



Secretary Carol Aichele

PENNSYLVANIA STATE BOARD OF LANDSCAPE ARCHITECTS



CONTINUING EDUCATION SPECIAL NOTICE UPDATE

ALL LICENSEES SHALL BE REQUIRED TO OBTAIN 24 HOURS OF CONTINUING EDUCATION BEGINNING JUNE 1, 2013 THROUGH MAY 31, 2015, IN ORDER TO RENEW THEIR LICENSE TO PRACTICE AS A LANDSCAPE ARCHITECT FOR THE 2015-2017 BIENNIAL RENEWAL PERIOD AND THEREAFTER.

In its newsletter of May 2010 and July 2010, the State Board of Landscape Architects attempted to update licensees on the upcoming increase of continuing education from 10 to 24 hours during the 2011-2013 biennial renewal period.

REGRETTABLY THAT INFORMATION HAS CHANGED AND WILL NOT BE EFFECTIVE DURING THE 2011-2013 BIENNIAL RENEWAL PERIOD. THE CONTINUING EDUCATION REQUIREMENT WILL REMAIN AT 10 HOURS DURING THE 2011-2013 BIENNIAL RENEWAL PERIOD WHICH BEGAN JUNE 1, 2011 THROUGH MAY 31, 2013. .

The Landscape Architects' Registration Law (63 P.S. §901 et seq.), is our Commonwealth practice Act, and Section 9.1(b) of the Act specifically provides for continuing education as a condition of licensure. The Board has proposed regulations to increase the continuing education requirements from 10 to 24 hours during each two-year licensure period. Unfortunately the regulations have not been finalized. Licensees should be aware of the Board's proposed regulation, while important, does NOT mean that the regulation has become law at this time. The Board will update this notice at the time that the proposed regulation becomes effective. As proposed, all licensees shall be required to obtain 24 hours of continuing education beginning June 1, 2013 through May 31, 2015, in order to renew their license to practice as a Landscape Architect for the 2015-2017 biennial renewal and thereafter.

Each licensee shall be required to meet the continuing education requirements as a condition for licensure renewal. Continuing education obtained by a licensee should maintain, improve or expand skills and knowledge obtained prior to initial licensure, and applicable to the profession, or develops new and relevant skills and knowledge. No credit shall be given for a course in office management.

Each licensee shall be required to obtain or acquire 24 credits during the biennial renewal period, beginning June 1, 2013 through May 31, 2015. If a licensee exceeds the requirement in any renewal period, a maximum of 12 credits may be carried forward into the subsequent renewal period. Consequently, where a licensee acquired more than 12 credits during the period 2011-2013, in anticipation of proposed Board regulations pursuant to Act 24 of 2009 (Section 9.1(b) of the Act), then such excess credits, up to 12, may be carried forward into the 2013-2015 biennial period.

STATE BOARD OF LANDSCAPE ARCHITECTS PROCEDURE FOR LICENSURE APPLICATION

Jeffrey J. Wood, Board Counsel

The Landscape Architects Registration Law (63 P.S. §901 et seq., hereinafter "Act"), is our Commonwealth practice act, and it provides that the Board must review applicant education and experience before the applicant

may sit for the licensing examination (Section 6(b) of the Act, 63 P.S. §906(b)). The licensing examination is known and referred to as the LARE (Landscape Architect Registration Examination) and is administered through the Council of Landscape Architects Registration Boards, known and referred to as CLARB. The Act establishes the landscape architect as an equal in the related design professions of engineering and architecture, and permits the landscape architect to take a leadership role in the design process, particularly in a collaborative effort among design professionals.

The procedure for licensure is to apply to the State Board of Landscape Architects, and to also apply to CLARB to register for the LARE. As required by the Act, the Board shall review the licensure application to assure that the applicant meets the qualifying requirements to sit for the LARE and to ultimately become licensed and registered as a professional landscape architect based on satisfactory education and experience, and successful completion of the examination. The minimum requirement to take the LARE is:

- a. To be graduated with a degree from a college or school of landscape architecture approved by the Board and to evidence at least two years of practical experience in landscape architecture work of a grade and character satisfactory to the Board;
- b. To have completed educational study in a college or school of landscape architecture approved by the Board and to evidence a combined education and practical experience of at least six years in landscape architecture work of a grade and character satisfactory to the Board; or
- c. In lieu of graduation or completion of educational study from a college or school of landscape architecture approved by the Board, to evidence at least eight years of practical experience in landscape architecture work of a grade and character satisfactory to the Board.

The Board shall review all applications for licensure, and if applicant education and experience are satisfactory to the Board, then CLARB shall be notified by the Board administration granting permission for applicant to sit for the LARE. CLARB refers to this process where the Board reviews and approves as a “pre-approval” to sit for the licensing examination, and the LARE registration

process through CLARB is the responsibility of the applicant.

As a ministerial-function procedure applied by the Board in review of applications to sit for the professional licensure examination, each application received through the Board Administration shall be reviewed by a professional Board member. If the member concludes that the information provided by the applicant is satisfactory to the Board, then the Board Administration shall notify the applicant and CLARB that the applicant is approved to sit for the LARE, and upon successful examination completion to be licensed as a landscape architect. However, the member concludes that the information provided by the applicant is insufficient and/or that the evidence of experience which the applicant has provided is deficient or does not provide adequate detail, the applicant shall be notified by the Board administration with a discrepancy letter that will outline the deficiencies and specify the information which is required for an acceptable re-submittal. The Board administration will make every reasonable effort to ensure that the second or amended application information and documentation is reviewed by the same professional Board member so the enhancements to the application will be appropriate.

If after reviews of an initial and amended application by the same professional Board member, it is determined that an applicant either does not possess the appropriate education or experience, or has not provided sufficient detail in the amended record for the member to make a determination as to the applicant’s suitability to sit for the LARE, that Board member will, through the Board administration, notify Board counsel, who will then issue a letter of provisional denial to sit for the examination. Board counsel will also invite the applicant to submit an appeal and request a formal hearing before the Board.

Applicants need to be aware that the hearing process is a formal procedure which can take many months to schedule and complete and requires attendance at a hearing during a regularly scheduled Board meeting in Harrisburg. A presentation of a case by the applicant and/or their attorney and direct interrogatories by the entire Board will be held before the meeting. In most cases, the Board will not deliberate the findings of any hearing until a subsequent meeting. Consequently, it is imperative that applicants properly document all education and experience for Board review to assure

timely opportunity for the applicant to schedule the LARE through registration with CLARB.

Applications for full licensure may be obtained from the Board's web page at http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_landscape_architects/12511 or by contacting the State Board of Landscape Architects Board Administration [1.717.772.8528]. Registration applications for the LARE may be obtained from CLARB at <https://www.clarb.org/landscapearchitects/Pages/default.aspx>

It is the responsibility of the State Board of Landscape Architects to follow our laws for the protection of our citizen consumers.

LANDSCAPE ARCHITECT PRACTICING TEMPORARILY IN PENNSYLVANIA

Jeffrey J. Wood, Board Counsel

A landscape architect licensed in a jurisdiction other than Pennsylvania may obtain a temporary permit to practice in Pennsylvania for a total of 30 days in a calendar year. The Pennsylvania Landscape Architects' Registration Law (63 P.S. §901 et seq. hereinafter "Act") empowers the Board to permit, subject to regulations promulgated by the Board, a landscape architect licensed in another state to practice in Pennsylvania, if the other state maintains a system and standards of qualifications at least equal to those required in Pennsylvania and the applicant pays the current fee and submits appropriate evidence satisfactory to the Board (63 P.S. §904(3) and §908(2)).

In accordance with the Act, the State Board of Landscape Architects adopted regulations at 49 Pa. Code §15.23 (relating to practice by out-of-State landscape architects) that place the 30-day limit on the practice in Pennsylvania of an out-of-state landscape architect and require the applicant to obtain a temporary permit by submitting proof that (1) the applicant's principal place of business is outside of Pennsylvania, (2) the applicant is legally qualified to practice landscape architecture in the jurisdiction of the principal place of

business, and (3) the standards for authority to practice landscape architecture in that jurisdiction are at least equal to those of the Commonwealth. An out-of-state landscape architect who fails to comply with these regulations is subject to civil and criminal fines. The landscape architect temporary permit holder will use the seal of the home jurisdiction and will affix the signature and a copy of the temporary practice permit to work performed in this Commonwealth.

If the out-of-state landscape architect anticipates a need to practice in Pennsylvania more than 30-days in a calendar year, the landscape architect must obtain a Pennsylvania landscape architect registration and license that will be valid for up to two years (depending on the application date) and may be renewed biennially. Applications for both the temporary permit and for a full licensure may be obtained from the Board's web page at http://www.portal.state.pa.us/portal/server.pt/community/state_board_of_landscape_architects/12511 or by contacting the State Board of Landscape Architects Board Administration [1.717.772.8528].

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Landscape Architect: The Licensed Professional

Jeffrey J. Wood, Board Counsel

With edits by Larry Boyle, Board Regulatory Counsel

The question seems to be whether you consider yourself 'registered,' 'licensed,' or both? When you hold a document issued by the Board that authorizes you to practice or offer to practice landscape architecture, it represents that you have fulfilled educational training and examination requirements that prepare professionals to protect the public.

The Landscape Architects Registration Law (63 P.S. §901 et seq., hereinafter "Act"), is our Commonwealth practice act, and it prohibits unqualified individuals from calling themselves landscape architects and from practicing the profession.

The landscape architect is an equal in the related design professions of engineering and architecture. The landscape architect may take a leadership role in the design process, particularly in a collaborative effort among design professionals.

The Act at section 9 (63 P.S. §909) is headed "Seal of registrants". This section requires every person "registered" under the act to obtain a seal that bears "the registrant's name and number and the legend 'Registered Landscape Architect'". But the same section also states that it is unlawful for any person to use the seal when the "license or registration" has been suspended or revoked.

Section 3 (63 P.S. §903) of the Act is headed, "Registration license required to practice landscape architecture," as if registration were used as an adjective to modify license, a license for the purpose of registration. This section goes on to say that a person practicing or offering to practice landscape architecture must become "registered" and that it is unlawful for a person to practice landscape architecture or use the term or title "landscape architect", "unless duly licensed" under the terms of the Act.

Section 4 (63 P.S. §904) of the Act identifies the powers and duties of the Board. The first power and duty is "(1) To provide for and regulate the licensing of qualified landscape architects and to issue . . . a license to practice landscape architecture to any applicant who meets the requirements" of the Act. Section 4(4) of the Act, however, authorizes the Board to suspend or revoke the "license and registration of any registered landscape architect" who commits various offenses. Section 4(4.1) forbids the Board from reinstating the "license, registration or certificate" of a person to practice as a registered landscape architect that has been revoked.

Section 4(5) of the Act refers to the "biennial registration," as if registration were the biennial event, and the Board has the power and duty to require all persons licensed and registered; to register biennially with the board, to prescribe the form of such registration, to require as a condition precedent to such biennial registration the payment of biennial registration fees, completion of acceptable continuing education, to issue biennial registration to such persons, and suspend or revoke the license or registration of such persons who fail to register. While this section of the Act might suggest that the biennial event is a "registration", section 9.1 suggests that it is the renewal of a license: "The board shall adopt . . . regulations . . . establishing requirements of continuing education to be met by individuals licensed as landscape architects . . . as a condition for renewal of their licenses".

It would seem difficult and uncertain to distinguish license from registration under the Act. A landscape architect is required to have a seal that identifies himself or herself as a "Registered Landscape Architect." The same person is identified in the Act as holding a current license. By calling himself or herself a licensed landscape architect, the person simply gives out truthful information.

As noted in regulations recently proposed by the Board, in the future, a person may call or refer to himself or herself as a "Landscape Architect" (L.A.), "Registered Landscape Architect" (R.L.A.), "Professional Landscape Architect" (P.L.A.) or "Registered Professional Landscape Architect" (R.P.L.A.). Licensees should be aware that a Board's proposed regulation, while important, does NOT mean that the regulation has become law at this time. The Board will update this article after the proposed regulation becomes effective.

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