working on defining all 4 professions it represents. Each profession has its own committee and is responsible for providing the language for their field. The board also submitted proposed statutory amendments relating to education/experience, updating fire codes, and alternative pathways to licensure. This language has been sponsored in both houses of the legislature and we hope for a favorable outcome.</p>
Texas	<p>We had a recent rule change where we now count experience in hours rather than years. This was a recommendation from our Governor's Office so that the experience requirement for architects and landscape architects is better aligned.</p>

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Alberta	
Colorado	Colorado has: 1,133 Active Licensees 796 In State Licensees 337 Out-of-State Licensees 101 License Expired in the last renewal cycle in Dec 2020.
Kansas	Carisa McMullen of our board is the president elect of CLARB. We will be welcoming Veronica Meadows as the moderator of a retreat for our Board Members in Kansas City, Kansas on March 25, 2022.
Nebraska	Jennifer Seacrest and Regan Pence were elected as Chairperson and Vice-Chairperson, respectively. There are two legislative bills the Board is monitoring: LB263 and LB709. LB263 would require occupational boards to issue certain credentials based on work experience/credentials in another jurisdictions, and issue the credential within sixty days. One of the concerns is how it will affect boards who hold quarterly meeting and do not have employees. LB709 contains changes to the requirements relating to preliminary applications under the Occupational Board Reform Act for individuals with criminal histories. It outlines which specific types of crimes can and cannot be used in consideration for issuing a finding as whether or not the individual would qualify for licensing or certification. It also requires a response to be given within sixty days. The introducing senator has chosen the bill as his priority bill, which means if it is voted out of committee, there is a high likelihood it will be debated on the floor this session.
New Mexico	
North Dakota	We have acquired new licensing software to streamline and speed up the licensure process. Landscape architects are now incorporated and makes for a much quicker initial and reciprocal licensure process as well as real time data provided on the NDSBA&LA website
Oklahoma	Our Board has formally adopted Rules changes. Now we are waiting for legislature approval. We did a lot of clean- up

	<p>language, and we amended our Rules to remove board pre-approval for LARE candidates.</p> <p>Our Board and the Engineering Board have set up a joint task force to begin collaboration on related issues impacting both professions. Currently, we are focusing on the impact of our state's new cannabis industry. Specifically, HSW related issues impacting building permits, inspections, and code related problems. Oklahoma is the "wild west" right now with this industry.</p>
South Dakota	<p>SDBoTP has 2 architects that were appointed in 2021 to the Board, Catherine Dekkenga and Jared Carda. Each Board member may serve a total of three 3-year terms.</p>
Wyoming	<p>Wyoming is working closely with the AIA WY and ASLA CO chapters to seek Practice Act amendments this year, hopefully for the 2023 session. These changes would 1) allow for alternative pathway for licensure outside the accredited degree, 2) permit the Board to formally provide grants for CE offerings and 3) clean up some renewal requirement language.</p>

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Alaska	<p>The Alaska Board of Registration for Architects, Engineers and Land Surveyors (AELS) is adding a regulation that would allow for temporary licensure for military and military spouses. A regulation project that has been in being worked on for two years will soon be adopted. Most of the project is language clean-up, however notable changes are allowing landscape architects to sit for the LARE with no experience and adding more exam options for structural engineer by comity applicants. AELS is also considering regulation changes to the continuing education requirements as well as a regulation change to allow staff to approve comity applicants who apply with a model law NCEES record, NCARB certificate or CLARB council record.</p> <p>There is a bill (HB61) currently in legislation that would add Interior Designers as a licensed profession under the AELS board. As written, it would also add two seats to the AELS board. The AELS board has not issued a position statement on HB61, but is closely monitoring it.</p>
Arizona	<p>The Governor of Arizona appointed six public members to the Board in the fall of 2021; one recently resigned. The Board currently has five professional Board Members and five Public Members serving.</p>
British Columbia	<ol style="list-style-type: none"> 1. BCSLA formally expressed interest in joining the Professional Governance Act on May 28, 2020. The draft application was submitted on July 8, 2021. On August 20, 2021 the Office of the Superintendent of Professional Governance confirmed that it will undertake an investigation in response to the BCSLA's application for designation under the PGA. This investigation is expected to last for approximately eight months. 2. Strategic Plan - The Board of Directors developed a Strategic Plan Update to communicate with the membership on the initiatives and efforts that have been undertaken from 2017-2019 and the specific actions from 2020 - 2021 in response to current issues. In

	<p>summary, the purpose of the Strategic Plan Update is to:</p> <ul style="list-style-type: none"> • Describe the progress of actions of the original two years of the Strategic Plan 2017 -2019 • Describe the actions in response to the key issues facing the BCSLA in 2020 and 2021 and • Suggest areas of effort that would be important to include for a potential new Strategic Plan beginning in 2023. <p>3. The BCSLA Pathway to Accessible Licensure Project Phase I and II began in 2021 and will be finalized in the Spring 2022. This project will accelerate the application process for Internationally Trained Workers (ITWs) and other candidates via a secure online platform with a view to expediting licensure and employment. The project will accomplish the following:</p> <ul style="list-style-type: none"> a. Update the existing multi-lingual webpages and downloads with current information b. Create a secure online application process with membership tools to expedite the application process and reduce volunteer time, printing and postage costs c. Create a pathway to accessible licensure portals for application reviews that will significantly reduce barriers to licensure d. Improve the online BCSLA Intern Work Experience Monitoring to better address global practices e. Develop an online recorded webinar to guide applicants through the application process f. Utilize information related to Gender-based Analysis Plus + Information from the Diversity, Equity and Inclusion (DEI) Survey that was developed in collaboration with allied organizations in Alberta, Manitoba and Ontario. <p>4. As an initial response to DEI matters and Truth & Reconciliation findings, the Board participated in two workshops led by Indigenous facilitators on decolonizing design, colonial history and its impacts on current thought and design processes, and indigenous oral knowledge. The presentation highlighted the assumptions underlying history, root causes of issues, and Coast Salish design approaches.</p>
California	Business and Professions Code Section 144, Effective January 1, 2022: All landscape architect license applicants must submit fingerprints for the purpose of conducting criminal history record checks prior to licensure.

	<p>CCR 2671 Public Presentments and Advertising Requirements, Effective January 1, 2022: Amended language requires a landscape architect to include license numbers on all forms of advertising to better inform and protect California consumers.</p> <p>CCR 2615 Form of Examinations and 2620 Education and Training Credits: This proposal reflects the Board’s licensing provisions by granting credit for related and non-related degrees while also adding an experience-only pathway. This rulemaking package is currently under final review and will be submitted to the Office of Administrative Law in March 2022.</p> <p>Strategic Plan 2022-2024 - LATC will conduct strategic planning during its next meeting April 7-8, 2022.</p>
Hawaii	<p>We are progressing on several rules revisions. None include landscape architects.</p> <p>Zach Druga will be attending our April 14 Board meeting (via Zoom) to go over the Uniform Licensure Standards prior to the CLARB membership vote.</p>
Idaho	No updates currently.
Montana	No updates currently.
Nevada	
Northern Mariana Islands	
Oregon	No updates currently.
Utah	No updates currently.
Washington	<p>The Board completed a project to create a mission statement and began work on projects to create a board charter and review the Washington Administrative Code (WAC) for any needed updates. The WAC review has been placed on hold until the April 2022 CLARB Standards of Eligibility vote.</p> <p>Board staff underwent a functional alignment within their division of the Department of Licensing that allows staff to provide better service to our licensees.</p>

CLARB Regional Meeting Summary—February 16, 2022

Region 1

Boards present: Washington D.C., Maine, Maryland, New Jersey, New York, Ontario, Virginia

CLARB Board members present: Todd Reade, Jon Milstead

Region 2

Boards present: Iowa, Kentucky, Manitoba, Minnesota, Missouri, Ohio

CLARB Board members present: Cary Baird, Craig Coronato

Region 3

Boards present: Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas

CLARB Board members present: Joel Kurokawa, Dean Pearson, Nicole Crutchfield

Region 4

Boards present: Kansas, Nebraska, Oklahoma, South Dakota, Wyoming

CLARB Board members present: Carisa McMullen, Lea Ann Macknally

Region 5

Boards present: Arizona, British Columbia, California, Idaho, Nevada, Oregon, Washington

CLARB Board members present: Chuck Smith, Brian Verardo

All CLARB members joined together in one session to hear updates on the 2022 Annual Meeting, collateral organizations, end-of-year financials, L.A.R.E., Job Task Analysis, and Uniform Standard. This included a detailed review of the voting timeline and resolutions for a uniform, defensible experience requirement for licensure that the members will vote on in April. Members were reminded that adopting the standard or model law does not constitute immediate implementation and CLARB will work individually with members and their local stakeholders to develop a plan based on their specific needs.

Following this "all CLARB" session, regions broke out into their respective meeting rooms where representatives from each jurisdiction discussed the upcoming Uniform Standard vote. Members were provided time to ask questions and request additional support from CLARB in preparation for the proposed Uniform Standard and Model Law vote in April.

Below is a combined summary of the regional breakout sessions:

- Some members expressed concern on the timeline for implementation. CLARB's Board and staff clarified that there is no specific timeline or immediate requirement for implementation.
- CLARB informed members that we will work with each jurisdiction individually on a plan for

implementation when it's right for them.

- Questions about stacking education were addressed and it was clarified that only one education, the highest level of education towards the standard, would be evaluated towards the requirements.
- Some members commented that they were planning to discuss and request support from their local ASLA chapter prior to the vote in April.
- CLARB was asked to present at additional members' board meetings to further discuss the Uniform Standard and address questions.