

# Idaho Board of Landscape Architects

## Board/Commission Members:

- William A Ogram, IV, Hayden – Chair
- James H Opdahl, Payette – Public Member
- Jon F Breckon, Boise

**Board/Commission Composition:** The Board consists of three members: two (2) landscape architects, and one (1) public member. Board members serve a term of four (4) years. [Idaho Code § 54-3003](#).

**Operating costs per licensee: \$119.01.** This number represents the dollar amount required annually to serve each applicant or licensee based on the average number of licensees and the average expenditures since Fiscal Year 2014. This includes all administrative, fiscal, legal and investigative services.

**Total number** of licensees in Idaho on May 19, 2018: **265**.

For the Idaho Board of Landscape Architects, the **shortest time** from complete application to issuing a license was the **same day**. The **longest time** from complete application to issuing a license was **76 days**. Of all licenses, **33.3 percent** were issued the **same day**. The **average time** from complete application to issuing a license was **22.3 days**. The Board issued **9 licenses** between May 19, 2017 and May 19, 2018.

**Note:** All Board meetings are subject to Idaho's Open Meeting Law. The law requires a minimum of five (5) calendar days' notice for regular meetings, and a forty-eight (48) hour notice for the agenda. Special meetings require twenty-four (24) hour meeting and agenda notice. [Idaho Code § 72-204](#).

Idaho Board of Landscape Architects

**A. Index of Statute, Rule, and Policy Requirements for Licensure and Renewal**

		<b>Statute</b> <a href="#">Title 54,</a> <a href="#">Chapter 30</a>	<b>Rule</b> <a href="#">IDAPA</a> <a href="#">24.07.01</a>	<b>*Policy</b>	<b>Application</b>	<b>Basis to Deny</b> <b>Issuance or</b> <b>Renewal</b>	<b>Fees</b>
Landscape Architect	Issuance for Initial License	<a href="#">I.C. § 54-3003(01-02)</a>	<a href="#">IDAPA</a> <a href="#">24.07.02.201</a>	*	<a href="#">Application</a>  <a href="#">Reference</a> <a href="#">Letter</a>	<a href="#">I.C. § 53-3004</a>	<a href="#">\$75 Application Fee</a>  <a href="#">\$125 License Fee</a>
	Renewal Requirements	<a href="#">I.C. § 54-3003(05)</a>	N/A	*		<a href="#">I.C. § 53-3004</a> and <a href="#">I.C. § 67-2614</a>	<a href="#">\$125 Renewal Fee</a>
Landscape Architect in Training	Issuance for Initial License	N/A	<a href="#">IDAPA</a> <a href="#">24.07.01.250</a>	*	<a href="#">Application</a>	<a href="#">I.C. § 53-3004</a>	<a href="#">\$25 Application Fee</a>
	Renewal Requirements	N/A	N/A	*		<a href="#">I.C. § 53-3004</a> and <a href="#">I.C. § 67-2614</a>	N/A

*\*All of the Board's requirements for licensure and renewal are in statute or rule. The Board does not have any requirements in policy.*

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### B. Applications and Renewals Denied, May 19, 2017 – May 19, 2018

Refusal to Issue Initial License [Total Number: 1]

	<b>Statutory Basis</b>	<b>Summary of Factual Basis</b>
1	<a href="#">IDAPA 24.07.01.250</a>	Architect-in-training registration exceeded 6 years. The Board allows up to 6 years after an applicant finishes the required schooling or practical experience for that applicant to pass the examination. During that time, the applicant may register as an architect-in-training. However, registration as an architect-in-training shall not exceed 6 years. (Even though registrations may expire and the title “architect-in-training” can no longer be used, individuals can still work and they can still become licensed.)

Refusal to Renew License [Total Number: 0]

	<b>Statutory Basis</b>	<b>Summary of Factual Basis</b>
	None	

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### C. Disciplinary Actions for the Past Five (5) Years \*\*

*\*\*The Idaho Board of Landscape Architects did not have any complaints from Fiscal Year 2013 through May 19, 2018.*

Number	Date of Final Action	Action Taken	Statutory Basis	Summary of Factual Basis
None				

### D. Changes or Attempted Changes in the Last Five (5) Years to Eliminate Barriers to Entry

#### Law and Rule

Session	Legislation or Rule	Summary
2014	<a href="#">House Bill 346</a>	<p>Allows a person who had completed their education or practical experience to qualify as a landscape architect-in-training prior to passing the licensing examination.</p> <p><b>Impact:</b> This bill provided a benefit to individuals in the process of qualifying for a license as a Landscape Architect. To qualify for a license an individual must be 18 years of age, possess certain education and passage of a national exam. The law had required an individual to meet the same qualification for a license in order to use the title “Landscape Architect-in-Training.” The bill revised section 54-3002(5) to allow an individual to use the title “Landscape Architect-in-Training” title upon completion of the education.</p>

Law and Rule (continued)

Session	Legislation or Rule	Summary
2014	<a href="#">Docket No. 24-0701-1301</a>	<p>The Board updated and modernized its exam process, accomplishing the following:</p> <ul style="list-style-type: none"> <li>• Deletes language that required completed applications be received by the Board 30 days in advance and replaced it with “prior to the next scheduled meeting.”</li> <li>• Exams were no longer limited to the months of June and December.</li> <li>• Eliminates 300.03 and 300.04 which required notification from the applicant that they intended to sit or the exam, either for the first time or for reexamination, and all related deadlines.</li> <li>• Eliminates the processing fee (\$25) for the exam.</li> </ul> <p>The Council of Landscape Architectural Registration Boards (CLARB), which is made up of board members from licensure the boards, changed the examination to on-line at a testing facility. Applicants could apply directly to the exam provider to take the examination. The Board amended its rule to allow for the change in the examination process. The Board was required to meet in April and October of each year. The Board amended the rule to require that it meet twice yearly and at such other times as it deems necessary. The Board worked with CLARB in providing an on-line examination. The change to online examinations allows more examination opportunities and allows the applicant the flexibility of scheduling exams without the exam application review deadlines that were imposed by this rule. On-line exams are offered more frequently and around the state. Prior to this change examinees had to come Boise when exams were offered (twice per year) and would have to submit an application for exam 30 days prior to the month the Board met (April and October). The rule change also allowed the Board to consider other exams. This change allows the Board to consider applicants who may have taken an exam other than the national exam.</p> <p><b>Impact:</b> This rule change provides more flexibility to applicants, eliminated a fee, and allows the Board to consider those who may have taken another exam. It also eliminated barriers in costs by no longer requiring applicants to come to Boise to take the exam. The exam is offered more frequently, which allows applicants to become licensed more quickly.</p>

Law and Rule (continued)

Session	Legislation or Rule	Summary
2018	<a href="#">Docket No. 24-0701-1701</a>	<p>This rule change accomplishes the following:</p> <ul style="list-style-type: none"> <li>• Modernizes the approved education to recognize that programs are accredited by the Landscape Architectural Accreditation Board (LAAB).</li> <li>• Lowers the application fee from \$100 to \$75.</li> <li>• Lowers the original licensee fee and renewal fee from \$150 to \$125.</li> </ul> <p><b>Impact:</b> The Board has worked hard to be efficient. For example, members may participate via conference call, and they have reduced travel costs related to Board business. The fees were lowered because the Board’s revenues were exceeding its expenses and the Board wanted to leave more money in the hands of the licensees.</p>

Policy

Date	Policy	Summary
2018	30-day application policy	The Board adopted a policy that directed staff to notify the board chair when a completed application was received so that, if possible, a meeting to review that application could take place within 30 days.

Additional Barriers Eliminated/Opportunities Provided

Date (older)	Barriers/Opportunities	Summary
2017	Implemented Idaho Code for military service and added it to the Board's website	<p><a href="#">I.C. § 67-2620</a> For military service members and veterans, the Board added to its website a link to a law that says the Board may accept military training and experience toward qualification for licensure. The law states that professional and occupational licensing boards may accept military education, training, and experience toward meeting the qualifications for a license, certification or registration. Boards may also expedite applications, including military spouse applications.</p> <p><a href="#">I.C. § 67-2602A</a> Additionally, if a licensee already holds an active Idaho license and are on active duty in the United States Armed Forces, that license will remain active without renewing it for six (6) months following discharge from active duty. The license shall remain in good standing without the necessity of renewal and during said period the same shall not be cancelled, suspended or revoked.</p>
2015	<a href="#">I.C. § 67-2614</a>	<p>Set the reinstatement fee to \$35 and eliminated the requirement that reinstatement include payment of the license fees for all of the years the license had been expired.</p> <p>Reasons/impact of law change: Those whose licenses expired within the last five (5) years had to pay licensure fees for each year they were expired. Anyone whose license had been expired for more than five (5) years would have to apply as a new applicant. This law change reduced barriers to reentry in two ways. <b>For those expired within five (5) years, it eliminated the requirement to pay licensure fees for each year the license was expired. For those expired for more than five (5) years, it allows the Board to consider education, supervised practice, examination or practice in another jurisdiction in determining the person's competency when reviewing application.</b></p>
2010	Requiring experience in Idaho	The Board proposed and the Legislature approved removal of language in the law that required applicants to have two Idaho licensed landscape architects attest to the applicant's competence. Now any licensed landscape architect can attest.
2006	State examination	<a href="#">House Bill 538</a> This bill eliminates the state exam (administered only in Boise) as an additional requirement for licensure. It reduces travel and accommodation costs for prospective licensees, and allows for better portability and ease of licensing for those seeking endorsement.

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### **E. Assessment of Public Interest**

The Idaho Board of Landscape Architects works to protect our public's health, safety and welfare by establishing professional licensure standards consistent with all 50 licensure boards across the United States, the 10 Canadian Provinces and Puerto Rico. Licensure is a formal, legal recognition that an individual has demonstrated the knowledge, skills and abilities to practice landscape architecture without endangering the health, safety or welfare of the public. Licensees must meet requirements in education, examination and experience in order to provide landscape architectural services or to use the title "landscape architect." There are currently more than 260 Licensed Professional Landscape Architects within our state.

Landscape architecture involves the design and arrangement of land forms and the development of outdoor space including, but not limited to, the design of public parks, playgrounds, cemeteries, home and school grounds, and the development of industrial and recreational sites. For example, the public expects that pathways, traffic calming techniques, retaining walls, sidewalks, wayfinding, lighting, irrigation, wildfire mitigation and stormwater systems are designed to be safe. Landscape architects also protect the public through their knowledge of poisonous plants, invasive species, biodiversity and allergens.

Landscape Architecture is important for public as well as private spaces. If the common features in our environment are improperly built, the result can be costly. The damage may come from failed systems and result in expensive mitigation and repair bills, not to mention the danger to life and limb for the people who trust their environment will be safe.

**F. Recommendations for Improvement, Modification, or Elimination of Requirements**

1. Update the Board's act using the Bureau's model law template to streamline the language and make it easier to find relevant sections. (It is currently written with almost all of the law in one section. Reorganization of the Act would modernize its structure and simplify its use.)
2. Continue Board philosophy that continuing education is the responsibility of the licensee.
3. Review the requirements for licensure involving letters of reference. This review would include CLARB's requirements regarding references and references vs. experience.
4. Review the law and rules to ensure the references to "registered" have been updated to "licensed."

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### Summary of Objectives

The Licensing Freedom Act asked that all of Idaho's professional licensing entities critically look at their processes, laws and rules. The goal is to document the elimination of barriers and make recommendations for future changes that improve, modify or eliminate laws and rules governing professional licensure. In response, the Idaho Board of Landscape Architects respectfully submits the above report and summarizes with a checklist to ensure all of the objectives were met:

- ✓ Objectives of Executive Order
  - ✓ Protect the public.
  - ✓ Portability of licensure. (*Endorsement I.C. § [54-3003](#) (6)*)
  - ✓ Eliminate barriers to entry to work. (*Practical as well as educational pathway to licensure*)
  - ✓ Do away with unnecessary regulation. (*[IDAPA 24.07.01](#) Sections 201.03, 300, 400*)
  - ✓ Modernize licensure and regulatory requirements. (*See Section F*)
- ✓ Comprehensive Review - consider some of the issues raised in the background material, such as,
  - ✓ Telework – Idaho has recently passed laws related to telehealth but other occupations may be facing similar issues regarding telework. (*Allows for electronic seal, I.C. [54-3003](#) (9)b, changed in 2003 through [House Bill 331](#)*)
  - ✓ Distance/Online Learning/Testing – distance/online education and testing are increasingly available and may influence the resources that applicants or licensees can access to obtain education, continuing education or to test. (*Online testing for licensure; licensure does not require continuing education.*)
  - ✓ Criminal History – What barriers or additional obstacles do applicants/licensees face who have a criminal conviction? Do our laws consider the relevance or proximity in time of a conviction to the individuals applying for licensure or for those currently in practice? (*I.C. § [54-3004](#)*)
  - ✓ Early Examination – What can be addressed in the timing of processes to eliminate unnecessary delays? (*Registers architects-in-training, which allows an applicant to work until they pass the exam, I.C. § [54-3002](#) (5)*)
  - ✓ Continuing Education Hardship – Is there an allowance for extenuating circumstances? (*Licensure does not require continuing education*)
  - ✓ Temporary Permits – Are there opportunities to work while minimum requirements are being met? (*Landscape architect-in training, I.C. § [54-3002\(5\)](#)*)